

**MINUTES OF THE
SENATE COMMITTEE ON FINANCE**

**Seventy-ninth Session
May 15, 2017**

The Senate Committee on Finance was called to order by Chair Joyce Woodhouse at 9:03 a.m. on Monday, May 15, 2017, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E 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 Joyce Woodhouse, Chair
Senator David R. Parks, Vice Chair
Senator Moises Denis
Senator Aaron D. Ford
Senator Pete Goicoechea
Senator Ben Kieckhefer
Senator Becky Harris

GUEST LEGISLATORS PRESENT:

Senator Joseph P. Hardy, Senatorial District No. 12
Senator Pat Spearman, Senatorial District No. 1

STAFF MEMBERS PRESENT:

Mark Krmpotic, Senate Fiscal Analyst
Alex Haartz, Principal Deputy Fiscal Analyst
Cynthia Clampitt, Committee Secretary
Colby Nichols, Committee Secretary

OTHERS PRESENT:

Elyse Monroy, Policy Analyst, Department of Health and Human Services
Brooke Maylath, President, Transgender Allies Group
Nicole Rourke, Associate Superintendent, Community and Government
Relations, Clark County School District

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Chris Daly, Deputy Executive Director of Government Relations, Nevada State Education Association

Lindsay Anderson, Director, Government Affairs, Washoe County School District

Elisa Cafferata, Director, Nevada Advocates for Planned Parenthood Affiliates, Inc.

Don Alt, Faith Baptist Academy Silver Springs

Wayne Tew, International Organization for the Family

Jorge Sanchez

Janine Hansen, President, Nevada Families for Freedom

Bill Tarbell

Juan Miguel Sclafani Jr.

David Mendoza

Jenifer Mendez

Jesus Faz

Melissa Clement

Sara Ramirez

Josue E. Barraza

Andrea Carranza

Juan Gonzalez

Jairo Santillano-Perez

Enrique Rivera

Christy McGill, Director, Office for a Safe and Respectful Learning Environment, Nevada Department of Education

Bruce H. Breslow, Director, Department of Business and Industry

Linda J. Haigh, Director, Adopt a Vet Dental Program

Jim Snyder, Veteran Advocate, Adopt a Vet Dental Program

Kevin Burns, Chairman, United Veterans Legislative Council

Lori Benvin, Director, Northern Nevada Dental Health Society; Adopt a Vet Dental Program

Katherine Miller, Director, Department of Veterans Services

Andres Moses, Staff Attorney, Eighth Judicial District Court of Clark County

John Jones, Chief Deputy District Attorney, Clark County District Attorney's Office

John J. Piro, Deputy Public Defender, Clark County Public Defender's Office

Bruno Moya

Robin Sweet, Director and State Court Administrator, the Supreme Court, Administrative Office of the Courts

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CHAIR WOODHOUSE:

I call this meeting of the Senate Committee on Finance to order. We will begin today's meeting with some bill hearings. The first bill the Committee will hear today is Senate Bill (S.B.) 69.

SENATE BILL 69 (1st Reprint): Revises provisions governing state agencies, boards and commissions that regulate occupations and professions.
(BDR 54-229)

ELYSE MONROY (Policy Analyst, Department of Health and Human Services):

This is the Governor's occupational licensing board reform bill. This bill makes a number of changes to chapter 622 of the *Nevada Revised Statutes* (NRS). There were a couple of fiscal notes that were placed on the bill. With the amended version of the bill before the Committee today, those fiscal notes have been revised. I am happy to answer any questions from the Committee.

CHAIR WOODHOUSE:

Have the fiscal notes been revised or have they been removed?

MS. MONROY:

The unsolicited fiscal notes have been revised to show no fiscal impact.

SENATOR FORD:

Are all the fiscal notes showing no fiscal impact?

MS. MONROY:

The agencies that submitted fiscal notes included the Nevada Department of Agriculture, the State Board of Dental Examiners and the State Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors. Those agencies had all submitted unsolicited fiscal notes that show zero fiscal impact.

MARK KRMPOTIC (Senate Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

I would note that information regarding this bill online shows the unsolicited fiscal notes that were submitted for this first reprint of S.B. 69; all show zero fiscal impact.

CHAIR WOODHOUSE:

Seeing no one who wishes to testify in either support of or in opposition to this bill as well as no one wishing to testify in the neutral position, I will close the hearing on S.B. 69. The Committee will now hear S.B. 225.

SENATE BILL 225 (1st Reprint): Revises provisions relating to bullying and cyber-bullying. (BDR 34-753)

SENATOR DAVID R. PARKS (Senatorial District No. 7):

This bill is related to creating a safe and respectful learning environment in schools. Since the 71st Legislative Session, we have been trying to address the problems of bullying and cyber-bullying in our education system. We have made tremendous advances; however, with the advent of social media, the complexities of bullying have grown, and we are seeing its impact.

I have brought with me an article from today's newspaper. On the bottom of the front page is a story about an eight year-old elementary school student in Cincinnati that has gone viral. The student, Gabriel Taye, took his own life two days after he was assaulted at his school. He was knocked unconscious and laid on the floor for six minutes while he was poked, kicked and stepped on. The school called his mother and told her that her son had fainted. She is quoted as asking parents to help fix this epidemic in our society.

Senate Bill 225 expands the civil right protections of Nevada's bullying and cyber-bullying statutes to students attending all schools in the State, including private schools. There is no reason these students should be denied a safe and respectful learning environment simply because they do not attend a public school.

As a result of this expanded coverage, school districts, charter schools and private schools are required to provide necessary training to employees and members of the governing bodies. They are also required to establish school safety teams and ensure employees and administrators properly report incidents of bullying or cyber-bullying. It also requires the related employee professional development to include training in the needs of persons with diverse gender identities.

There is really nothing new in this bill that requires additional programs to be established. We are simply saying that the programs that are currently in place

need to make sure they cover those additional areas where training should be done. The effect of putting together school safety teams is a part of what we approved in S.B. 212 for the advent of the "safe to tell" reporting program.

SENATE BILL 212: Revises provisions governing the welfare of pupils.
(BDR 34-674)

I personally feel that, having served on the advisory committee for the Safe-to-Tell Program, it is going to help schools and alleviate some of the burden that schools currently face.

The second thing I would like to note is that we felt S.B. 225 is necessary because some schools, especially charter schools, think that since they are not public schools, they do not have to comply with requirements. The fiscal notes attached to this bill are related mostly to schools that should be already part of the safe and respectful environment.

Finally, I want to say that the Safe-to-Tell program, as I understand it, will probably take a year to implement. Many of the costs that might be reflected in the fiscal notes would not be dealt with for a year. There is also a federal grant attached to the Safe-to-Tell program, and I am presuming that, within the Department of Education, that grant money would cover the additional costs of bringing the charter and private schools into the program.

SENATOR GOICOECHEA:

I am curious about the training. How much time will it take? What kind of certification might be required?

SENATOR PARKS:

The training is already established. This bill would just reinforce the areas that are already covered. There is no new major component other than requiring school district officials and trustees to have the training as well as the teachers. There is also the establishment of a school safety team at various schools for the handling of this program. That is part of the Safe-to-Tell program.

SENATOR GOICOECHEA:

Where would people go to get the training? How much time would be required? What is the cost involved?

SENATOR PARKS:

I do not know that I have all those figures at hand. The Department of Education has the Office for a Safe and Respectful Learning Environment. They have the materials and training tools required for this.

SENATOR GOICOECHEA:

I received a letter from a private school in Elko County ([Exhibit C](#)). They want to know if the training is something that is provided by the Elko County School District, or if they would have to travel to Carson City or Las Vegas to get the training.

SENATOR PARKS:

I would presume that they would work with the Elko County School District as well as access the support available through the Department of Education.

SENATOR GOICOECHEA:

I support the spirit of this legislation. I just want to make sure it will not be too big a burden on a small school. Some of these schools have less than 30 children. I understand that administrators need this training to make sure the mechanisms and programs that are required by law are actually in place. I just want to make sure it is not a major hardship for them to do so.

Some of these fiscal notes, especially the one from the State Public Charter School Authority, show significant costs.

CHAIR WOODHOUSE:

My understanding, gathered from the policy hearing on this bill, is such that this bill is the next step of all the bullying and cyber-bullying reforms that were included in the Governor's bill and Senator Parks' bill from the last Session.

SENATOR PARKS:

That is correct. Since there is a rollout time in this bill, much of the fiscal impact would not be felt in the first year of the 2017-2019 biennium.

CHAIR WOODHOUSE:

The Committee will now hear testimony from those who wish to testify in support of S.B. 225.

BROOKE MAYLATH (President, Transgender Allies Group):

I have supplied for the Committee some data regarding psychological distress among transgender individuals ([Exhibit D](#)). [Exhibit D](#) supports the simple reasoning that legal protections for transgender people, including students, help mitigate adverse events in their lives.

In addition, education of those that are closest to our students will help mitigate other bad events, including bullying, that are the cause of depression. It will help promote well-adjusted individuals to become contributing members of society.

I want to leave the Committee with one final thought: what is a child's life worth?

NICOLE ROURKE (Associate Superintendent, Community and Government Relations, Clark County School District):

The Clark County School District does not have a fiscal note attached to [S.B. 225](#). The additional information would be added to the training that is already required and is already included in our training for administrators and principals.

I want to thank Senator Parks for including some of the provisions that we had requested in [S.B. 294](#) in this bill.

[SENATE BILL 294](#): Revises provisions relating to bullying. (BDR 34-449)

These components would allow Las Vegas Metropolitan Police to complete their investigations and allow us to report those findings back to parents. This is related to preschool students and is allowing us to understand what their capacity to understand bullying is. It is also related to examining special education students in this context as well.

CHRIS DALY (Deputy Executive Director of Government Affairs, Nevada State Education Association):

The Nevada State Education Association supported this bill when it was in the policy side. We support the direction of this bill. We also support the inclusion of training about diverse gender identities to make a safe and respectful learning environment for all Nevada students.

I want to comment on the fiscal notes related to this bill. We think it is fair that this bill extends to all schools. Bullying does not just happen in public schools; it needs to be addressed at all schools across the spectrum.

LINDSAY ANDERSON (Director, Government Affairs, Washoe County School District):

We are in support of S.B. 225. Like Clark County School District, we do not have a fiscal note placed on this bill. We believe that the new language in the bill is covered by the training already done at our school district.

ELISA CAFFERATA (Director, Nevada Advocates for Planned Parenthood Affiliates, Inc.):

We supported S.B. 225 on the policy side, and I am here to register that support on the fiscal side as well.

CHAIR WOODHOUSE:

The Committee will now hear testimony from those wishing to testify in opposition to S.B. 225.

DON ALT (Faith Baptist Academy, Silver Springs):

This bill would cause a difficult hardship in training everyone involved. We have so many special needs children, and we only charge \$150 a month to parents. Most of the special needs kids that are enrolled at our schools are on scholarship. There would be more staff training than there are students. We have volunteers that pick up the kids and take them home. We have volunteers who bring in food.

This bill would impinge on those volunteer's freedom of religion. This bill is really bad as far as churches are concerned.

WAYNE TEW (International Organization of Families):

I want to remind this body that there is a possibility of lawsuits, as have occurred in the past when State or federal regulations attempt to expand to encompass private institutions.

The U.S. Department of Education, in 1971, wanted to impose coed dormitories on religious institutions. Those institutions banded together and prevailed over the Department. They could not impose those standards. There was a law in California last year where they attempted to deny state funding to private

colleges. That too was denied. Imposing a bill like S.B. 225 on private, particularly religious institutions, can be a challenge.

JORGE SANCHEZ:

I ask for you to vote no on funding S.B. 225 as it will not protect all children alike. They will bully those who do not share the LGBT views. Not to mention that we would be the only State in the Country that does not offer exempt status based upon religious freedom.

This implementation of the law alone will cost around \$500,000. I am asking you to vote no on this bill that will bully parents who want to place their children in a private school that aligns with their religious convictions, even if they are contrary to the LGBT regime.

This bill would mean that, as a Christian father, my children would have to not only accept the LGBT agenda and tolerate it, but also become LGBT. The cost of the implementation of this parental-bullying law will also be passed down to me as a taxpayer.

It may sound as if I am against the LGBT movement. I am merely trying to protect myself and my children, as would any parent who loves their kid. If I send my children to a public school, certain laws will introduce them to comprehensive sex education and the LGBT way, while passing the bill for doing so onto the taxpayers. If I become a foster parent, I must be trained on how to work with LGBT foster children, even if that goes against what I believe.

JANINE HANSEN (President, Nevada Families for Freedom):

As Senator Goicoechea mentioned earlier, [Exhibit C](#) mentions concerns in applying rules to private schools, which has not been done in the past. This violates religious liberty and the rights of conscience which are guaranteed by the *Constitution of the State of Nevada*, which guarantees perfect toleration of religious sentiment. This is also the issue mentioned in the first sentence of the First Amendment of the *Constitution of the United States of America*.

This bill would impose a politically-correct agenda on those who oppose. Bullying will continue to be a problem since we have eradicated the teachings of religion from our schools, including those that teach that we should love our neighbors. That includes our neighbors who do not agree with us. This bill seeks

to impose your politically-correct philosophies on those of us that disagree in violation of our Constitutionally protected rights.

We would ask that you remove private schools from this bill, and remember that your rights and your agenda are not more important than our religious liberty. We also object to the costs of the bill that will be a burden upon individual private schools for training.

BILL TARBELL:

I look over this bill, and I am puzzled because I see specific reference to particular individuals and persons. That is to say that the persons that are described, those with diverse gender identities, are mentioned as a specific class. I am puzzled as to why that must be part of this bill since language in the bill also suggests that all persons should be protected from bullying. I agree with that wholeheartedly.

I can understand expecting private schools to protect against all forms of bullying. But why single out a particular class of people? There are many classes that could be included in bills like this, like people of diverse religions. We have a number of Muslim students now, and they might have some special needs as well. We need to recognize those.

I think that to expect private schools to include a particular class of persons in a way that might violate the schools' basic principles is a serious problem.

JUAN MIGUEL SCLAFANI JR.:

I have submitted for the Committee my prepared testimony ([Exhibit E](#)) from which I will now read.

SENATOR FORD:

I want to respond to some of the testimony I just heard. The question of what the purpose of this bill is was posed. I think that it is clear: it is an anti-bullying statute. By the way, increasing academic success for our students and passing anti-bullying legislation are not mutually exclusive. In fact, I think they go hand in hand. For those who want to argue as though anti-bullying legislation is spending money that could be spent elsewhere, I want to offer an opposing point of view. These are not mutually exclusive.

DAVID MENDOZA:

I am 100 percent against bullying. But a bill such as S.B. 225 that takes away my religious freedom and that of private institutions is not Constitutional. This bill takes taxpayer money to take away our rights. It is a tyrannical move, not only against us, but against the ministers who run private schools which are usually religious.

We should be spending money on things that make our education system better, the curriculum better and make our students better. Currently, our graduation rate is 63 percent. The national average is 80 percent. We are still last. We are also last in student performance.

Instead of working against taxpayers, why do you not work with us to improve our education system? Why not use the money this bill would cost to make our school system better? I have submitted some additional testimony for the Committee as well ([Exhibit F](#)).

JENIFER MENDEZ:

This bill has been estimated to cost over \$500,000, all of which will no doubt come from taxpayers. A bill which was made to impose exclusivity under the guise of equality and once again place a personal attack on the structure of the family. This money is going to be used to accommodate one specific group of people; LGBT people. But what about the rest?

Nevada currently has the third-worst graduation rate. We propose bills like these in the goal of being the worst. This bill is not going to protect anyone from getting bullied. Rather, it will create the perfect bully. We are failing as a State and as a Nation to provide our kids even the most basic measure of security. While our troops are fighting overseas to keep us safe, we are putting our kids in danger in our own schools. If you pass this bill, I hope you know you will be held personally responsible because the last time the people in power took it upon themselves to create the perfect race, they also slaughtered 11 million people under the name of Adolf Hitler. I urge you to oppose S.B. 225.

JESUS FAZ:

I am just a simple parent with a wife and four children. I would like to share my opposition to S.B. 225. This whole proposition is based on a strawman argument. It is a misrepresentation. What is at stake here is bullying.

You are saying that we are okay with bullying in some cases and not in others. I do not know of any school that is okay with any bullying. There are already rules and regulations against that. We do not need you to make it seem as though we are okay with that. We are not okay with bullying. Nobody testifying today, whether in support or in opposition, is okay with bullying.

I believe this bill should not be passed. I have four children that I chose to place in a private school because I want them to learn according to my beliefs, which are Christian ones. I want them to understand that they were created, and created in such a way that if they were born a boy, then they are a boy. That is what I want them to believe. That is my freedom of religion and of choice. I wish to teach them that, and I believe you are infringing upon that freedom. I do not appreciate that.

You have set up a strawman argument that makes it appear as if we are for bullying. We are not. I am not okay with this. I want my children to be raised according to my beliefs, which I believe are protected by the Constitution. I believe you are throwing that document out the window. I am not okay with paying for this. If legislation like this gets passed, the only choice that many of us parents will have is to home school our kids. I do not want that. Please vote against this bill.

SENATOR FORD:

With all due respect, sir, the strawman argument is that, because we are trying to pass anti-bullying legislation, we are against religious freedom. That is the strawman argument. We do not look to undermine religious freedom. We simply seek to protect students from bullying. That is what this legislation does.

It is worth noting that some of the exact arguments that people are making against this bill need to be made in favor of it. They need to be applied to their own positions.

MELISSA CLEMENT:

I am testifying today as a parent of one child at Little Flower Catholic Elementary School in Reno and one child at Galena High School. I have children in both public and private schools.

First of all, I do not think anybody is arguing for bullying in any way. I think where this legislation crosses the line is when it goes into training. There is a

portion of this legislation that talks about training. When this bill gets to those portions that may in fact conflict with a religious school and what they teach, we have a problem.

On a fiscal level, there is a rather large fiscal note submitted by the Nevada Department of Education. That is money spent to monitor what specific schools are doing. That is taking money out of the public school system and putting it towards private schools. That is not what we should be doing either.

If this were merely a bill that required everybody to love thy neighbor as thyself, that is really what we need. That would take care of all bullying. It does not matter what race, what religion or any other class you are; let us treat each other properly. When we specify one group or another, that is when it becomes a problem.

SARA RAMIREZ:

I am a mother of five and a taxpayer. I am here to ask you to not use our money to finance this bill. My husband and I work really hard for our five kids. We sacrifice for them. Like us, there are thousands of families doing the same.

Not only will you be using our money without our consent, you will be using that money against our values, rights and will as well. Please do not try to use our money on a bill based on feelings, not facts. If you fund this bill, you are going to be discriminating against my boys and my little girls. If you are imposing this, you are discriminating against my religious beliefs.

JOSUE E. BARRAZA:

I live in Las Vegas and am a graduate from the Clark County School District. I am also a graduate of the University of Nevada, Las Vegas (UNLV). The systems that we have in place have worked until now. We do not need something that will come and limit the way that we decide to teach our children.

I am speaking on behalf of my little sister. My family could not, in clear conscience, put her in a public school that our taxes pay for because what they teach does not agree with what we believe. She would be fed something that goes against everything we are teaching her. We have to put money aside to pay for an education that we believe in.

You are giving us no options to teach our children what we want to believe. To Senator Ford, who said that we were twisting his words and that this bill does not go against religious freedom, let me tell you something. When you go into a private school and limit our ability and right to teach our children, you are going against our religious freedom.

The money is not needed for this. The money is needed for our public school system. It is needed in our mathematics, science and language classes. I tutored for the school district, I can tell you that our kids are deficient. They need help. Do not protect particular groups. The Constitution is not there to protect particular groups. It is to protect everyone as individuals. That means the same rights.

I will never be in favor of bullying someone because of what they believe or their sexual orientation. That is not right. However, it is also not right for you to come into my house and tell me what I have to teach my kids. I have submitted some written testimony for the Committee as well ([Exhibit G](#)).

ANDREA CARRANZA:

I have submitted my written testimony for the Committee ([Exhibit H](#)). I will now read my remarks from [Exhibit H](#).

JUAN GONZALEZ:

I live and work in Las Vegas. I think that, for decades, people from all over the world have come to this Country because of what you are. I say you, because you make this Country what it is. The U.S. has been a beacon for the world because of its laws.

That being said, I think that the Constitution says that the law is made to protect what God has given us. They are unassailable rights. One of those rights is religious freedom.

Based on the fact that we are a divine creation, I oppose S.B. 225. I am not only opposed based on philosophy. It is also because the law of this Country has been so outstanding in protecting the rights of the individual. I come from Latin America, where the laws protect groups, not individuals. That is one reason why I oppose this bill.

JAIRO SANTILLANO-PEREZ:

Not only am I a former student of the Clark County School District, I am also a believer of moral principles and values. I strongly oppose S.B. 225. I am asking you not to fund this bill that would require all private schools, including religious ones, to adopt anti-bullying policies and practices, provide instruction to staff and students and communicate messages that conflict with the schools' beliefs regarding human sexuality or the immutability of biological sex.

I will not give any funds out of my taxpayer's dollars to support such a radically expanded anti-bullying bill that will corrupt and damage the innocence of our children. The proposed bill will likely be unconstitutional because it infringes upon the First Amendment rights of religious groups.

In summary, S.B. 225 will infringe upon the well-established Constitutional freedoms of private religious schools to operate in a way that is consistent with their beliefs. It imposes State-sanctioned views regarding sexual orientation and gender identity upon religious schools, violating their freedom of speech and religion.

CHAIR WOODHOUSE:

Due to our time constraints, I will allow one more speaker in opposition before we move on. I would ask those who still wish to testify to submit their opposition in writing.

ENRIQUE RIVERA:

I am a veteran, a practicing and licensed health care professional and a taxpaying citizen. I have submitted for the record my written testimony ([Exhibit I](#)). I will now read from [Exhibit I](#). For the record, there are more than 80 people here in Las Vegas in opposition to this bill.

CHAIR WOODHOUSE:

I will now open the hearing up to those wishing to testify in the neutral position.

CHRISTY MCGILL (Director, Office for a Safe and Respectful Learning Environment, Nevada Department of Education):

We are here in the neutral position. We wanted to make two clarifications. The first is in regard to the training itself. We work with the school districts. The training is only for adults, and it includes how to ensure they are in compliance

with how bullying must be reported and responded to in order to keep children safe. That is the bulk of the training.

The second clarification is for the fiscal note. The fiscal note is only for the addition of the private schools. That is because our Office is at capacity as is.

SENATOR KIECKHEFER:

So the fiscal note for the cost of \$78,000 in fiscal year (FY) 2017-2018 and \$128,000 in FY 2018-2019 is still valid?

Ms. MCGILL:

Yes. We can see about doing those training via teleconference or by video, which may reduce costs.

SENATOR KIECKHEFER:

But the idea that you are at maximum capacity and that you will need an additional person for this is still valid?

Ms. MCGILL:

Yes.

SENATOR PARKS:

I would like to simply say that it is estimated that, every day, more than 300,000 students skip school because of their fear of bullying. That is roughly equivalent to the entirety of the student population of the Clark County School District. Senate Bill 225 has no sex education components. There is no prohibition on religious protections. Nothing in the bill is going against any religious doctrine.

This hearing was supposed to talk about the fiscal impact of the bill. I would concur that there would be an additional cost to the State, as expressed by the fiscal note from Ms. McGill's Office. I would assume that, since we want to make this Safe-to-Tell Program work for the entire State, it would have to include all schools. I cannot imagine it being successful otherwise.

This bill arose from numerous contacts and calls I had informing me that students attending private schools were experiencing bullying and that they did not have the protections that are currently afforded in local and public schools.

Thank you for your consideration of this legislation. I have submitted for the record proposed amendment 4949 for S.B. 225 ([Exhibit J](#)).

CHAIR WOODHOUSE:

I would appreciate you touching base with the Nevada Department of Education to see if there is any way we can reduce that fiscal note, because we want to make sure we can move this legislation forward. That will conclude our hearing on S.B. 225. We will now open the hearing on S.B. 373.

SENATE BILL 373: Requires the appointment of a Minority Affairs Management Analyst in the Office of the Director of the Department of Business and Industry. (BDR 18-1108)

SENATOR AARON D. FORD (Senatorial District No. 11):

This bill would create a position within the Department of Business and Industry (B&I) to provide support to the Nevada Commission on Minority Affairs. The B&I staffs the Commission and has other responsibilities to provide outreach and education to minority groups on consumer fraud.

As I have learned while working on bills to help minority-owned businesses in Nevada, the State is lacking a robust system for collecting or analyzing data within B&I. Quite simply, this bill creates a new position in B&I titled the Minority Affairs Management Analyst, whose job will be to collect data, perform statistical analysis and investigate items within the purview of the Commission.

By collecting and analyzing this data, we can develop the baseline information we need as Legislators and as a State to assess and deal with issues within the purview of the Commission. Instead of talking anecdotally or in generalities, we can put this hard data to work.

There is a small fiscal note on this bill, because it seeks to add a position. This leads to a fiscal impact of around \$71,000 in FY 2017-2018 and an impact of around \$88,000 in FY 2018-2019.

CHAIR WOODHOUSE:

Seeing no one who wishes to testify in either support of or in opposition to this bill, I open this hearing to those wishing to testify in the neutral position.

BRUCE H. BRESLOW (Director, Department of Business and Industry):

This will allow the Commission to have somebody to be the glue. We have lost a lot of good commissioners over the years because they meet and talk and generate good ideas, but nobody is there to document and to follow through. This seems like a very good idea, and we have an extra desk available in the new Las Vegas B&I building.

CHAIR WOODHOUSE:

That will conclude our hearing on S.B. 373. The Committee will now hear testimony on S.B. 444.

SENATE BILL 444: Makes an appropriation to the Department of Veterans Services to provide assistance and support for the Adopt a Vet Dental Program. (BDR S-147)

SENATOR JOSEPH P. HARDY (Senatorial District No. 12):

The bottom line is that, with this bill, there will be more veterans appropriately teathed and able to eat steak again. I have brought multiple subject matter experts with me. These people not only have the passion and the knowledge, but they are also doing a wonderful job serving the people who have served and protected us.

LINDA J. HAIGH (Director, Adopt a Vet Dental Program):

We have an epidemic of oral health disease among our veterans in northern Nevada. Over 95 percent of our veterans do not receive dental because the requirements of the U.S. Department of Veterans Affairs (VA) are so restrictive.

Adopt a Vet targets the low-income veterans who simply cannot afford to see a dentist and live everyday with abscesses, infections and pain. This really affects their overall health. These ailments are linked with heart disease, diabetes and other chronic illnesses. Unlike UNLV, the University of Nevada, Reno does not have a school of dental medicine where veterans can receive care for little or no cost.

Adopt a Vet Dental Program has filled that gap for the last seven years. We have provided full restoration or emergency dental care to over 870 veterans in 10 counties in Nevada. It has been our honor to serve them. We have 114 dentists and specialists that have stepped forward to help our veterans and they have provided over \$4.2 million in pro bono services. However, Adopt a

Vet is responsible for paying for the dentures, the crowns, the operation of our clinic and our overall program.

We have a small staff that needs to expand to accommodate a waiting list of over 200 veterans waiting up to 2 years for dental care through our program. Therefore, we are requesting funds of \$124,981 per year for the biennium that will allow us to provide additional care to 54 low-income veterans each year. I have documentation that I have provided the Committee that breaks this request down ([Exhibit K](#)).

In closing, Adopt a Vet Dental has become a part of the solution in addressing this overwhelming challenge. But we cannot keep up with the demand and are requesting the State's support to help us. To our knowledge, there is no other program like ours in the United States. We have received national recognition and awards for our efforts to provide dental care to our low-income veterans. Thank you for your consideration of this request.

JIM SNYDER (Veteran Advocate, Adopt a Vet Dental Program):

It was an honor to meet the various Legislators as this bill came forward. My story is similar to that of many veterans. First, I want to say that we would have had a room full of veterans today that went through the program, however, we did not know about this hearing until late last night. This room would have been filled with veterans.

The good thing about dealing with veterans in this polarized world is that it does not matter what color, gender or anything else a person is, this program will take care of you. That is what is nice about this program. It took me 18 months to get my teeth done, but as I explained before the policy committee, my life is like a country song. I lost my dog, my house, my car and everything because of my dental needs. Infections went to my bloodstream. I also have a nerve disorder that affects my teeth; I ground my teeth all the way down.

I give thanks to Ms. Haigh. She saved my life. That was over six years ago. I then had the opportunity to start volunteering. The cost of my dental care was \$11,000. Her program covered that cost. The average cost per veteran in the program is around \$7,500. Operation costs account for almost \$1,200. That is for the paperwork we have to do to get a veteran through the program.

As the advocate, I love this program and my job because I get to deal with every veteran that enters the program. I do the intake. I prequalify them through the program and make sure that they are good candidates. We deal with 114 amazing dentists outside in the community. We also have a new clinic opening at the Truckee Meadows Community College, which will have three volunteer dentists.

The support is there all the way. We have the support of the veterans and I hope we have your support. To me, it is one of the easiest things to support because the way that dental health affects your whole body was something that I, and a lot of veterans, never understood. I never understood it until I went through the program. It is a vicious circle. People will seek immediate relief; they find any painkiller or antibiotic they can to relieve the pain.

I had two suicide attempts through my time with the program. This is a very personal issue to me. I urge your support and stand ready to answer any questions you may have.

SENATOR FORD:

I like your bill, Senator Hardy.

SENATOR HARDY:

Thank you.

CHAIR WOODHOUSE:

The Committee will now hear testimony from those wishing to testify in support of S.B. 444.

KEVIN BURNS (Chairman, United Veterans Legislative Council):

This program is near and dear to many of our hearts. It has been run by a wonderful woman, Ms. Haigh, who you have just met. She is an angel for many of us. During my day job, I run the veterans' resource center for the Western Nevada College, and I have had my people go through this program here in the north.

As mentioned before, if we had more time to prepare for this hearing I would have had one of my veterans show up here. He would have been very happy to smile for you because this program let him smile for the first time in years. He now feels the confidence to go to a job interview. We wholeheartedly support

this program, and we think that \$125,000 a year, which equates to roughly 50 cents a veteran in the State, is well spent. Thank you for your consideration.

LORI BENVIN (Director, Northern Nevada Dental Health Society):

This program is part of our society, and I am here in full support of it. I hope that you will support this bill. The program is changing lives and saving veterans' lives. It is important.

CHAIR WOODHOUSE:

Seeing no one who wishes to testify in opposition to S.B. 444, the Committee will now hear testimony from those who are in neutral to the bill.

KATHERINE MILLER (Director, Department of Veterans Services):

There are three pieces of information I was asked to provide the Committee. The first is that the need for dental services has been identified by veterans across the State.

The second dealt with eligibility for the VA. The VA only provides dental care for veterans who were prisoners of war, are 100 percent disabled or have a service connection directly related to dental work. There are a few other minor qualifiers too. If you leave the service, for 180 days after leaving, if you did not have your final dental exam, you can get dental services. If you are unemployable and are receiving VA benefits equal to 100 percent disability, the VA will provide dental care.

The third involves services for veterans in southern Nevada. The University of Nevada, Las Vegas does have the dental clinic, which offers 10 free clinics a year for veterans who make less than \$25,000 a year and do not qualify for VA dental care.

SENATOR HARDY:

This bill originated in the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs. I would love to take credit for it, but this was a consensus and collaborative opportunity to make a difference for people who have done something for us all.

We do not have as many veterans here today as we would have liked. I would like everyone who is here in the audience today to give a big smile if they know a veteran, love a veteran or would like to know a veteran.

CHAIR WOODHOUSE:

We know that the timelines for these hearings are short. The fact that you are here and made your case quite convincingly is appreciated. We know that the room would have been full of veterans and appreciate you making the case for this bill.

That will close our hearing on S.B. 444. We will move on to S.B. 445.

SENATE BILL 445: Makes an appropriation to the Eighth Judicial District Court for a Veterans Court Coordinator. (BDR S-148)

SENATOR HARDY:

This bill also came from the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs. This has to do with the Veterans Court Coordinator position. Once again, I have brought a subject matter expert with me.

ANDRES MOSES (Staff Attorney, Eighth Judicial District Court of Clark County):

I would like to thank Senator Hardy and the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs for recommending this appropriations bill. In general, the specialty courts programs are designed to address the root causes of criminal behavior that stem from substance abuse and mental health problems.

The Veterans Treatment Court is a unique program that concentrates its efforts on our military service members who, by the very nature of their service, are exposed to a variety of conditions such as traumatic brain injury, post-traumatic stress and others. To be eligible for the program, the defendant must be a veteran or member of the military who appears to suffer from mental illness, substance abuse or post-traumatic stress disorder which is related to military service or adjustment to civilian life.

The Court's treatment program is one of nine specialty court programs in Clark County. It was approved by the Legislature during the 75th Session. It is codified in NRS 176A.280. Currently, we have 45 active participants in our program.

The Court brings together a public and private team that includes the judge, the public defender, the district attorney, the project management professional, the

Department of Veterans Services, the Department of Veterans Affairs and also our specialty court staff. The coordinator is a critical member of that team. They supervise and monitor the participants, they inform and make recommendations to the judge and they also serve as the liaison to all the services involved.

Since the inception of the program, the Court has struggled to secure funding for a full-time veterans coordinator. Thanks in part to the Legislature's appropriations for specialty court funds during the 78th Session and also to our Supreme Court justices through the Specialty Court Funding Committee, we have been able to secure half of the salary and benefits for the coordinator position. We have been unable to secure the remaining funding at this time. In light of the current funding model, we would suggest two amendments to S.B. 445. I have submitted these proposed amendments for the Committee's review ([Exhibit L](#))

The first is to reduce the funding to \$98,356. The second is to remove the matching fund requirement in section 1, subsection 2 of S.B. 445. With that, I stand ready to answer any questions from the Committee.

SENATOR KIECKHEFER:

You want us to strike section 1, subsection 2 of this bill?

MR. MOSES:

That is correct. That would ensure full funding for the biennium for the coordinator position. The reduction of funding from \$200,222 to \$98,356 is because half the funding for the position has already been secured through Administrative Office of the Court money.

SENATOR KIECKHEFER:

You managed to answer my second question preemptively. Thank you.

CHAIR WOODHOUSE:

The Committee will now consider the testimony of those wishing to speak in support of S.B. 445.

JOHN JONES (Chief Deputy District Attorney, Clark County District Attorney's Office):

We are here in support of this bill. We have been asking for this appropriation for many Sessions now. We are hoping that this will be the Session where we

get it. The nice thing about the Court is that it wraps around services that are provided, in many instances, for free to veterans from the federal government. The coordinator could help seek those services that the defendant can access for little or no cost. This will hopefully help reduce recidivism rates.

This is already a successful program. I think we can make it more so with this appropriation. Thank you for your consideration.

JOHN PIRO (Deputy Public Defender, Clark County Public Defender's Office):
My colleague, Mr. Jones, has pretty much summed up the benefits of this program. We would just like to add our support of this measure on the record. The Court is one of the best treatment courts that we have available. It is one of the most effective in reducing recidivism. I would ask that you make this appropriation. It is our goal to put ourselves out of business at some point in the future, because the need for the Court will no longer exist. Until then, we appreciate your consideration of this appropriation.

MR. BURNS:

The Court is one of our highest priorities this Session. This bill would allow us to expand the Court. It will give it more capacity. The program basically allows the courts of Nevada to get a hold of a young man or woman who is going down the wrong path. It is an early intervention program. It allows them, as we say, to get grabbed by the stacking swivel and told: "young man or woman, you are in trouble right now and the path you are heading down is wrong."

The courts that are actually up and running right now under Judge Stevens and Judge Saragosa, as well as the ones in Washoe County, have proven to be wonderful when you look at the impact they make on recidivism rates and success rates. We strongly urge your support of this bill.

MR. SNYDER:

I just wanted to speak in strong support of this bill. I went into the Marine Corps at the age of 17. I did so because someone gave me a chance. A district attorney gave me one day to enlist, and I took advantage of that. I know what it is like to have a second chance. Because of that, I support this bill that would give those chances to other veterans. Thank you for your consideration of this bill.

BRUNO MOYA:

I too am a Marine Corps veteran. I used to volunteer to mentor veterans at the Court. I have seen a lot of success from the veterans who went through the program. Some of them decided to go to school and pursue an education. The Court had a lot to do with that decision. Not only does the Court help reduce recidivism, but it also helps veterans pursue other avenues to success, such as education. It can give them a sense of purpose again.

CHAIR WOODHOUSE:

Seeing no one who wishes to testify in opposition to this bill, I will open the hearing to those wishing to testify in the neutral position on S.B. 445.

MS. MILLER:

Every two years, Nevada conducts a legislative symposium in the north and south parts of the State. The purpose of the symposium is to gather the veteran community and determine what they think their legislative priorities are. This year, at both the northern and southern symposiums, the desire to increase the presence and support of Nevada's veterans courts was identified as a priority.

The summary of recommendations from the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs has been submitted for the Committee's review ([Exhibit M](#)). The Committee will note that the veterans court is listed as priority number 5 on page 2 of [Exhibit M](#).

SENATOR HARDY:

This was, again, a consensus bill from the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs. The amendments proposed earlier will be in the Committee's hands shortly as official amendments. I appreciate all of those who participated in this and thank the Committee for their consideration of S.B. 445.

SENATOR FORD:

Senator Hardy, I like this bill too.

SENATOR HARDY:

Thank you.

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CHAIR WOODHOUSE:

That will conclude our hearing on S.B. 445. We will now conduct a bill hearing on S.B. 527.

SENATE BILL 527: Makes a supplemental appropriation to the Nevada Supreme Court for a projected shortfall related to judicial selection processes. (BDR S-1170)

ROBIN SWEET (Director and State Court Administrator, the Supreme Court, Administrative Office of the Courts):

Judicial selection is in article 6, section 20 of the *Constitution of the State of Nevada*. Basically, a commission meets and nominates three names for the Governor from applications we have received and have conducted background checks on.

This bill is for vacancies in the Supreme Court, the Court of Appeals and the district court, all of which have vacancies for judges. When we create the budget, we do an estimate based on recent years' vacancies. For this fiscal year, we budgeted for two positions under a paper-based process. Two years ago, we began to transition to a digital process. This year, we have completed almost four selections for five judges.

However, we have one more selection to go this fiscal year. We are a little short in our budget. Any funds that remain after this process would be reverted to the State General Fund. In FY 2015-2016, we reverted almost the whole amount because we did not have a selection. The money that was spent was only for the training of our permanent members on the digital process.

CHAIR WOODHOUSE:

Seeing no questions from the Committee, and no one who wishes to testify in either support, opposition or in neutral to this bill, I will close the hearing on S.B. 527.

The Committee will now enter into a work session on some bills. We will begin with S.B. 265.

SENATE BILL 265 (1st Reprint): Revises provisions relating to prescription drugs. (BDR 40-809)

MR. KRMPOTIC:

Senate Bill 265 was heard on May 13. It was presented by Senator Cancela. The bill requires the Department of Health and Human Services to compile a list of prescription drugs essential for the treatment of diabetes. It requires the manufacturer of these prescription drugs to report certain information to the Department. It requires certain nonprofit organizations to report to the Department as well certain information concerning contributions received from drug manufacturers or trade advocacy groups for such manufacturers. It requires the Department to place certain information on its Website and authorizes the Department to impose an administrative penalty in certain circumstances. It requires a pharmaceutical sales representative to obtain a license from the Division of Public and Behavioral Health (DPBH) and requires private schools to allow students to keep and self-administer certain drugs.

Senator Cancela presented Amendment 4634 ([Exhibit N](#)) to S.B. 265 during the May 13 hearing. There are two fiscal notes placed on this bill. One was by DPBH and the other was from the Division of Health Care Financing and Policy. The Division of Health Care Financing and Policy has submitted a letter removing their fiscal note ([Exhibit O](#)) as the first reprint of the bill removed any fiscal impact and that [Exhibit O](#) does not change that.

We have received information from the DPBH indicating that [Exhibit N](#) removed the language relating to licensed pharmaceutical sales representatives and removed the fiscal impact to DPBH ([Exhibit P](#)).

SENATOR KIECKHEFER:

I appreciate the work Senator Cancela has done on this bill. I am trying to get to a yes vote, but I am not quite there yet. I will be voting no for now, but hope that by the time this bill gets to floor, I will be a yes. I reserve my right to change my vote on the floor.

SENATOR GOICOECHEA:

I would like to reserve my right to change my vote on the floor as well.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 265.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS KIECKHEFER, HARRIS AND
GOICOECHEA VOTED NO.)

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CHAIR WOODHOUSE:
Next in the work session is S.B. 415.

SENATE BILL 415: Proposes to exempt sales of feminine hygiene products from sales and use taxes and analogous taxes. (BDR 32-631)

ALEX HAARTZ (Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

Senate Bill 415 was heard in Committee on May 8. It requires the submission of a question to the voters during the 2018 general election of whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption for feminine hygiene products. Senator Cancela presented the bill. The Secretary of State's Office was present and spoke regarding their fiscal note attached to this bill for an amount of \$69,897.

Wayne Thorley, the Deputy for Elections in that Office, indicated that they had arrived at that figure as a result of averaging the cost of the four ballot questions from the last election. Mr. Thorley indicated that this cost was actually a charge against the State Statutory Contingency Fund from which they are required to reimburse county election clerks for the cost of publishing in the local newspapers certain information.

There was various testimony in support. There was no testimony against this bill. There was testimony given in neutral from the Nevada Taxpayer's Association as well as the Retail Association of Nevada.

SENATOR FORD MOVED TO DO PASS S.B. 415.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR WOODHOUSE:
The Committee will now consider S.B. 457.

SENATE BILL 457: Provides for the award of college credit for military education, training and occupational experience. (BDR 34-1080)

MR. KRMPOTIC:
Senate Bill 457 was heard on April 13 by the Committee. The bill is sponsored by Senator Parks. The bill would require the Board of Regents or its designee and the Commission on Postsecondary Education to collaborate with the American Council on Education to establish Statewide standards for awarding credit towards an undergraduate degree for military education, training or occupational experience.

The fiscal note was placed on the bill by the Nevada System of Higher Education (NSHE) in the amount of \$100,000. Staff would note that, at the hearing, the NSHE testified that it would remove its fiscal note if the Commission on Postsecondary Education was stricken from the bill. Staff has received a suggested amendment ([Exhibit Q](#)) that would appear to do just that.

[Exhibit Q](#) would strike the Commission from the bill and would require the Board of Regents to consult with Nevada's "State approving agency designated pursuant to 38 *U.S. Code* Section 3671 and with the American Council on Education." Based on that, I am assuming this would remove the NSHE fiscal note.

CHAIR WOODHOUSE:
Is [Exhibit Q](#) from you, Senator Parks?

SENATOR PARKS:
[Exhibit Q](#) is from the NSHE. They have indicated that they have removed their fiscal note.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 457.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR WOODHOUSE:

The last bill for today's work session is S.B. 512.

SENATE BILL 512 (1st Reprint): Revises provisions relating to fees for the use of certain state lands. (BDR 26-906)

MR. KRMPOTIC:

Senate Bill 512 was heard by the Committee on April 26. This bill would require the State Land Registrar to establish certain fees, by regulation, for the use of State lands. The bill establishes a threshold of \$50,000. That amount would be transferred to the State General Fund and amounts in excess would be used to carry out programs to preserve, protect, restore and enhance the natural environment of the Lake Tahoe Basin.

When this bill was heard, Staff had indicated that additional fees and funds were received beyond \$50,000. It was the intent of the Agency to keep the General Fund revenue neutral with this bill. Subsequent discussions with the Agency has let Staff ascertain that, last fiscal year, \$65,000 was actually collected and deposited to the General Fund. Therefore, in order to ensure the General Fund remains revenue neutral, Staff would suggest an amendment to change the threshold from \$50,000 to \$65,000. Staff has discussed doing so with the Agency, and I believe they are in agreement.

SENATOR FORD MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 512.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR KIECKHEFER VOTED NO.)

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CHAIR WOODHOUSE:

That will conclude our work session. Let the record for this meeting reflect that we have received written testimony in opposition to S.B. 225 ([Exhibit R](#)) Seeing no one who wishes to offer public comment, I adjourn this meeting as of 10:34 a.m.

RESPECTFULLY SUBMITTED:

Colby Nichols,
Committee Secretary

APPROVED BY:

Senator Joyce Woodhouse, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	23		Attendance Roster
S.B. 225	C	1	Patrick Herman / Spring Creek Christian Academy	Letter of Opposition
S.B. 225	D	1	Brooke Maylath / Transgender Allies Group	Psychological Distress Among Transgender Individuals
S.B. 225	E	1	Juan Miguel Sclafani Jr.	Testimony in Opposition
S.B. 225	F	1	David Mendoza	Testimony in Opposition
S.B. 225	G	1	Josue Barraza	Testimony in Opposition
S.B. 225	H	2	Andrea Carranza	Testimony in Opposition
S.B. 225	I	1	Enrique B. Rivera	Testimony in Opposition
S.B. 225	J	14	Senator Parks	Proposed Amendment 4949
S.B. 444	K	3	Linda J. Haigh / Adopt a Vet Dental Program	Recommendation from the Northern Nevada Dental Health Programs to the Subcommittee to Provide Sustainable Funding for the Adopt a Vet Dental Program
S.B. 445	L	1	Andres Moses	Conceptual Amendment
S.B. 445	M	6	Kevin Burns	Summary of Recommendations
S.B. 265	N	20	Senator Cancela	Proposed Amendment 4634
S.B. 265	O	1	Marta Jensen / Division of Health Care Financing and Policy	Letter removing fiscal note
S.B. 265	P	1	Cody L. Phinney / Division of Public and Behavioral Health	Letter removing fiscal note
S.B. 457	Q	1	Nevada System of Higher Education	Conceptual Amendment
S.B. 225	R	15	Public	Public Comment

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