

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

**Seventy-Ninth Session
May 26, 2017**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 8:17 a.m. on Friday, May 26, 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 Steve Yeager, Assembly District No. 9
Assemblywoman Amber Joiner, Assembly District No. 24

STAFF MEMBERS PRESENT:

Sarah Coffman, Principal Deputy Fiscal Analyst
Anne Bowen, Committee Secretary
Lisa McAlister, Committee Assistant



Following the call of the roll, Chair Carlton stated there were a number of bills to be heard, and it was her intention to hold a work session later in the day.

Assembly Bill 94 (1st Reprint): Repeals the prospective expiration of the NV Grow Program. (BDR S-217)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 94 (1st Reprint).

Ms. Coffman informed the Committee that A.B. 94 (R1) related to legislation that was passed in the 2015 Legislative Session regarding the pilot NV Grow Program. This bill as amended removed the pilot designation from the NV Grow Program and repealed the prospective June 30, 2017, expiration date. Ms. Coffman noted that originally the fiscal effect indicated that in section 8 there was a \$250,000 State General Fund appropriation for Nevada small business development centers. In addition, there was another \$175,000 State General Fund appropriation to allow the College of Southern Nevada to hire a geographic information specialist to assist small businesses that participated in the NV Grow Program. However, Ms. Coffman pointed out that Exhibit C, "Proposed Amendment 4976 to Assembly Bill No. 94 First Reprint," reduced the amounts in section 8 from \$250,000 to \$225,000 for the small business development centers and \$175,000 to \$125,000 for the College of Southern Nevada (CSN).

Assemblywoman Dina Neal, Assembly District No. 7, testified in support of A.B. 94 (R1). She stated that NV Grow was a pilot program that she was seeking to continue. The program had an administrator and a geographic information systems (GIS) specialist who was housed at the College of Southern Nevada and had been instrumental to the program by providing the data sets for the businesses and the data mining. The program also had a partnership with the Small Business Development Center (SBDC) of Washoe County, which made it a regional collaboration between the Washoe County SBDC and the CSN. Assemblywoman Neal said chambers of commerce were using SBDC in actual chamber of commerce offices. During the cycle, 27 businesses were helped and the GIS specialist at CSN was able to pull data information and help businesses expand. Assemblywoman Neal noted that the participating businesses that showed business plans to banks had a higher rate of loan approval because their business plans were stronger.

Kevin Raiford, Professor, Department of Business Administration, College of Southern Nevada, testified in support of A.B. 94 (R1). He said Assemblywoman Neal had done a great job of highlighting the data of what had been accomplished. He confirmed that \$783,000 of revenue was tied to having the NV Grow Program. Looking forward, the program's measure was pretty much 16:1, so for every \$1 that was placed into the NV Grow Program there would be at least a \$16 increase in revenue for those businesses. Mr. Raiford said the data was used to inform businesses about relocating and how to target constituents and customers in an area. Currently, there were two hot zip code areas in Las Vegas, 89110 and 89178. All businesses participating in the program had their own desires to

expand and what was needed was this data to allow them to apply for loans and use the knowledge about attracting clientele.

Assemblyman Sprinkle asked Assemblywoman Neal whether the \$225,000 and the \$125,000 appropriations were one-time appropriations, and she said that was correct.

Chair Carlton said she was impressed with the 16:1 ratio and the 89110 zip code was in her district, which was nice to hear.

Assemblywoman Titus said NV Grow sounded like a tremendous program that warranted further support. She referred to section 3 of [Exhibit C](#), which recognized that the NV Grow Program was never in the Nevada small business center in Washoe County; it was always in Clark County. She wondered whether that was an error or a correction.

Assemblywoman Neal replied that it was not an error, it was a correction, because it had been difficult for Washoe County SBDC to supervise the GIS. Supervision had been moved to Las Vegas to allow more focus right at the campus where the GIS was located.

Assemblywoman Titus acknowledged that the move made sense. She was curious about whether all the businesses in the program were in Clark County.

Assemblywoman Neal explained that the businesses were in Clark County, but Washoe County SBDC was used because it had moved beyond what the southern SBDC was doing with data analysis and data mining. Washoe County had already performed specialized approaches for businesses and NV Grow wanted that training to continue.

Chair Carlton opened the hearing for testimony in support of [A.B. 94 \(R1\)](#).

Derek W. Armstrong, private citizen, testified in support of [A.B. 94 \(R1\)](#). Mr. Armstrong stated he had supported the NV Grow Program in the last biennium and had heard about the success stories. While he believed it was great that small businesses were helped to become more successful, he also saw this as a way of helping businesses identify whether they would be unsuccessful. Mr. Armstrong said it was important to help businesses be successful, but also to prevent them from being unsuccessful.

David Cherry, Communications and Intergovernmental Relations Manager, city of Henderson, testified in support of [A.B. 94 \(R1\)](#). Mr. Cherry said this bill provided funding for the economic development resources provided through the SBDC and the College of Southern Nevada. The NV Grow Program helped bridge a gap in the provision of small business assistance, and it was strategically important to the overall economic development mission of the city of Henderson. Mr. Cherry said he knew that small businesses were one of the economic engines.

Ken Evans, President, Urban Chamber of Commerce, testified in support of A.B. 94 (R1). Mr. Evans said the Urban Chamber supported the bill and was pleased to have been part of the pilot program. Several members of the Urban Chamber of Commerce had benefited from being part of the pilot program.

Peter Guzman, President, Latin Chamber of Commerce, testified in support of A.B. 94 (R1). He echoed some of the words of his colleagues and said the Latin Chamber of Commerce always supported programs that helped small businesses. Mr. Guzman commended Assemblywoman Neal for her passion for the program and for always fighting on behalf of small business. The Latin Chamber of Commerce would also be a platform for the program and had been part of the pilot program.

Michael Flores, Communications and Government Affairs, College of Southern Nevada, testified in support of A.B. 94 (R1). Mr. Flores thanked Assemblywoman Neal for bringing the NV Grow Program back to the Legislature this session and for all of her work last session.

Chair Carlton called for testimony in opposition to or neutral on the bill and, hearing none, closed the hearing on A.B. 94 (R1) and opened the hearing on Assembly Bill (A.B.) 127 (1st Reprint).

Assembly Bill 127 (1st Reprint): Revises provisions relating to emergencies in schools.
(BDR 34-196)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 127 (1st Reprint).

Ms. Coffman stated that A.B. 127 (R1) made various provisions regarding emergencies in schools. This bill required each school district in a county whose population was 100,000 or more to designate an emergency manager who would focus on training, planning, and coordinating resources to address emergencies and crises. It required school districts and charter schools to consult with certain emergency or law enforcement personnel before designing, building, remodeling, or purchasing school buildings. The bill also required the Department of Education to conduct conferences on school safety at least once a year. Finally, this bill required consultation with emergency managers, school resource officers, and chiefs of school police as applicable, when a district or charter school committee developed a plan for responding to an emergency.

Ms. Coffman said the Division of Emergency Management, Department of Public Safety, submitted a fiscal note indicating it would need \$83,000 in fiscal year (FY) 2018 and \$101,000 in FY 2019 for a dedicated staff position with engineering, construction, and safety experience. This position would be responsible for the consultation services that were identified in the bill.

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27, thanked the Committee on Ways and Means for hearing A.B. 127 (R1). She said she would briefly talk about the bill and then specifically address the fiscal note. The bill was doing one thing, which was simply to enhance safety in schools, and there had to be ongoing conversations about how children were kept safe in public schools and how critical incidents were addressed when they happened.

The fiscal note was addressed in section 6 of A.B. 127 (R1), and an annual conference and dialogue about school safety was proposed. Assemblywoman Benitez-Thompson submitted [Exhibit D](#), "Proposed Conceptual Amendment for A.B. 127 (R1)." She said the reason she believed this was so important was because the only time that the Legislature had contemplated school safety or public bodies coming together to address school safety at the state level was after serious incidents. Assemblywoman Benitez-Thompson said there needed to be an ongoing dialogue on how the Department of Education could collaborate with the Department of Public Safety to create a place where these conversations could be held annually. The intent was for flexibility to minimize costs. There were conferences happening throughout the year that could facilitate conversations about school safety and include the Department of Public Safety (DPS).

The fiscal note specifically applied to charter schools. The charter schools did not typically participate in the public school conferences, but had their own annual conference in September. The proposed amendment to section 6 of A.B. 127 (R1) built in language that said in addition to what the Department of Education did, the State Public Charter School Authority, Department of Education, would have the ability to ensure that the dialogue about school safety was in a format that was best for them.

Chair Carlton said she wanted to be clear that section 6 addressed the conference portion of the bill, but the fiscal note that dealt with DPS emergency management hiring a dedicated staff position would still be in effect.

Assemblywoman Benitez-Thompson said she would check with the DPS about why a full-time staff person would be needed.

Chair Carlton said the notation read the DPS would need a dedicated staff person who had engineering, construction, and safety experience to provide the proposed consultation services to schools.

Assemblywoman Benitez-Thompson remarked that two years ago, when this bill was being contemplated, it was not known that additional schools would be built in both Southern Nevada and Northern Nevada. The bonding capacity and the funding issue were not there. Both Washoe County and Clark County School Districts employed full-time emergency managers and had a chief of police. The intent of the bill was that the schools had to be ready, not only for fire safety, but tactical concerns had to be considered as well.

Chair Carlton called for testimony in support of A.B. 127 (R1).

Lindsay Anderson, Government Affairs Director, Washoe County School District, testified in support of A.B. 127 (R1). Ms. Anderson said Washoe County had worked with Assemblywoman Benitez-Thompson last session to support this bill, and she was glad to see it come back again. The Washoe County School District was currently in the process of designing new schools. School safety experts were part of the process to ensure that schools built in the future were going to meet the latest safety design criteria. Ms. Anderson said the Washoe County School District was in full support of the bill.

Natha C. Anderson, President, Washoe Education Association, testified in support of A.B. 127 (R1). Ms. Anderson referred to sections 6 and 7 of the bill, regarding a statewide safety conference, and said it would be wonderful to have an ongoing conversation so participants could share what they had learned.

Brad Keating, Legislative Representative, Clark County School District, testified in support of A.B. 127 (R1). Mr. Keating stated the Clark County School District was in full support of the bill and appreciated Assemblywoman Benitez-Thompson bringing the bill forward. The Clark County School District (CCSD) had an emergency manager in place, and Mr. Keating believed the proposed conference would go a long way to ensuring that all school districts worked well together. Mr. Keating said the CCSD wanted to remove its fiscal note from the bill based on conversations that had been held.

Chair Carlton called for testimony from anyone in opposition to A.B. 127 (R1) or anyone neutral on the bill.

Amber Reid, Office for Safe and Respectful Learning Environment, Department of Education, testified as neutral concerning A.B. 127 (R1).

Chair Carlton called for anyone else to testify in opposition or neutral and, hearing none, closed the hearing on A.B. 127 (R1) and opened the hearing on Assembly Bill (A.B.) 280 (1st Reprint).

Assembly Bill 280 (1st Reprint): Revises provisions relating to preferences in bidding for certain contracts for businesses based in this State. (BDR 27-1060)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 280 (1st Reprint).

Ms. Coffman said A.B. 280 (R1) created a preference for a bid or proposal for a Purchasing Division contract that was submitted by a Nevada-based business. The Purchasing Division submitted a fiscal note of \$52,833 in fiscal year (FY) 2018 and \$65,949 in FY 2019 for a new program officer to manage the certification criteria and penalties as defined in section 6.

Assemblyman Jason Frierson, Assembly District No. 8, testified in support of A.B. 280 (R1). He said the bill started with a general concept, which was to allow for preferences in state purchasing for Nevada-based businesses. In speaking with representatives of the Purchasing

Division, Department of Administration, it became apparent that the Purchasing Division did not operate similarly to the State Public Works Division, Department of Administration, so the structure to allow that to happen would not necessarily be the same.

Assemblywoman Jill Tolles, Assembly District No. 25, had a bill seeking to accomplish similar goals but in a different way, so she and Assemblyman Frierson had discussed it with Senator Nicole J. Cannizzaro, Senate District No. 6, who had a similar bill [[Senate Bill 317](#)]. As a result, the Purchasing Division was contacted to find out how to develop a policy that would work in a practical sense. He related that [A.B. 280 \(R1\)](#) in its amended form was a combination of the original concepts in [A.B. 280 \(R1\)](#) and Assemblywoman Tolles' legislation [[Assembly Bill 318](#)], using a different approach, and collaborating with the Purchasing Division to arrive at a plan that might work.

Assemblyman Frierson said he had asked Jeffrey Haag to appear before the Committee because this bill was largely a reflection of the work that he had done in providing a perspective that could work for the Purchasing Division.

Jeffrey Haag, Administrator, Purchasing Division, Department of Administration, testified in support of [A.B. 280 \(R1\)](#) and thanked Assemblyman Frierson, Assemblywoman Tolles, and Senator Cannizzaro for the thoughtful and collaborative approach to a difficult subject. He said he would not belabor the policy because that was not the purpose of this Committee, but he had provided extensive documentation on this subject. What was contained in [A.B. 280 \(R1\)](#) was a thoughtful first step in trying to put Nevada businesses first. Mr. Haag said the problem was that these types of preferences did not have a proven record of success.

Should this bill pass, Mr. Haag said he looked forward to working with the language, developing what was required, and providing detailed analytics to the Legislature. The Purchasing Division had attached a fiscal note, which was equivalent to one program officer, because today the Division was operated in a 100 percent manual environment. This bill brought with it a significant administrative burden in just administering the criteria by which a Nevada-based business was gauged. This requested position would be used largely for outreach. Mr. Haag noted that the Division was not getting the level of engagement from local businesses that was needed to make the bill successful. He believed the program officer position was an investment in putting Nevada businesses first and providing critical outreach to ensure they were aware of Purchasing Division policies and procedures, the preference they were eligible for in this bill should it pass, and what resources were available to them.

Assemblyman Anderson said he was curious about section 3, subsection 2 of [A.B. 280 \(R1\)](#), which read, "The majority of goods provided for in a state purchasing contract are produced in this State." He noted that Nevada did not have a lot of manufacturing or products that were manufactured in the state. He wondered whether that would be just one of the criteria that would allow for a preference, how it would be enforced, and how it would affect the prices for purchasing.

Mr. Haag replied that potential new manufacturers that came into the state were able to provide goods that the state might need in conducting its business. He saw that as just one of several criteria that would identify a Nevada-based business. What needed to be determined by the stakeholder community was to what degree that could be leveraged. Mr. Haag said that would have to be drafted in regulation, after a continued collaborative approach with those who had been involved with this, to understand what measure should be used to determine goods produced in this state or to what degree a Nevada-based business was truly a Nevada-based business.

Assemblywoman Bustamante Adams mentioned that in another committee meeting, the new Office of Workforce Innovation, Office of the Governor, testified it already had the capability to look up and down the supply chain to identify things that were being outsourced to other states that could provide potential for Nevada. She hoped the two agencies combined their information to build the system that people wanted.

Mr. Haag thanked Assemblywoman Bustamante Adams for her comment and said he could not agree more. Not only did the Purchasing Division need to collaborate with the Office of Workforce Innovation but also with the Office of the Secretary of State to ensure that a holistic approach was being taken to what businesses were in the state and how they could meet the needs. Mr. Haag believed this was a good first approach. Currently, the Purchasing Division was operated 100 percent manually and that resulted in a lack of data and real analytics about what was being spent, whom the Division was spending it with, and where those dollars were going. He hoped that once the Division was fully informed about what was going on, it might be pleasantly surprised about how much of the state's dollars were actually being kept within the state borders.

Assemblyman Frierson stated that he neglected to mention that it was his intention to add Assemblywoman Jill Tolles as a sponsor to the bill.

Chair Carlton called for testimony in support of A.B. 280 (R1).

Assemblywoman Jill Tolles, Assembly District No. 25, thanked the Purchasing Division, Jeff Haag, Assemblyman Jason Frierson, and Senator Nicole Cannizzaro for coming together on this bill and working collaboratively. She said she also appreciated Speaker Frierson's indulgence in adding her as a sponsor of the bill.

Chair Carlton called for testimony in opposition to or neutral on A.B. 280 (R1) and, hearing none, closed the hearing and opened the hearing on Assembly Bill (A.B.) 440 (1st Reprint).

Assembly Bill 440 (1st Reprint): Revises provisions governing involuntary commitment proceedings. (BDR 39-997)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 440 (1st Reprint). Ms. Coffman said A.B. 440 (R1) authorized a proceeding for the involuntary, court-ordered admission of

a person who was a defendant in a criminal proceeding in the district court to a program of community-based or outpatient services to be commenced by the district court on its own motion, or by motion of the defendant or the district attorney, if certain conditions were met.

Originally, the Division of Public and Behavioral Health, Department of Health and Human Services, had submitted a fiscal note of \$6.7 million; however, with the amendment it appeared that the fiscal note had been removed. Fiscal Analysis Division staff had received notification from the administrator of the Division of Public and Behavioral Health on May 5, 2017, indicating the fiscal note had been removed.

Assemblyman Steve Yeager, Assembly District No. 9, testified in support of A.B. 440 (R1). Assemblyman Yeager said this bill dealt with assisted outpatient treatment, a program enacted by the 2013 Legislature. The idea was that individuals who did not rise to the level of being incompetent, but had serious mental illness, would have the option of being in assisted outpatient treatment. Assemblyman Yeager said he believed the original fiscal note came about as a misunderstanding of what the bill attempted to do, which was to allow someone else to "knock at the door," so to speak. The way the program was currently set up, the criminal court judge, the defense attorney, or the prosecutor could not initiate an application into assisted outpatient treatment. There might be a criminal defendant who was not incompetent, but everyone agreed was seriously mentally ill to the degree where assisted outpatient treatment would be a good option. Unfortunately, the court itself did not have the ability to ask for that defendant to be assessed and potentially placed into the program. This bill just allowed the court and the attorneys to begin the process of determining whether someone was a good candidate for the program. Assemblyman Yeager said he did not believe it was going to result in much increase in program participation because many criminal defendants were getting into the program already. This bill just streamlined the process.

Chair Carlton called for any testimony in support of A.B. 440 (R1).

Andres Moses, Staff Attorney, Eighth Judicial District Court, testified in support of A.B. 440 (R1). Mr. Moses said he supported this bill, particularly section 4.7, which would give the chief judge more options in selecting a judge to oversee these types of cases.

John T. Jones, Jr., Clark County District Attorney's Office, testified in support of A.B. 440 (R1).

Chair Carlton called for any testimony in opposition to or neutral on A.B. 440 (R1).

Cody L. Phinney, Administrator, Division of Public and Behavioral Health, Department of Health and Human Services, testified as neutral on A.B. 440 (R1). Ms. Phinney thanked the sponsor of the bill, Assemblyman Steve Yeager. She confirmed that Assemblyman Yeager's discussions with the Division allowed it to be more efficient and effective in getting people into the program. She also confirmed that the fiscal note could be removed from the bill.

Chair Carlton closed the hearing on A.B. 440 (R1) and opened the hearing on Assembly Bill (A.B.) 491 (1st Reprint).

Assembly Bill 491 (1st Reprint): Revises provisions relating to the education of children in foster care. (BDR 34-718)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 491 (1st Reprint). In 2015, Congress passed the Every Student Succeeds Act (ESSA). This act required each state to adopt a plan that described the steps the state would take to ensure the educational stability of children in foster care. Assembly Bill (A.B.) 491 (R1) required that a child who entered foster care or changed placement while in foster care, remained enrolled in the child's school of origin, if the agency that provided child welfare services determined that it was in the best interests of the child. Ms. Coffman stated that certain criteria had to be used by the agency to make such a determination. This bill required that the agency, which provided child welfare services, and the local education agencies provide and pay for the cost of transportation for a child in foster care to the child's school of origin until the dispute was resolved. Concerning the fiscal effect, Clark County School District had provided a fiscal note for \$1.3 million in fiscal year 2019 for transportation costs. The Division of Child and Family Services, Department of Health and Human Services, had provided a fiscal note of \$118,560 each year for rural child welfare services, and White Pine County had submitted an unsolicited fiscal note for \$5,621 in fiscal year (FY) 2018 and \$16,865 in FY 2019.

Assemblyman Steve Yeager, Assembly District No. 9, testified in support of A.B. 491 (R1). Assemblyman Yeager said John McCormick and Jon Sasser could speak a little more about the substance of the bill. He wanted to thank the chair of the Assembly Committee on Education, Assemblyman Tyrone Thompson, who chose to use one of his Committee bills on this particular bill. The real goal was to ensure that children in foster care had the ability to stay in their school of origin so they had continuity of education. In addition, some provisions in the bill dealt with more information and accountability to prevent foster children from falling through the cracks when it came to education.

John R. McCormick, Assistant Court Administrator, Administrative Office of the Courts, Nevada Supreme Court, testified in support of A.B. 491 (R1). Mr. McCormick said the real intent of this bill was to ensure educational stability for students in foster care. It provided a framework to comply with the Every Student Succeeds Act (ESSA), which was the new controlling federal law in Nevada. Section 1 of the bill removed a reference that was not permissible under ESSA, and section 2 updated the chapter to make that happen. Sections 3, 4, and 6 provided definitions related to the bill. Section 7 addressed the fiscal concern, but it set up a rebuttable presumption that a foster child should stay in his or her school of origin and matriculate into the feeder pattern for that school. Mr. McCormick submitted [Exhibit E](#), "Amendment to Section 7 of A.B. 491." That section set out the factors that should be considered by the local education agency (LEA) and the child welfare agency in making the determination in the best interests of the child. The costs of transportation were not to be considered in making that determination. Mr. McCormick said a couple of amendments had

been provided in section 7. In section 7, subsection 2, the wishes of the child were to be considered as one of the factors in selecting the school placement for the child. The initial language inadvertently included a reference if the child was of sufficient age and capacity to form an intelligent preference, but it was preferable that the child's wishes be considered regardless of the age of the child.

Also, section 7, in the submitted amendment, eliminated subsection 4, which was a concern, particularly to child welfare agencies. The amendment actually maintained the status quo if there was a dispute regarding the placement of a child as far as school of origin or a different school. The reason there was a fiscal note was that children had to be transported from the location of their foster placement to their school. If a child was removed from the home in Ely and the foster home was actually in McGill, the child would have to be transported from that foster home in McGill to the school. However, Mr. McCormick said it was worth noting that the transportation requirements were part of ESSA. While there was a fiscal burden on the counties, the school districts, and the child welfare agencies, it seemed that fiscal burden might be there regardless of whether this bill was passed. Mr. McCormick believed the advantage of the bill would be to provide a Nevada-specific framework.

Section 7.5 of A.B. 491 (R1) indicated that the child remain in his or her school of origin if they exited foster care during the school year. For instance, if the child were adopted, the option would be that the child had the ability to stay at the school of origin to complete that school year.

Section 8 of A.B. 491 (R1) dictated that if there was a dispute between the child welfare agency and the local education agency concerning who was paying for the transportation, that the court hearing the Chapter 432B of *Nevada Revised Statutes* proceeding would be the court to settle the dispute.

Chair Carlton referred to section 8 of the bill and said she believed that was where the fiscal note that affected the state was initiated. In subsection 2, it indicated that the cost of the transportation to the school of origin would be covered by child welfare and the local education agency. She said she was grateful that Mr. McCormick put on the record that this would be an ESSA program decision in the future, and Nevada was ahead of the curve.

Mr. McCormick referred to children in the custody of the Division of Child and Family Services and said the Division would need to work with local education agencies in the 15 counties outside of Clark County and Washoe County to get the children to their school of origin. That was where the state portion came in.

Chair Carlton said that would be applicable whether A.B. 491 (R1) passed or not, and Mr. McCormick concurred that it was his understanding that the expense would be incurred regardless of whether this bill was passed.

Chair Carlton noted that the fiscal note assumed that all children would need to be transported when that might not be so. Mr. McCormick said that was his understanding as well.

Mr. McCormick stated that section 9 of A.B. 491 (R1) contained requirements that allowed the Department of Education to procure data on transportation and establish policies and procedures necessary to implement ESSA.

Section 10 of A.B. 491 (R1) enshrined in statute the required ESSA reporting from the school districts and the Department of Education.

Mr. McCormick said sections 11 through 13 made conforming changes to implement ESSA in Nevada.

Mr. McCormick said Jon Sasser would address section 13.5 of A.B. 491 (R1).

Jon Sasser, Statewide Advocacy Coordinator, Washoe Legal Services, testified in support of A.B. 491 (R1) and thanked Assemblyman Tyrone Thompson, the chair of the Assembly Committee on Education, because there had been two bills contemplated that he kindly put into one bill.

Mr. Sasser said section 13.5 of A.B. 491 (R1) was brought forward through Washoe Legal Services programs, which represented children in abuse and neglect proceedings. As part of those proceedings, there was a court review of the child's situation at least once every six months. In that court review, Mr. Sasser said there had been a dearth of information about the child's education and the progress the child was making. The nine different items that were in section 13.5 would become a part of that review.

Chair Carlton called for testimony in support of A.B. 491 (R1).

Lindsay Anderson, Government Affairs Director, Washoe County School District, testified in support of A.B. 491 (R1). Ms. Anderson said there was a lot of uncertainty by school districts and local agencies about whether the genesis of this cost was coming from federal law, state law, or the McKinney-Vento Education of Homeless Children and Youth Assistance Act. She said she expected a potential increase in transportation costs as a result of the bill; however, the shared cost between the school district and the local welfare agency was a benefit to the school district. The Washoe County School District had already signed a Memorandum of Understanding (MOU) with Washoe County on the transportation sharing cost, regardless of this legislation moving forward. Ms. Anderson said this legislation was considered important, and the Washoe County School District went out of its way to ensure that foster students had as much continuity as reasonably possible. While the Washoe County School District had no problem with this legislation, Ms. Anderson was compelled to say that there might be some additional cost on behalf of the school district.

Brad Keating, Legislative Representative, Clark County School District, testified in support of A.B. 491 (R1) and thanked the sponsor and the Committee for bringing this bill forward. Mr. Keating said this was an awkward situation because the Clark County School District was in support of the bill and wanted to do what was right for students at all times. The school district worked closely with the Clark County Department of Family Services (DFS) to ensure that students received the best services possible. Mr. Keating said, just for the record, there had been a number of stakeholders who accused some of the agencies of including fiscal notes on this bill to kill the legislation. Mr. Keating said the Clark County School District wanted to transport students wherever they needed to go, and a fiscal note was put on the bill because it would cost money to transport those students.

Paula Hammack, Acting Director, Clark County Department of Family Services (DFS), testified in support of A.B. 491 (R1). Ms. Hammack read the following statement into the record:

We are in full support with amendments of A.B. 491 (R1). This bill aligns with federal law regarding the Every Student Succeeds Act, which will have a fiscal impact to DFS. However, it set the stage for good policy that will benefit children. Clark County currently has a fiscal note; however, we will be submitting a new fiscal note. Title IV-E funds are available to cover 50 percent of the costs for out-of-zone transportation for foster children who meet eligibility criteria. Clark County DFS is currently under a Title IV-E waiver, and transportation as outlined in this bill is not covered under the Department's capped allocation. These additional costs will need to be renegotiated into the Title IV-E waiver with the Administration for Children and Families (ACF). Assuming the additional costs are approved by the ACF, the overall fiscal impact for Clark County DFS would be reduced.

Chair Carlton called for testimony in opposition to or neutral on A.B. 491 (R1).

Reesha Powell, Deputy Administrator, Division of Child and Family Services, Department of Health and Human Services, testified as neutral on A.B. 491 (R1). She said, just to put it on record, that the agency had removed its fiscal note based on the reasons Paula Hammack of Clark County Department of Family Services had indicated.

Chair Carlton closed the hearing on A.B. 491 (R1) and opened the hearing on Assembly Bill (A.B.) 512.

Assembly Bill 512: Temporarily extends fee for the provision of specialty court programs. (BDR S-1214)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 512. Ms. Coffman explained that existing law required the court to impose a fee of \$100 in addition to any other administrative assessments, penalties, or fines imposed if a person pleaded guilty to driving under the

influence (DUI) of intoxicating liquor or a controlled substance that was punishable by a misdemeanor. This bill extended the expiration date of the \$100 fee to June 30, 2019. Ms. Coffman said that by extending the DUI fee to June 30, 2019, the specialty court programs would receive \$575,000 per year, which was approved in the budget by both money committees.

Ben Graham, representing the Administrative Office of the Courts (AOC), Office of Court Administrator, Nevada Supreme Court, testified in support of A.B. 512. Mr. Graham said the agency supported what the funding did because it helped keep people out of jails and prison and could lead to recovery. The saddest part was that this money represented over 55,000 men and women who were convicted of drunken driving. The other aspect was that over the years, the AOC had not encouraged financing of these programs through assessments, but that was the program that the Legislature had put forth.

John R. McCormick, Assistant Court Administrator, Administrative Office of the Courts (AOC), testified in support of A.B. 512. Mr. McCormick noted that the correct number of men and women convicted of drunken driving was 5,500, not 55,000 as stated by Mr. Graham.

Assemblyman Sprinkle asked Mr. Graham to provide some legislative history as to why there was a sunset provision.

Mr. Graham replied that, historically, the AOC and the limited courts of jurisdiction had issues with all of the assessments that were added. The fine was \$25, but \$5 went to the State General Fund, money went here, money went there, and approximately 50 percent remained with court programs. In an effort to go along with this assessment, the thought was to put a sunset on it and it could be examined every two years to determine whether to continue the program.

Assemblyman Sprinkle asked whether Mr. Graham would agree that the intent was to continue with the assessment, which was why the assessment was being extended for another two years.

Mr. Graham said the discussion of fees had been ongoing, and realistically, if this was what would continue funding programs, a removal of that fee would not be appropriate. However, perhaps it was something that needed to be revisited as the funding of programs was considered.

Chair Carlton called for testimony in support of, in opposition to, or neutral on A.B. 512 and, hearing none, closed the hearing on A.B. 512 and opened the hearing on Assembly Bill 514.

Assembly Bill 514: Authorizes the Division of Parole and Probation of the Department of Public Safety to provide money for transitional housing for indigent prisoners released on parole under certain circumstances. (BDR 16-1230)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 514. Ms. Coffman explained that A.B. 514 authorized the Division of Parole and Probation (P&P), Department of Public Safety, to pay all or a portion of the costs of prisoner transitional housing if the prisoner was indigent and the prisoner's proposed plan for placement upon release indicated that the prisoner would reside in transitional housing upon his or her release.

This bill was related to the budget, so it was a budget implementation bill. The money committees approved the Governor's recommendation to provide State General Fund appropriations of \$150,000 in each year of the 2017-2019 biennium for transitional housing for indigent inmates. This language was recommended by the Legal Division staff of the Legislative Counsel Bureau.

Chair Carlton said this was the bill that backed up the spending of the money to give P&P the statutory authority to actually spend the money and do the job.

Shawn Arruti, Captain, Division of Parole and Probation, Department of Public Safety, testified in support of A.B. 514. Captain Arruti explained that this bill was recognition by the Assembly Committee on Ways and Means and the Senate Committee on Finance that the Division of Parole and Probation needed a statutory language change to the *Nevada Revised Statutes* to allow the use of indigent funds.

Chair Carlton called for testimony in support of, in opposition to, or neutral on A.B. 514 and hearing none, closed the hearing.

Chair Carlton stated the Committee had a question regarding the Division of Emergency Management, Department of Public Safety.

Chair Carlton recessed the meeting at 9:30 a.m. and reconvened at 9:34 a.m.

Chair Carlton stated the Committee would begin the work session and possibly there would be a representative from the Division of Emergency Management, Department of Public Safety, available to answer a question about Assembly Bill 127 (1st Reprint) and opened the work session on Assembly Bill (A.B.) 23.

Assembly Bill 23: Authorizes the Division of Parole and Probation of the Department of Public Safety to establish and operate independent reporting facilities. (BDR 16-170)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 23. This bill was heard by the Assembly Committee on Ways and Means on April 10, 2017. The bill authorized the Division of Parole and Probation, Department of Public Safety, to establish and operate independent reporting facilities. Fiscal Analysis Division staff noted there was a decision unit in the budget approved by the money committees. In the budget, there was \$1.34 million in each year of the 2017-2019 biennium for this purpose, which included eight new positions: two in Reno and six in the Southern Command.

Chair Carlton said there did not appear to be any proposed amendments for this bill and Ms. Coffman agreed.

ASSEMBLYMAN SPRINKLE MADE A MOTION TO DO PASS
ASSEMBLY BILL 23.

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton stated she would handle A.B. 23 on the floor.

Chair Carlton opened the work session on Assembly Bill (A.B.) 122 (1st Reprint).

Assembly Bill 122 (1st Reprint): Revises provisions related to the manner in which the State Board of Examiners awards compensation to certain victims of crime. (BDR 16-305)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 122 (1st Reprint). Ms. Coffman said A.B. 122 (R1) was heard in the Committee on May 22, 2017. The bill removed provisions that prohibited the State Board of Examiners from awarding compensation to certain victims of crime who did not meet certain citizenship or residence requirements. Pertaining to the fiscal effect, the Victims of Crime Program, Department of Administration, would add one bilingual administrative assistant for additional translation services. Total payments for personnel and operating expenditures were expected to be approximately \$1 million in fiscal year (FY) 2018 and approximately \$1.1 million in FY 2019, pursuant to the Department of Administration's fiscal note.

Chair Carlton noted that the funds would come from reserve funds and the reserves would still remain in fairly good shape. It appeared that in 2018 there would be \$9.6 million still in reserves and in 2019, \$8.2 million. Ms. Coffman said that was correct.

ASSEMBLYWOMAN DIAZ MOVED TO DO PASS AS AMENDED
ASSEMBLY BILL 122 (1ST REPRINT).

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblywoman Benitez-Thompson handle A.B. 122 (R1) on the floor.

Chair Carlton opened the work session on Assembly Bill (A.B.) 124 (1st Reprint).

Assembly Bill 124 (1st Reprint): Requires the Commission on Professional Standards in Education to establish the Nevada Model Code of Educator Ethics governing interpersonal interactions and certain communications by teachers, administrators and other employees with pupils. (BDR 34-296)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 124 (1st Reprint). Ms. Coffman said this bill created the Nevada Model Code of Educator Ethics to help provide recommendations regarding the code and to perform related duties. The Department of Education indicated that there was no fiscal effect to the agency from the bill as introduced; however, as amended, the bill had a fiscal effect from the creation of the Nevada Educator Code of Ethics Advisory Group. The Department of Education indicated that \$13,820 in each year was required to administer the Group and could not be absorbed.

ASSEMBLYWOMAN TITUS MOVED TO DO PASS AS AMENDED
ASSEMBLY BILL 124 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblywoman Diaz handle A.B. 124 (R1) on the floor.

Chair Carlton opened the work session on Assembly Bill (A.B.) 159 (1st Reprint).

Assembly Bill 159 (1st Reprint): Prohibits hydraulic fracturing in this State.
(BDR 46-593)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 159 (1st Reprint). Ms. Coffman said this bill prohibited any person from engaging in hydraulic fracturing in the state and repealed provisions related to the hydraulic fracturing program. Ms. Coffman said there was a fiscal note that was provided by the Division of Minerals estimating that the agency would lose approximately \$4,310 in revenue each year. It was also discussed at the hearing on May 23, 2017, that the Department of Education had submitted an unsolicited fiscal note indicating that approximately \$4 million from federal mining and leased revenue was used to fund a portion of the Distributive School Account. Ms. Coffman said the Department was unable to determine how much of that \$4 million would be reduced as a result of this legislation.

Assemblywoman Titus said she would be voting no on this bill because regardless of the policy, the fiscal note and the potential loss for this state were something she could not support.

Assemblyman Edwards added that Nevada had more stringent requirements for regulating the environment, and if this bill passed, federal requirements, which were much looser, could be the only requirements in force. He believed this bill could actually hurt the environment, so he planned to vote no.

ASSEMBLYWOMAN SWANK MADE A MOTION TO DO PASS, AS AMENDED, ASSEMBLY BILL 159 (1st REPRINT).

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Edwards, Hambrick, Oscarson, and Titus voted no. Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblywoman Swank handle A.B. 159 (R1) on the floor.

Chair Carlton opened the work session on Assembly Bill (A.B.) 224 (1st Reprint).

Assembly Bill 224 (1st Reprint): Revises provisions relating to persons with disabilities.
(BDR 39-780)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 224 (1st Reprint). Ms. Coffman said the bill was heard in this Committee on May 22, 2017, and replaced certain references to related conditions with the term developmental disability in the *Nevada Revised Statutes* in certain provisions governing the care and services provided to persons with intellectual disabilities.

The agency had confirmed with Fiscal Analysis Division staff that the removal of the words "a visual or hearing impairment" from the definition of developmental disabilities and the most recent proposed amendment would actually remove the fiscal effect associated with this bill.

Chair Carlton noted that the fiscal note had been removed, and testimony had been heard on section 45, which she believed were policy discussions. She said she was not comfortable with the Committee making a policy decision or amending the bill.

ASSEMBLYWOMAN SPIEGEL MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 224 (1ST REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

Assemblywoman Titus stated she would be voting no on the bill because of unanswered questions in section 45.

Chair Carlton commented that this Committee was not in a position to make a policy decision.

THE MOTION PASSED. (Assemblymen Edwards, Hambrick, Oscarson, and Titus voted no. Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblyman Sprinkle handle A.B. 224 (R1) on the floor.

Chair Carlton opened the work session on Assembly Bill (A.B.) 348 (1st Reprint).

Assembly Bill 348 (1st Reprint): Revises provisions governing courses of instruction in sex education. (BDR 34-285)

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 348 (1st Reprint). This bill required the Board of Trustees of each school district to establish an evidence-based, age-appropriate, and medically accurate course of instruction in sex education. It required counsel to establish academic standards for public schools to establish standards of content and performance for a course of instruction in sex education as part of a course of study in health. Ms. Coffman said that the Clark County School District provided a fiscal note of \$139,000 in fiscal year (FY) 2018, and \$124,000 in FY 2019; Douglas County School District submitted a fiscal note of \$720,000 for new materials; Nye County School District estimated \$500 to \$1,000 per high school; and White Pine County School District submitted a fiscal note of \$15,240 in FY 2018. Many of the expenditures related to the bill had to do with the effective date.

Ms. Coffman said the sponsor of the bill, Assemblywoman Amber Joiner, indicated that she was amenable to pushing out the effective date if that reduced the fiscal note. Fiscal Analysis Division staff noted that [Exhibit F](#), "Mockup Prepared by Assembly Member Amber Joiner (Conceptual) *AB348 R1*," and [Exhibit G](#), a copy of an email from Steve Canavero to Assemblywoman Amber Joiner, dated May 25, 2017, were submitted to the Committee in an attempt to address the effective date.

Assemblywoman Amber Joiner, Assembly District No. 24, stated that the mockup of the conceptual amendment was the one to be considered today, and the effective date would stay the same. The reason the effective date was going to be moved was that the bill would have required new state standards. [Exhibit F](#), the new mockup, removed those new state standards so the effective date did not need to be changed.

Assemblyman Oscarson wanted to state for the record that he appreciated the significant work that had been done on this bill. However, because of the fiscal note that still existed from Clark County and the input he had received from constituents, Assemblyman Oscarson would be voting no on the bill.

Assemblywoman Joiner said she had received confirmation from all of the entities that had fiscal notes with dollar amounts in them would be removed if the standards had been removed. That would include the Department of Education, Douglas County School District, White Pine County School District, and Clark County School District, and Washoe County School District confirmed it still had a zero fiscal note.

Assemblywoman Titus thanked Assemblywoman Joiner for bringing this bill forward and working with her on some of her concerns. She was supporting the bill and believed the amendment was a good idea. She said A.B. 348 (R1) would help Nevada students and help Nevada in the end, and before people attacked legislators for supporting it, she suggested they read the bill with the amendment.

Assemblyman Edwards commended Assemblywoman Joiner for the work that was done with the amendment. The bill was much better, but he had to agree with Assemblyman Oscarson that his constituents were still concerned about the fiscal note, and he would be voting no on the bill.

Chair Carlton emphasized that all fiscal notes had been removed from the bill.

ASSEMBLYWOMAN TITUS MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 348 (1ST REPRINT).

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Edwards and Oscarson voted no.
Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblywoman Titus handle A.B. 348 (R1) on the floor.

Chair Carlton opened the work session on Assembly Bill (A.B.) 362 (1st Reprint).

**Assembly Bill 362 (1st Reprint): Revises provisions relating to educational personnel.
(BDR 34-1144)**

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 362 (1st Reprint), which was heard in this Committee on May 1, 2017. The bill incorporated in state law certain provisions of federal laws designed to prevent persons who have engaged in sexual misconduct with minors from obtaining new employment. The Department of Employment, Training and Rehabilitation (DETR) submitted a fiscal note of \$41,066 in fiscal year (FY) 2018 and \$47,520 in FY 2019 to cover concerns that the Department would be responsible for follow-up, correspondence, emails, phone calls, and tracking associated with this designation. There were also concerns about reporting requirements.

Chair Carlton requested someone from DETR provide clarification regarding the fiscal note. Christopher Sewell, Assistant to the Director, Department of Employment, Training, and Rehabilitation, stated that the Department had removed the fiscal note from the bill.

ASSEMBLYWOMAN SWANK MOVED TO DO PASS AS AMENDED
ASSEMBLY BILL 362 (1ST REPRINT).

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblywoman Spiegel handle A.B. 362 (R1) on the floor.

Chair Carlton opened the work session on Assembly Bill 436 (1st Reprint).

**Assembly Bill 436 (1st Reprint): Revises provisions governing small business loans.
(BDR 18-1079)**

Sarah Coffman, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, presented Assembly Bill (A.B.) 436 (1st Reprint). This bill was heard in this Committee on May 24, 2017, and required the Office of Economic Development, Office of the Governor; the Office of the Secretary of State; and the Regional Business Development Advisory Council of Clark County to provide information regarding public and private programs for small business funding to be provided to certain businesses in the state. The Office of the Secretary of State had originally submitted a fiscal note of \$125,000 in fiscal year (FY) 2018 and approximately \$64,000 in FY 2019. However, a representative of the Office of the Secretary of State came to the meeting and indicated there was a proposed

amendment that would address the fiscal note associated with the bill. [Exhibit H](#), "Proposed Amendment 4722 to Assembly Bill No. 436 First Reprint," was submitted for the record.

ASSEMBLYWOMAN SPIEGEL MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 436 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not
present for the vote.)

Chair Carlton requested that Assemblywoman Spiegel handle A.B. 436 (R1) on the floor.

Chair Carlton stated that work session part 1 was completed. There had been a question this morning on Assembly Bill 127 (1st Reprint), regarding emergencies in schools, which had not been answered. There was a fiscal note from the Division of Emergency Management, Department of Public Safety, that indicated personnel would be needed costing \$83,000 in fiscal year (FY) 2018 and \$101,000 in FY 2019. Testimony had been heard that there were people on site in Washoe County and Clark County, and the Committee questioned the impetus behind this fiscal note.

Justin Luna, Administrative Services Officer (ASO), Division of Emergency Management, Department of Public Safety, testified regarding Assembly Bill (A.B.) 127 (1st Reprint). He said the fiscal note submitted by the Division was in reference to section 5 of the bill, where it talked about the Board of Trustees of each school district consulting with the representatives identified in subsections 2 and 3 of section 5 regarding safety in schools. In that section, it talked about designing, constructing, and purchasing new buildings or enlarging, remodeling, or renovating existing buildings. Currently, the Division did not have the expertise on staff to handle the level of consultation that would be required when designing a new building or renovating an existing building. Mr. Luna said there were planners on staff who helped schools coordinate safety plans and how to respond during emergencies, but the technical expertise that would be needed for those requirements was not available in the current staff, which was why a professional engineer had been requested.

Chair Carlton commented that Assemblywoman Benitez-Thompson had stated earlier on the record that many of the staff were already located at the school districts, so she did not believe that the Division of Emergency Management would need a new person.

Assemblywoman Benitez-Thompson said she was happy to clarify for the record to ensure that legislative intent was established. When school districts designed a building, they had their own engineers and a committee to review the design plans to ensure they were in compliance with all local codes and ordinances. Every school had to have a safety plan, but it would not have to be engineering and design, it would be as simple as receiving feedback about what could be done to create a safer school through tactical engagement. This language

actually came about when contemplating the bill last session. Nevada's two largest counties were able to employ chiefs of police and receive tactical review with suggestions for schools. Rural school districts, however, had no place to go for aid.

Assemblywoman Benitez-Thompson said that the Department of Public Safety housed all of the school safety plans, which had to be reviewed and updated annually, and it would be able to provide feedback.

Mr. Luna said he appreciated the explanation, but the fiscal note was specifically in reference to section 5, subsection 3, paragraph (b) of the bill, which stated that if a county had not designated a full-time employee to serve as the emergency manager and did not have a school police officer, the Division of Emergency Management would be responsible for this consultation. Mr. Luna emphasized that was the expertise that the Division did not currently have on staff.

Chair Carlton asked whether there was any school district that did not have a designated emergency manager.

Assemblywoman Benitez-Thompson explained that in the rural school districts, the Department of Public Safety had the responsibility for the safety of the schools at large. Some rural schools had what was called an SRO, which was a school resource officer, and that meant the school had collaborated with its local law enforcement district and identified an officer who was the "go-to" person. Assemblywoman Benitez-Thompson said that was the way they shared those resources, and it seemed to make the most sense that before building, a school district in a rural area consulted with the Department of Public Safety (DPS) to receive suggestions regarding tactical safety improvements.

Chair Carlton remarked that it seemed that DPS already had that responsibility for schools in other areas.

Assemblywoman Benitez-Thompson said that was correct outside of Washoe and Clark Counties.

Chair Carlton said there were some bills that were heard this morning that could be processed, and she called for a vote on Assembly Bill (A.B.) 280 (1st Reprint).

Assembly Bill 280 (1st Reprint): Revises provisions relating to preferences in bidding for certain contracts for businesses based in this State. (BDR 27-1060)

ASSEMBLYMAN SPRINKLE MOVED TO DO PASS AS AMENDED
ASSEMBLY BILL 280 (1ST REPRINT).

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblyman Sprinkle handle A.B. 280 (R1) on the floor.

Chair Carlton said the next bill to be considered was Assembly Bill (A.B.) 440 (1st Reprint).

Assembly Bill 440 (1st Reprint): Revises provisions governing involuntary commitment proceedings. (BDR 39-997)

ASSEMBLYWOMAN DIAZ MOVED TO DO PASS AS AMENDED
ASSEMBLY BILL 440 (1ST REPRINT).

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblywoman Diaz handle A.B. 440 (R1) on the floor.

Chair Carlton said the next bill to be considered was Assembly Bill (A.B.) 491 (1st Reprint).

Assembly Bill 491 (1st Reprint): Revises provisions relating to the education of children in foster care. (BDR 34-718)

ASSEMBLYMAN SPRINKLE MOVED TO AMEND AND DO PASS, AS
AMENDED, ASSEMBLY BILL 491 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton requested that Assemblyman Araujo handle A.B. 491 (R1) on the floor.

Chair Carlton said the next bill to be considered was Assembly Bill (A.B.) 512.

Assembly Bill 512: Temporarily extends fee for the provision of specialty court programs. (BDR S-1214)

ASSEMBLYWOMAN TITUS MADE A MOTION TO DO PASS
ASSEMBLY BILL 512.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the vote.)

Chair Carlton stated she would handle A.B. 512 on the floor.

Chair Carlton said the next bill to be considered was Assembly Bill (A.B.) 514.

Assembly Bill 514: Authorizes the Division of Parole and Probation of the Department of Public Safety to provide money for transitional housing for indigent prisoners released on parole under certain circumstances. (BDR 16-1230)

ASSEMBLYMAN SPRINKLE MADE A MOTION TO DO PASS
ASSEMBLY BILL 514.

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Anderson and Frierson were not present for the bill.)

Chair Carlton stated she would handle A.B. 514 on the floor.

Chair Carlton called for public comment.

Michael Willoughby, private citizen, Las Vegas, Nevada, testified in opposition to the upcoming Education Savings Account (ESA) school voucher program. Mr. Willoughby said he found it to be unconscionable that a dime of public money would go to any private school, let alone one such as Mountain View Christian Academy, which per their own handbook had children pledge allegiance to a Christian flag and to a Christian god before pledging allegiance to the American flag. It was repellent to him that a dime of money would go to that school. He said this was doubly so in light of yesterday's amendment to Senate Bill (S.B.) 225, which allowed private religious schools to be exempted from state statutes regarding bullying and discrimination. The fact that any public money was distributed to a school which was not in compliance with state statutes was tantamount to state-sponsored and state-funded discrimination. Mr. Willoughby requested that the Legislature oppose this measure and realize that vouchers would only hurt public schools and put at-risk populations of youth at additional risk.

Rudy Zamora, private citizen, Las Vegas, Nevada, testified in opposition to the Education Savings Account (ESA). Mr. Zamora agreed with Mr. Willoughby and was also urging the Legislature to oppose school vouchers. As a Clark County schools graduate, he believed there was nothing wrong with the public education system.

Kenia Morales, private citizen, Las Vegas, Nevada, testified in opposition to the Education Savings Account (ESA). Ms. Morales requested that the members of the Committee vote against the ESA. Ms. Morales said she was a graduate of the Clark County School District and had a third grader at Vail Pittman Elementary School. She believed sending public dollars to private schools would damage low-income Latino communities.

Steven Horner, private citizen, Las Vegas, Nevada, testified in opposition to the Education Savings Account. Mr. Horner read the following statement into the record:

Good morning, my name is Steven Horner and for the record, I am a retired teacher and veteran. In this session and several previous sessions, we have discussed financial responsibility and public education accountability. These are extremely important issues and ones that need to be embraced. However, education savings accounts and vouchers are neither financially responsible, nor are they held to the accountability that you demand from our public educators.

Sending more than \$5,000 of taxpayer money to families that either send a student to private school or to be homeschooled without the same safeguards that have been placed on public education is being extremely careless with my tax dollars. I ask you to please be careful with our tax dollars and please hold our public educators accountable. They welcome it. Research shows that vouchers only benefit the rich and punish those students that need the greatest education. It is time that we fully fund public education in Nevada and say no to vouchers. Thank you for your time.

Chair Carlton closed public comment and adjourned the meeting at 10:22 a.m.

RESPECTFULLY SUBMITTED:

Anne Bowen
Committee Secretary

APPROVED BY:

Assemblywoman Maggie Carlton, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is proposed amendment No. 4976 to Assembly Bill 94 (1st Reprint) presented by Fiscal Analysis Division staff, Legislative Counsel Bureau.

[Exhibit D](#) is a document titled "Proposed Conceptual Amendment for A.B. 127 (R1) submitted by Assemblywoman Benitez-Thompson, Assembly District No. 27.

[Exhibit E](#) is a document titled "Amendment to Section 7 of AB 491" dated May 25, 2017, presented by John McCormick, Assistant Court Administrator, Administrative Office of the Courts, Office of Court Administrator, Nevada Supreme Court.

[Exhibit F](#), is a document titled "Mockup Prepared by Assembly Member Amber Joiner (conceptual) *AB348 R1,*" submitted by Assemblywoman Amber Joiner, Assembly District No. 24, and presented by Fiscal Analysis Division staff, Legislative Counsel Bureau.

[Exhibit G](#) is a copy of an email from Steve Canavero to Assemblywoman Amber Joiner, dated May 25, 2017, presented by Fiscal Analysis Division staff, Legislative Counsel Bureau.

[Exhibit H](#) is a document titled "Proposed Amendment 4722 to Assembly Bill No. 436 First Reprint" presented by Fiscal Analysis Division staff, Legislative Counsel Bureau.