

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

**Seventy-Ninth Session
April 13, 2017**

The Committee on Government Affairs was called to order by Chairman Edgar Flores at 8:08 a.m. on Thursday, April 13, 2017, in Room 4100 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:

Assemblywoman Irene Bustamante Adams, Assembly District No. 42
Senator James A. Settelmeyer, Senate District No. 17
Assemblyman James Oscarson, Assembly District No. 36
Assemblywoman Lisa Krasner, Assembly District No. 26
Assemblywoman Heidi Swank, Assembly District No. 16

Minutes ID: 804



STAFF MEMBERS PRESENT:

Richard Combs, Director, Legislative Counsel Bureau
Carol Stonefield, Chief Principal Policy Analyst
Jered McDonald, Committee Policy Analyst
Jim Penrose, Committee Counsel
Isabel Youngs, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Barbara Cegavske, Secretary of State, Office of the Secretary of State
Doug Goodman, Private Citizen, Sparks, Nevada
John Fudenberg, representing Clark County
Julia Peek, M.H.A., Deputy Administrator, Community Services, Division of Public and Behavioral Health, Department of Health and Human Services
Gerold Dermid, Coordinator, Community Relations and Field Studies, School of Community Health Sciences, University of Nevada, Reno
Devin Brooks, Private Citizen, Las Vegas, Nevada
Vicky L. Maltman, CD2 Auxiliary Director, Veterans in Politics
Richard Carreon, Private Citizen, Las Vegas, Nevada
Ryan Gerchman, representing United Veterans Legislative Council; and Wolf Pack Veterans
Scott F. Gilles, Legislative Relations Program Manager, Office of the City Manager, City of Reno
Ed Garcia, representing Regional Transportation Commission of Southern Nevada

Chairman Flores:

[Roll was called. Rules and protocol were explained.] We will start with Assembly Bill 465.

Assembly Bill 465: Revises provisions relating to the Advisory Committee on Participatory Democracy. (BDR 18-553)

Assemblywoman Irene Bustamante Adams, Assembly District No. 42:

Assembly Bill 465 is a recommendation from the Sunset Subcommittee of the Legislative Commission. It proposes to make changes to the Advisory Committee on Participatory Democracy (ACPD). As you know, the Sunset Subcommittee is responsible for reviewing all boards and commissions created by this body. From time to time, a particular entity comes before that subcommittee during the interim. That is the case for ACPD. They initially reviewed ACPD in 2013. At the time, a representative from former Secretary of State Ross Miller's team indicated that ACPD was inactive. However, the Secretary of State requested that the Sunset Subcommittee not recommend it for termination. Instead, he asked to give his successor the opportunity to suggest revisions to the *Nevada Revised Statutes* (NRS) so that ACPD could be more effective. Those are the provisions before you today.

The bill does three things. First, it allows the Secretary of State to appoint up to nine members. This will enable her to convene the ACPD with a smaller number of members. Second, this bill will reduce the membership term from three years to two years. Third, ACPD is required to meet at least one time per year but not more than four times per year. The existing law requires ACPD to meet at least every three months, which becomes problematic. Our policy analyst will give you a brief history of the ACPD. It will give you a sense of why to make the changes. Our Secretary of State is here, and she will let you know what she plans to do with the ACPD.

Carol Stonefield, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau:

I was the policy analyst for the Sunset Subcommittee in the most recent interim. The ACPD currently consists of ten members, including the Secretary of State. The nine others are appointed by the Secretary. She is directed to consider political, geographical, and demographical factors when appointing members. The ACPD was started in 1997 in the Department of Museums, Library and Arts, which we now call the Department of Tourism and Cultural Affairs. Its task was to advise on increasing public participation and democracy and to collect materials relating to the participation of citizens in the development of public policy and the improvement of the operation of government.

In 2003, the Legislature moved the ACPD to the Office of the Secretary of State and gave it the goal of increasing voter registration and voter participation. At the time that the Sunset Subcommittee reviewed the ACPD, it had not been active for a few years. There were several reasons for this, including the difficulty in recruiting people to serve. The ACPD has no resources to cover expenses or materials including travel expenses for members. As Assemblywoman Bustamante Adams mentioned, meeting once every three months became prohibitive for some members. The ACPD was successful in promoting voter registration and turnout, so interest waned.

The Sunset Subcommittee wondered at the time it reviewed the ACPD in the 2013-2014 Interim if it had outlived its usefulness. However, Secretary Miller asked that the Sunset Subcommittee postpone taking recommendations. The Sunset Subcommittee requested that the new Secretary of State appear in the 2015-2016 Interim to provide the Sunset Subcommittee with any suggestions she had for how she might want to revise NRS and what she might plan to do to make the ACPD relevant once again.

Senator James A. Settlemeyer, Senate District No. 17:

I was the Chairman of the Sunset Subcommittee. I wanted to recommend that this was a great concept. We looked at this situation, and I was not ready to sunset a committee on participatory democracy, so we were very eager for the next Secretary of State to address it.

Barbara Cegavske, Secretary of State, Office of the Secretary of State:

Thank you for the opportunity to present A.B. 465 this morning. Assembly Bill 465 is a simple bill that makes changes to the makeup and administration of the ACPD. We appreciate the work of Senator Settelmeyer and Assemblywoman Bustamante Adams in the Sunset Subcommittee for working with us to retain the ACPD. The ACPD is a committee administrated by the Secretary of State that encourages the participation of Nevada residents and the development of public policy in the improvement and operation of government at all levels. Unfortunately there has been little activity on this committee for several years. The Sunset Subcommittee was considering the ACPD's necessity. Much of the inactivity was due to the current statute provisions that make the committee difficult to administer.

The ACPD is charged with identifying and proposing programs that support participation in democracy; making recommendations to the Secretary of State concerning participatory democracy; supporting state, local, and national entities prompting participatory democracy; and promoting civics education and engagement. We agree with the recommendations of the Sunset Subcommittee. We are committed to reviving the ACPD. The provisions of A.B. 465 will give the Office of the Secretary of State the flexibility to do so.

Assemblywoman Neal:

What do you plan on doing with the committee? I was thinking this might be a good committee to make youth-based or roll into the Nevada Youth Legislature. Maybe we can bring younger generations into the process.

Barbara Cegavske:

We are very excited about everything you talked about. When you talk about proposing programs that support it, that is the Nevada Youth Legislature. The civics education and engagement all goes with the high school students. We start in fourth grade, middle school, and high school. We talk to them about the importance of voting and being in their community. All of that wraps into this. We did not identify specific groups, but there is no doubt in my mind that the Youth Legislature will want to work with us on this. I have worked with former Senator Wiener, and I think she would be very excited to participate. In fact, I am hoping one of the youth legislators will be a member.

Assemblywoman Bustamante Adams:

I would add that it is not just the youth. It expands from our youth to our seniors who live in Nevada. It is a wider range than just the Youth Legislature.

Assemblyman Ellison:

For the last several years, I have watched the Sunset Subcommittee and what they have done. I have to take my hat off to you for what you have completed. It is amazing. Year after year you bring back stuff that you are weeding out. You have done a great job, and you need to be commended.

Chairman Flores:

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

Doug Goodman, Private Citizen, Sparks, Nevada:

Over a year ago, I read that the ACPD was on the chopping block in the Sunset Subcommittee. The reason was because it was having trouble getting members. I immediately notified the Office of the Secretary of State and Wayne Thorley, Deputy for Elections, Office of the Secretary of State, that I would definitely want to be considered for membership on that committee. Participating in our democracy and our government process is so critical. Assemblywoman Neal just hit probably the biggest issue, which is how to get our youth involved. I was hooked when I was 11 years old in the early 1960s after the Kennedy and Nixon debates. How do we do this and get involved in the process here in Nevada? To me that is very important. I hope the Assembly Committee on Government Affairs does allow this bill to move forward. Hopefully I will have a chance to be a part of this.

Chairman Flores:

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.] Thank you for being here. I may add this bill to our work session today. I will close the hearing on A.B. 465. I will open the hearing on Assembly Bill 464.

Assembly Bill 464: Revises provisions governing certain reports required to be submitted by or to certain governmental entities. (BDR 18-542)

Assemblywoman Irene Bustamante Adams, Assembly District No. 42:

Before you today is Assembly Bill 464 for your consideration on behalf of the Legislative Commission, which is made up of members of this body. The bill carries out the duties of the Commission under *Nevada Revised Statutes* (NRS) 218D.380, which directs the Commission to review the list of reports to the Legislature that have been in existence for four or more years and to consider whether the report should be repealed, revised, or continued. The Commission also takes into consideration the cost and benefits of the report and whether the information is available from another source. The genesis of this biennial review goes back to the 77th Session when Assemblywoman Benitez-Thompson and Assemblywoman Kirkpatrick worked with Senator Debbie Smith to take a hard look at the hundreds and hundreds of reports that are required to be submitted to the Legislature each year. The passage of Assembly Bill 350 of the 77th Session and Senate Bill 405 of the 77th Session set up the review process in NRS 218D.380. That results in a number of reports being eliminated.

Last session, this body passed Assembly Bill 457 of the 78th Session to continue the weeding and pruning of the reports. The bill before you today is literally a housekeeping bill. It will save agencies time and money by getting rid of reports that are no longer needed. It will benefit the public by converting paper reports into online posting requirements. It is more cost-effective and makes information more accessible. Rick Combs, the Director of the Legislative Counsel Bureau (LCB) is here. He will go over the specific sections in the bill on these reports and the elimination or modification of them.

Richard Combs, Director, Legislative Counsel Bureau:

I am not here to testify in support or opposition to this bill, but simply to explain the provisions of the bill. It is a bit unusual in that the statute does task me, the Director of the LCB, with making some recommendations to the Legislative Commission for its consideration when this bill draft request was submitted. Now that it is in the form of the bill, it is up to the Committee to decide whether the reports should be changed in the manner reflected in the bill.

Sections 1 and 2 of the bill are reports on domestic violence. There is the Committee on Domestic Violence and the Nevada Council for the Prevention of Domestic Violence, both of which are staffed by the Office of the Attorney General. Both entities are required to submit a report around the same time biennially. Sections 1 and 2 basically eliminate the report required from the Committee on Domestic Violence. It adds the Committee on Domestic Violence to the entities the Nevada Council for the Prevention of Domestic Violence is required to include comments and recommendations from in its report. It will reduce the number of reports by one. I think it will probably save the Office of the Attorney General a bit of trouble in the process.

Current law requires a regional rapid transportation authority in Clark County to submit an annual report to the Legislature regarding certain activities, findings, and plans of the authority. Section 3 would convert that reporting requirement from annual to biennial. That seemed appropriate given that it would be there in time for the Legislature's consideration. Section 4 concerns the Housing Division of the Department of Business and Industry. It is required to submit an annual report that basically compiles reports that are submitted by affordable housing authorities. Cities and counties submit those reports regarding affordable housing in their jurisdictions. Section 4 would eliminate the requirement to submit the compilation reports to the Legislature and would instead require that the compilation be posted on the Housing Division's website.

Section 5 is regarding the report completed by the Merit Award Board of the Division of Human Resource Management, Department of Administration. Current law requires an annual report to both the Budget Division, Office of Finance, Office of the Governor, and the Interim Finance Committee regarding suggestions made by state employees or groups of state employees to reduce state expenditures or improve operations of state government. Section 5 would convert that requirement from annual to biennial as well, in time for the Legislature to consider anything in the report that it wanted to consider. Section 6 addresses the Public Employees' Retirement System (PERS) report on investments in scrutinized

companies. Each year I receive a report that says they do not have any scrutinized companies to report. Since the report was put into place, that is basically what they have done to address it. What I had recommended to the Legislative Commission was that PERS just be required to submit that report on its website rather than submitting it to the Legislature.

Sections 7 and 8 address reports on capital improvement plans and capital improvements that are owned, leased, or operated by local governments. Currently, the annual copy of the capital improvement plan is required to go to the Department of Taxation, the county debt management commission, and me. Current law also requires the local governments to submit to the Department of Taxation and me a report concerning what capital improvements they own or lease. Sections 7 and 8 would eliminate the requirement to submit the plans and reports to the Director of the LCB and instead requires the Department of Taxation to provide a copy of the plan or report to the Director upon request. The Fiscal Analysis Division would be the most likely entity in the LCB that would be interested in this information. They can get it on an as-needed basis from the Department of Taxation.

Current law requires the Commissioner of Insurance in the Department of Business and Industry to report changes in rates or in the Uniform Plan For Rating Experience, the Uniform Statistical Plan, and the Uniform System of Classification to the Director of the LCB. Section 9 would eliminate that requirement. We have not seen any requests for that information, and it is hard for us to determine when the report should be submitted since it is not done on a timeline.

Section 10 of the bill repeals the requirements for a number of reports. The first is a report on the transports by fire departments and ambulance services in Clark County. The second is a Nevada System of Higher Education report on police activities. The third is a Nevada System of Higher Education report on capital improvements which is similar to the local government report. The fourth is the State Fire Marshal fire-safe cigarette report. That was recommended for elimination by the State Fire Marshal.

These are recommendations that the Legislative Commission came up with, in part based on my recommendations for consideration during the interim. If there is heartburn with eliminating any of these or changes in the frequency of any of these, that is certainly what this process is for. The bill could be easily amended to address those concerns, if there are any.

Chairman Flores:

I have a question about an email that came in from the Clark County Fire Department. At any time while these concerns were being raised, did you have contact with the Clark County Fire Department? Do you remember?

Rick Combs:

I do not recall us ever contacting the fire department. Were they concerned about the fire-safe cigarette report?

Chairman Flores:

They brought up that the Clark County Fire Department emergency medical services reports were being removed. Their understanding is that they would no longer have to report the number of transports of ambulance services, fees charged to transport, whether there was insurance at the time of transport, et cetera. The concern raised was that they use those reports for grant funding. According to them, taking these reports away would be to their detriment. I have had a conversation with our legal counsel, and they think there may be an alternative way to continue to submit the reports. I just wanted feedback from you.

Rick Combs:

This one was on the list two years ago and ultimately did not make it into the bill. The recommendation that we had on this was primarily because we are not finding that anyone in the legislative body—the Assembly Committee on Health and Human Services, the Senate Committee on Health and Human Services, or other legislative bodies—is using the information. It is a significant amount of information that comes in on a quarterly basis. If there is no appetite to eliminate the report, I would certainly be willing to consider anything legal counsel has come up with. The information could also be included on Clark County's website, too.

John Fudenberg, representing Clark County:

I was not aware of those concerns by the fire department. I will speak to them because they are supposed to go through us as the government affairs team. I will be testifying in support of this bill, so I was not aware of that concern. I will definitely look into it.

Chairman Flores:

I will say the email was sent some time ago. Afterwards I did not get anything else. That concern may have been alleviated either through dialogue or the realization that there were other mechanisms for those reports to go out. I did want to put those concerns on the record because they were sent to me.

Assemblywoman Neal:

I am a report person, and I do dig through the website. You compile the report, which I like. It is about 37 pages. It lists the report, the agency, the scope, the authority, and the LCB staff. The lightest one I saw was the range from July 1, 2015 to June 30, 2017. Why is the LCB legislative report where you list everything that has been turned in every biennium not made more available? It is a hyperlink to access the report.

I do not disagree with putting it on the website, but I thought that when you compiled that report that it was a way of reducing the paper trail and make it online. Now it is one document where you can find everything that has been turned in.

Rick Combs:

You are correct. That is the way we put that on the website. Assembly Bill 350 of the 77th Session and Senate Bill 405 of the 77th Session tasked me with the responsibility of trying to cull some of those reports out. As you can imagine, if reports are added every session and none are ever culled out, then it does become more voluminous every year. That was the intent of those two pieces of legislation and why we go through this process. We are not eliminating a ton of those reports, but we are trying to come up with a few that are not being used, especially by the Legislature.

Assemblywoman Neal:

How do we help the incoming legislators even know that there is a report being collected? When Assemblywoman Bustamante Adams and I came on board, this was like a gold mine. We were like, Oh my God! We can find the legislative history for, like, 15 years! Incoming legislators typically do not access it even though it is a constant part of a bill. How do we bring people into what is a common practice of the reporting behavior?

Rick Combs:

I know we mention that it is available during the new legislator orientation, but I think your point is well-taken. Maybe we do not emphasize that enough and what use it might have for new legislators in that orientation program. I definitely would take that under advisement for next time.

Assemblywoman Neal:

If you ever want to allow a field trip into archives to dig through boxes, I would take that up.

Assemblyman Daly:

The Sunset Subcommittee of the Legislative Commission looks over these measures, and we get thousands of reports. There are several new reports generated and bills that were processed in this session. When you look at them, do you take into consideration whether the Legislature is actually looking at it? You do not know if other people are accessing it or not, but you check to see if the report is serving its purpose. I was on the Sunset Subcommittee before, and I do not think we reviewed these reports, but a lot of times the agencies have grown over the report and they are doing it on the Internet.

The report is just a redundant piece of paper that no one is reading because it is available in other places. All of these things go into your thought process when you come forward with recommendations like these. That is obviously why we have the hearing to bring up issues like the one with the Clark County Fire Department. But most of that stuff is already still available, and if someone still wants to produce the report, they can; they just do not have to send it to the Legislature, is that correct?

Assemblywoman Bustamante Adams:

You are right, but the Sunset Subcommittee reviews boards and commissions. The Legislative Commission, which is made up of bipartisan leadership from this body, reviews the reports. In November 2016, we had this discussion with Mr. Combs and voted unanimously to bring forth the recommendations. They are two different groups, but they go through the same process. We ask questions: Does the body still look at the information? Is there a way to be more cost-effective? Can we put it on the website instead of producing it by paper? We have all of those discussions.

Rick Combs:

As a responsibility placed on my office, this is really pretty difficult. It is hard to determine whether someone finds a report interesting or not without surveying everyone in the state and asking if they found the report interesting. It is more about us trying to apply some sense. We check to see if anyone has asked for that report recently or brought it up at a commission hearing. Many of them are attached to the commission's agenda as informational items. They appear on some of the other interim studies' agendas as well. That is the analysis that I have been able to go through. I do not want to lead the Committee to the opinion that I have the ability or time to do a whole lot of analysis on this other than that basic amount.

One area that we are looking to get more diligent about with regard to these reports is having them monitored better for compliance. As you can imagine, with the number of reports we get, we cannot monitor whether they are all being reported on time or not. We do not have staff time to do that on a regular basis, but I am working with the Research Division of the LCB and we are hopeful that we can start doing better about following up when we see that something has not been submitted that was supposed to be.

Assemblyman Daly:

I know you get thousands of reports. There are more than people actually realize. I know NRS 218D.380 says you are supposed to review these every five years, but with that many reports it will take you a few decades just to sift through them, similar to the work of the Sunset Subcommittee. There are boards and commissions that you still have not reviewed. There are new reports being generated. There is one thing I have noticed that you might want to take a look at. I have seen at least four bills this session that create a report and exempt them from the requirement to be overlooked. It defeats the whole purpose that we put this statute into place. I brought it up every time I saw it during hearings and suggested that sponsors not do that, but I have not been successful yet.

Chairman Flores:

I am inclined to add this to the work session today, too. I have asked Clark County to reach out to the fire department to find out where they are at with their email. Should that issue not be an issue anymore, we will add it to the work session. If it is still a concern, we will sit down and try to figure out what to do to fix it. Is there anyone wishing to testify in favor of the bill? [There was no one.] Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.] I will close the hearing on A.B. 464. Next on the agenda is Assembly Bill 466.

Assembly Bill 466: Revises the provisions governing contracts for services between a state agency and a former employee of a state agency. (BDR 27-354)

Assemblyman James Oscarson, Assembly District No. 36:

My remarks are brief. Thank you, Chairman Flores, for hearing this important bill this morning. Today I am here to present Assembly Bill 466. I was privileged to be the Chair of the 2015-2016 Interim Legislative Committee on Health Care. The Committee was established in *Nevada Revised Statutes* (NRS) 439B.200. It has broad authority to review and evaluate the quality and effectiveness of the overall system of medical care in the state.

During the 2015-2016 Interim, the Committee was composed of myself, Senator Hardy as Vice Chair, Senator Kieckhefer, Senator Spearman, Assemblywoman Benitez-Thompson, and Assemblyman Gardner. Over the course of seven day-long meetings, the Committee considered numerous issues affecting the health and health care of Nevadans. We heard testimony from the Division of Public and Behavioral Health within the Department of Health and Human Services regarding challenges meeting the state's public health workforce needs. According to a report from the Trust for America's Health, across the nation 41 percent of state public health departments have a vacancy rate of 10 percent or higher. In Nevada, the vacancy rate was approximately 18 percent in fiscal year 2015. According to the Division of Public and Behavioral Health, replacing staff is both difficult and costly. Division representatives indicated that one barrier to filling these vacancies is an existing law [NRS 333.705] that prohibits former State of Nevada employees from working in a contract role for two years after being a state employee.

As written, the law treats interns and students with graduate assistantships as former state employees. This prohibition makes it difficult to hire interns and others who have gained valuable experience with and knowledge of the state agency. The Division indicated that it would prefer to be able to keep such public health professionals in the state without having to take the extra step of seeking approval from the State Board of Examiners to hire them.

As a result of this testimony, the Legislative Committee on Health Care voted unanimously to propose the language contained in A.B. 466. In section 1, subsection 9, paragraph (e), the bill simply adds, "The employment of a former employee of an agency of this state who is not receiving retirement benefits under the Public Employees' Retirement System during the duration of the contract" to the list of entities that are exempt from the prohibition on contracting with a former state employee for two years after the termination of the person's state employment ([Exhibit C](#)).

Julia Peek, M.H.A., Deputy Administrator, Community Services, Division of Public and Behavioral Health, Department of Health and Human Services:

We are here in support on behalf of the Division of Public and Behavioral Health (DPBH). I want to thank the interim Legislative Committee on Health Care for championing this bill. I did present to them during the interim. They took what was said and submitted this bill. I want to give you a few concrete examples of how this is being implemented. I do not think it was the intention of the initial bill, Assembly Bill 41 of the 77th Session. Some of you

were here so I will not give you a whole lot of history. I reviewed all the minutes from the hearings, and this specific section was discussed during one testimony as a cooling-off period and preventing double-dipping. The bill as presented would control for that. I will give you a few examples of how this is affecting our internship program and our hiring of graduates.

Our master's-level internships are hugely important for the Division. This is part of our workforce development. To give you an example of how this is being implemented, we had one intern who, during her graduate work, wanted to come and intern with us. As an undergraduate and a graduate student, she was serving as a mock patient about once a month for her university's school of medicine. That was considered former state employment, so we had to do all the paperwork and present to the Board of Examiners to have her approved as an intern. That put a huge delay on her hiring.

Another issue we are having is that specifically at DPBH, we function on grant funding. In any cases we have deliverables that are only a year in length. If we have had some salary savings and we need assistance completing those, we can hire graduates to contract for a short period of time. This is a great opportunity for recent grads out of the universities. They can get work experience and see if working for us is a good fit. Many of them have had very short-term student employment or graduate assistantships. Again, we have to delay the process of hiring them until we can get the Board of Examiners' approval.

Our internship program has proven to be an effective way to get staff. I was an intern ten years ago, and had this statute been in place at that time, I would have been considered a former state employee because I was a student ambassador at the University of Nevada, Reno. It would have complicated my ability to be an intern. Also, our Administrator, Cody Phinney, was an intern. I want to say that we really hope you consider passing this bill. It would really simplify our internship process. I do not know that the implementation is meeting what was addressed in A.B. 41 of the 77th Session.

Gerold Dermid, Coordinator, Community Relations and Field Studies, School of Community Health Sciences, University of Nevada, Reno:

We have a master's program for public health as well as an undergraduate bachelor's degree in community health sciences. Our bachelor's degree in community health sciences supports over 1,400 students in the health care field. We have an in-person master's degree program with over 100 students enrolled. We started a Ph.D. program, and we recently launched an online master's program for public health. We are here to support the infrastructure of the state. We have a great partnership with DPBH in placing out interns there. The only barrier to placing the interns within those settings is that a lot of our best and brightest students from the state either work for the university, had a student work study program, or are graduate assistants. Our graduate assistant program takes our top students with the highest grade point averages and graduate exam scores and gives them part-time employment through the university as teaching assistants, research assistants, et cetera, to better prepare them for being a part of the state workforce.

However, being a graduate assistant precludes them after their student experience is over from obtaining contract employment with the state. Because of that, many of our best and brightest students who are graduating from our program are leaving the state because they are not allowed to get contract employment within the state.

Assemblyman Daly:

I do remember A.B. 41 of the 77th Session. I remember the issues you were talking about with the double-dipping being addressed. People had their careers, retired, started collecting their state pension, and then were going back to the same position as a contractor. That was an issue that A.B. 41 of the 77th Session was intending to address. You may have hit on the narrow part of it that will make this work. We are not talking about people who are close to retirement. There is no double-dipping issue to be addressed. We have similar rules in the private sector. If you are going to retire, retire. You cannot continue to work in the same trade you were working in and collect your pension. There are federal laws against that as well. I do not know if it applies to the Public Employees' Retirement System (PERS), but it does to private pensions. We are only trying to get people who are not close to retirement. If you were collecting your pension, you could not have the job, and if you took the job, your pension will be cut off.

Assemblyman Oscarson:

Correct. We are trying to capture people who are leaving the state and who have studied and worked together with DBPH in some capacity as students. We want to keep them in the state and continue to use the knowledge that we have spent considerable time and effort training them in.

Assemblyman Daly:

I think you have hit on a solution here that addresses that. I think you are on the mark.

Assemblyman Kramer:

I am familiar with a man who worked in information technology (IT) for the State of Nevada. The grass looked a little greener someplace else, and he took a job in another state. He came back to Nevada a while later, and they gladly hired him back. The way the law is written right now, he would have had to have a pass from the Board of Examiners in order to get his job back, but with this law changed he could get hired back without that. Am I correct? This is because he is not a retiree and he is not drawing from PERS. Is that correct?

Assemblyman Oscarson:

This is more my understanding. There is a cooling-off period for employees who have been employed and want to be rehired. This is really tailored to these students who are leaving the state. An IT person would be a good example. If they were doing an internship with the state and had an opportunity to work with the state, they would have to get approval from the Board of Examiners or wait two years until the cooling-off period is complete. I do not know the specific instance that you are talking about. This could be one of the most important pieces of legislation that I have talked about this session. We need to fill the 18 percent workforce shortage that we have.

Assemblywoman Monroe-Moreno:

In section 1, subsection 9, paragraph (e), the new language says, "The employment of a former employee of an agency" It does not specifically say they have to be an intern. My concern is that it could be any employee, and they did not necessarily have to be in good standing. I would like to see "a former employee who left in good standing." Would that be a possibility?

Julia Peek:

The "employment" refers to their employment at the university. For our process, in order to bring them on as a contractor, we are vetting them as a state employee. We do the three reference checks, we pull their previous evaluations, et cetera. We do a lot of vetting, even of the interns prior to bringing them on. If you are comfortable with that, I think we have the policy in place to address the work quality issue.

Assemblywoman Joiner:

I just need to express my support for this. I appreciate your bringing this bill. I saw this first-hand and how it affects our interns. In my mind, we should be encouraging people at the university to become interns and test out job sites. I worked at the Department of Health and Human Services. We do not have enough people who want to be in those fields, so we should be encouraging it, not hindering it or stalling it. I have seen people leave the state, and we do not get them back when they leave.

Assemblyman Oscarson:

Thank you very much.

Chairman Flores:

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

Devin Brooks, Private Citizen, Las Vegas, Nevada:

I am in support of the bill.

Chairman Flores:

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.] I am also inclined to add that to our work session today. I will close the hearing on A.B. 466. Next on the agenda is our last hearing for today, which is Assembly Bill 174.

Assembly Bill 174: Urges the Reno City Council to take steps to protect the Grand Army of the Republic Cemetery. (BDR S-652)

Assemblywoman Lisa Krasner, Assembly District No. 26:

I am here to present Assembly Bill 174. The American Civil War was the great crucible of American history. For four years, our nation was locked in a titanic struggle between the North and the South—a struggle that claimed between 620,000 and 750,000 lives. More Americans died in the Civil War than in World War I and World War II combined.

The Civil War left a deep impression on Nevada. Our state's flag bears the motto "Battle Born" to commemorate the fact that the Civil War was the immediate cause of our admission to the Union. More than 1,200 Nevadans volunteered to fight for the Union. This was a large percentage of the population. At the time of the 1860 census, taken just one year before the beginning of the war, there were fewer than 7,000 people living in Nevada. In addition to those who served from Nevada, many thousands of Civil War veterans settled here after the war ended. Many of them served in the Legislature.

At the conclusion of the war, in his Second Inaugural Address, President Abraham Lincoln called upon Americans "to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan" To accomplish that task, hundreds of thousands of Civil War veterans, along with their families and friends, formed a great fraternal organization called the Grand Army of the Republic. One of the tasks the Grand Army of the Republic undertook was to purchase and maintain cemeteries across the United States where Civil War veterans could be buried. These included the Grand Army of the Republic Cemetery in Reno.

As the Civil War faded into history and the veterans and their families died, the Grand Army of the Republic gradually dwindled until it was disbanded in 1956 upon the death of its last member. The Grand Army of the Republic Cemetery in Reno fell into neglect and disrepair. In recent years, there have been proposals to move the remaining graves and put the land to other uses. The end of the Grand Army of the Republic Cemetery in Reno would be an irremediable loss—a loss of memory for our state, and a loss of reverence and respect for the valiant dead who fought in the Civil War.

Assembly Bill 174 calls upon the City of Reno to take steps to protect against deterioration and vandalism to this historical site. We owe to the people of Nevada and to the brave veterans who are who are buried there to preserve and protect this sacred spot for generations to come.

Vicky L. Maltman, CD2 Auxiliary Director, Veterans in Politics:

I have been involved with the Grand Army of the Republic Cemetery for almost 20 years. The Grand Army of the Republic, as has been stated, ended when the last member died in 1956 at the age of 109. The last encampment of the Grand Army of the Republic was held in Indianapolis, Indiana in 1949. The Grand Army of the Republic Cemetery was purchased for \$180 in gold coin by the General O.M. Mitchell Post Number 69 in 1890. I believe the last person was buried there in 1961. That was a family member. There are men and women buried there—husbands and wives. Because it is so near the university, it has suffered an awful lot of destruction. One of the headstones was found in Carson City in an empty lot when they went to clear the weeds. Because the Grand Army of the Republic was a California and Nevada thing, we believe the deed for the property is in California. It may be in Philadelphia in the Grand Army of the Republic Civil War Museum and Library. I have been unable to find it, and I have been working on this for 15 years.

I have the names of everyone buried at the Grand Army of the Republic Cemetery in Reno, but some headstones need to be replaced. We do not know which plot holds which person. It is getting difficult. After the Civil War, veterans turned over the care to the Isaac Crist Camp Number 28, Sons of Union Veterans of the Civil War; and the Johana Shine Tent Number 82, Daughters of Union Veterans of the Civil War. When they dwindled, people moved away, and people passed away, it was turned over to the American Legion Darrell Dunkle Post 1 on Ralston Street. They have the Boy Scouts of America come in. Some of those scouts have obtained their Eagle Scout rating from doing improvements at that cemetery. However, it is very difficult. It had a four-foot regular residential fencing around it, which was easy for vandals to jump due to the sloping of the property. Kids from the university go over there and claim they are having a "ghost party." They leave their alcohol bottles and destroy the headstones. The headstones cost about \$500 each to replace. It is becoming difficult. I was able to obtain funding to replace the four-foot fencing with a six-foot commercial fencing to help alleviate that problem. However, those of us who have spent 30 and 40 years trying to raise the money and clean up the facility are getting too old to do it. Many of the men and women who were involved in doing things there have now passed away.

We hold services there at 9 a.m. on Memorial Day every year. It has grown to where approximately 300 people attend now. It started off with about seven attendees. The Veterans of Foreign Wars of the United States post in Reno helped putting the funding and contracts through. My husband is the past commander of that post. I am hoping that the City of Reno will step in and you will pass this so we can get assistance and bring the cemetery back to where it needs to be.

Assemblyman Ellison:

I was concerned when I read the bill. I know exactly what you are trying to do. It is kind of like the lyric in the song "Where Have All The Flowers Gone" by Peter, Paul, and Mary, "Gone to flowers everyone." I think our Civil War soldiers should be protected just like our veterans of today. This is our heritage. I think we need to support this. But Reno takes care of most of the cemeteries up there, do they not? They do not. I know in Elko most of the cemeteries are taken care of by the City of Elko. The veterans groups have their own areas, but the city still maintains that area. Have you talked with the City of Reno about this?

Assemblywoman Krasner:

I have spoken to Mayor Schieve and a few of the members of the city council. They said they would be willing to help out, but that was a few months ago. I wanted to proceed with this bill. Our veteran beside me, Ms. Maltman, Congressman Amodei, and some of the other veterans who we all know were very concerned about this. Nothing was done. Some kids groups go out there like the Boy Scouts of America. Families of the veterans, like the children or grandchildren, may go out there. Really, we want to ask and encourage that the City of Reno would just maintain it. That is all. These are our veterans who fought and died for our freedom. It is so disrespectful. The vandalism and disrepair is really disrespectful to our veterans. It is sad.

There is no fiscal note. It is just a request to encourage the City of Reno to maintain this very small area. I will show you this map ([Exhibit D](#)). The entire map is the Hillside Cemetery. The tiny area in yellow at the bottom is the Grand Army of the Republic. It is that very small area down there.

Assemblyman Ellison:

Are there only 17 lots?

Vicky Maltman:

No, there are more than that. There are 82 graves there. There is one in particular where the husband and wife are stacked, the way they do at Arlington National Cemetery. A son is also there who served in the military but not in the Civil War. He was buried with his parents there. I do also want to note that this does have a Nevada state historical marker. It is State Historical Marker Number 79. It is signed by the State Historic Preservation Office. Underneath that is the name Eva M. Crist McCarthy.

Assemblywoman Neal:

We have the Nevada Funeral and Cemetery Services Board. One of the statutes under that board is *Nevada Revised Statutes* (NRS) 452.030. It says the owner is to keep the cemetery in orderly condition through the authority of board of county commissioners. Who owns the cemetery, the city or county? Neither? So who has the responsibility for upkeep? In the bill, you are asking the City of Reno to make capital improvements.

Assemblywoman Krasner:

We are encouraging them to. This does not mandate anything. This is just urging the City of Reno to maintain it because it is such a small area by the University of Nevada, Reno.

Assemblywoman Neal:

Is it a part of university property?

Assemblywoman Krasner:

No; my understanding is that the individual plots were sold as real property to the individuals buried there.

Vicky Maltman:

In 1890 this was sold to the General O.M. Mitchell Post Number 69, Grand Army of the Republic. At that time it was California and Nevada. They did not have a large enough group in Nevada to have their own group, so California helped start one. These people were buried there as part of their being members of the Grand Army of the Republic and having served in this war. The deed was to the Grand Army of the Republic, General O.M. Mitchell Post Number 69, but they are all gone. Their relatives, for the most part, are all gone. A lot of the paperwork from back then just does not exist. It did not exist in the state of Nevada at that time.

The people who took over after all of these men had passed gave the job of overseeing it to the American Legion Post 1 on Ralston Street. They have done their very, very best to do what they can do. The taxes are listed to them. They are the people listed on the tax rolls. However, because this was so long ago, no one knows where the original deed is. I have tried to do my best to find it. I understand the University of Nevada, Reno has a lot of information about the people who are buried there. I am hoping that in that old paperwork I may be able to find some leads.

Assemblywoman Neal:

I understand people passed away and the American Legion was taking care of it. The statute also allows an agreement to be created for the maintenance of a plot. It is not free, but there can be money exchanged for either the maintenance of the plot or an endowment around the cemetery. I am trying to figure out what other steps you walked through to use the provisions under the law to make this work. The law allows for an agreement concerning the maintenance of a plot in NRS 452.090. I do not know if anyone from the Nevada Funeral and Cemetery Services Board is here. I am assuming the law is there because people do pass away and want maintenance to exist in their absence.

Assemblywoman Krasner:

Can you restate your question?

Assemblywoman Neal:

The American Legion Post 1 is responsible for looking after this area. Is there an agreement to maintain the plot? Statute allows for an agreement to be set up to maintain a cemetery.

Assemblywoman Krasner:

My understanding is that there is no agreement because it was such a long time ago. There are veterans groups that go out there. Great-grandchildren who are left and live in the state go out there. But because it has gone into disrepair, the hope is just to urge the City of Reno to maintain the cemetery. They have no duty to do so. There is no fiscal note on the bill. It is merely requesting that they do so.

Assemblywoman Joiner:

Is this going to end up in the NRS, or is this transitory language that is just for this session in the *Statutes of Nevada*?

Jim Penrose, Committee Counsel:

That is correct. It would just be in the *Statutes of Nevada*. It still has the force of law, but it simply encourages the City of Reno to take the action described in the bill.

Assemblywoman Joiner:

For this reason, I see it more as a resolution or a suggestion. This area is in my district. It is beautiful, and I think it is an important piece of history. Personally I would support this.

Chairman Flores:

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

Richard Carreon, Private Citizen, Las Vegas, Nevada:

Yesterday after Assemblywoman Krasner came to me in regards to this bill, I went ahead and took a tour of the site myself. I can tell you that from a servicemember standpoint and touring memorial areas for our veterans, it was a very saddening experience. I am coming to you in support of A.B. 174. As a former member of the military and now a veteran, I know the sacrifices our brothers and sisters have made in order to carry out the legacy which has kept the torch of freedom bright. This is especially true for the veterans of the Civil War. While we are separated from them by the time between the living and the dead, we all share the same spirit of brotherhood and sisterhood. Had it not been for their lessons learned, soldiers from my generation would not be as successful as we are. Because of this, there is no doubt between their legacy and our actions.

We need to honor their sacrifices by honoring and caring for their final resting place. As cavalrymen, we look at our final resting place not only as a place to keep our bodies so they can be consumed by the earth, but a place in which loved ones can gather to share our story, so our echoes do not die with the passage of time. Assembly Bill 174 will be a way for my generation to pay back to those veterans who have been long gone, honor their sacrifices, and keep their memory alive for future generations. It is also a way for my generation of war-fighters to pay forward and echo those lessons for our children to learn.

Ryan Gerchman, representing United Veterans Legislative Council; and Wolf Pack Veterans:

I am speaking in support of A.B. 174. I am also here representing the Wolf Pack Veterans club at the University of Nevada, Reno (UNR). I am a past president of Wolf Pack Veterans, as well as the founding president of Truckee Meadows Veterans Club at Truckee Meadows Community College. The Wolf Pack Veterans club is an organization which represents more than 600 veterans on campus. Truckee Meadows Community College has around 500 student veterans as well. We actively participate, plan, and carry out community service events on a regular basis throughout our community. We are always met with extended hands and a warm thank you for our past and current service. This level of support from our community would not be possible if not through the sacrifice of generations of courageous veterans who have come before us. Those resting within the Grand Army of the Republic Cemetery are indeed a generation who came before. These men and women do not have a voice anymore, and the memory of them fades with each year and passing generation. I have always viewed Nevada as a state that cares deeply for its history and those who came before us. However, we are not honoring those within the Cemetery.

I went out there yesterday and took some pictures ([Exhibit E](#)). There is a flag deteriorating in front of one of the gravestones. It is on the ground, and there is sagebrush around it. It is disrespectful to our flag, our nation, and the Civil War veterans. The historic plot is covered in weeds and sagebrush. The memorial stone which commemorates this area is in desperate

need of new paint and cleaning. The plastic mat that goes underneath the desert landscaping is sticking out and through in multiple places, and it is tattered. The front gate is barely held shut by a tiny chain that does not secure properly. Our past generations of heroes deserve better than this. An opportunity is before you to honor and serve those long past.

One of the things I take great pride in as a student veteran is the ambition, desire, and willingness of my peers to serve our communities. We do not want a free handout, nor do we expect others to take care of our responsibilities. Within the military and the veterans of Nevada, there is an overwhelming sense of esprit de corps. We take care of our own and help our community. As is the nature of the objective of college, student veterans graduate. A commitment by the city council ensures a permanent body is held responsible for the Civil War cemetery. As was mentioned by Ms. Maltman, the service organizations are aging. They are not as capable of taking care of these responsibilities as they once were. Wolf Pack Veterans has a source of constant strong, sturdy hands and the resource we might need to help alleviate the costs of the city council to help take care of this. We have partnerships and access to different funding through the Associated Students of the University of Nevada as well as the Student Veterans of America.

This is an undertaking that the student veterans of UNR would love to help out with. However, as mentioned, student veterans graduate, and we need something that ensures this plot of land is taken care of on a regular basis. We are eager to participate with the City of Reno and take care of the Grand Army of the Republic Cemetery ([Exhibit F](#)).

Vicky Maltman:

If you notice on the map, the yellow highlight ([Exhibit D](#)), just in front of that was where the original Angel Street was supposed to be. The city and the county put that aside for utility access. The area between the front gate that is barely held together and the gate to the actual cemetery is city property. They do not even maintain that little piece, let alone anything else.

Assemblyman Carrillo:

How much time has the Wolf Pack Veterans club invested in the upkeep of the cemetery?

Ryan Gerchman:

To be honest, I do not believe we have invested any time. This matter just came to our attention recently. I spoke with the president of Wolf Pack Veterans, Felipe Gutierrez. He is in class or working at this moment, so he could not be here to testify himself. He is very excited to join in a partnership and help out with this endeavor.

Assemblyman Carrillo:

Obviously this is not something that happened overnight and now the cemetery is in a state of disrepair. I am just wondering why you were not on board a lot earlier than this.

Ryan Gerchman:

As mentioned, student veterans graduate. That is the objective. There is always a new body coming in, and there is always a body graduating out. Up until 2014, there was no mechanism in place to ensure follow-through for anything within the veterans organizations on campuses. Now there are military lounges or veteran resource centers (whichever the universities are calling their particular spot for veterans), as well as employees, a Director of veteran services, and the Veterans Alumni Chapter of the Nevada Alumni Association. Since 2014, the younger generation of veterans has really taken off and organized. With that organization, there is now a capacity to have follow-through. Before, veterans graduated and moved on. That is the nature of the business.

Assemblyman Carrillo:

I appreciate that. The next generation passes it on to the next generation, and it seems like there is a big gap here. Are we going to solve the problem, or are we going to kick it down the road a little bit farther? At the end of the day, you will pass on responsibility, we will pass on responsibility, and who will be the next generation to ensure this is done? I understand the City of Reno thing, and I would like to hear them come up.

Chairman Flores:

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?

Scott F. Gilles, Legislative Relations Program Manager, Office of the City Manager, City of Reno:

We are neutral on the bill as it is written. It obviously does not mandate any capital expenditures on our part. That is primarily why we are neutral. First of all, we were aware of the site, and we commend Assemblywoman Krasner for bringing this legislation and her intention to preserve and maintain this site. Obviously we cannot commit to any capital expenditures at this time. We are currently in our budget process. The unfortunate part about this is that any resources or dollars we would spend on the cemetery out of our budget would compete with our parks budget, which is already underfunded. We have too much deferred maintenance in that area already.

However, regardless of whether this bill passes, I am happy to commit to Assemblywoman Krasner and the stakeholders right now. I will set up a meeting with staff, preferably after June 6, 2017. We can sit down and discuss what is within our purview, what resources we would have available, and anything we can do to assist with this issue. One option that may be out there is working through the Ward 5 Neighborhood Advisory Board. They often organize neighborhood cleanups and other efforts like that. That may be an avenue. We will commit to working with the Assemblywoman to see what we can do. We appreciate her intention behind the bill. Because it was mentioned, the City of Reno does not own, operate, or maintain any cemeteries at this time.

Assemblywoman Krasner:

In regards to Assemblyman Carrillo's question, it is not the Wolf Pack Veterans club's fault. It is either no one's fault or it is everyone's fault. These are Civil War veterans who fought and died for all of us. I would hope we can all work together to do something for the veterans who fought and died for our freedom. That was the whole reason for bringing this bill. As Assemblywoman Neal brought up, we are grappling to find something in the law to help us with this because this is so disrespectful to our veterans. That is all.

[([Exhibit G](#)) and ([Exhibit H](#)) were submitted and will become part of the record.]

Chairman Flores:

I am closing the hearing on A.B. 174. We will move to our work session.

Assembly Bill 393: Sets forth legislative findings and declarations concerning certain changes in zoning and development standards. (BDR S-1157)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 393 sets forth legislative findings and declarations concerning certain changes in zoning and development standards. It was sponsored by Assemblyman Ohrenschall and others, and it was heard in this Committee on April 4, 2017. It sets forth legislative findings relating to proposed changes in zoning and hillside development standards on the undeveloped lands adjacent to the Sunrise and Frenchman Mountains and declares that it is consistent with the Legislature's intent that the Board of Commissioners of Clark County maintain the existing zoning and hillside development standards on the undeveloped desert lands adjacent to the western faces of Sunrise and Frenchman Mountains. We had one minor amendment submitted by the bill sponsor. The amendment clarifies the Legislature's intent regarding development in the areas defined and adds the language, "to strengthen, as necessary to promote responsible development and preserve important natural resources" to section 1, subsection 2 ([Exhibit I](#)).

Chairman Flores:

I will entertain a motion to amend and do pass A.B. 393.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND DO PASS ASSEMBLY BILL 393.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

Assemblywoman Bilbray-Axelrod:

I would like to rescind my motion. I would like to add myself as a cosponsor.

ASSEMBLYWOMAN BILBRAY-AXELROD RESCINDED THE MOTION TO AMEND AND DO PASS ASSEMBLY BILL 393.

ASSEMBLYMAN CARRILLO RESCINDED THE SECOND.

Chairman Flores:

Do we have a new motion?

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 393.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

Assemblywoman Woodbury:

I really feel that this should be vetted locally and be a local decision, so I will be voting no out of Committee.

THE MOTION PASSED. (ASSEMBLYMEN ELLISON, KRAMER,
MARCHANT, McARTHUR, AND WOODBURY VOTED NO.)

Chairman Flores:

I will give the floor statement to Assemblyman Ohrenschall.

Assembly Bill 399: Establishes the Nevada State Infrastructure Bank. (BDR 28-1129)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 399 establishes the Nevada State Infrastructure Bank and was sponsored by Assemblywoman Bustamante Adams. It establishes the Nevada State Infrastructure Bank for the purpose of providing loans and other financial assistance to various units of the State of Nevada and local government for the development, construction, improvement, operation, and ownership of certain transportation facilities and utility infrastructure projects. The bill creates the Infrastructure Bank within the State Public Works Division of the Department of Administration and provides for its governance by a Board of Directors who is authorized to issue bonds or other securities to raise money to carry out its statutory purposes and powers. We had a few amendments.

There was a conceptual amendment provided by Assemblyman Daly. This was discussed at the hearing and provides and clarifies that the use and distribution of any of the funds from the Infrastructure Bank are deemed to be public funds, regardless of the source of the funds. The second amendment was also discussed at the hearing. The amendment proposed makes various changes to the bill, including that the Infrastructure Bank will be administered out of the Department of Transportation instead of the State Public Works Division. It adds "Regional Transportation Commission" to the definition of "governmental unit" in section 10, subsection 2. It expands the definition of "transportation facility" in section 18. Two additional changes were made to the mock-up following the hearing based on some of the testimony. Section 14 adds, "related specifically to the project." Section 14 also deletes the "special source" language. Section 21, subsection 1, paragraph (x) is deleted as well. This contained the language related to perpetual succession ([Exhibit J](#)).

Chairman Flores:

I will say thank you to the bill sponsor for working so closely with the Committee on addressing a lot of the concerns raised. I know they specifically worked with Assemblywoman Neal. I will accept a motion to amend and do pass A.B. 399.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 399.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Assemblyman Daly:

There were two parts to the amendment I submitted. The first part clarified that it was public funds, but we also need the second part—all the projects will be under prevailing wage.

Ed Garcia, representing Regional Transportation Commission of Southern Nevada:

Yes, that is our understanding. That was the amendment, and we are fine with that.

Assemblyman Daly:

I wanted to make sure everyone understood that, including those who are making the motions.

Assemblyman Ellison:

I will vote this out of Committee, but I will reserve my right to change my vote on the floor. I am still trying to read through all the amendments.

Assemblyman Kramer:

I will probably end up voting for this out of Committee, but I will also reserve my right to change my vote on the floor. My understanding was that this was a fairly independent bank that was in cooperation to get grants and projects in Nevada. Yet, section 9 puts all of the constraints for doing so under state control. If the money in this account is not generated from tax dollars, I do not see why we should demand the projects be prevailing wage. I understand most of the money will be tax dollars, so I am probably 99 percent compliant with what Assemblyman Daly says, but I am not 100 percent there. I will probably vote for it, but I do have concerns.

Assemblyman Marchant:

I would like to echo what Assemblyman Kramer said. I am with him on that. I reserve my right to change my vote on the floor.

Assemblyman McArthur:

I think I will reserve my right to change my vote on the floor as well. I will be voting yes. I do have one question. The bank is supposed to be completely separate from the state. Why do we have a fiscal note?

Ed Garcia:

The fiscal note was because in this bill, the duty is assigned to the Division of Public Works. There is an amendment which makes this the same as Senate Bill 517, which is in the other house. We believe the amendment will take care of the fiscal note.

Assemblywoman Neal:

Outside of the Division of Public Works, I thought it had an effect on the state because ultimately it is revenue bonds. When the money becomes available, it will take money. It is dependent upon money being available, but it is still a revenue bond. Is that correct?

Ed Garcia:

That is correct, but it does not come into effect until there is money in the account, so I believe that is the distinction. There would not be a fiscal note at this time.

Assemblywoman Neal:

There is no fiscal note in this biennium?

Ed Garcia:

Correct.

THE MOTION PASSED UNANIMOUSLY.

Chairman Flores:

Assemblywoman Bustamante Adams will take the floor statement.

Assembly Bill 417: Creates the Nevada Main Street Program within the Department of Tourism and Cultural Affairs. (BDR 18-1053)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 417 creates the Nevada Main Street Program within the Department of Tourism and Cultural Affairs. It was sponsored by Assemblywoman Swank and heard in this Committee on April 11, 2017. The bill requires the Director of the Department of Tourism and Cultural Affairs to adopt regulations setting forth the requirements to apply for and receive approval as a designated local Main Street program and coordinate the Program and approve or deny applications for grants to designated local Main Street programs. Further, the bill creates the Account for the Nevada Main Street Program in the State General Fund to accept donations, grants, and other types of funding for the award of grants and operation of the Program.

The bill makes an appropriation of \$500,000 from the State General Fund to the Interim Finance Committee for allocation to the Department of Tourism and Cultural Affairs for the operation of the Program. We did have one amendment submitted by Assemblywoman Swank and discussed at the hearing. The conceptual amendment adds the term "or assigned program coordinator" to section 6 and section 7, subsection 2 for purposes of adopting regulations and administering the account (Exhibit K).

Chairman Flores:

I will entertain a motion to amend and do pass A.B. 417.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 417.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Assemblyman Ellison:

Someone made a comment at the end of the hearing. Do they have to put an application in to be in the Nevada Main Street Program, or can any city do this?

Assemblywoman Heidi Swank, Assembly District No. 16:

Gardnerville, Minden, Wells, and others are using pieces of the Program. If you wanted to become a recognized Nevada Main Street Program and tap into all of those national resources this will bring in, there is an application. I believe Kathy La Plante said that it was a \$350 fee for the city to be a part of that program and tap into the grants, support, and training. It is a pretty low-cost program for the cities to get those resources.

Assemblyman Ellison:

Could Wells, Nevada, apply for this?

Assemblywoman Swank:

I have had many conversations with Jolene Supp at the City of Wells about the program. She told me that she is very excited about it, so I think her plan is for the City of Wells to apply for the Nevada Main Street Program. I think with the earthquake that happened out there and all the buildings they lost, this could really be a big benefit for that town.

THE MOTION PASSED UNANIMOUSLY.

Chairman Flores:

Assemblywoman Swank, the floor statement is yours.

Assembly Bill 461: Designates the third week of January as “Peace Week” in the State of Nevada. (BDR 19-1037)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 461 designates the third week of January as “Peace Week” in the state of Nevada. It was sponsored by Assemblyman Thompson and heard in this Committee on April 10, 2017. It designates the third week in January as “Peace Week” in the state of Nevada and requires the Governor to issue annually a proclamation encouraging the observance of “Peace Week.” We have no amendments ([Exhibit L](#)).

Chairman Flores:

I will entertain a motion to amend and do pass A.B. 461.

ASSEMBLYMAN ELLISON MOVED TO DO PASS
ASSEMBLY BILL 461.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

The floor statement will go to Assemblyman Thompson.

Assembly Bill 467: Revises provisions governing the Personnel Commission in the Division of Human Resource Management of the Department of Administration and the Merit Award Program. (BDR 23-551)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 467 was sponsored by the Sunset Subcommittee of the Legislative Commission and heard in this Committee on April 10, 2017. It requires the Governor to appoint five alternate members to the Personnel Commission in the Division of Human Resource Management of the Department of Administration, revises the quorum requirements of the Commission, and provides that a majority vote of the five members of the Commission is required for any action by the Commission ([Exhibit M](#)).

Chairman Flores:

I will entertain a motion to do pass A.B. 467.

ASSEMBLYMAN DALY MOVED TO DO PASS ASSEMBLY BILL 467.

ASSEMBLYMAN KRAMER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Kramer will take that floor statement.

Assembly Bill 483: Revises provisions governing the Program to Encourage and Facilitate Purchases by Agencies of Commodities and Services From Organizations. (BDR 27-911)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 483 was sponsored by the Office of Finance in the Office of the Governor. It transfers the duty to administer the Program to Encourage and Facilitate Purchases by Agencies of Commodities and Services From Organizations from the Rehabilitation Division, Department of Employment, Training and Rehabilitation, to the Purchasing Division of the Department of Administration ([Exhibit N](#)).

Chairman Flores:

I will entertain a motion to do pass A.B. 483.

ASSEMBLYMAN KRAMER MADE A MOTION TO DO PASS
ASSEMBLY BILL 483.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblyman McArthur will do the floor statement.

Assembly Bill 490: Revises provisions governing the expenditure of money from the Account for Maintenance of State Park Facilities and Grounds. (BDR 35-902)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 490 authorizes the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources, with the approval of the Director, to expend up to \$2 million per biennium from the Account for Maintenance of State Park Facilities and Grounds ([Exhibit O](#)).

Chairman Flores:

I will entertain a motion to do pass A.B. 490.

ASSEMBLYMAN DALY MOVED TO DO PASS ASSEMBLY BILL 490.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

Assemblyman Ellison:

The \$2 million will be depleted over time. Should that go back into the State General Fund and the Division of State Parks, State Department of Conservation and Natural Resources?

Chairman Flores:

We do not have anyone here who can answer that question.

Assemblyman Kramer:

I think that was the crux of what went on. They have the interest, which has been running \$60,000-something a year. This year I think it will run \$100,000. They have a bank of about \$14.5 million, and they wanted to spread that over the next seven bienniums. My feeling is that if they have \$14.5 million that they want to spend at their discretion, that should be swept to the State General Fund and go through the budget process to get what they want. For that reason, I will be voting no on this.

Assemblyman Ellison:

I understand we need to get this bill out, but I still have a lot of questions. I will vote to get it out, but I will reserve my right to change my vote because I do have problems with this bill.

Assemblywoman Woodbury:

I will vote yes out of Committee, but I am not sure about the fiscal responsibility of this, so I will reserve my right to change my vote on the floor.

Assemblyman Marchant:

Ditto. I will reserve my right to change my vote on the floor, but I will vote yes.

Chairman Flores:

I want to remind everyone that this will end up in the Assembly Committee on Ways and Means. It will go through their strict vetting process on the fiscal side.

THE MOTION PASSED. (ASSEMBLYMAN KRAMER VOTED NO.)

Assemblyman Ellison will take the floor statement. We had four bills that we went through today. I am inclined to add them to the work session now.

Assembly Bill 464: Revises provisions governing certain reports required to be submitted by or to certain governmental entities. (BDR 18-542)

Chairman Flores:

Is there a motion?

ASSEMBLYMAN BROOKS MADE A MOTION TO DO PASS
ASSEMBLY BILL 464.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Brooks will take the floor statement.

Assembly Bill 465: Revises provisions relating to the Advisory Committee on Participatory Democracy. (BDR 18-553)

Chairman Flores:

Is there a motion?

ASSEMBLYMAN DALY MOVED TO DO PASS ASSEMBLY BILL 465.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will give the floor statement to Assemblywoman Bustamante Adams.

Assembly Bill 466: Revises the provisions governing contracts for services between a state agency and a former employee of a state agency. (BDR 27-354)

Chairman Flores:

Is there a motion?

ASSEMBLYWOMAN JOINER MADE A MOTION TO DO PASS
ASSEMBLY BILL 466.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Joiner will take the floor statement.

Assembly Bill 174: Urges the Reno City Council to take steps to protect the Grand Army of the Republic Cemetery. (BDR S-652)

Chairman Flores:

Is there a motion?

Assemblywoman Joiner:

I would like to amend my name onto this. I think this is an important location, and it happens to be in my district. Assemblywoman Bilbray-Axelrod and Assemblyman Daly have also expressed interest in adding their names.

ASSEMBLYWOMAN JOINER MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 174.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

Assemblyman Carrillo:

I will vote this out of Committee, but I will reserve my right to change my vote on the floor.

THE MOTION PASSED UNANIMOUSLY.

Chairman Flores:

Assemblywoman Krasner will take the floor statement. Is there any public comment?
[There was none.] This meeting is adjourned [at 10:06 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 written testimony of Assemblyman James Oscarson, Assembly District No. 36, regarding [Assembly Bill 466](#).

[Exhibit D](#) is a map showing the Grand Army of the Republic Cemetery in relationship to the Hillside Cemetery in Reno, submitted and presented by Assemblywoman Lisa Krasner, Assembly District No. 26, regarding [Assembly Bill 174](#).

[Exhibit E](#) is a set of photographs of the Grand Army of the Republic Cemetery in Reno submitted by Ryan Gerchman, representing United Veterans Legislative Council; and Wolf Pack Veterans, regarding [Assembly Bill 174](#):

1. A photograph of the Grand Army of the Republic Cemetery's front gate.
2. A photograph of a memorial plaque for Civil War veterans.
3. A photograph of a flag in front of a tombstone.
4. A photograph of litter on the ground of the Cemetery.
5. A photograph of State Historical Marker No. 79 at the Cemetery.
6. A photograph of the Grand Army of the Republic Cemetery.
7. A photograph of Samuel Crossley's gravestone.
8. A photograph of the Grand Army of the Republic Cemetery.

[Exhibit F](#) is written testimony presented and submitted by Ryan Gerchman, representing United Veterans Legislative Council; and Wolf Pack Veterans, regarding [Assembly Bill 174](#).

[Exhibit G](#) is a document titled "Grand Army of the Republic Cemetery, Reno, NV – Veteran Cemeteries," submitted by Assemblywoman Lisa Krasner, Assembly District No. 26, regarding [Assembly Bill 174](#).

[Exhibit H](#) is a document titled "A brief history of the Grand Army of the Republic," submitted by Assemblywoman Lisa Krasner, Assembly District No. 26, regarding [Assembly Bill 174](#).

[Exhibit I](#) is the Work Session Document for [Assembly Bill 393](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Assembly Bill 399](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for [Assembly Bill 417](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit L](#) is the Work Session Document for [Assembly Bill 461](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document for [Assembly Bill 467](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is the Work Session Document for [Assembly Bill 483](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit O](#) is the Work Session Document for [Assembly Bill 490](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.