

**MINUTES OF THE
SENATE COMMITTEE ON COMMERCE, LABOR AND ENERGY**

**Seventy-ninth Session
May 19, 2017**

The Senate Committee on Commerce, Labor and Energy was called to order by Chair Kelvin Atkinson at 9:07 a.m. on Friday, May 19, 2017, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Kelvin Atkinson, Chair
Senator Pat Spearman, Vice Chair
Senator Nicole J. Cannizzaro
Senator Yvanna D. Cancela
Senator Joseph P. Hardy
Senator James A. Settelmeyer
Senator Heidi S. Gansert

GUEST LEGISLATORS PRESENT:

Assemblywoman Ellen B. Spiegel, Assembly District No. 20
Assemblywoman Heidi Swank, Assembly District No. 16

STAFF MEMBERS PRESENT:

Marji Paslov Thomas, Policy Analyst
Bryan Fernley, Counsel
Daniel Putney, Committee Secretary

OTHERS PRESENT:

Jon Sasser, Legal Aid Center of Southern Nevada

CHAIR ATKINSON:

I will open the work session on Senate Joint Resolution (S.J.R.) 6.

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SENATE JOINT RESOLUTION 6: Proposes to amend the Nevada Constitution to provide for certain increases in the minimum wage. (BDR C-867)

MARJI PASLOV THOMAS (Policy Analyst):
I will read the summary of the joint resolution from the work session document ([Exhibit C](#)).

SENATOR CANCELA MOVED TO DO PASS S.J.R. 6.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED. (SENATORS GANSERT, HARDY AND SETTELMAYER VOTED NO.)

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CHAIR ATKINSON:
I will open the work session on Assembly Bill (A.B.) 83.

ASSEMBLY BILL 83 (1st Reprint): Makes various changes relating to insurance. (BDR 57-159)

Ms. PASLOV THOMAS:
I will read the summary of the bill and proposed amendment from the work session document ([Exhibit D](#)).

SENATOR HARDY MOVED TO AMEND AND DO PASS AS AMENDED A.B. 83.

SENATOR SETTELMAYER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:
I will open the work session on A.B. 160.

ASSEMBLY BILL 160 (1st Reprint): Requires consideration of alternatives to window replacement in certain state buildings. (BDR 58-725)

MS. PASLOV THOMAS:

I will read the summary of the bill and proposed amendment from the work session document ([Exhibit E](#)).

SENATOR GANSERT:

I researched the performance contract aspect of this bill, and 25 years is really far out when looking at the payback on energy conservation measures. I have an issue with the 25-year payback period. Also, this bill requires approval by the Office of Historic Preservation before replacing the windows of a public building that is 50 years old or older. I agree that the State Public Works Division should be working with the Historic Preservation Office and vice versa, but the threshold of making sure there is approval is further than what I agree with. I will not be supporting this bill.

CHAIR ATKINSON:

I thought Assemblywoman Heidi Swank, the sponsor of A.B. 160, worked with you on this bill.

SENATOR GANSERT:

We have talked.

CHAIR ATKINSON:

Are you telling me Assemblywoman Swank was unable to persuade you to support this bill?

ASSEMBLYWOMAN HEIDI SWANK (Assembly District No. 16):

I have spoken to Senator Gansert, the State Public Works Division and the Historic Preservation Office. The State Public Works Division and the Historic Preservation Office are comfortable with the language in this bill, and they have a good relationship with each other. The approval aspect only applies to buildings that are 50 years old or older. The Historic Preservation Office is the State's expert on old buildings. If the Chair would like to change the approval aspect, I am fine with that, but I am comfortable leaving the language the way it is.

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CHAIR ATKINSON:

Did you say the approval aspect only applies to buildings that are 50 years old or older?

ASSEMBLYWOMAN SWANK:

Yes.

SENATOR GANSERT:

Assemblywoman Swank and I have not reached an agreement on the approval aspect. Having one agency micromanage a part of a project of another agency is not a good idea.

SENATOR SPEARMAN:

This is a good bill. At this point in the Session, we always talk about how we are going to get more money. Research has shown us multiple times that if we could save on energy costs, particularly through government entities, then the projected savings could be applied elsewhere. This bill gives us another way to save money without having to raise taxes. My dad used to tell me, "If you want to be rich, it's not about how much you make—it's about how much you save."

SENATOR GANSERT:

I am also opposed to the performance contract aspect of this bill. The payback period in statute is currently 15 years. I agree that we need more energy conservation measures, but the 25-year payback period is unreasonable. We need to make sure the payback period is reasonable considering how long the upgrades are in use. There are so many changes in technology, so what we think may last 20 years could be replaced earlier with something less expensive and much better in regard to energy conservation.

SENATOR SPEARMAN MOVED TO AMEND AND DO PASS AS AMENDED A.B. 160.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED. (SENATORS GANSERT, HARDY AND SETTELMAYER VOTED NO.)

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CHAIR ATKINSON:

I will open the work session on A.B. 194.

ASSEMBLY BILL 194 (1st Reprint): Provides for the certification of behavioral healthcare peer recovery support specialists. (BDR 54-712)

MS. PASLOV THOMAS:

I will read the summary of the bill and proposed amendments from the work session document ([Exhibit F](#)).

SENATOR HARDY:

I appreciate the sponsor of A.B. 194, Assemblywoman Daniele Monroe-Moreno, walking through this bill with me. As I read through it, however, I realized it would put some people who are volunteering and those who are working on 12-step programs at risk. I will not be supporting this bill.

SENATOR GANSERT:

I commend Assemblywoman Monroe-Moreno for her work on this bill, but I will not be supporting it. Assemblywoman Monroe-Moreno worked hard to try to bring the Republicans and Democrats together.

SENATOR SETTELMAYER:

I echo the comments of Senator Hardy and Senator Gansert. Before A.B. 194 moves to the Floor, I hope there is an opportunity to address some of the issues in this bill. The National Alliance on Mental Illness Northern Nevada has some concerns that have not been addressed. Until these concerns are addressed, I cannot support this bill.

CHAIR ATKINSON:

Assemblywoman Monroe-Moreno is committed to continue to work on this bill. This is good legislation, and we need to move it to the Floor. I believe Assemblywoman Monroe-Moreno knows the challenge she has in front of her because this bill requires a two-thirds majority vote. I have faith she will be able to make this bill work.

SENATOR SPEARMAN:

I have spoken to Assemblywoman Monroe-Moreno and some of the opponents of this bill. I commend Assemblywoman Monroe-Moreno's efforts, and I commend those in opposition because they presented cogent arguments.

However, the opposition's arguments were not persuasive because what the opposition is against is not in this bill. It is necessary for us to elevate volunteers. We heard similar arguments for a bill from Senator Gansert about behavioral health specialists. It would be disingenuous of me to support one behavioral health bill but not the other.

SENATOR GANSERT:

I have not sponsored a bill this Session about licensing behavioral health specialists.

SENATOR SPEARMAN MOVED TO AMEND AND DO PASS AS AMENDED A.B. 194.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED. (SENATORS GANSERT, HARDY AND SETTELMAYER VOTED NO.)

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CHAIR ATKINSON:

I will open the work session on A.B. 359.

ASSEMBLY BILL 359 (1st Reprint): Exempts certain entities that enter into contracts or agreements with the State of Nevada or a political corporation or subdivision of the State from certain provisions relating to contractors. (BDR 54-643)

MS. PASLOV THOMAS:

I will read the summary of the bill and proposed amendment from the work session document ([Exhibit G](#)).

SENATOR SETTELMAYER:

Assembly Bill 359 seemed like Habitat for Humanity, but during the hearing for this bill, I was told it was not like Habitat for Humanity. I am a little confused about this bill. The intent of it is good, so I will be supporting it. The amendment is pivotal in my support of A.B. 359.

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SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS
AMENDED A.B. 359.

SENATOR CANCELA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:
I will open the work session on A.B. 381.

ASSEMBLY BILL 381 (1st Reprint): Revises provisions governing prescription
drugs covered by certain policies of health insurance. (BDR 57-698)

Ms. PASLOV THOMAS:
I will read the summary of the bill and proposed amendment from the work
session document ([Exhibit H](#)).

CHAIR ATKINSON:
Is the sponsor of this bill, Assemblywoman Ellen B. Spiegel, okay with the
amendment proposed by David Goldwater?

ASSEMBLYWOMAN ELLEN B. SPIEGEL (Assembly District No. 20):
I am okay with the amendment.

SENATOR SPEARMAN MOVED TO AMEND AND DO PASS AS
AMENDED A.B. 381.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:
I will open the work session on A.B. 457.

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ASSEMBLY BILL 457 (1st Reprint): Revises provisions relating to certain professional licensing boards. (BDR 54-410)

MS. PASLOV THOMAS:

I will read the summary of the bill and proposed amendments from the work session document ([Exhibit I](#)).

CHAIR ATKINSON:

Could legal counsel explain the fourth amendment to this bill?

BRYAN FERNLEY (Counsel):

It was proposed that the Legislative Counsel Bureau could make a particular change to this bill. Upon review, however, we determined we would not have the authority to make such a change. That is why the fourth amendment to this bill is being proposed.

SENATOR SETTELMAYER:

With all of the amendments, A.B. 457 is almost a different bill.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED A.B. 457.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:

I will open the work session on A.B. 458.

ASSEMBLY BILL 458 (1st Reprint): Revises provisions governing industrial insurance. (BDR 53-489)

MS. PASLOV THOMAS:

I will read the summary of the bill from the work session document ([Exhibit J](#)).

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SENATOR GANSERT MOVED TO DO PASS A.B. 458.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:

I will open the work session on A.B. 163.

ASSEMBLY BILL 163 (2nd Reprint): Revises provisions governing certain short-term loans. (BDR 52-737)

MS. PASLOV THOMAS:

I will read the summary of the bill and proposed amendments from the work session document ([Exhibit K](#)).

CHAIR ATKINSON:

Are all of these amendments acceptable to Assemblyman Edgar Flores, the sponsor of this bill?

JON SASSER (Legal Aid Center of Southern Nevada):

Yes.

SENATOR SETTELMAYER:

I appreciate the additional amendments; they improve the bill.

SENATOR HARDY MOVED TO AMEND AND DO PASS AS AMENDED A.B. 163.

SENATOR SETTELMAYER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:

I will open the work session on A.B. 161.

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ASSEMBLY BILL 161 (1st Reprint): Revises provisions relating to certain rental agreements. (BDR 10-733)

Ms. PASLOV THOMAS:

I will read the summary of the bill and proposed amendment from the work session document ([Exhibit L](#)).

CHAIR ATKINSON:

Assemblyman Flores, the sponsor of this bill, was initially opposed to the amendment, but I believe he is okay with it now. We have discussed the amendment.

SENATOR HARDY MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 161.

SENATOR CANCELA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR ATKINSON:
I adjourn the meeting at 9:38 a.m.

RESPECTFULLY SUBMITTED:

Daniel Putney,
Committee Secretary

APPROVED BY:

Senator Kelvin Atkinson, Chair

DATE: _____

| EXHIBIT SUMMARY | | | | |
|------------------------|---------------------------------|----|-------------------------|-----------------------|
| Bill | Exhibit / # of pages | | Witness / Entity | Description |
| | A | 2 | | Agenda |
| | B | 4 | | Attendance Roster |
| S.J.R. 6 | C | 1 | Marji Paslov Thomas | Work Session Document |
| A.B. 83 | D | 4 | Marji Paslov Thomas | Work Session Document |
| A.B. 160 | E | 2 | Marji Paslov Thomas | Work Session Document |
| A.B. 194 | F | 24 | Marji Paslov Thomas | Work Session Document |
| A.B. 359 | G | 2 | Marji Paslov Thomas | Work Session Document |
| A.B. 381 | H | 2 | Marji Paslov Thomas | Work Session Document |
| A.B. 457 | I | 2 | Marji Paslov Thomas | Work Session Document |
| A.B. 458 | J | 1 | Marji Paslov Thomas | Work Session Document |
| A.B. 163 | K | 4 | Marji Paslov Thomas | Work Session Document |
| A.B. 161 | L | 3 | Marji Paslov Thomas | Work Session Document |