

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

**Seventy-Ninth Session
May 25, 2017**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 8:08 a.m. on Thursday, May 25, 2017, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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:

Assemblywoman Maggie Carlton, Chair
Assemblyman Jason Frierson, Vice Chair
Assemblyman Paul Anderson
Assemblyman Nelson Araujo
Assemblywoman Teresa Benitez-Thompson
Assemblywoman Irene Bustamante Adams
Assemblywoman Olivia Diaz
Assemblyman Chris Edwards
Assemblyman John Hambrick
Assemblyman James Oscarson
Assemblywoman Ellen B. Spiegel
Assemblyman Michael C. Sprinkle
Assemblywoman Heidi Swank
Assemblywoman Robin L. Titus

GUEST LEGISLATORS PRESENT:

Assemblywoman Dina Neal, Assembly District No. 7
Assemblyman Ozzie Fumo, Assembly District No. 21

STAFF MEMBERS PRESENT:

Cindy Jones, Assembly Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Carmen Neveau, Committee Secretary
Lisa McAlister, Committee Assistant

Minutes ID: 1271



Chair Carlton asked the committee assistant to call the roll. Following roll call, Chair Carlton stated that there were five bills on the agenda, but because Assemblywoman Dina Neal's bill was carried from yesterday's hearing, the Chair opted to start with Assembly Bill 266.

Assembly Bill 266 (1st Reprint): Provides for a deduction from certain taxes for certain wages paid by an employer under a qualifying paid family medical leave policy. (BDR 32-709)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 266 (1st Reprint) for Committee consideration. This bill allowed an employer to deduct family medical leave wages paid by the employer to an employee who took leave under specific circumstances. The amount of the deduction was equal to the family medical leave wages paid during that period and allowed the deduction against the amounts reported for the calculation of specific taxes. The Department of Taxation had submitted a fiscal note that included costs for a tax examiner starting October 1, 2017, and for reprogramming costs for \$86,147 for fiscal year (FY) 2018 and \$61,477 for FY 2019 based on the original bill. Staff from the Fiscal Analysis Division, Legislative Counsel Bureau, was unable to estimate the number of persons who would take a deduction for the leave against their wages and other items reported for tax purposes and the effect that would have on State General Fund revenue.

Assemblywoman Dina Neal, Assembly District No. 7, presented A.B. 266 (R1). She explained that A.B. 266 (R1) was a proposed deduction for paid medical leave against taxable wages, thereby reducing the employer's modified business tax liability. The amount of the deduction was limited to \$500 per employee, per week, with a maximum length of twelve weeks. The credit could not be taken when the employer was receiving any benefit or compensation from a government agency that directly related to the family medical leave wages paid to the employee. In addition, she noted that there were eligible circumstances for the care of individuals with serious health conditions, including parents, grandparents, legal guardians of wards, or domestic partners.

Assemblywoman Neal stated that the bill was set up so that the deduction had to be equal to the wages paid by the employer during the period the tax was paid, similar to health deductions for the modified business tax.

Chair Carlton asked whether the provisions applied to the wages paid or to the taxes the employer paid on the employee wages. Assemblywoman Neal stated that they applied to the employee wages, and the amount was capped at \$500 [per week], a low amount, but a starting point for paid leave.

The Chair asked how many employers provided paid leave and whether this would apply to all employers in Nevada. Assemblywoman Neal did not know how many employers would be affected by this bill. This bill was for all the entities that offered no paid leave, and the

bill would apply to all businesses that wanted to engage. It was permissive, she said. If the employer had a modified tax liability and the employer chose to offer a paid leave program, this would then be an allowable deduction for the employer.

Chair Carlton asked the Committee members whether there were any questions. Assemblyman Sprinkle asked whether the fiscal note had been removed.

Assemblywoman Neal stated that her understanding was the fiscal note had not been removed. She noted that there would have to be a reprogramming of the unified tax system to deal with the programmatic changes, and that additional support staff might be required to manage the new program, as well as an additional tax examiner position.

Assemblyman Sprinkle asked whether the amounts in the Department of Taxation's fiscal note were still accurate. Assemblywoman Neal commented that she hoped a representative from the Department of Taxation would be present, but she had not heard that the amounts had been reduced.

Chair Carlton asked whether there was anyone else in support of, in opposition to, or neutral on A.B. 266 (R1).

Sumiko Maser, Deputy Director, Administrative Services, Department of Taxation, stated for the record that with the amended bill, the Department of Taxation's fiscal note remained unchanged. She said programming and support staff would still be needed.

Chair Carlton asked how many employers this bill would affect, and Ms. Maser did not know the answer.

Chair Carlton closed the hearing on A.B. 266 (R1).

Assembly Bill 207 (1st Reprint): Revises provisions governing juries. (BDR 1-648)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 207 (1st Reprint) for Committee consideration. This bill revised the process for selecting trial jurors by requiring the juror commissioner to compile and maintain a list of qualified electors. The Employment Security Division, Department of Employment, Training and Rehabilitation (DETR), would be required to provide a list of persons who received benefits to be used in the jury selection process. She noted that DETR had submitted a fiscal note that estimated \$45,100 in fiscal year (FY) 2018 and \$7,214 in FY 2019 would be required for computer programming costs and continuing system support. The DETR also provided amendment language that would eliminate the fiscal consequences by striking section 1, subsection 3, paragraph (c), and section 4.

Chair Carlton asked whether striking those sections would remove the fiscal note, and Ms. Coffman stated that was her understanding.

Assemblyman Ozzie Fumo, Assembly District No. 21, presented A.B. 207 (R1). He explained that this bill amended *Nevada Revised Statutes* (NRS) 6.045 to include unemployment records and voter registration records in the process for selecting juries. This would only affect Clark County and Washoe County because the statute was written so that it would only affect counties with a jury commissioner. The bill would expand the method for selecting a jury. Currently, a jury commissioner would send records or requests to either NV Energy or the Department of Motor Vehicles. The proposed bill would expand the resources to increase the pool of jurors and create a more comprehensive jury panel in Clark County and in Washoe County.

Chair Carlton asked whether Committee members had any questions. Hearing no questions, she asked whether anyone else was in support of A.B. 207 (R1). Hearing no one, the Chair asked Assemblyman Fumo whether he agreed to the proposed amendment, and Assemblyman Fumo stated that he agreed with the proposed amendment. The Chair asked whether anyone was in opposition to or neutral on A.B. 207 (R1). The Chair acknowledged Don Soderberg, Director, Department of Employment, Training and Rehabilitation (DETR), from Las Vegas.

Mr. Soderberg noted that with the amendment, the DETR fiscal note was no longer a factor. He said the amendment satisfied all the concerns raised at the initial bill hearing regarding the confidentiality of information from the Unemployment Insurance program, Employment Security Division, Department of Employment, Training and Rehabilitation.

Chair Carlton closed the hearing on A.B. 207 (R1).

Assembly Bill 399 (1st Reprint): Establishes the Nevada State Infrastructure Bank.
(BDR 35-1129)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 399 (1st Reprint) for Committee consideration. This bill established the Nevada State Infrastructure Bank to provide loans and other financial assistance to various units of state and local government for the development, construction, improvement, operation, and ownership of certain transportation facilities and utility infrastructure projects. This bill created a "bank" under the Department of Transportation and provided for the bank's governance by a board of directors. Originally, she explained, the Department of Administration submitted a fiscal note of \$1 million in fiscal year (FY) 2018 and \$1.1 million in FY 2019; however, with the approved amendments, the fiscal notes were addressed. The Department of Transportation was contacted by Fiscal Analysis Division staff to determine whether the amendment that created the banks under the Department of Transportation created any fiscal effect, and the Department of Transportation indicated that there would not be any effect.

Assemblywoman Irene Bustamante Adams, Assembly District No. 42, presented A.B. 399 (R1). She explained that Scott Scherer, Partner, Holland and Hart, representing the Regional Transportation Commission of Southern Nevada, would present a summary and

framework, and Judy Stokey, Vice-President, Government and Community Strategy, NV Energy, had a friendly amendment that Assemblywoman Bustamante Adams had accepted.

Scott Scherer, Partner, Holland and Hart, representing the Regional Transportation Commission of Southern Nevada, explained that A.B. 399 (R1) would create a state infrastructure bank in Nevada, a priority for the Southern Nevada Forum. The first state infrastructure banks were created in the 1990s, he recounted, and state infrastructure banks were authorized at the federal level in the Federal Highway Administration's 2005 highway authorization bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Since then, 34 states had created their own state infrastructure banks. Some states, he said, had both state and federal infrastructure banks.

Mr. Scherer stated that as proposed in section 23 of A.B. 399 (R1), the Nevada State Infrastructure Bank would have at least six separate accounts, including federal highway, federal nonhighway, and federal utility infrastructure accounts, as well as state and local highway, state and local nonhighway, and state and local utility infrastructure accounts. The separate accounts were required so the Nevada State Infrastructure Bank could comply with requirements and restrictions on available funding, whether the funding was from the federal government, grants, existing tax revenues, or other sources. An example of a project that used a state infrastructure bank, he said, was the Interstate 520 connector, a ring road around Augusta, Georgia, north Augusta, and parts of South Carolina that connected to Interstate 20. This project was planned to help with rapidly increasing traffic in that area. Three different loans were made from the South Carolina state infrastructure bank for three different phases of the project. Each time a loan was repaid, the funds were recycled and used again for another project leveraged with federal grants, state and local funds, and a loan from the state infrastructure bank. The ability to leverage funds was critical to state infrastructure banks. In FY 2011, Florida funded 64 projects using \$1.1 billion that leveraged \$8.4 billion for projects. The leverage was achieved by combining loans, grants, tax dollars, loan guarantees, interest rate subsidies, and other types of financial assistance. With discussion for a potential federal infrastructure bill, he felt that it was important for Nevada to be prepared to receive any potential funding and to compete for federal funding that might be available. Twelve years ago, he noted, Denver, Colorado, was prepared and able to use its state infrastructure bank to compete for federal funding.

Mr. Scherer noted that the bill did not include an appropriation and it required no initial funding. The board would only meet, and an executive director and other staff would only be appointed, if and when funding became available. This bill ensured Nevada was ready, should federal funds or another opportunity arise. As noted previously, he said, the fiscal note had been reduced to \$0. In the Assembly Committee on Government Affairs, the bill was supported by the Las Vegas Metro Chamber of Commerce, the City of Las Vegas, the City of Henderson, the Nevada Contractors Association, the Las Vegas Global Economic Alliance, the University of Nevada, Las Vegas, and the Laborers International Union of North America Local 872, among others. The bill, he said, passed out of the Assembly Committee on Government Affairs with unanimous approval from the members present.

Chair Carlton asked Committee members for any questions. Hearing no questions, she asked whether this would be a state bank. Mr. Scherer stated that it was called a "state bank," and would be able to make loans to local governments and utilities to facilitate projects, but it was not a chartered bank.

Chair Carlton asked whether the state bank would be under the oversight of the Division of Financial Institutions, Department of Business and Industry. Mr. Scherer replied that it would not be under the Division of Financial Institutions, but would be under the oversight of an appointed board of directors. The Chair asked why this would not fall under the Division of Financial Institutions, and Mr. Scherer replied that there would be no depositors per se and no consumers looking for insurance protection for their savings. The "state bank" would be receiving grant and federal dollars to make loans and loan guarantees, providing interest rate subsidies and other financial assistance. The customers would be local governments and utility companies.

Chair Carlton asked whether the state bank's business and reporting processes would be transparent, and Mr. Scherer said the board of directors would be required to report to the Legislature and the Office of the Governor. The board would function as a state agency, subject to the state's public ethics and public records rules. The Chair asked whether the state infrastructure bank would be inside the budget act, because she had not understood that this would be a state agency, and Mr. Scherer was not sure what the bill specified, but all of the appointees would be considered public officers subject to *Nevada Administrative Code* (NAC) Chapter 281A, Ethics in Government. With the exception of proprietary information, he continued, the employees would be subject to public records guidelines.

Chair Carlton noted that in section 22 of A.B. 399 (R1), there was reference to the appointment of an unclassified Executive Director. She asked about the selection criteria for the appointment and how the salary for an Executive Director would be paid.

Mr. Scherer said the bill did not allow the appointment of an executive director or any employees to be effective until funds were approved. When there was a certainty of state infrastructure bank grants and funding, he said, the Interim Finance Committee (IFC) would be approached for authorization to spend funds and hire staff. The bill was structured so that the Department of Transportation would provide necessary startup work. Chair Carlton asked for an estimate of the startup costs, and Mr. Scherer said the Department of Transportation had indicated the work could be absorbed in its existing budget.

Chair Carlton stated that at some point, various agencies would no longer be able to absorb work, and while she appreciated a willingness to cover unplanned costs, the Committee members should have an estimate to understand the size of the work being absorbed by an agency. Many factors could affect an agency, and State Highway Fund dollars were precious. Funding an Executive Director, she said, would have made sense to the Chair because day-to-day startup activities did not necessarily fall under the auspices of a board of directors.

Assemblyman Sprinkle asked about the Executive Director position. If the position were not filled and the pay for the employee would not occur until the grant funding was coming in, then he believed the unclassified director position would be dependent on the grant funding.

Mr. Scherer explained that Assemblyman Sprinkle's understanding of the situation was correct. The idea was to appear before the IFC for authorization to use the grant funds or federal funds received to fill positions to staff the state infrastructure bank.

Assemblyman Sprinkle noted that the initial fiscal note was \$2.4 million, but was removed through amendment. He asked for further detail from Mr. Scherer. Mr. Scherer stated that the bill was originally anticipated under the State Public Works Division, Department of Administration, which would have had to hire staff to handle the program without waiting for the funding. By moving the program, through amendment, to the Department of Transportation, there was a better understanding that no hiring action would be taken until the funding was secured, and the startup efforts could be performed with existing employees.

Assemblyman Sprinkle asked whether there was consensus that the \$2.4 million estimate was an accurate amount, and whether \$2.4 million was the amount the Department of Transportation would absorb. Mr. Scherer stated that he believed the estimate was based on a misreading of the language and effective date of the bill. By clarifying that the effective date was when "funds became available," the estimate was decreased.

Chair Carlton asked the Committee members for any questions.

Assemblywoman Titus asked about page 11, section 23 of A.B. 399 (R1) and the different types of accounts to be established. For project earnings and credits that needed to be applied to the appropriate accounts, she asked about the methodology for applying these credits to the appropriate accounts and whether it would be by percentage.

Mr. Scherer explained that project accounting for any project would indicate where the funds came from. Multiple accounts would be used to track funding, and interest or user fee revenue would be credited to the project by percentage. Federal regulations specified that any interest or user fee revenue must be applied to a highway project so the tracking had to be kept clear and separate. Similarly, with utility projects, the funding must be kept clear and separate.

Assemblywoman Titus followed up by asking whether the method for IFC to follow the various project fund accounts would be through monitoring and reports. Mr. Scherer replied that the project accounting reports would be made available to the Legislature, either through IFC or before the session.

Assemblywoman Titus asked whether any profit would revert to the State General Fund. Mr. Scherer said that any profit would be used to help fund the next project.

Chair Carlton asked for any other questions from Committee members, and there were none.

Judy Stokey, Vice-President, Government and Community Strategy, NV Energy, presented a friendly amendment pertaining to the definition of utility infrastructure. The amendment, she noted, included the same language recently included in a Senate bill. The amended definitions applied to sections 18 and 19 and indicated that utility infrastructure meant any infrastructure which allowed for the connection of a utility's distribution or transmission system to the distribution facilities installed by a master-planned or transmission system to the distribution facilities installed by a master-planned industrial or business park in conformance with the utility's tariffs and included, without limitation, the engineering and construction of infrastructure. The definition, she noted, attempted to encompass everything that utility infrastructure money could be used to build. Utility projects were expensive, and when developers wanted to build a project, the local government often had to invest money at the start, and the A.B. 399 (R1) funds would help.

Chair Carlton asked Ms. Stokey to provide the proposed friendly amendment ([Exhibit C](#)) to Committee members.

The Chair asked whether establishing the state infrastructure bank provided the opportunity for more dollars than the Department of Transportation could not access otherwise. She wondered about the real benefit and what the bank would bring to Nevada.

Mr. Scherer responded that he felt a federal infrastructure package would include intent for state and local governments to leverage the federal funds by matching the funds or providing other types of financial assistance. There was specific discussion, he said, about the use of state infrastructure banks in connection with a federal infrastructure package. Without the approval for a state infrastructure bank, he said, Nevada would be ineligible for federal money that would become available when a federal infrastructure package was passed. The intent was not to spend a lot of money or resources on the setup of the bank, but to put the pieces in place so Nevada could move quickly, should the federal funds become available.

Chair Carlton asked Committee members for any other questions, and hearing no questions, she asked for anyone else in support of A.B. 399 (R1).

Jonathan P. Leleu, Greenberg Traurig, LLP, representing the northern and southern chapters of NAIOP (formerly the National Association of Industrial and Office Properties), said this project was a Southern Nevada Forum priority bill. He added that NAIOP supported A.B. 399 (R1) because the concept of making land shovel-ready and allowing projects to advance through the construction of both transportation and utility infrastructure was a common theme in meetings and client discussions.

Jesse Wadhams, Fennemore Craig, PC, representing the Las Vegas Metro Chamber of Commerce, also said this was a Southern Nevada Forum priority bill, and the Las Vegas Metro Chamber of Commerce stood in support of A.B. 399 (R1).

Sara Cholahagian, Manager, Legislative and Government Affairs, The McMullen Strategic Group, representing the Las Vegas Global Economic Alliance, stated that the Las Vegas

Global Economic Alliance supported A.B. 399 (R1) because the bill would help ready Nevada to compete for any new or available federal funds. She urged the Committee members to support the bill.

David Cherry, Communications and Intergovernmental Relations Manager, City of Henderson, stated that local governments were supportive of this bill in previous committee meetings. This bill, he noted, was a priority for Henderson mayor-elect Debra March, who was vice-chair of the Regional Transportation Commission of Southern Nevada. This bill was a priority for her and for the Regional Transportation Commission of Southern Nevada.

Chair Carlton asked whether there was anyone in opposition to or neutral on A.B. 399 (R1). Hearing no response, she closed the hearing on A.B. 399 (R1).

Senate Bill 3: Revises provisions governing the Breakfast After the Bell Program that provides breakfast to certain pupils at public schools. (BDR 34-135)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Senate Bill (S.B.) 3 for Committee consideration. This bill removed the requirement for the State Department of Agriculture to provide notice to submit a plan for increased participation in the Breakfast After the Bell program and instead required the State Department of Agriculture to notify a school if the school had not maintained or increased the breakfasts provided to eligible students. This bill was submitted as a budget implementation bill; however, she noted, there appeared to be no fiscal consequences to the bill.

Jim R. Barbee, Director, State Department of Agriculture, stated that during the 2015 session, he expected to see a program increase of at least 10 percent each year with a goal of increasing participation by 20 percent and increasing the federal money for the program. This bill affected schools that had 70 percent (or greater) eligibility for free and reduced-cost breakfasts. The results, he said, were \$8 million a year in additional federal money received, and an increase in participation from 20 percent to 44 percent. The language of the bill called for continued 10 percent growth each year with no additional funding, which was unobtainable, he noted. He felt that maintaining participation should be viewed as a success for moving forward. Any sites with decreased participation rates would have to submit a corrective action plan to the State Department of Agriculture.

Chair Carlton asked Committee members for any questions. Hearing no questions, she asked whether anyone was in support of S.B. 3.

Lindsay Anderson, Government Affairs Director, Washoe County School District, stated that the Washoe County School District supported S.B. 3. Based on the startup of the program over the 2015-2017 biennium, she said, the bill included a common-sense incremental change that needed to be made.

Mary Pierczynski, Ed.D., Foster Consulting, representing the Nevada Association of School Superintendents and the Nevada Association of School Administrators, stated that she believed the program was important to schools, and the Nevada Association of School Superintendents and the Nevada Association of School Administrators were in support of S.B. 3.

Jodi Tyson, MPH, Government Affairs Director, Three Square, agreed with the previous speakers and added that one of the features she liked about the bill was that when schools were unable to maintain participation at any level, even schools with high participation, information was provided from the school principals about the drop in participation.

Paige Ritzman, Crowley and Ferrato Public Affairs, representing the Nevada Association of School Boards, remarked that the Nevada Association of School Boards was in support of S.B. 3.

Brad Keating, Legislative Representative, Community and Government Relations, Clark County School District, was in support of S.B. 3. Breakfast After the Bell was a great program, and over 180 schools were participating. The new language allowed the 56 schools with increased participation—but not to the 10 percent level—to continue to grow without having to submit a corrective action plan. He mentioned that several Clark County schools had attained 90 percent to 95 percent participation.

Chair Carlton asked whether there was anyone in opposition to or neutral on S.B. 3. Hearing no response, she closed the hearing on S.B. 3.

Senate Bill 503 (1st Reprint): Makes an appropriation to the Account for the Channel Clearance, Maintenance, Restoration, Surveying and Monumenting Program. (BDR S-904)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Senate Bill (S.B.) 503 (1st Reprint) for Committee consideration. This bill made a \$250,000 appropriation from the State General Fund to the Account for Channel Clearance, Maintenance, Restoration, Surveying, and Monumenting Program to replenish the balance of the account, and this amount was in The Executive Budget.

Jason King, P.E., State Engineer and Administrator, Division of Water Resources, State Department of Conservation and Natural Resources, introduced and supported S.B. 503 (R1) as amended. The bill, he stated, made an appropriation to replenish the Account for Channel Clearance, Maintenance, Restoration, Surveying, and Monumenting Program enacted during the 1973 Legislative Session. The program was created to aid local governments in the clearance and maintenance associated with navigable waters. Any incorporated city, county, or other political subdivision in Nevada could apply for a grant under the program if the entity requesting the money agreed to match the state grant, either equally or to a greater amount.

The current statute for the revolving account, *Nevada Revised Statutes* (NRS) 532.230, provided that when the amount in the account fell below \$250,000, the Division of Water Resources may request to replenish the account through the Office of Finance, Office of the Governor, with an allocation from the Interim Finance Committee Contingency Account. When the need to replenish the account fell near a legislative session, he stated, the practice had been to request replenishment through a budget bill such as S.B. 503 (R1). By way of background, the last replenishment request was approved in fiscal year (FY) 2015 for \$200,000. The funds were allocated to projects in Mason Valley, Carson Valley, and Dayton Valley. The benefits of the Channel Clearance, Maintenance, Restoration, Surveying, and Monumenting Program included, but were not limited to:

- Prevention of loss of land, soil, and vegetation adjacent to watercourses.
- Minimization of damage to utilities, roads, buildings, or other facilities adjacent to watercourses.
- Reduction of sediment loads to waterways.
- Maintenance of capacity-of-stream channels.
- Control of unwanted meanders of rivers or streams.
- Improvements to streams for recreational use or for the habitat for fish and wildlife.

Mr. King concluded by noting that after the wet winter, there would likely be an increased and real need for a number of channel clearance and restoration projects.

Assemblywoman Titus stated that in the last session, she supported a bill of this nature. One of the compelling factors in approving the last bill was that money in this fund could be used for other projects. She wondered whether that had happened and what projects were supported by this money. She also recognized the need for a statewide program after the wet winter statewide. She asked how the program was advertised and how people in Southern Nevada knew about the program.

Mr. King stated that his office did not track the funds that were leveraged against other funding sources. He had seen occasions where money from this account contributed as little as 5 percent toward the cost of a project because entities identified additional funding sources.

Mr. King clarified that the account applied to projects on navigable rivers and waters, including the Truckee River, the Carson River, the Walker River, the Colorado River, and the Virgin River. In addition, the program covered Lake Tahoe and Washoe Lake. The program was not advertised. Entities in Northern Nevada, he acknowledged, were familiar with the

program, but Southern Nevada residents may not be aware of the program. The \$250,000 in funding did not cover many projects, but he committed to doing a better job of raising awareness for the program statewide.

Chair Carlton asked Committee members for other questions, and hearing no other questions, she asked whether anyone was in support of S.B. 503 (R1).

Edwin James, General Manager, Carson Water Subconservancy District, was in support of S.B. 503 (R1). Because the state claimed ownership of the Carson River, he said, maintenance was required. In past dry years, vegetation grew in the unmaintained channels. This year, there was unplanned flooding because of the vegetation that clogged the channels. Another concern, he noted, apparent as he kayaked down the Carson River, was that the cottonwoods, the riparian corridor, and the habitat were amazing things to see, especially in contrast to the desert. However, he also saw the damage. Most of the area beside the Carson River was private property and hard to access, but the program provided funding to those groups that could do the work and repair state lands. The program provided an opportunity to protect the wildlife and habitat of the watersheds in Nevada.

Steve K. Walker, President, Walker and Associates, Inc., representing Lyon County, Douglas County, and Carson City, stated that the Carson River and Walker River flowed through the counties, and the program was used extensively in those counties. Loss of the fund affected the ability of the rivers to pass a high-flow, and reinstatement of funds into the existing account would be appreciated by his clients.

Chair Carlton asked whether there was anyone else in support of, in opposition to, or neutral on S.B. 503 (R1). Hearing no response, she closed the hearing on S.B. 503 (R1).

Chair Carlton noted that there were three bills that could be voted on at this meeting, and she opened the work session.

**Assembly Bill 421 (1st Reprint): Revises provisions relating to corrections.
(BDR 16-1058)**

Chair Carlton explained that when Assembly Bill (A.B.) 421 (1st Reprint) was heard last week, an incorrect motion had been accepted by the Chair.

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that the motion made was Do Pass as Amended because the bill had been previously amended. She stated that the Committee received a proposed amendment to the bill to remove sections 1, 2, and 3 related to the fiscal note, so the correct motion should have been Amend and Do Pass as Amended. The first motion, Ms. Jones stated, should be rescinded, and then the correct motion should be voted on again.

Assemblywoman Titus asked for a summary of A.B. 421 (R1). Chair Carlton explained that the bill dealt with incarcerated persons and the continuation of medical care.

Chair Carlton asked for a motion on A.B. 421 (R1).

ASSEMBLYMAN SPRINKLE MOVED TO RESCIND THE PREVIOUS MOTION FOR ASSEMBLY BILL 421 (1ST REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Benitez-Thompson were not present for the vote.)

Chair Carlton asked for a motion on A.B. 421 (R1) to amend and do pass as amended with the deletion of sections 1, 2, and 3.

ASSEMBLYMAN SPRINKLE MOVED TO AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 421 (1ST REPRINT), WHICH REMOVED THE FISCAL NOTE SECTIONS.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Benitez-Thompson were not present for the vote.)

Assembly Bill 207 (1st Reprint): Revises provisions governing juries. (BDR 1-648)

Chair Carlton stated that the provisions that required fiscal notes would be removed, and she would accept a motion on Assembly Bill (A.B.) 207 (1st Reprint).

ASSEMBLYWOMAN SPIEGEL MOVED TO AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 207 (1ST REPRINT).

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Benitez-Thompson were not present for the vote.)

Senate Bill 3: Revises provisions governing the Breakfast After the Bell Program that provides breakfast to certain pupils at public schools. (BDR 34-135)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, noted that Senate Bill (S.B.) 3 was still in its original version, and there were no proposed amendments.

Chair Carlton requested a motion for S.B. 3.

ASSEMBLYMAN FRIERSON MOVED TO DO PASS SENATE BILL 3.

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Benitez-Thompson were not present for the vote.)

Chair Carlton opened the floor for public comment, and hearing no public comment, she adjourned the meeting at 9:02 a.m.

RESPECTFULLY SUBMITTED:

Carmen Neveau
Committee Secretary

APPROVED BY:

Assemblywoman Maggie Carlton, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed friendly amendment to Assembly Bill 399 (1st Reprint) presented by Judy Stokey, Vice-President, Government and Community Strategy, NV Energy.