MINUTES OF THE
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Seventy-ninth Session
April 19, 2017

The Senate Committee on Health and Human Services was called to order by Chair Pat Spearman at 3:37 p.m. on Wednesday, April 19, 2017, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 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 Pat Spearman, Chair
Senator Julia Ratti, Vice Chair
Senator Joyce Woodhouse
Senator Joseph P. Hardy
Senator Scott Hammond

GUEST LEGISLATORS PRESENT:

Senator James A. Settelmeyer, Senatorial District No. 17
Assemblywoman Irene Bustamante Adams, Assembly District No. 42
Assemblyman Edgar Flores, Assembly District No. 28

STAFF MEMBERS PRESENT:

Megan Comlossy, Policy Analyst
Eric Robbins, Counsel
Carol Stonefield, Research Analyst
Debbie Carmichael, Committee Secretary

OTHERS PRESENT:

Homa S. Woodrum, Chief Advocacy Attorney, Aging and Disability Services Division, Department of Health and Human Services
Jon Sasser, Legal Aid Center of Southern Nevada; Commission on Services for Persons with Disabilities
Gabrielle Jones, Legal Aid Center of Southern Nevada

Katherine Maher, Immigration Clinic, William S. Boyd School of Law, University of Nevada, Las Vegas
Holly Welborn, ACLU of Nevada
Ramon Acosta
Michael Kagan, Director, Immigration Clinic, William S. Boyd School of Law, University of Nevada, Las Vegas
Erika Castro, Progressive Leadership Alliance of Nevada; Nevada Immigrant Coalition
Sylvia Esparza, American Immigration Lawyers Association, Nevada Chapter
Estefany Cruz Rodriguez
Arlene Alvarez, Mi Familia Vota
Adriana Martin, Mi Familia Vota
Lynn Chapman, Eagle Forum
John Wagner, Independent American Party

CHAIR SPEARMAN:
I will open the hearing on Assembly Bill (A.B.) 126.

ASSEMBLY BILL 126: Abolishes certain committees and commissions. (BDR 38-555)

SENATOR JAMES A. SETTELMEYER (Senatorial District No. 17):
I was the Chair of the Sunset Subcommittee during the Interim. We had the opportunity to go through many bills and determine whether committees should continue, change, discontinue, merge or have a sunset. There are two committees and one commission that are inactive or obsolete.

CAROL STONEFIELD (Research Analyst):
I was the Policy Analyst for the Sunset Subcommittee during the last Interim. Assembly Bill 126 provides for the repeal of two committees and one commission that are inactive or obsolete. The first one is the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Judges, Judges of the Court of Appeals, District Judges and Elected County Officers. This Commission was heard in the Sunset Subcommittee on December 15, 2015. It was created by the Legislature in 1993 and has nine members appointed by the Legislative Leadership, the Chief Justice of the Supreme Court and the Governor. Its purpose is to review compensation paid to certain elected officials and to recommend changes in compensation as approved by the members through a bill draft request (BDR). It has the authority

to request a BDR, but that would go into the normal legislative process passed by both Houses and subject to veto by the Governor. Existing records indicate it last met in mid-1990 and made one report to the 1995 Legislature. We can find no records to indicate that it met again. It has no members, and the Governor's Office confirmed that it considers the Commission to be inactive.

The second is the Advisory Committee on Housing. The Committee was heard in the Sunset Subcommittee on February 23, 2016. The Advisory Committee on Housing was created by the Legislature in 1987 and has nine members including the Director of the Department of Business and Industry and eight representatives of various sectors of the housing industry including mortgage lending, sales and marketing, construction, development, government housing and affordable housing. Its purpose is to review and make recommendations concerning investments and issuance of obligations, development or improvement of programs, improvement of policies of the Housing Division, administration of the Account for Low-Income Housing and other matters referred to it by the Director of Business and Industry or the Administrator of the Housing Division. The Director of Business and Industry has recommended termination of the Advisory Committee. Since 1987, there are other venues for community participation that have been developed.

The third is the Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities. This Subcommittee was heard in the Sunset Subcommittee on February 23, 2016. It was created by the Legislature in 2001 as an Advisory Committee for the purpose of determining the need and potential clients for personal assistance services. This Subcommittee is now located under the Nevada Commission on Services for Persons with Disabilities, which was created in 2009. The Advisory Committee predates the Commission, but in 2009, the Legislature decided to streamline the delivery services, and combine some of the boards to become more efficient. Its membership is not limited to a specific number. The Commission is to appoint members that it deems appropriate to represent a broad range of persons with disabilities from diverse backgrounds including senior citizens, independent living centers and providers of personal services to persons with disabilities. The Aging and Disability Services Division indicated to the Sunset Subcommittee it currently has no members and has not met since 2012. The staff indicated to the Sunset Committee that workshops can be used to receive public comments and recommendations regarding the need for services.

ASSEMBLYWOMAN IRENE BUSTAMANTE ADAMS (Assembly District No. 42):
I want to thank Chair Spearman for serving on the Sunset Subcommittee and for helping with consolidations, mergers and recommendations to improve their services.

SENATOR SETTELMEYER:
We are talking about three boards, one that has not met in 22 years, one has not met in 8 years, and all three board tasks have been taken over by other agencies and have been handled, in my opinion, more efficiently.

CHAIR SPEARMAN:
I will close the hearing on A.B. 126 and open the hearing on A.B. 31.

ASSEMBLY BILL 31: Revises provisions relating to the Specialist for the Rights of Elderly Persons and the Community Advocate for Elder Rights. (BDR 38-130)

HOMA S. WOODRUM (Chief Advocacy Attorney, Aging and Disability Services Division, Department of Health and Human Services):
I am in the position of the Specialist for the Rights of Elderly Persons. The goal of A.B. 31 is to expand the scope of my role as well as the role of the community advocates to not just focus on those over the age of 60. The language is identical to the original intent of prior Legislative Sessions. The position was created in 1989, and it was a Governor-sponsored bill at the time. A majority of the changes are meant to change phrasing from elderly persons to older persons and persons with a physical disability, an intellectual disability or a related condition. The specifics of the meanings are in the first part of A.B. 31. The definitions are consistent with other statutory definitions. Assembly Bill 31 changes my job title from Specialist for the Rights of Elderly Persons to the Office of the Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Related Condition. When Sally Ramm, Elder Rights Attorney, retired after a long period of service to the State, I took her position. She spearheaded this bill with the goal of expanding the ability to advocate for individuals. As we know, there is early onset dementia and other things that can overlap, and it is not age alone that can make someone potentially vulnerable. The concepts are similar. There are adult guardianships and situations with children who need advocacy. The goal of the position includes a lot of policy consideration, training, advocacy, education and technical assistance for those who are leveraging their time to help these groups

of individuals. It is consistent with the Division's goal of being life-span oriented. We want to be sure we are not limiting the protections and services we provide based on age.

Assembly Bill 31 also adds the ability for the attorney for the rights of these individuals to give training to advocacy groups, who then continue to serve those individuals. Before I joined the Aging and Disability Services Division in January, I was a private attorney focusing on elder exploitation issues. It is great to see the programs the Division has, and A.B. 31 would be consistent with the no-wrong-door approach the Division is making a part of in every aspect of services. The bill provides for the community advocate, upon request, to assist with individuals who have certain conditions, but who are not in a long-term care facility. There would not be any overlap with the Long-Term Care Ombudsman or other programs that are in place to protect these individuals.

Assembly Bill 31 does not have a fiscal note because training individuals to provide assistance is already being done outside the bill. We do not want to limit training to the over 60 crowd. We want to make sure we are advocating and educating regarding intellectual disabilities, physical disabilities and related conditions.

SENATOR HARDY:
Can you elaborate on why there is not a fiscal note on A.B. 31?

MS. WOODRUM:
The positions that provide assistance already exist, they are already funded and budgeted. Some may ask if there will be an influx of people asking for services, and will we then come back to ask for more money. We will monitor the services and the information that is being given. The people in the positions will already be asking questions and now will be able to point the individuals to where they need to go and be fully authorized under A.B. 31. I have not noticed any particular burden on the position.

JON SASSER (Legal Aid Center of Southern Nevada; Commission on Services for Persons with Disabilities):
The Legal Aid Center of Southern Nevada and the Commission on Services for Persons with Disabilities support A.B. 31.

SENATOR WOODHOUSE:
I close the hearing on A.B. 31 and open the hearing on A.B. 142.

ASSEMBLY BILL 142: Establishes provisions concerning children seeking federal status as special immigrant juveniles. (BDR 38-739)

ASSEMBLYMAN EDGAR FLORES (Assembly District No. 28):
Currently, under federal law, there is special immigrant juvenile (SIJ) status. It is codified and is in the Immigration and Nationality Act of 1965. In 1997, we saw language that addresses abandonment, neglect and abuse on the SIJ status. Special immigrant juvenile status predates that. We have been talking about this at the federal level for a long time. Let us imagine there is an eight-year-old child, who was born in El Salvador. The child was either neglected, abused or abandoned by his or her parents. The child is now at the border, has been identified and will be sent to his or her uncle who lives in Nevada. Special immigrant juvenile status requires that the uncle go to the State family court and make a request for custody or guardianship and a request for special findings. The order is submitted to the United States Citizen and Immigration Services (USCIS) for review with an I-360 form. The request then goes through a vetting process. Once that is done, the child may get SIJ status and stay in the U.S., and at some point, become a legal permanent resident. The problem in Nevada is there is nothing in the *Nevada Revised Statutes*. There is no guidance to the family courts as to what SIJ status is, how it works and what are special findings. The problem is there is no consistency in the State. Looking back a year ago, you would find the judges approving custody and guardianship and the special findings all the time. Looking back to a few months ago, now those judges are saying no. Today, the juvenile courts are sometimes approving them. There is no consistency, and the issue is there is no guidance.

Assembly Bill 142 combines federal law with State law in order to explain and give guidance to the judges at the family court level on how to handle SIJ status. Section 1, subsection 1 explains that the district court has jurisdiction to make judicial determinations regarding the custody and care of juveniles within the meaning of the federal Immigration and Nationality Act, and the regulations adopted thereto, and, therefore, may make the factual findings necessary to enable a child to apply for status as a SIJ within the USCIS. Section 1, subsection 2 says the factual findings set forth in subsection 3 may be made by the district court at any time during a proceeding held in district court or a division of the district court having jurisdiction to make judicial determinations.

Section 1, subsection 3 explains the three requests the judge puts in the order. The first is, the child has been declared dependent on the court or has been legally committed to, or placed under the custody of, a State agency or department or a person appointed by the court. The second one is, the reunification of the child with one or both of his or her parents was determined not to be viable because of abuse, neglect, abandonment or a similar basis. The third is it is not in the best interests of the child to be returned to the previous country of nationality.

Now, we will go back to my example. The uncle who has the child from El Salvador is now in front of the judge. The uncle has requested custody and has included a request for the special findings to be made. The judge will use his or her discretion to say these three things are true. Section 1, subsection 4 says is there evidence to support the findings set forth in subsection 3, including without limitation, a declaration by the child who is the subject of the petition of the court shall issue an order setting forth the following findings.

The way we know a child was abandoned, neglected or abused is by interviewing the child. These kids do not walk around with legal documentation stuffed in their pockets. It is a rigorous process of asking questions. It is very difficult for the children to tell their story and relive it again. If the judge makes the special findings through his or her discretion, then the judge will include in the order that dependency commitment or custody of the child was ordered, and reunification of the child with one or both of his or her parents was determined not to be viable. The court may make additional findings that are supported by evidence upon the request of a party to the proceedings. The asserted, purported or perceived motivation of the child seeking the status of an SIJ is not admissible. Section 1, subsection 6 deals with confidentiality. When these children are telling their stories and talk about the horrendous situations they lived through, we want to make sure that information is not available to everyone. Also, the immigration status of the child may not be made available to everyone. It is important for that information to remain confidential. Section 1, subsections 7 and 8 define "child" and "special immigrant juvenile."

The USCIS Website says less than 20,000 cases occur per year. Statistically, it is less than 1,000 cases per state. If we say no to A.B. 142 and keep the rules as they are, family courts again could change the rules and say they are not going to do the special findings anymore. That is problematic because other states are doing the special findings, and we would not be complying with

federal law. We would be forcing residents of the State to set jurisdiction in other states and that takes months. In my opinion, family court judges would not be overreaching the law to follow the rules outlined in A.B. 142. All the family court judges would do is determine if the special findings are true. Jurisdiction dealing with custody and guardianship rests with the state as it is not a federal issue. Every state has different rules and statutes that pertain to how custody and guardianship works. Because there are no uniform custody and guardianship rules at the federal level, it is left to the states to determine and implement the request for special findings.

GABRIELLE JONES (Legal Aid Center of Southern Nevada):
My office has had the opportunity to represent numerous children seeking these findings. One of the two biggest issues we have seen is confusion on which court can hear these kind of cases. Federal law says it is a juvenile court. Some of the confusion has come from judges believing that meant dependency court. The problem with that reasoning is these children were abused, neglected or abandoned in their home countries. Thus, there would be no dependency case open in the U.S., and they would have no mechanism to go before a judge, so these children would never be entitled to get these findings. In fact, the federal law says family court matters, and that is how it should be interpreted. There was an amendment in 2008 which changed SIJ from only applying to children in foster care and expanded it to children in the custody of one parent or another individual. These are your typical custody and guardianship cases, and these cases are heard in family court. That is why it makes sense to keep those custody and guardianship cases there, and allow the special findings to be heard inside those cases. The other issue was these cases were being denied because of the perceived motivation or bias as to why the children were filing them. It has to be clear that the State court's role is merely to first determine whether the custody or guardianship is appropriate and if they have met the jurisdictional requirements. The court then looks at the facts and evidence and determines whether these findings can be made. There is no mechanism for where the State court is going to be making any sort of immigration decision. It is a separate process. Just because someone gets the findings does not mean they are going to get the immigration status. It is not true that if the custody or guardianship order is made, the entire family will get status. Once a child has filed for SIJ status, the child is permanently barred from petitioning for his or her family. The Legal Aid Center of Southern Nevada supports A.B. 142.

ASSEMBLYMAN FLORES:
There is a proposed conceptual amendment (Exhibit C) for A.B. 142, and it has been given to the Committee. The proposed amendment makes sure the language is replicated, in one way or another, to make clear that SIJ status will apply in juvenile justice and guardianship cases.

SENATOR HAMMOND:
What would happen if we do not pass A.B. 142?

ASSEMBLYMAN FLORES:
We have gone from judges saying yes, they will do special findings, to no, we do not know how to do it, we do not want to do it, we do not have jurisdiction, and you will have to go to the juvenile courts. Right now, we do not have any consistency. Assembly Bill 142 is making it abundantly clear what the federal law was meant to be and how it was meant to apply.

SENATOR HAMMOND:
What happens, literally, to the children we are talking about?

ASSEMBLYMAN FLORES:
We leave these children in limbo. We leave them in a situation where they might not be allowed to stay in the U.S. if their situation is not fixed.

SENATOR HAMMOND:
As we are looking and thinking about A.B. 142, where are these children being held?

ASSEMBLYMAN FLORES:
It depends on each child's scenario. Many of them are already with family members or someone who is taking care of them. The next step is to go to family court and make the request.

KATHERINE MAHER (Immigration Clinic, William S. Boyd School of Law, University of Nevada, Las Vegas):
I am a third year law student at the Boyd School of Law, and a student attorney in the University of Nevada, Las Vegas, Immigration Clinic. We have had the opportunity and privilege to represent immigrant children in family court who are seeking SIJ status. Their stories are not just hypothetical, and they are heartbreaking. Many of them have been abandoned by their parents, forced into

child labor, unable to go to school for fear of being murdered and threatened by the rampant gang violence in many of the countries from which they have fled. They come to the U.S. and SIJ status provides them an avenue for the U.S. court system to address the dangers that are facing them. The SIJ program is expanded as part of the Trafficking Victims Reauthorization Act of 2008. Congress understood that unaccompanied children who were victims of abuse, abandonment and neglect were most likely to fall prey to human trafficking.

Immigration is an exclusively federal responsibility in our government, and the SIJ status carves out the issues of abandonment, neglect and the best interest of the child and puts them back into the state courts' hands. The state family court is the only authority that will make the assessment about the best interest of the child. At the federal level, the immigration services do not look at the child's situation and determine where they best belong, and if the state court does not fulfill that goal, these children who are abused or worse can be deported and face exactly the dangers they ran away from. What we found at the clinic while representing these kids is many of the hearing masters would not make the findings, not because they thought it was in the best interest of the child to return, but because they did not understand the jurisdiction. They were confused about the role of the State court. Assembly Bill 142 will clear up confusion surrounding the SIJ status and allow the court to focus on the best interest of the child. Without it, the confusion will only return these children to abuse and death. The University of Nevada, Las Vegas, Immigration Clinic supports A.B. 142.

HOLLY WELBORN (ACLU of Nevada):
Assembly Bill 142 resolves discrepancies between State and federal laws offering much needed clarity and guidance to district courts on how to provide resources to neglected and abused children. Children and those who work with them often do not know that SIJ status is available. Assembly Bill 142 eases the process of connecting highly vulnerable children with the resources they need to achieve lawful residency.

Many of the children who qualify for the SIJ status come through delinquency court. They are getting into trouble because they do not have any options. If the courts have the instructions, they can intervene and get the child the help he or she needs. I worked with one child in particular and have stayed in communication with him to this day. He is going to attend the University of California, Berkeley, in the fall. That is quite a success story. He would not have

had the opportunities if he had not gotten the SIJ status. The ACLU supports A.B. 142.

RAMON ACOSTA:
I spent 18 years in the federal Public Defender's Office and retired last year. I ended up teaching at the judicial college, and my students were judges, some were immigration court judges and some were tribal court judges. I am a tribal court judge, and I am faced with custody and guardianship issues. It will not have a high impact on the courts regarding resources because less than 1,000 children per state would be affected. Assembly Bill 142 provides parity with the federal law as well as with some of the other states that already have these provisions enacted and are using them. It is not over-reaching because it is limited to the special findings sought in family court. Assembly Bill 142 provides clarity to family court judges. I am reminded of the Indian Child Welfare Act of 1978, which had a very long history where family court judges were required to make inquiries as to whether the child was native. It was a limited inquiry because if the child was native, it would trigger particular provisions. That is exactly what A.B. 142 does in a limited way: the motion is made; the person who is seeking custody or guardianship in a juvenile proceeding would make the motion for the special findings; once the special findings are entered into the record, they would move to the second step and complete the process. I support A.B. 142 because it is a common sense approach and a great remedy.

SENATOR HARDY:
Assembly Bill 142 mirrors federal law, but is there something more we should be doing?

MICHAEL KAGAN (Director, Immigration Clinic, William S. Boyd School of Law, University of Nevada, Las Vegas):
Assembly Bill 142 is a close mirror to federal law, and does not go beyond it. It does what Congress has asked the state courts to do. If the state court or individual judge does not make the inquiries, nobody else will make them. There is no federal backup for this particular role even though it will be the federal government that makes the ultimate immigration decision.

ERIKA CASTRO (Progressive Leadership Alliance of Nevada; Nevada Immigrant Coalition):
The Progressive Leadership Alliance of Nevada and the Nevada Immigrant Coalition are in support of A.B. 142. One out of every five Nevadans is foreign

born. By passing A.B. 142, we will ensure that the safety and well-being of immigrant children are prioritized. Children should not have to face the fear of being sent back to a country that is unknown to them. They should be given the opportunity to stay with their families in a community where they can continue their education and thrive without fear. Assembly Bill 142 would ensure the application process is less intensive and more secure at the State level. The Progressive Leadership Alliance of Nevada and the Nevada Immigrant Coalition believe A.B. 142 is aligned with their values to protect families and all new Americans.

SYLVIA ESPARZA (American Immigration Lawyers Association, Nevada Chapter):
The American Immigration Lawyers Association, Nevada Chapter, supports A.B. 142.

ESTEFANY CRUZ RODRIGUEZ:
I was born on January 25, 2000, in El Salvador. I am currently 17 years old. I came to the United States sometime in December 2012. I had been living with my aunt since 2004 when my mother left me. My father had left to go the United States in 2003, and I have not seen him since then. I lived with my aunt for the next eight years. Ever since I was seven or eight years old, I remember my aunt always mistreating me. In the beginning, it was mostly verbal abuse. She used to say many hurtful things. She made me feel unwanted and unloved. I always felt like a burden to her. Then, when I turned ten years old, she began hitting me. At first I thought it was just punishment for being bad, but then I realized she just hit me for any reason or no reason at all. She would mostly slap me on the face, and she would leave red marks. I used to cry and run to my room. This happened once a week. One time she was very angry with me and threw a rock at my face and I began to bleed. She did not take me to the doctor. I just went to the bathroom, cleaned myself up and ran into my room. She acted like nothing had happened. I have a small scar on my face from the incident. Even though I would talk to my mom once a week, I never told her what was happening to me because I was afraid that I would get beaten even more. I did not tell my mom what was happening to me until I arrived in the United States.

Another reason I came to the United States was because I was also harassed by gang members. They followed me from school two or three times a week, and I was always afraid they were going to rape me or hurt me because that is what happens to a lot of girls in El Salvador. Nobody does anything. They also asked

me for money and told me if I did not give them the money, they would kill me or something bad would happen to me. I do not remember what I feared most, getting hit by my aunt or having the encounters with the gangs. Either way, I was miserable and felt very unsafe.

I could never count on my father to help me get out of this horrible situation because he abandoned my mother and me when I was two years old. I do not really know him. He left my mother and came to the United States. Once here in the United States, he never called me, sent me letters or money. I did see my father one time when I was six or seven years old because he had come back to El Salvador. However, I only saw him for two weeks, then he disappeared, and I have not seen him since.

When I arrived to the United States, my mother told me that my father was in jail. His family also lives in Las Vegas, Nevada, so I know he knows I am here. However, he has never made any attempts to contact me, not even to send me a letter.

I am currently enrolled in Chaparral High School and am in the eleventh grade. I am getting good grades and on track to graduate. I would like to go to college and study sports medicine. I play varsity soccer, and this year we placed second overall. I am also on the cross-country team and play soccer on another league outside of school. I play forward and I am pretty good at it. I score lots of goals, and my team is very proud of me. I am so happy living in the United States with my mother and my other siblings. My life in the United States is completely different than it was in El Salvador. I feel safe for the first time, and I am no longer afraid that I will be beaten by my aunt or kidnapped and raped by the local gang members. I am grateful to the American immigration system for allowing me to live in peace with my mother and for giving me the opportunity.

MS. ESPARZA:
I will read a story (Exhibit D) from another one of my former clients, Maria Escobar Mejia. This story exemplifies some of the children that are represented on a daily basis. American Immigration Lawyers Association, Nevada, has been having inconsistencies with district courts, and this is why there is a need for this legislation. Assembly Bill 142 will take the guesswork from the courts and make sure there is written guidance

ARLENE ALVAREZ (Mi Familia Vota):
Mi Familia Vota strongly supports A.B. 142. The United States Citizenship and Immigration Services SIJ status program specifically exists to protect vulnerable juveniles that face the threat of abuse, neglect or other violations to their livelihood. While many minors in the State meet the eligibility requirements established by USCIS to apply to the program, it is not possible for them to do so until the State court enters an order allowing for minors to seek this avenue of relief. Given the precarious situation of these minors, the provisions established in A.B. 142 are necessary and merit the support of our State Legislators.

ADRIANA MARTIN (Mi Familia Vota):
I was fortunate to be born in a loving caring home. However, that is not the reality of many children. The USCIS special immigrant juvenile status enables juveniles who face the threat of abuse, neglect and other violations to their livelihood to apply for legal immigration relief. I believe A.B. 142 is the vital link that will allow children that find themselves in their State the opportunity to pursue a life free of the nightmares they escaped in the country they were born.

LYNN CHAPMAN (Eagle Forum):
The Eagle Forum has many concerns and opposes A.B. 142. The Center for Immigration Studies reported 62 percent of households headed by immigrants illegally used one or more welfare programs in 2012. There was a child present in 86 percent of illegal immigrant households using welfare, and this is a primary way these households access programs. The Center for Immigration Studies published a report, based on the census bureau data, which showed legal immigrant households make extensive use of most welfare programs, while illegal immigrant households primarily benefit from food programs and Medicaid through their U.S. born children. I wonder if the number of 20,000 children overall and less than1,000 per state will go up. It sounds like we are supposed to take in any child from around the world, and this might turn into a dumping ground for children that are not wanted. The United States has many problems that need solving.

JOHN WAGNER (Independent American Party):
The Independent American Party opposes A.B. 142 as it really is a federal issue and something the State should not get into.

ASSEMBLYMAN FLORES:
Assembly Bill 142 is an immigration issue, but the way the law is written, the State has to take action. The conversation of if the numbers go up or down will happen at the federal level. Assembly Bill 142 is making sure Nevada is consistent with the federal law.

VICE CHAIR RATTI:
There were questions about why we are getting into the federal space. The abandonment, neglect and best interest of the child was specifically carved out by the federal government and left to the states. Is that correct?

ASSEMBLYMAN FLORES:
Yes, that is correct. The best interest of the child is looked at and debated every single day at family court.

VICE CHAIR RATTI:
I will close the hearing on A.B. 142.

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CHAIR SPEARMAN:
I adjourn the meeting at 4:49 p.m.

RESPECTFULLY SUBMITTED:

_____
Debbie Carmichael,
Committee Secretary

APPROVED BY:

_____
Senator Pat Spearman, Chair

DATE:_____

EXHIBIT SUMMARY				
Bill	**Exhibit / # of pages**		**Witness / Entity**	**Description**
	A	1		Agenda
	B	8		Attendance Roster
A.B. 142	C	1	Assemblyman Edgar Flores	Proposed Conceptual Amendment.
A.B. 142	D	3	Sylvia Esparza / American Immigration Lawyers Association, Nevada Chapter	Written Testimony of Maria Escobar Mejia