

**MINUTES OF THE  
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-ninth Session  
April 6, 2017**

The Senate Committee on Natural Resources was called to order by Chair Yvanna D. Cancela at 1:43 p.m. on Thursday, April 6, 2017, in Room 2144 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 Yvanna D. Cancela, Chair  
Senator Mark A. Manendo, Vice Chair  
Senator Julia Ratti  
Senator James A. Settelmeyer  
Senator Pete Goicoechea

**GUEST LEGISLATORS PRESENT:**

Senator Tick Segerblom, Senatorial District No. 3  
Senator Pat Spearman, Senatorial District No. 1

**STAFF MEMBERS PRESENT:**

Alysa Keller, Policy Analyst  
Erin Roohan, Counsel  
Gayle Farley, Committee Secretary

**OTHERS PRESENT:**

Tony Wasley, Director, Department of Wildlife  
Brian Wakeling, Administrator, Game Division, Department of Wildlife  
Jeremy Drew, Commissioner, Nevada Board of Wildlife Commissioners,  
Department of Wildlife  
Larry Johnson, Coalition for Nevada's Wildlife, Inc.  
Rex Flowers, Director, Coalition for Nevada's Wildlife, Inc.  
David B. Walker, Executive Director, Chief Executive Officer, Nevada Museum  
of Art

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Katie O'Neill, Chair, Board of Directors, The Art Museum at Symphony Park  
Robert Elliott, Vice President, Switch  
Elizabeth Brooks, Art Educator, Nevada Museum of Art  
Connie Liu, Travel Nevada; Nevada Commission on Tourism  
Ann Higginbotham, Docent, Nevada Museum of Art  
Barbara Danz, Chair, Board of Trustees, Nevada Museum of Art  
Denise Cashman, Trustee, Board of Trustees, Nevada Museum of Art  
Uri Vaknin, Nevada Museum of Art; DK Investments, LLC, Las Vegas  
Aimée Allen, Nevada STEM Advisory Council  
Ashanti McGee  
Ally Haynes Hamblen, Director, Office of Cultural Affairs, City of Las Vegas  
Bill Arent, Director, Economic and Urban Development, City of Las Vegas  
Brooke Feder  
Michelle Quinn, Member, Board of Directors, The Art Museum at Symphony Park  
Marc Abelman  
Kyle Davis, Nevada Conservation League; League to Save Lake Tahoe  
Anne Macquarie, Toiyabe Chapter, Sierra Club  
Terry Graves, Nevada Trucking Association  
Jeffrey Kinder, P.E. Deputy Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources  
James R. Lawrence, Deputy Director, State Department of Conservation and Natural Resources

CHAIR CANCELA:

We will begin the meeting with Senate Bill (S.B.) 511.

**SENATE BILL 511**: Revises provisions governing boating and wildlife.  
(BDR 45-896)

TONY WASLEY (Director, Department of Wildlife):

This is a Department of Wildlife bill and is in the Governor's budget. This effort began 18 months ago. We believe this bill represents efficient and responsive State government and that there is strong justification for this change. This is not a partisan issue and does not have a significant budget component to it.

BRIAN WAKELING (Administrator, Game Division, Department of Wildlife):

Our intent with this bill is to improve our customer service. I will be following along with our presentation ([Exhibit C](#)). Many times in government, we get

complacent and think that our customers do not have any other place to go to buy their hunting and fishing licenses. We recognize that they do have other choices, and we want to be as accommodating and transparent as possible while delivering value as shown on Slide 2 of [Exhibit C](#). At times, our customers get confused with all we offer. For instance, when getting a trout stamp, sometimes they make inadvertent mistakes, and we want to simplify this process and increase overall efficiency.

We have looked at what our neighboring states are doing. Nevada has twice as many varieties of fishing licenses, tags and stamps compared to Colorado. We have eight times the number of hunting licenses as Arizona offers. The graph on Slide 3 of [Exhibit C](#) illustrates how complex the licensing structure in Nevada is compared to other western states. We have been working with a human dimensions professional in this yearlong process because he has the specific expertise to perform these types of evaluations, Slide 4. We broke this information into three separate tiers looking at regional comparisons among states. Our aim was to look at the focus groups to see what our customers in Nevada were looking for in order to get a statistically valid survey of their perspectives. Following a previous analysis that had been conducted, we prepared a financial breakdown to help us set the prices we are recommending. This would have been easy to do before we started, but we wanted to make sure that we were doing the analysis for the types of products our public is looking for. This has been shared with the Nevada Wildlife Commission and the county advisory boards (CAB) no fewer than five times. In addition, we held a series of town hall meetings about pricing this past summer. The Commission conceptually approved the idea in its November 2016 meeting.

One thought that comes to mind for people when it comes to change is how much money is it going to cost, Slide 5 of [Exhibit C](#). We call this a revenue neutral action. We were attentive to what the agency revenues would be if everyone continued to purchase licenses as they do now. We realize the frequency with which people purchase particular licenses may change and that they may select a different one than they currently do. In 2016, we received \$6.8 million from the purchase of licenses and stamps.

Following implementation of this bill, if everyone were to purchase the same class of license they did in the past, we expect we will be within 0.2 percent of 1 percent of the same revenue. This would be approximately \$15,000 more.

Examples of the different licenses are listed on Slide 6 of [Exhibit C](#). Justifiably, customers get confused, especially the new ones. We looked at some of our regional neighbors to see how they addressed this issue. Nevada is far behind every other state in its licensing structure. This does not come at any greater cost to Nevada residents or nonresidents. Fifty percent of the Department of Wildlife's (NDOW) budget is based on federal grants, and by certifying additional license holders, this would increase our access to those grants.

Several different focus groups performed an assessment of Nevada license holders. These focus groups were to get a sense of the issues we were facing. We also did a phone survey and received 1,601 responses. This gave us an idea of what the structure would look like, and we began to create a license to include all of the relevant stamps. A member of one of the focus groups commented that buying a license in Nevada is like buying a truck without tires. If you currently buy a hunting license in Nevada, the only thing you can hunt is cottontail rabbits. Anything else you want to hunt would require another purchase. There was strong support in developing a license that provides all the relevant stamps and privileges that go along with it, limiting the number of special ones, and trying to combine those that have similar privileges.

I am going to talk about the various licenses that we are recommending, the aspects that are associated with these licenses, our suggested price and a breakdown of the price and why we think this is an appropriate number, Slides 11 through 19 of [Exhibit C](#). We looked at purchases for resident hunting licenses during the past seven years and averaged that amount.

The most supported change of all in this bill is the 365-day hunting license. Seventy-eight percent of license holders voted for this change. Members of the focus group realized that a license purchased in November would only be valid for a couple of months. This occasionally stopped people from purchasing a license. We also combined the upland game stamp, State duck stamp and the harvest information program into one single license at the cost of \$40, Slide 11. I would like to point out that there is a federal duck stamp requirement, which would remain the same.

We are condensing 28 licenses into 7 licenses. One change we are recommending is that instead of offering a nonresident hunting license, we would offer a combination hunting and fishing license. This would allow more

opportunity for federal funding because we can certify more anglers when they purchase a hunting license.

We have also had strong support for the 365-day license from the angler community. Slides 13 and 14, [Exhibit C](#), illustrate the breakdown of fees for a 365-day angler license. There are times when anglers are fishing in waters that require a trout stamp, and they do not have one. This takes the confusion out of that and also for third party vendors that sell fishing licenses, for example, Cabelas or Scheels. In addition, this bill would provide a boundary waters fishing license. This allows someone to fish in one of the boundary waters, for instance, Lake Mead or Lake Tahoe. Approximately 1,600 people purchase these licenses per year.

The combination licenses are for 365 days and would have all the stamps that you could possibly buy. Most people who purchase a resident combination license, Slide 15 of [Exhibit C](#), will buy a trout stamp and an upland game stamp that cost them \$74. According to our numbers, the average sportsman and sportswoman spend \$72.60 per person. We are recommending a price of \$75. The nonresident package is one of those critical changes that we are recommending, Slide 16. Currently, a combination package for a nonresident is \$199. We are recommending a reduction to \$155. We are recommending an elimination of the hunting license, which was \$142. Currently, we have approximately 18,000 hunters that will buy a nonhunting license, and they have no choice but to spend an additional \$13. However, we also had 408 people who bought combination licenses, and this would be less expensive for them. We expect to generate enough money to help offset some of the fees that we are recommending for certain changes to the youth and specialty hunts. We also have a one-day nonresident license. We are recommending going to a package and increasing the price by \$2.00, Slide 16. We sell approximately 300 of these a year, which would be \$600 a year difference.

Currently, there are a couple of different ways to purchase a youth package, Slide 17 of [Exhibit C](#). We are recommending one price, which would be for a combination license. This would allow them to become certified the same way that a nonresident combination license holder is, and it would be for both hunting and angling. In addition, this helps us to apply for and obtain federal grant monies.

The youth package will cost the same for a resident or a nonresident. This will not change a nonresident's eligibility for a resident youth hunt or their need for hunter education. However, it does give them access to a lower fee at \$15, which provides them with everything they need.

There are several specialty licenses with a variety of different costs, Slide 18 of [Exhibit C](#). We are recommending one fee at \$15. Currently, some of these licenses are free, but they do not include any of the stamps. With the \$15 license, they would be able to enjoy the stamps, and it would be less expensive than having to buy them separately. A free license is not a certified license, and consequently, this practice keeps us from accessing federal grant funding.

We took these price points out to the public during our meetings last summer and received strong support. The Commission and CABs have also supported this effort. We centered most of our public efforts and outreach to the critical stakeholders in this arena, specifically the hunters and anglers. We will continue to regulate harvest; this will not change. People will still have to apply for the hunts, and the Commission will still oversee the number of tags that are offered. There will be no change to the number of animals that are taken.

Slide 20 of [Exhibit C](#) is a breakdown of the costs associated with various licenses currently and what it would look like if this bill were passed. As we went around the State talking to people, one of the questions we were asked most frequently was about the restricted accounts associated with these fees, Slides 22 through 24. For instance, if you buy a trout stamp or a duck stamp, that money goes into a specifically dedicated fund. Senate Bill 511 protects and preserves that funding. This bill is designed to keep that revenue stream the same. To protect this, we looked at the computations based on seven-year average purchases to those restricted reserve funds, Slides 23 and 24.

There is another very important aspect of S.B. 511 that I would like to identify. We did not go through the same process with boating registration and decals as we did with the hunting and fishing licenses, Slide 25 of [Exhibit C](#). However, this is our concept of trying to simplify and provide our customers with better processes. Our proposal is to allow the Commission to adopt regulations for two-year registrations. We always receive support through the public input process for multiple year opportunities.

Aquatic invasive species tag sales, which also require registration, would remain separate, but the decal associated with that could also be simplified. Currently, we have four different types and are recommending reducing that to two.

There is a fiscal note associated with this bill. This is primarily for implementation in the first year, Slide 26 of [Exhibit C](#). This would be for the programming and working with our third-party vendors to accept the applications. We do not expect any extended cost with this, and based on our best estimates, we believe this is going to be as close to revenue neutral as we can get it.

SENATOR RATTI:

What I am accustomed to in key structures within local government is some analysis around cost recovery. Just as an example, we have a closed fee structure system, like a sewer system, where all of it is standalone and has to pay for itself. Then, fees are set to recover costs. A different example is from the City of Sparks; the Sparks City Council gave direction to the Parks and Recreation Department and the Parks and Recreation Commission to get to as high a level of cost recovery as possible, and there would still be a General Fund transfer. However, we wanted to know the cost recovery data because what gets measured matters. Currently, the City of Sparks is one of the highest in the Nation in terms of cost recovery in fees for a parks and recreation system. You went through an elaborate fee setting process that was really customer oriented, and I see that side of it; I am wondering about the cost side of it. Have we done that or do we do that?

MR. WASLEY:

One of the challenges we have as an agency has to do with the statutory responsibilities relative to the revenue sources. We have a statutory duty as an agency to manage 895 wildlife species in the State. Only 8 percent of those species provides some type of opportunity for revenue generation, and this comes from less than 2 percent of the citizens. The task we have as an agency is to take 95 percent of our operation revenue from less than 2 percent of our citizens and roughly 8 percent of those species and find a way to fulfill our statutory charge in managing the other 92 percent of those species for the 98 percent of the citizens. This cost recovery model certainly has a place, and I think that the design in this is to create certain efficiencies that not only meet that public expectation, but also would allow the State, if approved and implemented, to garner a larger portion of the excise tax that we rely on so

heavily for the management of all those other species. It is through certification of hunters and anglers in the field that our federal portion is determined. This is the key piece of that formula. Therefore, if we can simplify the process, we can remove some of the cumbersome confusion around it that could be a barrier to participation. We know that presently some people are receiving license privileges, where they do not pay for the license, but they pay for the privilege. Under federal regulation, we are unable to claim them as participants. Through this effort, we would be able to claim them as certified anglers or hunters. This would then make their presence in the field count toward our eligibility to receive those funds.

SENATOR RATTI:

I am going back to the parks and recreation example. The same was true, maybe not so dramatically, but some small portion of a fee is also generating revenue. For example, the family that goes to the park and plays on the swings does not generate revenue, but the birthday party that leases the cabana at the park generates a little revenue, and the swimming fees generate revenue. This was a model in the system and not all components generated revenue, but we managed.

I suspect if the ratios are what you are suggesting, that hunting fees actually may be paying more than the cost that they are incurring to be managed. This is based on the limited fees that are in your budget. By having the data, this would allow for a more informed decision-making process so we could really get to look at how are we managing our resources and what levers we should be pushing. Have you ever brought any cost analysis forward when it was not mandated?

MR. WASLEY:

That data does exist. It exists nationally, regionally and statewide. The fact is that we are relying on 8 percent of the species that we have in Nevada and less than 2 percent of our citizens for 95 percent of the Agency's operating budget. I can provide you all of that data. Conservation is funded through these licensing programs; this Country funds conservation through licensing. There are some national efforts to broaden that base, and this has been an ongoing discussion for 20 years. The overwhelming vast majority of funding for conservation comes from people that are paying these license fees. We can provide you the data in a number of ways.



SENATOR RATTI:

One more comment, then perhaps you and I can have a separate conversation about this concept. I wonder if the fee analysis with this data would help make a better argument for the General Fund component I would like to see for this Division. I really would like to talk to you more about those figures.

MR. WASLEY:

I would welcome that opportunity, Senator Ratti.

SENATOR GOICOECHEA:

Is there a mechanism in this bill for someone to obtain a youth fishing license without a hunting license?

MR. WAKELING:

This was something that was discussed in detail when we were developing this concept. We are not changing the current statute requiring that an individual would be able to hunt without having that mandatory education. We are very pleased with our hunter safety in Nevada. We are thoroughly convinced that our hunter safety component plays a huge role in this. The combination license would require a youth to have a hunting certificate before they could go hunting. The fee for that is \$15, which is very low.

SENATOR GOICOECHEA:

If they do not obtain the hunter safety certificate, they would only have a fishing license. Thank you.

JEREMY DREW (Commissioner, Nevada Board of Wildlife Commissioners):

The development of this process has taken a year. Throughout the process, NDOW reported their findings and progress to the Commission. They sought our input and input from the CABs and the interested public. As a result, the Commission passed a legislative platform in support of the concepts behind S.B. 511 following our communication with other states that have implemented this. We are greatly encouraged by their results, and we believe it will work for Nevada as well.

LARRY JOHNSON (Coalition for Nevada's Wildlife, Inc.):

We are in support of this bill. I would like to commend NDOW for its public outreach throughout the State. We have all attended workshops and sportsmen and sportswomen are in full support of this concept of simplification.

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REX FLOWERS (Director, Coalition for Nevada's Wildlife, Inc.):  
I have been a license holder since 1961, and I support this endeavor.

SENATOR SETTELMAYER MOVED TO DO PASS AND REFER S.B. 511 TO  
THE SENATE COMMITTEE ON FINANCE.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

We will now close the hearing on S.B. 511. Senator Segerblom will introduce S.B. 187.

**SENATE BILL 187**: Proposes to revise provisions relating to the preservation and promotion of the arts and museums in this State. (BDR 33-267)

SENATOR TICK SEGERBLOM (Senatorial District No. 3):

You should have an amendment ([Exhibit D](#)), which has restructured the original bill. I am very excited about this bill because we are going to create an excellent art museum in downtown Las Vegas. Las Vegas is the largest metropolitan area in the world that does not have a fine art museum. This is the one thing we are missing, and this proposal will complete Las Vegas as a city. We are asking for \$10 million which is a great deal of money, but if you think about the \$750 million we gave to the Oakland Raiders, this would be about 1 percent of that. As you know, this is very exciting for the city of Las Vegas and the State of Nevada. This measure unites Reno and Las Vegas to make one Nevada-wide museum.

DAVID B. WALKER (Executive Director, Chief Executive Officer, Nevada Museum of Art):

I will be providing an overview of the building where the Nevada Museum of Art resides ([Exhibit E](#)). The Nevada Museum of Art was founded in 1931. This building was designed by Will Bruder, and it is meant to reflect the Black Rock Desert formations nearby. The significant capital grant that we received to construct this building came from the Donald W. Reynolds Foundation, and they continue to be a sponsor of our museum. We have approximately 150,000

visitors annually, Slide 5. We are accredited by the American Alliance of Museums. Only 5 percent of all museums in the Country share this endorsement.

I came from a design background and was the dean of the ArtCenter College of Design. Consequently, I place art, design and education as a high priority that makes this Museum unique. I would like to walk you through some of the ways that we are part of the educational fabric in northern Nevada and increasingly in southern Nevada. We have the E.L. Cord Museum School, Slides 7 and 8 of [Exhibit E](#). We served 2,400 students last year through the tuition-based classes focusing on young adults and teens who are building portfolios to get into world-class art and design colleges in the United States. We are very engaged in the school districts in northern Nevada and have over 8,000 kids that do school tour programs with our museum docents and hands-on activities afterward. We also work very closely with the educators in Washoe, Douglas and Clark Counties introducing strategies for implementing science, technology, engineering, the arts and mathematics education (STEAM) in their classrooms. In addition, we offer in-service credit at no cost for teachers to study with us.

Diversity is a very important issue for the Museum, Slide 9 of [Exhibit E](#). We are in year 5 of a six-year program engaging with our growing Hispanic and Latino populations in northern Nevada. This is very complex and has been very rewarding for the Museum. Every second Saturday is free to the entire community, and if you are a high school student and show your high school identification card, you get in anytime for free.

What makes our museum unique is our Center for Art + Environment research center, which is a focus of this Museum, and specifically deals with land art, Slide 10. What you will see on Slide 10 is our next big project after *Seven Magic Mountains*. This is Trevor Paglen's Orbital Reflector. He is going to be the first artist to send a satellite into orbit, not for military, not for commercial purposes, but as an artistic gesture. We are building STEAM education programming all around it. It will be going up on a SpaceX rocket in the spring of 2018. We are a big partner with Switch in our STEAM education programs. We think STEAM is very important for workforce development and training, but you cannot leave the A and the H, which are arts and humanities, out of that equation because creative imagination is key to economic growth.

The image on the top right-hand corner on Slide 11, [Exhibit E](#), shows the interior of the Nevada Museum of Art. We present more than 30 exhibitions per year. We just completed our Sky Room, which is the image on the bottom right-hand corner in the Fred W. Smith Penthouse. This also includes the Nightingale Sky Room and the Stacie Mathewson Sky Plaza. We use this for programming, and it has become a very popular site for our community. We have weddings, corporate events and retreats there. It has beautiful views of the Sierra.

We originate and organize most of the exhibitions that we present at the Museum. Many of these are placing Nevada in the larger context of the United States. Our most recent exhibition, Tahoe: A Visual History, told a comprehensive 200-year story that was conveyed through paintings, architecture, photography and Native American basketry. We also commission several artists, including Maya Lin, who designed the Vietnam Veterans Memorial in Washington, D.C. We have commissioned her to create three new pieces pertaining to Lake Tahoe and the environmental issues associated with the Lake.

Ugo Rondinone's *Seven Magic Mountains* environmental art exhibition in Las Vegas was started five years ago, Slide 12 of [Exhibit E](#). This was a \$3.5 million investment that became an international pop icon overnight. We worked in Las Vegas with a committee comprised of Denise Cashman, Robin Greenspun, Tarissa Tiberti, Nicole Ruvo, Katie O'Neill, and Michelle Quinn to make this happen. Additionally, we received support from Jim Murren and the MGM Grand Hotel and Casino, Steve Sisolak of the Board of Clark County Commissioners, John Ruhs from the Bureau of Land Management, Las Vegas Paving Corporation, the McDonald Carano law firm, IGT, and the Nevada Commission on Tourism who told us in November 2016 that they valued the free publicity to the State of Nevada to be worth \$7 million. This is quite a coup for us, and *Seven Magic Mountains* will be up for two years.

Another major exhibition that we organized, The 36th Star, was the celebration of the 150th Anniversary of the State of Nevada, Slide 13 of [Exhibit E](#). This was an exhibition that told the true story of our Statehood during the Civil War. President Lincoln was seeking reelection and was trying to push his executive order through, which would later be called the Emancipation Proclamation. We worked closely with Governor Brian Sandoval and were able to obtain the original Emancipation Proclamation for the Museum

during the celebration. The original Emancipation Proclamation never leaves the National Archives. We told a compelling story as to why it needed to come to our museum during the 150th Anniversary of our State. We wished we could have traveled to Las Vegas with it at the time. We have enjoyed statewide support for a long time and are committed to grow the unique identity of the State of Nevada.

KATIE O'NEILL (Chair, Board of Directors, The Art Museum at Symphony Park):  
I would like to start by saying I am a third generation Las Vegan. I love Nevada, and I am dedicated to serving my community and giving back to the City and State that my family has called home for over 75 years. My involvement in this endeavor is fueled by pride of place and the connection I feel to Las Vegas and to the State as a whole and the responsibility to make it better for future generations. I am committed to making sure that my two daughters are able to participate in the arts as well as children from across Las Vegas and the State.

The Art Museum at Symphony Park, Slide 16 of [Exhibit E](#), is a nonprofit organization led by community leaders and advocates. We all share a vision to establish and perpetually operate a significant fine art museum in Las Vegas that inspires, celebrates and connects diverse people through education, exhibitions and collections.

Las Vegas is home to 2 million residents and is visited by 43 million people annually. However, we still remain the largest metropolitan area in the Nation that does not have an art museum. The role of arts and culture drive quality of life and fuel creativity within businesses and schools. To meaningfully serve the broadest audience possible, an art museum in Las Vegas will include art from a wide range of time periods and cultures to reflect our diverse community. We will strive to work with other organizations and institutions to maximize the impact of programming and to reach out to people that are often underserved by art museums. With an emphasis on education and programming, the museum will ensure that everyone is welcome and engaged.

Thanks to a partnership with the City of Las Vegas, The Art Museum at Symphony Park has a home in the heart of the City in the new cultural center at Symphony Park. Within Symphony Park, we are honored to be among such neighbors as the Cleveland Clinic Lou Ruvo Center for Brain Health, Discovery Children's Museum and the Smith Center for the Performing Arts, Slide 18 of [Exhibit E](#). Together with these neighbors, the art museum will

promote much needed physical and economic development within Symphony Park across downtown Las Vegas and the Las Vegas Valley.

Our memorandum of understanding (MOU) with Las Vegas not only provides us land in Symphony Park, but also has promised a \$2 million construction reimbursement upon completion, depending on meeting predetermined fund-raising milestones, Slides 19 and 20. One million dollars of the promised money has already been earmarked as we exceeded our first fund-raising requirement dictated by the City last year. We will also be provided parking by the City of Las Vegas.

The Nevada Museum of Art and The Art Museum at Symphony Park have entered into a formal planning relationship. We intend to create a statewide cultural institution with fine arts museums and museum schools in both Las Vegas and Reno, Slide 22. The vision is a unified private nonprofit institution to serve the citizens of Nevada and the many regional, national and international visitors. Each museum aims to serve its geographical community first. Together, the institutions will serve the State. Collaborating with the Museum of Art to coproduce the Tilting the Basin Exhibition, Slide 23 of [Exhibit E](#), has been a valuable example of how much we can accomplish together. Tilting the Basin highlights the works of 34 artists across the State. Thanks to free admission made possible by MGM Resorts International, the opening weekend attracted 1,200 visitors including high level donors, University of Nevada, Las Vegas staff and students, local artists, downtown business owners, school educators, children and members of the community that told us that they have been waiting years for an art event of this quality in Las Vegas. The opportunity to work together with the Nevada Museum of Art as a statewide museum would bring the quality of museum programming and education offered in northern Nevada to Las Vegas and southern Nevada. Equally as important, this partnership would allow Nevada's oldest cultural institution to establish an art museum in Nevada's largest city.

I know it can be hard to get projects like an art museum done. However, when we all put our minds to it, we can accomplish extraordinary things. Art matters in a city that is culturally growing. I know, because I have seen the success of the Smith Center, the Neon Museum, the Mob Museum and *Seven Magic Mountains*. This is not just about the arts. We are establishing a medical school in Las Vegas, expanding our economy and creating opportunity for residents through better public education and stronger neighborhoods. It is

very exciting to see my community and our State grow, and I want to contribute and be a part of that development.

We are closer than ever before, and we are seeing firsthand how the community is coming together in support of our mission. The effort put forth together as a State is much stronger than we can accomplish separately. Support from the State will truly cement our path forward. We need to do this together with philanthropy, businesses, residents and every level of government.

ROBERT ELLIOTT (Vice President, Switch):

I support S.B. 187 and the proposed amendment. Switch has had a long commitment to advancing the arts and culture in Nevada. Our founder and Chief Executive Officer, Rob Roy, believes strongly that support of the arts is a critical measure of any community or society. Our company's philanthropic efforts strongly support the arts and education. We have witnessed many times how the mix of the two creates the best formula for success for students and our community. We support S.B. 187 because we also believe that supporting the Nevada Museum of Art in northern Nevada and the development of The Art Museum at Symphony Park in southern Nevada will create a powerful economic well to enhance the economic diversification of the new Nevada. At Switch, we have had a tremendous opportunity to grow our business throughout the State both in southern and northern Nevada. We view the strength of art, culture, and education from our statewide perspective. Both of these organizations share our passion not only for art, but also our dedication to education programming, teacher development and student achievement. We believe opportunities for education, cultural tourism and local engagement will result from S.B. 187 to benefit our entire State.

ELIZABETH BROOKS (Art Educator, Nevada Museum of Art):

I moved to Nevada in 2010, after marrying my husband, who serves as an officer at the Air National Guard in Intelligence. When I moved here, there was no elementary art education. In 2015, I was hired as the first elementary art teacher in the Washoe County School District. I work at Veteran's Memorial STEM Academy where I serve 415 students. This is a Title 1 school; therefore, students are from low socioeconomic backgrounds. We have approximately 60 percent English language learners. The work that the Nevada Museum of Art does for our 63 other elementary schools that do not have direct art education every week is incredible.

I participate in the once-a-month educator evening professional development series that the Nevada Museum of Art hosts. This gives me monthly updates on exhibits at the Museum and new artists to include in my teaching practice. I also learned Harvard Project Zero Artful Thinking Methods there, which I incorporate into my teaching that helps students look critically at artwork through different lenses. They also host free STEAM and Art Environment workshops that I attend for credit and for which scholarships are offered.

My family participates in the Museum's free Saturday family days. The Museum is central to the Reno community. Viewing art and introducing the brain to studio habits of thinking mirror skills of the scientific method and the engineering design process, which prepares our students for twenty-first century careers.

The act of sharing visual experience is one thing that makes us human. In a globally connected society with expectations and constant chaos, our communities need a retreat into basic humanity, such as viewing art. I am thrilled personally and professionally to see Nevada investing in art experiences and museum-based art education for its citizens. I could not live here without the Nevada Museum of Art.

CONNIE LIU (Travel Nevada, Nevada Commission on Tourism):

The Abbi Agency represents Travel Nevada and the Nevada Commission on Tourism. We provided the media evaluation that was discussed earlier for *Seven Magic Mountains*. As Mr. Walker said, only five months after the *Seven Magic Mountains* opening there was a media evaluation—\$7 million dollars in earned publicity. That balloons what we typically see for any travel exhibition or attraction in the State. This media value was calculated with the software that we work with that looks at traditional media, broadcast media and digital media. The rate is provided on traditional advertising valuations. We are happy to say this has truly eclipsed what we thought could happen within the State. We know from our research with Travel Nevada, that the type of experience that travelers are looking for is changing. No longer do they want to do what their parents or grandparents have done. We look forward to seeing Nevada develop its cultural tourism opportunities and its recreational tourism increasing visitors stays and attracting more people to the State.



ANN HIGGINBOTHAM (Docent, Nevada Museum of Art):

For the past five years I have been one of the 45 docents at the Nevada Museum of Art. I am here to represent the 8,000 children who tour our museum every year. Without question, I support the State's investment in the arts. We give tours to many students from several counties throughout western Nevada, including the private and the charter schools. Yesterday, I gave a tour to a group of Hispanic third graders. None has ever been to the Museum. After a brief introduction, which includes proper behavior, we embarked on our journey to learn how to look at art. It did not take long before the students were showing each other what they saw, what they liked, what they did not like and what they thought. We compared and contrasted pieces from one gallery to the next. We were five minutes past the end of the tour when I directed them to walk with me downstairs. As I began to walk, I turned around and realized that I had lost most of my group. They were looking and talking to each other about the art and did not want to leave the Museum. For the majority of our students, coming to the Museum is their only opportunity to access art and to engage in thoughts, feelings, and conversation about art. As valued members of the community, they are also encouraged to come back. The Nevada Museum of Art is a priceless resource that will immensely benefit from the State's support.

BARBARA DANZ (Chair, Board of Trustees, Nevada Museum of Art):

I am in support of S.B. 187. Our board is 100 percent committed to providing the resources necessary to fund the expansion in Reno and Las Vegas. We are excited about working with the group in Las Vegas as we share and exchange art pieces between both museums.

DENISE CASHMAN (Trustee, Board of Trustees, Nevada Museum of Art):

I am in support of this bill. I have lived on both sides of this State, and I have been on the Board of the Nevada Museum of Art for many years. The Nevada Museum of Art is an amazing organization that has brought all of these great exhibitions, and southern Nevada should benefit from this. I am especially proud of Ugo's *Seven Magic Mountains* exhibit that we put together. Many people did not think it would happen. It showed the power behind the arts and the museum to get things done. I love that both sides of the State have come together, and we can bridge that gap through art. I think the Smith Center is lonely down here and needs a partner. I would love to see a museum in Las Vegas.

URI VAKNIN (Member, Board of Directors, The Art Museum at Symphony):

I am also a Board member for the Nevada Museum of Art. I work with a company called DK Las Vegas. In December 2013, we bought \$432 million of unsold condominiums in Las Vegas. Most notably, the Ogden in downtown Las Vegas next to the Mob Museum, a 275 unit condominium tower, and Juhl, Las Vegas, a 341-unit building next to city hall. I moved to Las Vegas three years ago, and I was dumbfounded to learn that there was no art museum in the State. As a little boy in New York City, my earliest childhood memories are my mother taking my siblings and me by the hand and through the subway to go to the Metropolitan Museum of Art. I tribute a lot of my success today to the creativity that was instilled in me as a child.

One of the reasons we have been successful in selling our buildings and having the fastest selling condominium buildings in Las Vegas is because of what we are able to pitch to perspective buyers that are coming to Las Vegas. Most notably, the Smith Center, the Neon Museum, the Mob Museum, and the Children's Discovery Museum. We are also sponsors of the Tilting the Basin exhibition, which was brought to downtown Las Vegas by the Nevada Museum of Art in Reno. In a city of two million people, where do the children go? Where do they see art? Where are their experiences, and are we handicapping our children because there is not an art museum in our State? As an outsider, who has fallen in love with this city and plans to remain in Las Vegas, I am committed personally and financially to help bring a museum to this city.

AIMÉE ALLEN (Nevada STEM Advisory Council):

I am a community advocate for arts education and a science, technology, engineering, and mathematics (STEM) educator in Henderson, Nevada. I support S.B. 187 and adding the art component to STEM. I have submitted my written testimony ([Exhibit F](#)).

ASHANTI MCGEE:

I have lived in Las Vegas for over 20 years and prior to that I lived in Europe and northeast United States where art museums were immense. When I came to Las Vegas, I found that there was limited to no art institutions or museums where I could progress in my career. I have since dedicated my time to promote accessibility to the arts. To have this museum in the central hub of the city gives more opportunity for people to receive an arts education, which also helps with their critical thinking and learning. I am also a big proponent for STEAM education and the use of creativity and implementation of ideas. This is what

creates innovation in business. This museum will also create many jobs for construction workers, electricians and cooks for banquets. There are so many opportunities for this museum. Please support S.B. 187.

ALLY HAYNES HAMBLIN (Director, Office of Cultural Affairs, City of Las Vegas):  
I am supportive of investing in our arts and culture community. As the City is a partner in this endeavor, I am especially supportive of this bill moving forward. Supporting the growth and development of arts and culture in our community is an investment of our future, preservation of the past, and acknowledgement of the world we live in today. Numerous studies have shown that a prevalence of arts and culture in a community elevates quality of life for the residents, and attracts businesses and a talented and creative workforce, while supporting improvements to the educational infrastructure of the region.

The Americans for the Arts, 2015 Creative Industries Report for the City of Las Vegas found that there are 1,114 arts-related businesses that employ 5,869 people. Investment in arts and cultural facilities in downtown Las Vegas has played a key role in the revitalization of the downtown area attracting two million people annually only five years after the opening of many of the cultural institutions you have heard about today. A nationally accredited art museum in downtown Las Vegas would provide high quality arts education and arts integration opportunities for area schools that are not currently available to our kindergarten through Grade 12 students, as well as providing an attraction for families, visitors and world-class art enthusiasts and collectors. Accreditation is a requirement for the highest quality and noteworthy exhibitions to tour into a museum. The cultural landscape of Las Vegas has grown tremendously over the past ten years, and we made great strides in developing new and innovative cultural destinations. However, Las Vegas still lacks a large, artistically significant, fully accredited museum among its cultural assets. Senate Bill 187 and its proposed amendment, Exhibit D, can provide the leadership funding needed to make an art museum in Las Vegas a reality.

BILL ARENT (Director, Economic and Urban Development, City of Las Vegas):  
We support S.B. 187. In August 2015, the City of Las Vegas entered into a MOU with Luminous Park, the development company for a new world class art museum complex, which is now known as The Art Museum at Symphony Park. The city's MOU reserves a project site in Symphony Park for this important project. Our MOU also commits the City of Las Vegas to provide suitable parking for the project. In addition, the City has entered into a donation

agreement with Luminous Park. In this agreement, the City of Las Vegas committed to provide \$2 million in capital for this project. The arts play a vital role in supporting the economic development and vitality of our community. Passage of S.B. 187 as amended will help realize the art museum in downtown Las Vegas and further contribute to the economic development efforts of the entire Las Vegas Valley. I ask you to approve S.B. 187.

BROOKE FEDER:

I support S.B. 187 as amended. My testimony is purely from the heart. I am merely a resident, I am not an artist, nor do I have professional connections with the arts. I moved to Las Vegas three years ago from Manhattan, New York. We moved here for the mountains. One of the biggest surprises for us were the artists and the caliber of art being created here. The dedication for art that we have witnessed here, whether it be the exhibition of Tilting the Basin or the University of Nevada, Las Vegas, master of fine arts programs, keeps with the standard of any world-class city. It also reflects the spirit of Las Vegas and Nevada. It shows independence and a cultural identity while it reflects the diversity of the melting pot, which is so unique and wonderful about Las Vegas. The works are often in the form of the desert landscape. I think that we have a real cultural asset that is unique to our community. We are actively investing in keeping our city on par with other cities with the football and hockey stadiums, yet the arts are relatively inexpensive to foster. A museum venue is sorely lacking in Las Vegas. Please support this bill to help create a venue that makes the art accessible and visible to our residents and visitors.

MICHELLE QUINN (Member, Board of Directors, The Art Museum at Symphony Park):

I am a lifelong Las Vegas resident, my family moved here in 1972. I also serve on the board of The Art Museum at Symphony Park under Katie O'Neill's leadership. My involvement and passion about this project are reflective in the work that we have been doing to bring Tilting the Basin to Las Vegas and in working with the Nevada Museum of Art. They have done a tremendous job expanding the arts and culture in bringing this exhibit to Las Vegas. I travel around the world as an arts professional, and the fact that I cannot say we have a museum in Las Vegas, is a sad reflection on the growth and development of this community. It is time that we step up and fill a niche that is sorely lacking. I support this bill and hope you will, too. I will continue to do the work with this Board and the Nevada Museum of Art to make this happen as well.

MARC ABELMAN:

I serve on the Art Commission and the Downtown Las Vegas Alliance, which is instrumental in helping the growth of the community. In the past, I have served on the Las Vegas Global Economic Alliance's Investment Strategy Committee, the State Charter School Authority Board and as president of the Las Vegas Arts District Board. The reason I mention all these things is that I feel that I have a global view of what is happening in Las Vegas and Nevada right now. The fact that we do not have a museum, which is core to civilization, is problematic. I am really inspired and excited by the proposed museum and the art expansion project at Symphony Park in Las Vegas. This collaboration between north and south is a great example of what is possible when people work together. Arts are the core of civilization. We are experiencing economic growth with the medical district and education; however, the theme that is missing the most is arts. This is important for us to focus on as it inspires dreams and connectivity. It is really the ultimate peacemaker. Please vote yes on S.B. 187.

CHAIR CANCELA:

We will entertain a motion.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED AND REREFER S.B. 187 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

CHAIR CANCELA:

We will now open the hearing on S.B. 418.

**SENATE BILL 418**: Revises provisions relating to air pollution. (BDR 40-970)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

I am here to present S.B. 418 for your consideration. First, I would like to provide some background for this bill. I am sure you are all aware of the litigation between the U.S. Department of Justice and the Volkswagen

Corporation regarding Volkswagen's improper installation and use of emissions testing devices in their vehicles. In that litigation, the U.S. District Court for the Northern District of California recently approved two partial consent decrees. One provision of these decrees requires Volkswagen to fund a mitigation trust fund for projects to offset the excess nitrogen oxide emissions caused by their vehicles. Another provision of the decree requires Volkswagen to direct \$2 billion of investments over a 10-year period to support the increased use of technology for zero emission vehicles.

CHAIR CANCELA:

We are going to lose Senator Ratti and Senator Manendo because they have other hearings they need to go to. We are going to hold the hearing on S.B. 418 and open the work session with S.B. 271.

**SENATE BILL 271**: Makes various changes relating to water. (BDR 48-357)

ALYSA KELLER (Policy Analyst):

Senate Bill 271, which was sponsored on behalf of the Legislative Commission's Subcommittee to Study Water. I have provided my work session document that includes one proposed amendment ([Exhibit G](#)).

CHAIR CANCELA:

The average home, according to Truckee Meadows Water Authority, uses 0.39 acre-foot, which is approximately 127,700 gallons, per year. Allowing residents with domestic wells to stay at 0.5 acre-foot per year even in times of curtailment would ensure that they would still be able to do whatever is in the purview of their home. This includes outdoor watering of landscaping as long as it was within the 0.5 acre-foot. This would require a water meter on the property to enable the State Engineer to perform the measurements. I would remind folks that the State Engineer already has the authority to curtail water use in these times. This bill does not give the State Engineer any additional power; it merely protects domestic well users so that they are able to keep water even if they are the most junior water rights holders.

SENATOR GOICOECHEA:

The State Engineer will debate whether he has the ability to regulate or curtail domestic wells by priority. I want to get it on the record that this bill allows a 0.5 acre-foot in the language, but this only applies in a basin where curtailment is ordered. It is determined that domestic wells can be curtailed by priority. That

is all this amendment is about. I look at this as a guarantee for domestic well owners that in the event it is determined the State Engineer has the right, whether in court or through one of his rulings, there is a guaranteed 0.5 acre-foot of water. I think this is a good bill, and I hope the domestic well owners realize that this is their protection. Thank you for the amendment, Madame Chair. I was offered an amendment on mature landscaping; however, it is no longer necessary. For the record, this does not do anything but protect the homeowners.

SENATOR RATTI:

Just one comment of gratitude for everyone's work on this bill. I know this one goes back to some extensive work during the Interim and extra work during the Session, so thank you to all of my colleagues.

SENATOR SETTELMAYER:

I am still concerned about the watering of mature shrubbery. I am going to vote no today, but may change my vote after I research this more. I also have conflicting views on priority. Priority is priority—first in time, first in use. If someone has had their home for 100 years versus someone that built their home 2 years ago, I tend to believe that priority means something.

CHAIR CANCELA:

I would accept a motion to amend and do pass.

SENATOR RATTI MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 271.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SETTELMAYER VOTED NO.)

\* \* \* \* \*

CHAIR CANCELA:

We will return to Senator Spearman and S.B. 418.

SENATOR SPEARMAN:

I will pick up from where I left off earlier. The U.S. District Court for the Northern District of California recently approved two partial consent decrees.

One provision of these decrees requires Volkswagen to fund a mitigation trust fund for projects to offset the excess nitrogen oxide emissions caused by their vehicles. The second provision of the decree requires Volkswagen to direct \$2 billion of investments over a 10-year period. This is to support the increased use of technology for zero emission vehicles. The purpose of S.B. 418 is to ensure that the State has an adequate plan to effectively expend any proceeds from this or similar litigation.

The main provisions of this bill include, in summary, that the Legislature declares that the priority of the Legislature in expending proceeds from this or similar litigation is to use a portion of the proceeds to prevent, reduce or control air pollution throughout the State; assist schools and school districts to replace or repower eligible school buses to reduce emissions of nitrogen oxides and other hazardous air contaminants; and construct publicly available electric vehicle charging stations and hydrogen-fueling stations.

Section 7 requires the eligible proceeds from any consent decrees, orders or settlement agreements received by this State for the purposes of mitigating emissions from vehicles or supporting the increased use of zero emission vehicles be deposited into the Fund for Cleaner Emission Vehicles in the State General Fund.

Section 8 requires the Division of Environmental Protection (NDEP) of the State Department of Conservation and Natural Resources (DCNR) to establish certain emissions criteria; develop policies and procedures for owners or operators of school buses in the State; apply for money for the fund to replace or repower school buses in order to reduce emissions; and allocate the money available in the fund each year for that purpose. The NDEP, in cooperation with Nevada Department of Transportation (NDOT) will determine those areas in the State where installation of publicly available electric vehicle charging stations or hydrogen-fueling stations will have the maximum impact on encouraging the use of zero emissions. We had a meeting yesterday with advocates for clean air and clean energy, and we came to an understanding. I think this will strengthen the bill and make sure that we expend these funds and any funds from similar litigation in an appropriate way.

I believe this is groundbreaking legislation. We are in the process of reformatting our entire energy strategy for the State, therefore maximizing our potential to



become the leaders in renewable and clean energy, not just in the Country, but also in the world.

KYLE DAVIS (Nevada Conservation League; League to Save Lake Tahoe):

We are in support of the concept of using these funds specifically for cleaning up our bus fleet. This issue is personal to me because I bought a Volkswagen about a month before it was discovered they were illegal. Senator Spearman is correct; we have a real opportunity with this Volkswagen settlement money to maximize programs to clean up our air, especially in areas where we have seen historically high pollution. I think one of the best ways to attack that is by looking at school buses. Often school bus yards are located in areas where you see higher levels of pollution because those buses are starting up every day. They are often idling in residential neighborhoods and school yards. This bill gives us the opportunity to reduce air pollution where children are. I support this bill and hope we can make the most difference with the funding we have available.

ANNE MACQUARIE (Toiyabe Chapter, Sierra Club):

The Sierra Club supports using the Volkswagen funds to support a market transformation that will reduce the emissions today and set us on a pathway toward zero emissions.

To begin with, the State should allocate the maximum amount allowed to deploy zero emission vehicle charging networks across the State. Secondly, the State should avoid investments that merely replace the existing diesel vehicles with newer diesel vehicles, and third, the State should avoid focusing these funds on replacing diesel vehicles with natural gas vehicles. Finally, we fully support the priority in S.B. 418 placed on replacing school buses. Further, we would like to see the full electrification of our school bus fleets for the reasons stated above. Our school bus fleets are stored and deployed next to schools, endangering the health of our children. If our school districts receive this funding to electrify their fleets and protect the health of our students, they could use funding potentially, which would have been used to replace polluting diesel buses elsewhere for the benefit of our students.

TERRY GRAVES (Nevada Trucking Association):

We appreciate the intent of the bill, but are uncomfortable with some of the details with regard to how the priorities are established in the bill. The Nevada Trucking Association has been working with a group comprised of NDEP,

NDOT, and representatives of Clark County, Washoe County and several rural counties who are trying to determine the best way to distribute these funds. By removing high use, older diesel vehicles and school buses off the road would certainly be effective. However, we think that a portion of these funds should be distributed to private entities to remove high emitting diesel vehicles. The Governor has urged that 15 percent of these funds be used for electric vehicle recharging stations. The highest use vehicles would most likely be vehicles used in urban areas that are on the road every day. Removing these types of vehicles from the road would be the most beneficial and effective use of these funds.

The other issue is about repowering diesel vehicles. The trucking industry has had some experience with this practice, and they do not recommend it. Repowering diesel vehicles often results in less than satisfactory results and often leads to mechanical trouble. We recommend buying a new vehicle rather than trying to repower an older existing vehicle. This also includes school buses.

I think one of the priority issues is to let market demand determine where charging stations and hydrogen refueling stations should be placed. At this point, we do not think this would provide the benefit that it would to take older diesel vehicles off the road. I do not know how many hydrogen fuel vehicles there are on the road, but I think the number is small. Electric vehicles are becoming more popular, but in urban areas most of them are being charged at home or at workstations. I think the public utility company in Las Vegas and NV Energy is planning to provide some of those stations. We think that removing older diesel vehicles is the best way to achieve the goals and intent of the settlement.

JEFFREY KINDER, P.E. (Deputy Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources):  
The NDEP is neutral on this bill. The NDEP previously provided written comments ([Exhibit H](#)). Since then we have had the opportunity to meet with Senator Spearman.

The approved 2-liter settlement and anticipated 3-liter settlement will provide approximately \$24.9 million to Nevada for nitrogen oxide (NOx) emission reduction projects. One-third of the funds may be allocated over each of the first three years, and the remaining funds must be used within ten years. We are in the process of completing steps required to receive funding, which we anticipate will begin distribution in calendar year 2017.

The Governor has designated the NDEP to work in coordination with the Governor's Office of Energy to develop an overall Beneficiary Mitigation Plan for use of the funds, with input from the Nevada Advisory Committee on Control of Emissions from Motor Vehicles (I/M Committee). As required by Nevada Administrative Code 445B.853, the I/M Committee contains representatives from the Department of Motor Vehicles, NDEP, the Clark County and Washoe County air quality agencies, NDOT, the State Department of Agriculture and a non-voting member from the U.S. Environmental Protection Agency. The settlement requires NDEP to seek and consider public input on the Beneficiary Mitigation Plan. This plan will set forth the criteria for eligible projects and the overall processes with which Nevada projects will be funded.

The settlement requires that the funds be used to reduce NOx emissions. The NDEP interprets that we will evaluate eligible projects and weigh them amongst other factors such as feasibility, primarily for cost benefit with respect to NOx emission reductions. Everything being equal, we would expect to prioritize projects with the greatest NOx reduction for the given cost. Senate Bill 418 limits the number of eligible products. The Decree limits it to ten project categories. However, we believe that there will be a proposed amendment which would give us greater flexibility while still considering the priorities of S.B. 418.

The NDEP is already planning to use the allocation of up to 15 percent to support Zero Emission Vehicle infrastructure while coordinating with the Governor's Office of Energy and the NDOT. This is in alignment with S.B. 418; however, it does not include the Governor's Office of Energy, which we would like included in the proposed amendment.

Finally, S.B. 418 includes duplicative administrative requirements by creating an additional fund, namely, the Fund for Cleaner Emission Vehicles. The NDEP currently has existing statutory authority to manage this resource in *Nevada Revised Statutes* (NRS) 445B. We would like to be able to consider managing these funds under this current authority.

CHAIR CANCELA:

I want to make sure that we are not missing something. Do you have a proposed amendment?

MR. KINDER:

No, we do not have a proposed amendment.

CHAIR CANCELA:

Are you bringing a proposed amendment?

MR. KINDER:

We have had discussions with Senator Spearman with regard to a proposed amendment to address our concerns; however we are testifying neutral today.

SENATOR SPEARMAN:

We had a meeting yesterday with the Legislative Counsel Bureau, and they are putting together language that will address these concerns and expand the provisions of S.B. 418. We do not have the language yet, but we agree to what the language should be.

I appreciate discussing what we may be able to do to with respect to expanding clean air. Unfortunately, I did not talk to anyone else who would be in opposition; hopefully, we can have that discussion soon. I do have something that I would like to address. Right now, we are all talking about electric vehicles. If we are going to lead the world, we also need to be looking at the cutting edge. Toyota, BMW, Mercedes and the General Motors Corporation all have vehicles that are considered hybrid, either electric vehicles (EV) or hydrogen-propelled vehicles. I would submit for your consideration going to the Toyota.com Website so you can see the Mirai. They currently have a test market in California. The reason they have the test market in California is that California had the foresight to put in hydrogen-fueling stations before other places in the Country. The Toyota Mirai base model cost is approximately \$57,000, which is comparable to other luxury vehicles. The real selling point for these vehicles is that they are hydrogen-fueled. Unlike the electric vehicles that have a limited distance and require electric charging stations, hydrogen-fuel vehicles have a pump. It looks like a gasoline pump.

The provisions of the bill are about investing in existing technology and expanding that, but not performing research. This is the purpose for the EV and hydrogen fuel cells. I have said on several occasions in our Subcommittee on Energy that we do not just walk with the crowd, we want to lead. I would encourage your support on S.B. 418. Nevada leads, hashtag Nevada leads.

CHAIR CANCELA:

We will close the hearing on S.B. 418 and open the hearing on S.B. 512.

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

JAMES R. LAWRENCE (Deputy Director, State Department of Conservation and Natural Resources):

I am here on behalf of the Division of State Lands, which is an agency of the DCNR. I have submitted my written testimony ([Exhibit I](#)) as well as our proposed amendment ([Exhibit J](#)).

SENATOR GOICOECHEA:

Which fees are you proposing to use to generate the \$50,000 for the Lake Tahoe Basin?

MR. LAWRENCE:

The fees would come from the navigational water fees for piers and buoys, which is provided for in NRS 322.120. The reason we are directing these funds to Lake Tahoe is that of all of the pier and buoy permits issued, approximately 99 percent of them are at Lake Tahoe. We have a couple down on the Colorado River and maybe one or two on the Truckee River. This is why we are looking at this, to have that nexus between the Lake Tahoe permits and using them for Lake Tahoe programs.

SENATOR GOICOECHEA:

When we establish these other fees by regulation, where do these funds go?

MR. LAWRENCE:

Those fees would continue to go into the General Fund. The reason we have that \$50,000 threshold is because of what is currently going into the General Fund from piers and buoys. We wanted to establish a nexus between the permits that are issued and to have the money that is collected in the Lake Tahoe Basin stay in the Basin. We will continue to make the General Fund whole in the event that we go forward with this.

SENATOR GOICOECHEA:

I am fine if all we are talking about is a \$50,000 cap. I am just concerned that if we go to \$50,000, all other fees that are generated would ultimately end up in the Lake Tahoe Basin.

MR. LAWRENCE:

I want to clarify that how the bill is written now is any revenue from pier and buoy permits above \$50,000, would go to Lake Tahoe, and up to \$50,000 from pier and buoy permits would remain with the General Fund.

SENATOR GOICOECHEA:

Are you saying that any money above a threshold of \$50,000 goes to Lake Tahoe?

MR. LAWRENCE:

Yes, funds from pier and buoy permits up to \$50,000 would stay with the General Fund, and any money over \$50,000 would go to Lake Tahoe programs.

KYLE DAVIS (League to Save Lake Tahoe):

We are in support of this bill. The California side of Lake Tahoe has been doing this for a while, and it is a good idea for us to do the same to enhance the important programs at the lake.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED AND RE REFER S.B. 512 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

With no further comment, we will adjourn the meeting at 3:39 p.m.

RESPECTFULLY SUBMITTED:

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Gayle Farley,  
Committee Secretary

APPROVED BY:

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Senator Yvanna D. Cancela, Chair

DATE: \_\_\_\_\_

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	10		Attendance Roster
S.B. 511	C	27	Brian Wakeling, / Department of Wildlife	Presentation
S.B. 187	D	3	Senator Tick Segerblom	Proposed Amendment
S.B. 187	E	27	David B. Walker / Nevada Museum of Art	Presentation
S.B. 187	F	2	Aimée Allen / Nevada STEM Advisory Council	Written Testimony
S.B. 271	G	4	Alysa Keller	Work Session Document
S. B. 418	H	2	Jeffrey Kinder / Division of Environmental Protection / State Department of Conservation and Natural Resources	Written Testimony
S.B. 512	I	1	James R. Lawrence / State Department of Conservation and Natural Resources	Written Testimony
S.B. 512	J	1	James R. Lawrence / Division of State Lands / State Department of Conservation and Natural Resources	Proposed Amendment