

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eightieth Session
March 29, 2019**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 8:41 a.m. on Friday, March 29, 2019, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblyman William McCurdy II, Vice Chair
Assemblyman Alex Assefa
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Richard Carrillo
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Melissa Hardy
Assemblyman Glen Leavitt
Assemblywoman Susie Martinez
Assemblywoman Connie Munk
Assemblyman Greg Smith

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Lisa Krasner, Assembly District No. 26
Senator Heidi Seevers Gansert, Senate District No. 15

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Asher Killian, Committee Counsel
Connie Jo Smith, Transcribing Secretary
Mark Peckham, Recording Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Peter D. Barton, Administrator, Division of Museums and History, Department of
Tourism and Cultural Affairs
Penny Brock, Private Citizen, Reno, Nevada
Donald Gallimore, Private Citizen, Reno, Nevada
Elliot Malin, Private Citizen, Reno, Nevada
Atty Garfinkel-Berry, Private Citizen, Reno, Nevada
Eva Mendlovic, Private Citizen, Las Vegas, Nevada
Penny Mendlovic, Private Citizen, Las Vegas, Nevada
Michael Dyer, Director, Nevada Catholic Conference
Dillon Hosier, representing Israeli-American Civic Action Network
Yonatan Chattah, Private Citizen, Las Vegas, Nevada
London Ashjian, Private Citizen, Las Vegas, Nevada
Danny Tarkanian, Private Citizen, Las Vegas, Nevada
Adroushan Andy Armenian, Private Citizen, Henderson, Nevada
Tariq Ali, Private Citizen, Las Vegas, Nevada
Milan Chatterjee, Private Citizen, Las Vegas, Nevada
Lenna Hovanessian, Co-Chair, Armenian National Committee of America, Nevada
Chapter
Ursula Stelzner-O'Neale, Private Citizen, Las Vegas, Nevada
Sigal Chattah, Private Citizen, Las Vegas, Nevada
Amy Tarkanian, Private Citizen, Las Vegas, Nevada
Zach Conine, State Treasurer
Shane Piccinini, representing Food Bank of Northern Nevada
Jessica Wise, representing Human Services Network
Ashley Jonkey, representing City of North Las Vegas
David Boire, representing Children's Advocacy Alliance
David Cherry, Government Affairs Manager, City of Henderson
Shani J. Coleman, Deputy Director, Office of Administrative Services, City of
Las Vegas
Athar Haseebullah, Senior Government Affairs and Legal Administrator, Regional
Transportation Commission of Southern Nevada
Corrie Bosket, Private Citizen, Las Vegas, Nevada
Amber Bosket, Member, Governor's Council on Food Security
Benjamin Schmauss, Government Relations Director, Nevada, American Heart
Association

Ashanti Lewis, Advocacy Manager, Three Square, Las Vegas, Nevada
Brian Maddox, Chief Production Officer, Clearinghouse CDFI
Jodi Tyson, Member, Governor's Council on Food Security

Chair Flores:

[Roll was taken, and Committee rules and protocol were explained.] We are going to hear the work session document first and, afterwards, we will move into the bill presentations. Committee members, you will notice there are four items on the work session document. I intend to add an additional document to that which is Assembly Bill 381 which was presented by Assemblywoman Titus two days ago in our Committee. I do not believe anyone had any opposition to that bill. In fact, I believe everyone here supported that bill in one way or another and, for that reason, I wanted to add it to our list. We will take the work session as it appears on the Agenda. The first item is Assembly Bill 21.

Assembly Bill 21: Authorizes a board of county commissioners in certain counties to appoint members of certain local governing boards under certain circumstances. (BDR 20-484)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 21 authorizes a board of county commissioners in certain counties to appoint members of certain local governing boards under certain circumstances (Exhibit C). The bill is sponsored by this Committee on behalf of the Nevada Association of Counties and heard in this Committee on February 18, 2019. Assembly Bill 21 authorizes, under certain circumstances, the board of county commissioners in a county whose population is less than 100,000 to adopt an ordinance providing that the board will appoint the members of a local governing body rather than hold elections for the positions, if each member of the local governing body is entitled to receive annual compensation of less than \$6,000 for his or her service on the body. This bill also authorizes the board of county commissioners to repeal or amend the ordinance providing for the appointment of the members of the local governing body to return to electing the members of the local governing body. Finally, the bill defines “local governing body” to mean any district, board, council or commission that is charged with executing limited duties or functions within the county and includes a town board, citizen’s advisory council, general improvement district, county hospital district, fire protection district, and irrigation district. There are no amendments for this measure.

Chair Flores:

At this time, I would like to entertain a motion to do pass Assembly Bill 21.

ASSEMBLYMAN CARRILLO MADE A MOTION TO DO PASS
ASSEMBLY BILL 21.

ASSEMBLYMAN LEAVITT SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Carrillo will take the floor statement.

Assembly Bill 71: Makes various changes concerning expenditures related to disasters and emergencies. (BDR 31-349)

Jered McDonald, Committee Policy Analyst:

This bill ([Exhibit D](#)) makes various changes concerning expenditures related to disasters and emergencies, was sponsored by this Committee on behalf of the Division of Emergency Management, and heard in Committee on March 15, 2019. Assembly Bill 71 authorizes the attorney general, in the event of a disaster, to enter into an agreement with a tribal government to provide a grant or loan from the Disaster Relief Account in the State General Fund. The bill further requires that the agreement substantially comply with the requirements and procedures in existing law that apply to a local government. This measure also creates a revolving account within the State General Fund for the awarding of grants by the Division of Emergency Management to persons who own and occupy homes damaged by a disaster for costs related to the damages. Finally, the bill authorizes a temporary advance from the State General Fund to the Emergency Assistance Account for payment of expenses that are authorized to be paid from that Account relating to a state of emergency or declaration of disaster if the chief of the Division determines that the balance in the Account is insufficient to cover those expenses.

We had one amendment for this bill proposed by Caleb S. Cage, Chief, Division of Emergency Management, Department of Public Safety: Delete the second sentence in subsection 3 of section 4, which states: "If the money deposited in the Emergency Assistance Account in any fiscal year is insufficient to pay back the money advanced, an amount equal to the shortfall is hereby contingently appropriated from the State General Fund to the Emergency Assistance Account." The amendment would delete that language.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 71.

ASSEMBLYMAN LEAVITT MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 71.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Vice Chair McCurdy will take the floor statement. Next we have Assembly Bill 143.

Assembly Bill 143: Revises provisions governing the Capitol Police Division of the Department of Public Safety. (BDR 27-942)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 143 revises provisions governing the Capitol Police Division of the Department of Public Safety ([Exhibit E](#)). This was sponsored by Assemblywoman Jauregui and heard in this Committee on March 13, 2019. Assembly Bill 143 requires the director of the Department of Public Safety to treat peace officers of the Capitol Police Division in the same manner as peace officers of the Nevada Highway Patrol Division for the purposes of classification, compensation, and advancement. As I understand it, this measure auto progresses Capitol Police from DPS Officer I position in the classified service to a DPS Officer II position. There were no amendments on this bill.

Chair Flores:

I would like to entertain a motion to do pass Assembly Bill 143.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO DO PASS
ASSEMBLY BILL 143.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Carrillo:

I wanted to reach out to the bill sponsor. I know she is probably in committee right now presenting a bill, but I love the fact that this bill will give them equalization as to where they will be able to get what they deserve.

Chair Flores:

Is there any additional discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Jauregui will take the floor statement. I am confident that she would want to do that.

Next on the work session document, we have Assembly Bill 245.

Assembly Bill 245: Requires the waiver of certain fees for certain veteran-owned businesses. (BDR 7-124)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 245 requires the waiver of certain fees for certain veteran-owned businesses ([Exhibit F](#)). This bill was sponsored by Assembly members Edwards, Wheeler, et alia and

heard in this Committee on March 22, 2019. Assembly Bill 245 requires the Secretary of State to waive certain initial fees for business licenses, corporations, and limited liability companies if the entity meets certain criteria, is created on or after January 1, 2020, and at least 51 percent of the business is owned by one or more veterans who reside in this state. Additionally, if at least 51 percent of a corporation or limited-liability company continues to be owned by one or more veterans who reside in this state, the fee for the three annual lists filed after the initial list is waived as well. There were no amendments on this measure.

Chair Flores:

I would like to entertain a motion to do pass Assembly Bill 245.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO DO PASS
ASSEMBLY BILL 245.

ASSEMBLYMAN LEAVITT SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

We will ask Assemblyman Edwards, the bill's sponsor, to have the floor statement. In addition to the work session document, I want to reiterate that I want to go ahead and move forward Assembly Bill 381. Committee members, we had the opportunity to listen to that measure, I believe, two meetings ago and everybody was in support. I know that the bill sponsors are trying to move that bill rather quickly because they want to have it all done by April because April 16 is the day they are trying to designate. In an effort to try and comply and help her, I will go ahead with that item now. I apologize for not giving you a heads-up.

Assembly Bill 381: Designates April 16 as “Healthcare Decisions Day” in Nevada.
(BDR 19-660)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 381 designates April 16 as Healthcare Decisions Day in Nevada ([Exhibit G](#)). This was sponsored by Assembly members Titus, Benitez-Thompson, and Senators Ratti and Hardy. The bill designates April 16 as Healthcare Decisions Day in the state of Nevada and requires the Governor to issue a proclamation encouraging the observance of the date each year.

Chair Flores:

At this time, I would like to entertain a motion to do pass Assembly Bill 381.

ASSEMBLYMAN McCURDY MADE A MOTION TO DO PASS
ASSEMBLY BILL 381.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

We will ask Assemblywoman Titus to please carry the floor statement. Committee members, I appreciate all of you being ready for the work session documents. We are now going to move into our hearings. We will take them in the order they appear. I see Assemblywoman Krasner in the audience. We will now open the hearing on Assembly Bill 257, which provides for the establishment of the Nevada State Holocaust Museum.

Assembly Bill 257: Provides for the establishment of the Nevada State Holocaust Museum. (BDR 33-1039)

Assemblywoman Lisa Krasner, Assembly District No. 26:

I am here today to present for your consideration Assembly Bill 257, which establishes the Nevada State Holocaust Museum ([Exhibit H](#)). To begin, I will briefly review what the Holocaust was, then turn to the need to establish a state museum, and then conclude by having staff from the Nevada State Museum talk about the museum and the logistics of starting a new collection.

What is the Holocaust? Everyone has heard of the Holocaust but, as time passes and we get further and further from that period, we see signs that people, especially young people, do not seem to understand the gravity and the absolute horror that one group of people committed against another. The United States Holocaust Memorial Museum defines the Holocaust as the "systematic, bureaucratic, state-sponsored persecution and murder of six million Jews by the Nazi regime and its collaborators. 'Holocaust' is a word of Greek origin meaning 'sacrifice by fire.' The Nazis, who came to power in Germany in January 1933, believed that Germans were 'racially superior' and that the Jews, deemed 'inferior' were an alien threat to the so-called German racial community."

Going a little further, Yad Vashem, the World Holocaust Remembrance Center in Israel, provides a more sinister and personal description of the Holocaust. It states:

It took the Germans and their accomplices four and a half years to murder six million Jews. They were at their most efficient from April to November 1942—250 days in which they murdered some two and a half million Jews. They never showed any restraint, they slowed down only when they began to run out of Jews to kill, and they only stopped when the Allies defeated them.

There was no escape. The murderers were not content with destroying the communities; they also traced each hidden Jew and hunted down each fugitive. The crime of being a Jew was so great, that every single one had to be put to death—the men, the women, the children; the committed,

the disinterested, the apostates; the healthy and creative, the sickly and the lazy—all were meant to suffer and die, with no reprieve, no hope, no possible amnesty, nor chance for alleviation.

Most of the Jews of Europe were dead by 1945. A civilization that had flourished for almost 2,000 years was no more.

But it was not just Jews that were murdered—it was persons of color, persons with disabilities, and gays. All of these people were killed because they were different. Why do we need a museum? The Holocaust is perhaps the most infamous atrocity committed in all of human history, so why, after all these years, do we need a museum in the state of Nevada? To remind future generations of the past and to ensure that it does not happen again. The Holocaust is a warning that the unthinkable is possible, even now, and that human nature makes many people susceptible to the abuse of power, a belief in the inferiority of “the other,” and the ability to justify any behavior—including inaction. Today we face a shocking lack of knowledge about the facts and history of the Holocaust. Conspiring with a lack of knowledge, we have seen in recent years a rise in Holocaust denial or “historical revisionism,” which is a veiled form of anti-Semitism. The rise of social media has induced new forms of anti-Semitism and emboldened many to rekindle the flames of hatred and intolerance. At a time when fewer and fewer Holocaust survivors and witnesses are alive to share their stories, it is imperative that we do all we can to preserve the memory of those who suffered or perished during this massacre.

About the proposed Museum: The Nevada State Holocaust Museum’s primary mission will be to advance and disseminate knowledge about the Holocaust, preserve the memory of those who suffered, and encourage its visitors to reflect upon the events of the Holocaust in order to promote human dignity. The Museum will serve as a center of active learning for Nevadans of all ages and backgrounds, cultivating a sense of moral responsibility among our residents and inspiring respect, tolerance, and mutual understanding in response to incidents of hate, intolerance, discrimination against all races, all religions, and extremism. With the passage of A.B. 257, Nevada will be the thirtieth state with an official Holocaust memorial or museum. And now, I would like to introduce my copresenter, Mr. Peter Barton, Administrator, Division of Museums and History of the Department of Tourism and Cultural Affairs.

Peter D. Barton, Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs:

Good morning, Chair Flores and members of the Committee, and thank you, Assemblywoman Krasner. For the record, Peter Barton. I serve as the administrator for Nevada's Division of Museums and History. I want to take just a few moments to describe the process of how a museum evolves and how they develop.

The Division of Museums and History, through its mission and vision as the most trusted stewards and engaging storytellers of Nevada’s heritage, welcomes the opportunity to consider the development of a new museum in Nevada, dedicated to educating the public on

the horrific tragedy of the Holocaust of World War II ([Exhibit I](#)). Museum development is complex. The mere fact that a property is historic and may possess outstanding architectural elements or a concept that is rich in heritage is not alone sufficient to ensure the robust programming and public participation at the levels necessary to sustain a program or resource for the long term. Taking a lesson from the commercial real estate field, the adage that "if you build it, they will come" has long been discarded. Yet often museums and cultural attractions do not address the critical impact of initial interpretive and design decisions. The need to prioritize audience appeal, attendance, and revenue generation can be overshadowed by excitement or a sentimental yearning to see a property or topic preserved. The proposed Holocaust Museum fits squarely within this consideration set.

A quick Internet search reveals there are presently over 60 Holocaust museums, memorials, and education centers spread across 29 states and the District of Columbia. Fully vetting the purpose and goals of a Holocaust museum in Nevada is a critical first step toward better ensuring the champions of this effort are rewarded for their support, and the community realizes long-term success from it. Any development process must be initiated only with a full understanding of the realities that accompany the creation of a facility capable of meeting, or exceeding, the expectations of all involved. Over the course of many decades, developers of museums have established a standard prescription for analyzing these resources, the interpretive vibrancy, and market conditions to develop business plans for guiding viable development. The Division of Museums and History of the Department of Tourism and Cultural Affairs proposes to engage experienced professionals in museum development to prepare a comprehensive study concerning the feasibility for a Holocaust museum, possible phased implementation, and a strategic business plan to inform and guide leadership and those engaged in it. A feasibility study would consist of two principal tracks. We look at resource assessment, the assets that are available to tell the story, and then we do a programmatic analysis. After an initial stakeholder meeting to identify the core concept and goals for the museum, these two tracks would independently assess the concept and its potential to become a cultural tourism destination that is a sustainable contributing element to the local economy and to the state. It would likely include elements we would look at: location, whether the facility is best served as new construction or rehabilitated construction. We would have architects and planners engaged in visioning. We would develop a capital cost model for the capital construction, and then look at ongoing maintenance and utility costs.

On the programmatic side, we would have an interpretive planner, and this may be the real cornerstone and key to the process, to identify interpretive concepts, themes, and the elements to tell the story: artifacts and oral histories, et cetera, what is available to deliver the stories to be told.

Then we would look at the type of media, and whether we would have an immersive environment; whether it is going to be more traditional types of exhibits; whether we will use high-tech media to deliver the stories. We would look at market conditions where the

museum would be located; what the existing market is, and then do some focus group testing to see how this new museum would impact that market. How would people be affected? What are its learning goals, its education goals, and how would they be delivered?

You put this all in a big pot and stew it together and you would develop what we call a master plan or a feasibility study document. We completed a very similar study last year for the Stewart campus here locally where we looked at every one of these elements I have just outlined, pulled it together in a study that guides decision makers and leaders in the future about how it would be governed, how it would be developed, and how it would be operated. It is a pretty standard process. There is another bill right now being heard in the Assembly, Assembly Bill 214, which is considering the creation of a museum at the former Nevada State Prison that we are proposing follow the same track. This is the way we look at the development of new museums. We are here to support the concept and would hope that we would move forward, create a feasibility study, and be able to come back in two years with a definitive plan to present.

Chair Flores:

I appreciate you both for bringing this important measure. I know at the national level we have seen a small group of people who have tried to silence this horrendous and terrible reality. I think it is important that we do not allow that to become the norm, so I appreciate your trying to ensure that Nevada recognizes and keeps that history alive. As we know, history tends to repeat itself when we do not acknowledge it. I appreciate both of you being here and all those of you who are here in support. With that, I will open it for questions.

Assemblyman Leavitt:

I think it is a very noble thing. I just wanted to mention that there is a site in the south that would be great for it, in Boulder City. Maybe you could take that into consideration when you are planning ahead.

Assemblyman Carrillo:

My question relates to section 1, subsection 2. Is the intent to designate one of the existing resources as the Nevada State Holocaust Museum, or is it the intent to create something new? I know each of the other museums listed are actual museums, and I know there are Holocaust resource centers in Clark, Washoe, Elko, and we have a commission on Holocaust education.

Assemblywoman Krasner:

The intent of A.B. 257 is to create something new. It is to join these other seven state-designated museums and have something called the Nevada State Holocaust Museum. The other organizations and groups that you have acknowledged are all extremely important and do excellent work and are all going to be invited to attend a community meeting which will be held next Sunday, April 7, 2019, where everyone in the community is invited to attend to give their input. This is really for all the people, not just the north or the south, or one religion or one race, but for all the people.

Chair Flores:

Thank you for putting that on the record, Assemblywoman. I know there are a host of stakeholders who are involved in this conversation and having everybody involved would ensure that we have everybody on the same page. I want to excuse myself and apologize. I will be doing a bill presentation, and I wish I did not have to walk out during such an important presentation like we are having now, but I am being summoned to another committee.

[Assemblyman McCurdy assumed the Chair.]

Assemblywoman Bilbray-Axelrod:

The bill obviously says the fiscal note has an effect on the state. I am wondering, and this is specifically to the division, regarding the development of a business plan, what sort of costs are we talking about there, and what is the timeline for that development?

Peter Barton:

I believe there is a proposed amendment on the Nevada Electronic Legislative Information System (NELIS) that would indicate that the intention is for the feasibility study to be privately funded—that we are not seeking an appropriation to undertake the study ([Exhibit J](#)). The master plan for the Stewart complex was a \$245,000 effort, so we believe it is in that same range. It is roughly \$250,000 to complete this type of study. Again, our anticipation is it would be privately funded. The timeline, these are generally completed in 15 to 18 months, so our intention is to be prepared to come back to the 81st Legislative Session with a completed plan.

Assemblywoman Krasner:

On NELIS, I have posted an amendment that reads: "The museum shall be privately funded and a feasibility study shall be completed within two years from the date the act becomes effective or not later than July 1, 2021."

Assemblyman Assefa:

This is not a question, but a statement on the importance, on the necessity of such a museum in our state. The Holocaust was a horrendous part of our history—a terrible situation—that killed, as you stated, over six million Jews, over two-thirds of the European Jewish community; purposeful eradication of an entire group of people. Museums like this remind us of our history. It is not just about remembering the six million people who were lost. It is about the generations who were lost as a result of those actions. How many scientists have we lost? I do not know if you know Albert Einstein was a refugee from the Holocaust—a physicist who transformed the world with his theory of relativity. How many doctors have we lost? Our world would have been a different place now if it was not for dark spots on our history like this. It is also about relevance. This is not something that we should relegate to history and study and remember. It is relevant and real today. In parts of our world, this stuff is still happening. There are people out there who are persecuting an entire group of people just because of who they are and what they believed in or what they believe in and who they worship. It is relevant; it is important for us to remember. Each one of us is

responsible to make sure that the next generation understands what happened, and what is happening in parts of our world now so we can deter such a thing from happening again. Thank you for doing this. Some might think, Why is this relevant to Nevada? Why so far away from Europe? The importance of it cannot be overstated. I get emotional when I talk about these things. Thank you for doing this.

Assemblywoman Krasner:

Thank you, Assemblyman Assefa, for your thoughtful comments.

Assemblywoman Martinez:

There do not seem to be provisions for the development of regulations. How would oversight be performed, and what criteria would be used if there are no regulations?

Assemblywoman Krasner:

If you look on NELIS, there is an amendment. I just read it a minute ago, so I will not read it again. The amendment clarifies the language in the bill. This is just the first step of a very long journey, and this step is just asking that we can do a privately funded feasibility study that must be completed in two years.

Assemblyman Carrillo:

I have a follow-up on Assemblywoman Martinez's question. Regarding the amendment that talks about the feasibility study shall be completed within two years, is there another amendment, or is this the one you are referring to? I do not see that you had actually answered that question because once the feasibility study is done and completed in two years, what happens at that point? The question she had asked is in regard to the oversight with no regulations. So are we going to have to bring this bill forward in two years after that is completed?

Peter Barton:

I will try to address that. We would propose in two years to bring back a plan for development that would look at governance; should it be a public museum? Is it better served as a private museum? How would the development go forward? Again, we are talking new construction. We would have some cost estimates and a development timeline. Our statute right now is pretty detailed in terms of how we go about the oversight of collections—how we collect what we collect—how does that work, and how it is undertaken. We do not have a lot of administrative code regulations for *Nevada Revised Statutes* Chapter 381, which is our governing statute. It is pretty well defined in the statute itself, and we have never encountered an issue with management of our heritage resources.

Assemblyman Carrillo:

I want to clarify this. In section 1, subsection 2, it says "Office of the Administrator and a state system of museums consisting of the following museums." Further, the language in section 1, subsection 3, states "by the Administrator." Were you referring to the Office of the Administrator when it is put there, or is this another administrator? Who is the administrator

being referenced in the bill? Is this the staff within the Division of Museums and History, or is it additional staff being requested? I know this is not a money committee, but what if there is a fiscal impact with that staff?

Peter Barton:

The Administrator referenced throughout this bill is in my office. It is the Office of the Administrator in the Division of Museums and History within the Department of Tourism and Cultural Affairs which, by statute, we then delegate certain responsibilities to a museum director. We are not suggesting any new staff at this point. The bill references collecting, preserving, and interpreting the history. We do that now. We actually have authority. If someone brought forth materials related to the Holocaust that were related to Nevada or a Nevadan, we would collect that now, so we did not see that there is an immediate fiscal impact to this bill. We will manage this feasibility study in the way that we would manage any other—through our administrative office—and then, in two years, we will address where that suggests we go.

Assemblyman Carrillo:

There does not seem to be a request for state funding, and the bill does not specify that this museum makes up gifts or grants. I understand about the feasibility study, but is this more about a feasibility study or doing something as a Holocaust Museum? That is the confusing part that I have. I am thinking you are sitting there at the dais saying that, Hey, we are looking at a feasibility study according to the amendment, but in the bill, it is saying that we have intentions of doing a Holocaust Museum. So that is why I am asking these questions regarding the language that is in the bill, whether there is an amendment or not. I understand where the amendment is coming from, but I saw Assemblywoman Krasner shaking her head "no" earlier, and I just want to get these things on the record so if there is ever a question later on, we can refer back to it.

Again, there does not seem to be anything regarding accepting gifts or grants, so how will this be funded? Are there commitments for funding in place and, if so, who are the key funders? What would happen if the funding is not received? Clarify that for me.

Assemblywoman Krasner:

Again, there is no fiscal note on this bill. This bill is only the first step in a very long journey. The first step is to create a feasibility study—that is all. The hope one day is to have a state of Nevada Holocaust Museum, but there are many, many steps to have a state of Nevada museum of any kind, and the very first step is to have a feasibility study done. This bill allows us to have a privately funded feasibility study that will range between \$200,000 to \$250,000, according to Mr. Barton. We will ask for private funds to do that. Right now, we do not have any major donors named, but we will be asking the entire community, everyone in the state of Nevada—whether they want to give \$1 or \$100 or \$1,000 to help to privately fund this study. That is the first step that must be taken when you are making the very long journey of many steps to create a state of Nevada museum.

Peter Barton:

Within our statute, we have the ability to accept private money from most any source. It is called the Museum Dedicated Trust Fund and is managed by the state. The Governor has appointed a state Board of Museums and History. We will simply establish an account, if the bill passes, and we establish the name, the Nevada State Holocaust Museum. That gives us the ability to then establish this private trust fund account to receive funds to fund the study and any other activities related to the Holocaust Museum. Does that help address your concern?

Assemblyman Carrillo:

Yes, and thank you very much to both of you.

Vice Chair McCurdy:

Are there any additional questions from the Committee at this time? [There were none.] We will now take testimony in support of Assembly Bill 257. Please fill the seats here in Carson City and in Las Vegas. We will start in Carson City. Please remember to state your name for the record.

Penny Brock, Private Citizen, Reno, Nevada:

Thank you for the opportunity to speak in favor of this bill. I am from Reno. I am a member of Christians United for Israel, otherwise known as CUFI. It is a national organization. There are many members in the state of Nevada, and we strongly support the state of Israel and the Jewish people. Our hearts are always grieved by what happened in the Holocaust. I think it would be something wonderful for Nevada to have this museum. As tourists come into Nevada, they would want to visit this museum. Also, for the locals, the people of Nevada who live here, they will want to visit this museum also. I would ask you to support this bill. It is just a feasibility study at this time. Thank you.

Donald Gallimore, Private Citizen, Reno, Nevada:

I am speaking as a citizen, right now, but I am the third vice president for the Reno-Sparks NAACP [National Association for the Advancement of Colored People]. For the most part, I cannot see anything wrong with developing a new museum. I was instrumental in trying to maintain some of the African-American historical sites: Virginia City, libraries, and things like that. Assemblyman Assefa mentioned that everybody is affected by this. I have not seen so much crying for a while. I am in support. We do not need to redevelop the wheel. I am sure we have things already in place that can expedite this situation and all the things that are already being mentioned in this bill. I think we can probably move forward, maybe even with less than \$250,000 in the feasibility study in two years. I would like to see this museum built and proceed.

Elliot Malin, Private Citizen, Reno, Nevada

Typically, you will see me here in a very different capacity, but today I come to you as a Jewish Nevadan and as a citizen to talk about what we call the Shoah, better known as the Holocaust. As a Jewish Nevadan, the Holocaust and anti-Semitism has had a major impact on my life. Every day I strive to live and remember the victims—those who perished, those

who survived, and those from my own family. I want to tell you a few quick stories. The first is about a woman named Trudy. I met Trudy in April 2009 when I was with her at Auschwitz. Trudy was the lone survivor in her family and, unbeknownst to me at the time, her entire family perished in the gas chambers at Auschwitz. I distinctly remember walking through that very gas chamber, holding her hand, looking at the face of death, the scratches from the victims on the walls, and the green stains from the Zyklon B gas that was used to murder the millions and her family. That was the first time ever in all of her visits since being liberated from that camp that she had ever entered that horrid place. She told me her story after we exited the crematorium. These stories are being lost every single day. Her story sticks with me, and it is now my job to continue telling it for future generations.

Another story is of Isadore. Isadore was a Jewish refugee who fled from his home in Zambrow, Poland. He arrived in Canada and came to the United States illegally, not obtaining any legal resident status until November 11, 1954. If he was caught by our government, he would have been sent back to Poland and inevitably murdered by the Nazis. Every day I remember Isadore because his story is mine. Isadore Malinowitz was my great-grandfather, and without his determination to flee Poland and survive, I would not be here before you today.

More recent stories. In college, I remember having golf balls thrown at my home, the Jewish fraternity house that had inscribed on them: "F - - - Jews." Or the numerous times they would walk by shouting anti-Semitic phrases at us. Today, as the regional governor for the Jewish fraternity for the state of Nevada overseeing chapters at the University of Nevada, Reno, and the University of Nevada, Las Vegas, I get almost constant emails about swastikas on our campuses, on our homes, or threats made against Jewish students. Anti-Semitism is the fastest-growing hate crime in the United States and the world. These are our realities every single day. Remembering the Holocaust is more than about remembering my ancestors. It is about remembering what hate and bigotry can do against anyone. Be it anti-Semitism, Islamophobia, homophobia, and all forms of hatred, establishing a place for Nevada to remember and teach the Holocaust is an important step in remembering what hate and bigotry can do. I implore you to pass this legislation for future generations to learn from.

Atty Garfinkel-Berry, Private Citizen, Reno, Nevada:

Thank you for affording us the opportunity to speak. I am the executive director of Hillel of Northern Nevada, but I am not here in that capacity. Today I am here to talk to you as a Jewish woman and as a person who deals with Jews on college campuses every single day. In that capacity, I can tell you that the swastika issues are real. The anti-Semitism is real. The Holocaust denial is real. Every single day it is getting worse. It is worse in Nevada than in some other places—it is better in Nevada than some other places. But the fact that there are other places where Holocaust museums exist and it is easier to educate people, that is a significant downfall for Nevada at this point. You are being presented with the opportunity, through Assembly Bill 257, to actually rectify something that will benefit the entire state and provide educational services. Right now, if I want to do a Holocaust education that is deep

and meaningful, I have to take my students from Elko, from Winnemucca, from Reno, to Los Angeles to go to the Museum of Tolerance. That is a really long drive; can you please build something here?

Eva Mendlovic, Private Citizen, Las Vegas, Nevada:

I am from Budapest, Hungary. I am 85 years old, and I was about nine years old when the Germans came in and everything changed. You could not go anywhere. You had a curfew. You could not go to the movies or the theater or the opera or anywhere if you were Jewish. And they mostly picked on the men because it was easy to tell whether they were Jewish or not. They would beat them up and kill them when they found out they were Jewish. It was a very, very sad time to be young. My grandmother was 84 years old and she was sick. Somebody had to go to the pharmacy, and I was selected. I went to the pharmacy and brought her medicine, but she died anyway—but nothing happened to me until all the Jews were gathered on the ground floor and put in line to go to the train. One of our neighbors pulled us out, me and my sister, she was six years old, and they hid us. A couple of days later, I saw my mother come out—she escaped, and she came back. She found our father and my brother in the ghetto. She said if we have to die, we have to die together. We are going to the ghetto. So we went to the ghetto and we had a room to ourselves. There were six people and we lived there until I saw the first Russian soldier and my father said to him, We are hungry, so he shot the birds and gave it to my father. We did not have time to eat the birds. We went home from the ghetto. It was very, very sad. You could not do anything. I lost a year of school because I could not go to school. I do not know what else I can tell you—I was very young. I did not get out too much—my parents would not let me. I support Assembly Bill 257. I have two daughters left to take care of me—I am old. It was a pleasure to be here and to speak before you. I was so young, I do not remember much.

Penny Mendlovic, Private Citizen, Las Vegas, Nevada:

I am Eva Mendlovic's daughter. I am a child of survivors of the Holocaust. We lost all our family. I never met my grandparents. I am here today to say, Never again; to stop the hatred and to tell everyone that we, as a family, support Assembly Bill 257.

Senator Heidi Seevers Gansert, Senate District No. 15:

I am here to testify in support of Assembly Bill 257 and thank its sponsors for bringing it forward. I have a daughter who is 26 who fell in love with a Jewish-American man about six years ago whose family survived the Holocaust—not all of them. He was actually born in Israel, and his immediate family moved to America when he was six years old. Half of his family lives in Israel, and the other half lives in Chicago—those who survived. As someone who was brought up as a Roman Catholic, I did not understand everything about the atrocities. I do not think any of us will ever fully understand the atrocities that took place.

When my daughter finished undergraduate school, she worked for one and a half years at the Los Angeles Museum of the Holocaust and had the privilege of escorting survivors, as you just saw, to schools to make them aware of the Holocaust. She also wrote grants for that year and a half and is now finishing law school. The work that she did and the people she met impacted our entire family. What we see right now is a rise in anti-Semitism. We see rallies;

we see members of the U.S. Congress speaking in anti-Semitic ways. The work that she has done was critically important. I think we need to do some of that work here. I think we need to make sure that every Nevada child understands the atrocities that transpired, that their families understand, that visitors who come here understand, because it was horrific. If we do not make sure folks understand and are exposed and are more aware of what happened, it could repeat itself. Again, we are seeing the rise of anti-Semitism right now. I think this museum is extremely important, and I hope that Nevada students do not have to travel to Los Angeles or to Washington, D.C., or to other places to see, visually, what happened. Something that the Los Angeles museum has is an oral history and testimony from survivors. Those survivors are dying at this time because they are getting elderly.

I am here to support the bill. It has become very personal for me because it affects our lives, given the families we know who were impacted so significantly by losing their families.

Michael Dyer, Director, Nevada Catholic Conference:

I am speaking for the Nevada Catholic Conference, which is how the Catholic bishops of Nevada speak in the Legislature. The Catholic bishops of Nevada are strongly in support of this bill.

Dillon Hosier, representing Israeli-American Civic Action Network:

I am speaking on behalf of Nevada's Israeli-American community. I am speaking this morning to request your support for Assembly Bill 257 establishing the Nevada State Holocaust Museum, introduced by Assemblywoman Lisa Krasner and sponsored by Assemblywomen Bilbray-Axelrod, Cohen, and Spiegel, as well as joint sponsors Senators Ohrenschall and Settlemeyer. This important legislation strengthens the existing Governor's Advisory Council on Education Relating to the Holocaust by providing a center for all Nevadans to learn lessons of tolerance and how to confront hate, while learning about this event in human history. It is our hope that this museum will serve as a living memorial to the Holocaust and will inspire Nevadans statewide to confront hatred and promote human dignity, to serve as a center of active learning for Nevadans of all ages and backgrounds, while cultivating a sense of moral responsibility among our residents so they will be prepared to respond constructively to instances of hate and intolerance. We ask that you support this important legislation.

Yonatan Chattah, Private Citizen, Las Vegas, Nevada:

I attend Walter Johnson Junior High School and I am in sixth grade. My father is Syrian and my mother is Israeli. I am a first-generation American, born and raised in Las Vegas. I support the establishment of a Holocaust Museum in the state of Nevada for a few reasons. The first reason is, it would be better for the general public to be informed about the Holocaust and all the genocide and ethnic cleansing that followed after. A genocide denied is a genocide in the making. The cycle of violence will never end unless truth is told and addressed. The second reason is the state of Nevada, in creating future leaders, should teach about human dignity and tolerance to make the world a better place for my generation and future generations to come. Thank you for supporting this bill.

London Ashjian, Private Citizen, Las Vegas, Nevada:

Today I will tell you the importance of an Armenian Genocide and Holocaust museum. The Armenian Genocide and the Jewish Holocaust were two of the most important unrecognized massacres in human history. As I now support the development of this museum, it is important to me because I am half Jewish and half Armenian. I support the building of this museum because all Nevada can learn about the artifacts and people who survived the Genocide and Holocaust. My great-great-grandparents were survivors of the Genocide and without them I would not be here today supporting the building of this museum.

Vice Chair McCurdy:

Thank you for your leadership. Never stop speaking out about the things that matter. Is there anyone here in Carson City who wishes to testify?

Danny Tarkanian, Private Citizen, Las Vegas, Nevada:

I am here to testify about the importance of this museum based upon personal experience. A society that does not learn from its mistakes will continue to make those mistakes, and my family on my dad's side are Armenian Genocide survivors. The Armenian Genocide was the first mass extermination of people in the twentieth century, and it still today has not been fully recognized. One and a half million Armenians were killed out of the two million that lived there at the time, which I think may be the highest percentage ever when you think about it. When Adolph Hitler started his Holocaust before World War II, it has been said that his generals said to him, Do you know what the rest of the world is going to do if you do this? He said, Who remembers the mass killings of the Armenians by the Turks? The fact that nobody recognized that and called out the Turks for what they had done gave Hitler the impression that he was able to do what he did in the Holocaust. It is very important to have these types of things known to each generation as it moves forward in society so that we do not continue to make similar horrendous mistakes that were made in the past. I have a better person who can discuss that, Andy Armenian, and he will take over from here.

Adroushan Andy Armenian, Private Citizen, Henderson, Nevada:

I am in full support of A.B. 257, and I would like to add that only a few years ago, in 2015, the Armenian community in Nevada, as well as worldwide, commemorated the hundredth anniversary of the Armenian Genocide that took place during World War I. I am very proud that the state of Nevada is one of 49 states that recognizes the Armenian Genocide. History should never be forgotten. Skeptics used to ask us, Why do we bother to remember something which took place 100 years ago? I would like to reply by saying that we do remember. I believe Jewish and Armenian communities worldwide will never forget either the Genocide or the Holocaust. History should never be forgotten. I am in full support of A.B. 257.

Vice Chair McCurdy:

Are there any others who wish to testify on A.B. 257 who are down south?

Tariq Ali, Private Citizen, Las Vegas, Nevada:

I am testifying on behalf of a Syrian refugee who came to the United States from Syria in 2016. These are his words: He has seen genocide in this current day. He has seen children gassed, shot, and butchered by the Syrian government, not to mention men and women as well. He wants the world to remember these atrocities as they are still continuing in Syria. He wants to let the world know and let you know that he is in full support of A.B. 257 so the world as well as the state of Nevada will not forget that over one million innocent people and counting—and counting—have died in Syria. He wants the world to know and remember what happened and is happening in Syria so that this will never happen again.

Milan Chatterjee, Private Citizen, Las Vegas, Nevada:

I am a proud resident of Las Vegas. I have had the privilege to be involved in a number of Jewish organizations that strengthen the sacred bond between the United States and Israel. Currently, I serve as associate compliance counsel for the Las Vegas Sands Corporation. Today I am here in my personal capacity and not on behalf of the Sands to enthusiastically support A.B. 257. Nevada's diversity has been enriched by the Jewish and Israeli-American communities. The Holocaust is a landmark event for these communities and our nation. Through the Holocaust we learned the importance of human rights, dignity, and how hatred and discrimination can reach the unthinkable. While the Holocaust took place over 70 years ago, it is heartbreaking to see that in 2019, anti-Semitism remains disturbingly high. Holocaust denial and Holocaust revisionism has become widespread. Political leaders of both parties are getting ostracized for supporting the Jewish people and the state of Israel. Worse yet, our nation is seeing the rampant growth of the anti-Israel Boycott, Divestment and Sanctions, also known as the BDS movement. The BDS movement calls for our nation to end all economic, academic, and cultural ties with the Jewish homeland. On college campuses, the BDS movement viciously targets, harasses, and discriminates against Jewish and pro-Israel students who advocate for strong U.S.-Israel ties. As a University of California, Los Angeles former graduate student body president, I stood up to the BDS movement and my story received widespread, global coverage. For over a year, the BDS movement and allied legal and political groups personally targeted me because my administration abstained from supporting their anti-Israel agenda. Moreover, through my involvement with Jewish organizations, I recognize that anti-Semitism is a great threat to our society. Now, more than ever, our society needs to look back to the lessons of the Holocaust and resolve that we will never again allow for anti-Semitism to envenom our society.

I support the establishment of a Nevada State Holocaust Museum for three reasons. First, the Holocaust Museum will unite Nevadans to stand against anti-Semitism, discrimination, and intolerance. Second, the Holocaust Museum will serve as a vital educational and community center for Nevadans and out-of-state visitors enhancing our state's diversity and economy. Third, the Holocaust Museum will commemorate a historic event for the Jewish and Israeli-American communities and our nation and preserve the memories of those who suffered. For these reasons, I urge you to pass A.B. 257.

Vice Chair McCurdy:

I would ask for all those who are coming, if you hear something that you have already heard, it is okay to say, "ditto" or "me, too." Please keep your comments to two minutes.

Lenna Hovanessian, Co-Chair, Armenian National Committee of America, Nevada Chapter:

I represent the Armenian National Committee of America, Nevada Chapter. I am the co-chair and I am honored to be here today to speak with the Assembly. Thank you for this opportunity. Those who do not learn from history are destined to repeat it, as we have heard here today. One of the most important lessons in our history was the first genocide of the twentieth century: the Armenian Genocide in which 1.5 million Armenians were massacred and slaughtered. We stand in solidarity today with the Jewish community in Las Vegas and Nevada and the world because we have a common plight with the Jewish people. Our genocide has been unacknowledged, and that is a wound that remains. The only way, the only remedy to battle or to heal the wounds of the past, is education. A museum, a Jewish Holocaust Museum, and hopefully a genocide museum for all genocides would be a perfect educational tool to teach future generations never to repeat history.

I am a descendant of Armenian Genocide survivors. I have heard the horrific stories which are so common with the Jewish history. Hopefully our communities can work together so that history never repeats itself as we see going on in the world. The seeds of bigotry and hatred are always there. We have to act and counteract against those through educating ourselves and our youth never to repeat that history. I am in favor of Assembly Bill 257 on behalf of the Armenian National Committee of America, Nevada Chapter.

Ursula Stelzner-O'Neale, Private Citizen, Las Vegas, Nevada:

I wholeheartedly support the creation of a Holocaust Museum in southern Nevada. My family is from Germany. My father was a classical musician. During World War II he became an officer in the German Army. He was a regimental band leader. When the war was ending, he and some friends walked from the Balkans westward to find an American unit to surrender to. After the war, my father, mother who was a registered nurse, and my sister immigrated to the United States and, in due course, we became American citizens. I am retired from the United States court system. I do not think we should shrink from history even when that history is unpleasant. We forget that great evil has existed or pretend that it has not. It makes it all the more possible that similar evil can be perpetrated in the future.

Even though the Holocaust was not created by America or by Americans, it is important for all peoples to recognize it as a cautionary tale that evil, even evil previously thought unimaginable, can creep up on any people if it is not guarded against. The best way to guard against evil is to recognize its past and the possibility, however slim we might think it to be, that it could exist again. The best way to recognize and guard against such evil is to set forth inescapable facts of its prior existence. The Holocaust encompasses true stories of almost unimaginable suffering interspersed with true stories of heroism and compassion for those who fought against it or tried to ameliorate it. These stories should be made readily accessible to ordinary people. The subject is disturbing, and it should be, and should be

shown in all its ugliness—all the better for us to be free from it and from the circumstances that allowed it to exist. Ignorance and compliance are the joint enemies of the future. I, again, wholeheartedly support A.B. 257.

Sigal Chattah, Private Citizen, Las Vegas, Nevada:

On August 22 following his attack on Poland, Hitler stated, Who, after all, speaks today of the annihilation of the Armenians, justifying the murder of six million Jews as irrelevant as the 1.5 million Armenians slaughtered under the Turkish regime less than 15 years earlier. After Nuremberg, the world promised never again, and it happened again. Only 30 years after Nuremberg, between 1975 and 1979, 25 percent of Cambodia's population was massacred in the Cambodian Genocide under the Khmer Rouge. The world said never again, and ten years after that, the Anfal Genocide in northern Iraq in 1986 where the Baath regime for three years systematically gassed over a quarter of a million Kurds in front of us despite our promise: never again. Ten years after that we watched one million people slaughtered in 100 days in Rwanda, while simultaneously, the Bosnia-Muslim population was being exterminated in Sarejevo. And, again, we promised, never again. And yet the United Nations (UN) passes more resolutions and five years ago, we saw images of children pass in Syria despite humanity's promise: never again.

History is not taught and preserved through UN resolutions and memorials. Accountability is taught and preserved in museums. It is seeing these images with human eyes that shocks the conscience and creates a moral obligation to humanity to make sure that this does not happen ever again. The failure to see atrocities with human eyes is what is paving the way to Holocaust revisionism and whitewashing genocide. The establishment of a Nevada State Holocaust Museum will serve as a center for education of Holocaust, genocide, and ethnic cleansing and will demonstrate that the state of Nevada, as the thirtieth state to have such an institution, has stepped up to the podium of morality and consciousness and will show 40 million tourists a year and Nevadans that Nevada is more than entertainment. This project is not meant to be for any one religion, any one ethnic group or any one race. This project is for the people of the state of Nevada, the people who perished, and for the sake of humanity and dignity and our community and our state. For all these reasons, I urge you to pass A.B. 257.

Amy Tarkanian, Private Citizen, Las Vegas, Nevada:

I am what the Armenian community would call an "odar," which means I am not Armenian, and I do not come from a family who had to deal with those atrocities and escape a genocide, but I have married into one, and I have heard stories. My father-in-law was the late, great Jerry Tarkanian, and he could not even talk about his mom without crying. His mom escaped the Genocide as a young girl on horseback with coins sewn into her dress. She came through Ellis Island, but before she even made it to Ellis Island, she witnessed her uncle, her brother, and the rest of the town beheaded and put into a church which was lit on fire. They all burned to death. These are stories that are passed down through our family members to our children and, as a parent, I want to make sure to educate my children to the utmost and that is

my responsibility as a parent to make sure that they understand where they came from, the strength of their relatives, the fight in their relatives, and how important this is to never, ever repeat it again, and to make sure they can tell their children and their children's children.

A few years ago, my husband was able to gift two of our children with a trip to Armenia, and they were able to go through the genocide museum they have there. They came back with tremendous amounts of information. I wish we were able to give them that same gift here locally so we did not have to travel halfway around the world to learn about what exactly happened to their relatives. We have no records of what happened past Jerry's mother—no records at all. It is devastating. I just wanted to share that with you as a mom of four who cares deeply for this community; who cares deeply for people in general, and let you know that I am in favor of A.B. 257.

Vice Chair McCurdy:

Is there any additional testimony in support of Assembly Bill 257, either in Carson City or in Las Vegas? [There was none.] If there is anyone in opposition to Assembly Bill 257, either in Las Vegas or here in Carson City, please come forward. [There was no one.] Is there anyone neutral who would like to testify on Assembly Bill 257? If so, please come forward, either here or in Las Vegas. [There was no one.] We will ask the presenter to give us some brief closing comments and then we will move forward.

Assemblywoman Krasner:

Thank you to the entire Committee for giving me the time to present this to you. I would urge your support.

Vice Chair McCurdy:

Before you leave, we have one comment from Assemblyman Ellison.

Assemblyman Ellison:

I went to Washington on a hearing and they had just opened the United States Holocaust Memorial Museum in Washington, D.C. I stood in line for hours and finally I had to leave. It was amazing watching the people come out of the museum in tears. I hope I get to go back. I totally support what you are doing here, and every year I put in a bill for Israel—that Nevada stands strong with its closest ally. This year, it got stripped and lost, so I did not get to put it in. I can tell you that if we do not learn from history, we will repeat it again.

[([Exhibit K](#)) and ([Exhibit L](#)) were submitted but not discussed and are included as testimony for Assembly Bill 257.]

Vice Chair McCurdy:

Thank you to all those who came forward and shared your testimony, both here and in Las Vegas. At this time, we will close the hearing on Assembly Bill 257.

[Assemblyman Carrillo assumed the Chair.]

Acting Chair Carrillo:

We will open the hearing on Assembly Bill 326.

Assembly Bill 326: Establishes a program to provide loans to certain operators of grocery stores located in underserved communities. (BDR 18-318)

Assemblyman William McCurdy II, Assembly District No. 6:

I am happy to present Assembly Bill 326 for your consideration today. This bill would establish a program to provide loans to certain operators of grocery stores located in underserved communities. I will start with a little background. A food desert is an area devoid of opportunities to purchase fresh food including meats, fruits, grains, and vegetables ([Exhibit M](#)). These are areas where there are no grocery stores or farmers' markets within a certain distance. As you can imagine, access to healthy food is a key factor in determining the overall health of a community. When fresh and healthy food is not readily available, consumers typically turn to convenience stores and fast-food restaurants which mostly market processed foods, high in sugar, fat, and sodium.

Studies have shown that diets high in sugar, fat, and sodium and low in whole grains are strongly associated with a higher risk of cardiovascular disease, diabetes, hypertension, strokes, increasing weight gain, and obesity. This is a serious problem for many Nevadans. The United States Department of Agriculture identified food deserts in 40 of 687 census tracts here in Nevada. Within those census tracts, 154,623 Nevadans meet the criteria of living in a low-income food desert. Among those Nevadans living in a food desert, 89 percent live in urban centers and 11 percent reside in rural areas. Assembly Bill 326 seeks to create a \$10 million loan program to attract investments in grocery stores located or planned to be located in underserved areas in our state. By providing an affordable loan program, I hope we can attract investments in the development of grocery stores in some of our most underserved areas. This will not only provide access to healthy food, it will also serve as a vehicle for economic development and provide jobs in areas of high unemployment. The loan program is designed to meet the financing needs of supermarket operators that want to operate in these communities where infrastructure costs and credit needs are often higher and unmet by conventional financial institutions. The initiative helps new supermarkets get off the ground and existing ones refurbish and replace old capital to improve efficiency and lower costs.

This proposal is similar to a Pennsylvania initiative where the legislature initially invested \$10 million in a loan program in 2004 and another \$10 million in 2005 and 2006. Within eight years, the Pennsylvania initiative leveraged the state dollars and combined with the private investment which resulted in about \$120 million in the financing pool for grocery stores and supermarkets. The program has been held up for its flexibility and ability to serve a diverse constituency. Projects financed through the Pennsylvania model have ranged in size from large, full-service supermarkets in urban neighborhoods to small grocery stores

in the rural areas. That concludes my introductory remarks, and with the Acting Chair's permission, I would like to provide a brief section-by-section summary of the bill. In southern Nevada, we also have our State Treasurer, Zach Conine, who will be copresenting with me and will also be available to provide testimony to the bill.

Section 2 creates the Nevada Fresh Food Financing Initiative Account in the State General Fund. The Account will be administered by the State Treasurer who you see down south. All the interest and income earned by the Account must remain in the Account and does not revert to the State General Fund. The State Treasurer may apply for gifts, grants, bequests, and donations from any source.

Section 3 requires the State Treasurer to develop a lending program including the loan application process to grant loans to grocery store operators who are located or plan to locate in underserved communities. The State Treasurer must also establish a criteria to determine whether to make a loan and in doing so must consider if the loan will promote access to healthy food options, expand employment opportunities, and expand economic growth.

Section 3 also requires the State Treasurer set the interest rates as low as possible but still sufficient to pay the costs of the program. Finally, section 3 contains definitions for the terms "grocery store" and "underserved community." The term "grocery store" for that purpose of the bill is a store that primarily sells food that is consumed off-site. I know that you have received an amendment ([Exhibit N](#)). That should be available to you that also changes some of the definitions that we have and our State Treasurer Zach Conine will probably speak to those when the time comes. An "underserved community" is defined to include census tracts identified to be in an area with low supermarket access determined by the U.S. Department of Agriculture "or through a methodology that has been adopted for use by another governmental or philanthropic healthy food initiative."

Section 4 makes a \$10 million appropriation from the State General Fund to the Nevada Fresh Food Financing Initiative Account.

Section 5 contains a legislative declaration regarding the Legislature's authority to create a loan program as described in this bill.

Lastly, section 6 sets the effective date as July 1, 2019. This concludes my remarks for the Committee, and I would ask the Treasurer to answer any questions as they come about by the Committee. Thank you, and I look forward to receiving your questions.

Assemblyman Leavitt:

I do not want my questions to seem as though I am not supporting this because I am in support of it, but when I was looking at the bill, I just wanted to make sure that there was some clarification. In section 5, it specifically talks about the gift clause. This may be a question for Treasurer Conine. As loan rates are set at a certain loan rate that is not potentially market rate, is there an issue where that could be seen as a gift to these potential

lendeeds? If there is money loaned through this Account and it is loaned at a reduced rate of interest, could that be seen as a gift? Is there a way that we are not working against the *Nevada Constitution* and the gift clause in that area?

Zach Conine, State Treasurer:

Thank you for the question. It is an exceptional one that I do not have an answer to, so let me get back to you on that one. It is a great question.

Assemblyman Leavitt:

My other question is when we are talking about the quality of food or the area in which the grocery stores are going to be located, is there some method or structure to ensure that they are not selling junk food out of these grocery stores? You spoke about trying to get good, wholesome food to some areas that perhaps do not have access to it. Is there anything put in place to ensure that is the case? Along with that, sometimes non-junk food items are marked up and a little more expensive. Is there something put in place to where it levels that off a little bit so the intent of the bill is really fulfilled?

Assemblyman McCurdy:

You spoke about, will there be a fresh food requirement? In the bill we have defined what some of the criteria will be in order to actually qualify for this type of loan. The sole purpose of this is to offer healthier options for communities that are essentially food deserts that are in those low-income census tracts. Let us look at the amendment ([Exhibit N](#)). If an operator wishes to operate a grocery store which is located in or will be located in an underserved community, with the amendment it says, "low-income area, or adjacent qualified census tract in this state." There has to be an adequate assurance that the loan will be repaid, number one, and that the loan satisfy the criteria established by the State Treasurer pursuant to section 3, subsection 2. When we go back to subsection 2, it then outlines what it is that we would like to do.

There was also a change with an amendment from "grocery store" to "fresh food retailer," which is going to address what you are looking for to ensure that we are not offering loans to folks who are trying to skirt the system or just get some additional funds for something they would like to do. I can definitely tell you that this will go for individuals and operators who would like to come into an area such as the ones identified in the bill to serve low-income folks and underserved communities for fresh food opportunities that are currently not available.

Assemblyman Leavitt:

Just one suggestion: Put healthy food options in the definition so that it is defined as to what that is.

Zach Conine:

Assemblyman Leavitt, to your point, we want to make sure that the focus is on fresh food, but we also know that these institutions like this are trying to bend the market curve. We are trying to make it a little bit easier to open a grocery store in an underserved area.

To that end, we need those grocery stores to be self-sufficient post our involvement. We do not want to have to keep subsidizing their existence. Think about this more like a way to get a store that has those items there, as opposed to a store that only has healthy items. Sometimes the margin on the unhealthy items is what keeps them in business to sell the healthy items. We want to make sure that we have a market-based solution.

Acting Chair Carrillo:

Legal has an answer to the first question that Assemblyman Leavitt had.

Asher Killian, Committee Counsel:

To address the gift clause question, Article 8, Section 9, of the *Nevada Constitution* contains a provision that is commonly known as a gift clause that prohibits the state from donating or loaning its money to a for-profit business. Prior Supreme Court precedent here in Nevada has held that it is not a gift of the state's money in violation of the gift clause if the state receives some valuable benefit or fair compensation in exchange for its money. Prior Supreme Court precedent has held that economic development is generally a fair benefit for the state to receive in exchange for its money. So to the extent that under this program, the state would be donating or loaning money to these businesses for the purposes of economic development, it would not violate the *Constitution's* gift clause.

Assemblyman McCurdy:

To follow up on your last question, on the third page of the amended document that you were provided ([Exhibit N](#)), in section 3, subsection 9, paragraph (b) it is actually defined what a "Fresh Food Retailer" means. That means a "for-profit or nonprofit retail establishment that primarily sells meat, seafood, fruits, vegetables, dairy products, dry groceries, household products, and derives a substantial amount of its gross revenue from such, including but not limited to Farmers Markets" as defined in *Nevada Revised Statutes* (NRS) 244.336. A grocery store is also defined in NRS 244.336.

Assemblywoman Munk:

This is a great bill—something that is definitely needed. My question may be for State Treasurer Conine. I see that, of course, you will be establishing procedures for loans and who can get the loan and applications and that type of thing. Also, I would assume that you would be establishing procedures in case the loan defaults. Unfortunately, that could happen and you may have to foreclose on that particular loan.

Zach Conine:

Yes, absolutely. We prepare for both good and bad times.

Assemblywoman Duran:

We have a lot of low-income areas. I know in the rural areas there are some difficulties for that. We see the smaller communities that have to travel distances to get to a store. I see there are a lot of little food markets there, but they do not have a lot of the fresh foods.

Are they going to be a priority to get those areas to get a loan for a grocery store or establishment, or is there going to be a program to reach out to establish something in the middle of those areas?

Assemblyman McCurdy:

If I may, I would like to direct the Committee's attention to the screen on your left, or in front of you. Those purple areas ([Exhibit O](#)) are actually areas that are in food deserts and are low-income census tracts. As you can see, we have an issue within our state as to the accessibility to fresh food. To answer your question, this is the priority. This bill is designed to fill this need. As you know, we just had Hunger Relief Day the other day, and it is completely astonishing how many folks have come together to fill this void of hungry families that we have within our state. Whatever we can do as a state to ensure that we provide fresh options for everyone within our state—healthy eating should not be exclusive to those who have the means to do so. This would essentially be a carrot to attract some of those folks into some of these areas that you see on the screen. Again, I think this is a really good bill and it is going to help a lot of people around our state.

[Assemblywoman Bilbray-Axelrod assumed the Chair.]

Assemblyman Hafen:

I appreciate the map because that dovetails into my question that I had. I notice that we are referencing the Food Access Research Atlas. I was able to quickly Google the food deserts to determine the definition of an underserved area. I wanted to get that on the record. If you could confirm that the distances are still the same: in an urban area it would be one mile, and in a rural area it would be ten miles under the proposed language.

Assemblyman McCurdy:

If I could direct your attention to section 3, subsection 9, paragraph (c), "underserved community" is defined as "a census tract determined to be an area with low supermarket access by either the United States Department of Agriculture as identified in the Food Access Research Atlas or through a methodology that has been adopted for use by another governmental or philanthropic healthy food initiative."

Assemblyman Hafen:

I appreciate that, and I also wanted to put on the record that I live more than ten miles away from the grocery stores, so I appreciate this.

Assemblyman McCurdy:

I am still open for cosponsors. This is a bill that we are looking to bring forward to offer a little support, as much as we can as a state, to those who are in need.

Acting Chair Bilbray-Axelrod:

For clarification, this map is on the Nevada Electronic Legislative Information System. If you go to Exhibits, there is a Fresh Food Financing Initiative from Assemblyman McCurdy ([Exhibit O](#)). If you click on to it, the very first thing, there is a link that says statewide map, so you can see this.

Assemblyman Ellison:

Is this going for a structure loan? Is this loan going to be strictly for food, and is there a cap on it? America has been great about free enterprise in the mom-and-pop stores. If you look at every building in the state of Nevada with a history, you will see all the little mom-and-pop stores that used to pop up everywhere. I am just trying to get into this. I understand what you are trying to do, but is this for infrastructure or just for product, or how are you going to do this? Ten million dollars can be sucked up pretty quickly.

Assemblyman McCurdy:

It is a good question, and it is also addressed in the bill. It is going to be a revolving account that must be paid back. In addition to that, it is going to be for new and/or existing structures. You mentioned the mom-and-pops supermarkets that may exist. This would offer them the opportunity—if they meet the criteria and show that they can repay the loan and are good operators—to expand if they so choose to offer more products, fresh products, healthy products to their communities.

Assemblyman Ellison:

You have the small round circles down at the bottom in southern Nevada ([Exhibit O](#)), then you have some up by Carson City—then you have the purple. Can you tell me what the difference is between the colors there?

Assemblyman McCurdy:

That is a screenshot because we were not able to have it live and interactive, but you can play on the site and you could see what it looks like, what low-income tracts we have. You can also see what low-income access is also on that site. I would implore you to explore the site a little bit. You will be very surprised to see how many number one food deserts we have. The SNAP [Supplemental Nutrition Assistance Program] retailers are the little yellow dots.

Assemblyman Ellison:

In northern Nevada, that is up where the Indian reservation is, and that would probably be a good place if they did look at something like this. They usually have only one store in that area.

Assemblyman McCurdy:

If this is passed, this is going to be monumental, and it is going to provide a lot of good. I would definitely encourage you to go back to your constituents and tell them about all the good work that is happening and, also, let them know this is coming and apply with the Office of the State Treasurer and hopefully, if they meet the requirements, they can participate. Take it back and let us run with it. Let us get some fresh food.

[Assemblyman Carrillo reassumed the Chair.]

Acting Chair Carrillo: I believe the Treasurer has a comment that he would also like to make.

Zach Conine:

I was going to speak to Assemblyman Ellison's question on structured finance. Yes, yes, and yes. New buildings, existing build, to Assemblyman McCurdy's point, the expansion of existing opportunities to add more fresh food, stabilization of those economies, operating costs, et cetera. Programs that have been successful in this universe have a wide variety of uses for that capital so that they can meet the needs of the market.

Acting Chair Carrillo:

Are there any other questions from the Committee? [There were none.]

Assemblyman McCurdy:

I would also like to add to Assemblyman Ellison's question, there will also be an opportunity to have matching funds with this. This is just seed money that will be able to get us started, but there are other funds that are out there. I was doing a bit of research on the federal 2019 Farm Bill that was passed. Who knows, this may take us really far.

Acting Chair Carrillo:

Are there any Committee members who have any other questions? [There was no one.] We will go to those who are in support of Assembly Bill 326. We will start with those in Carson City.

Shane Piccinini, representing Food Bank of Northern Nevada:

Access to healthy food retailers such as grocery stores, food co-ops, and farmers' markets are critical components for healthy, thriving communities. As concerns have grown over the worsening obesity epidemic, access to healthy and affordable food has moved to the forefront of most of our community concerns. A shared recognition that the role that healthy food access plays in promoting stronger local economies, vibrant neighborhoods, and healthy people is what brings the Food Bank forward in support of this initiative.

In 2018, the Food Bank of Northern Nevada delivered 15 million meals through our 145 partner agencies all across northern Nevada. This is a very small percentage of food that is needed in the communities we serve. As you may know, the SNAP program is the most effective federal nutrition program available to almost all households with low incomes to gain access to healthy foods. We believe A.B. 326 will provide SNAP recipients in Nevada's food deserts an opportunity to gain access to fresh food. Research shows that SNAP reduces poverty, food insecurity, and that over the long term these impacts have led to healthier communities and stronger economic outcomes, especially those who receive SNAP as children. Assembly Bill 326 is not just about fresh foods, however, it is also about economic

opportunities in underserved communities. Moody's Analytics estimates that for every \$1 in SNAP investment made in a community, the economic reinvestment is about \$1.70. These dollars are especially crucial for our smaller and rural areas.

In closing, the Food Bank of Northern Nevada believes everyone should have equal access to healthy food options, and we thank Assemblyman McCurdy for the work he has done to bring A.B. 326 forward.

Jessica Wise, representing Human Services Network:

I have nothing further to add, but I just wanted to go on record saying that we support Assembly Bill 326.

Michael Dyer, Director, Nevada Catholic Conference:

The Catholic bishops in Nevada do support this. I am going to say a few more words, but very few. What the Catholic bishops look at in the Legislature are issues that deal with human dignity, social justice issues, among other issues, but those are the focus. I was privileged to be behind the scenes a little on this bill and watch all the work and the input and the numerous people who were together with Assemblyman McCurdy when he put this bill together. The aspects of this bill go far beyond something put together quickly. It is an absolute privilege to be able to see all the work that went into this bill and all the different communities that came together to do it. I just wanted to put that on the record.

Ashley Jonkey, representing City of North Las Vegas:

I am with the Porter Group representing the City of North Las Vegas. I want to thank the bill's sponsor, Assemblyman McCurdy, for this great bill that we are fully supportive of. It will help alleviate food deserts, attract grocery stores to underserved urban and rural communities, create jobs, and provide fresh food and other options for our citizens. Assemblyman McCurdy, thank you again for your commitment, and thank you to all of the bill's sponsors, especially to those in North Las Vegas.

David Boire, representing Children's Advocacy Alliance:

Children's Advocacy Alliance supports A.B. 326. Due to Nevada's sprawling countryside and heavily populated urban areas, the state has widespread issues with individuals in these areas being able to obtain nutritious fresh food. Exacerbating this issue is that many of these people comprise the populations that are economically challenged while also being vulnerable—populations composed of the elderly, disabled, children, and disproportionately affecting minority communities. Many of these individuals are unable to attain healthy, nutritious, fresh food because they do not have the means to travel to a store to be able to purchase healthier food options. Subsequently, many rely on fast-food restaurants and convenience-type stores for their daily sustenance. You can go to any 7-Eleven or other convenience store in downtown Reno in the evening, and you can see this. As a matter of fact, parents bring their children there, grocery shopping for their nightly groceries. Assembly Bill 326 would dedicate necessary funding for local businesses whose specific mission is providing a healthy food alternative by supplying minimal interest loans with the account created by this bill while concurrently offering economic stimulation, providing a

new source of local employment. This bill would help reduce the precipitous rise of obesity and the diabetes epidemic while providing viable options in protecting the future of our most vulnerable Nevadans. I would like to thank Assemblyman McCurdy for all of his hard work and the great group of people whom he brought together for this bill.

David Cherry, Government Affairs Manager, City of Henderson:

As was stated in the bill presentation, we recognize that the lack of access to grocery stores can lead to residents relying on fast food or corner markets that offer few fresh food options. This type of diet can contribute to chronic diseases such as diabetes and hypertension and even has links to low student performance. The City of Henderson has made access to healthy food part of our Henderson Strong comprehensive plan, and we are actively working to eliminate a food desert that exists in our Pittman neighborhood, one of the community's oldest neighborhoods. We are in strong support of A.B. 326, and we thank the sponsor for bringing this bill and his amendment as well. One key aspect of this discussion is ensuring that there is flexibility in recognizing there are many innovative options that exist outside traditional brick-and-mortar grocery stores that we would want to see potentially eligible for participation in this bill's loan program so as to increase options for our communities to meet the critical need to ensure families have access to fresh fruits, vegetables, and other types of healthy foods.

Shani J. Coleman, Deputy Director, Office of Administrative Services, City of Las Vegas:

We want to thank Assemblyman McCurdy for bringing this bill forward. The City of Las Vegas has a number of older communities, and those communities have food deserts in them, so we fully support this bill.

Donald Gallimore, Private Citizen, Reno, Nevada:

I do a lot of traveling. I own a fitness and nutrition business. This is something that I thank Assemblyman McCurdy for bringing up. We are steadfast in trying to make sure that people have nutritious food. This is extremely important as the gentleman before me said about our children's nutrition, too. I understand that this is a loan, and this should be paid back like the Troubled Asset Relief Program (TARP) was paid back, even though I hated it so much. But for the most part, it was something we were able to do, and most all the companies were able to pay back TARP. This is a gift—but it is not a gift—in terms of what Assemblyman Ellison mentioned that the profit margin in businesses is what keeps them going. Well, in this situation, the economic benefits for the community are substitutes for profits. That is the way you would have to measure something like this from what I understand. The opportunities are boundless. I know that downtown Reno is a food desert by itself. There is a need, and we are growing and expanding quite a bit. There is a need in the middle of the city to have a supermarket. I know of two operators who can, I think, potentially benefit and who are eager. I am surprised they are not here to hear about this potential program and participate. Thank you very much, and I appreciate your time.

Acting Chair Carrillo:

We are going to go down south to hear from people in support of Assembly Bill 326.

Athar Haseebullah, Senior Government Affairs and Legal Administrator, Regional Transportation Commission of Southern Nevada:

For those who do not know, Southern Nevada Strong is a collaborative regional effort working to build a foundation for long-term economic success and community livelihood. Among other priorities we have identified over the course of time, along with our stakeholders who include elected officials, local governments, business partners and community agencies, we provide research and assistance in identifying areas of need for our community. Southern Nevada Strong was our region's first federally recognized regional plan. Among the other areas of priorities we have identified, food insecurity remains high on that list.

I wanted to provide one clarification point from the presentation. The map that was shown on the screen, I believe in Carson City, which had yellow dots, they are actually orange dots, and those indicate not an exclusive and exhaustive list of SNAP retailers, but the larger grocery stores that provide fresh foods within those areas. It is part of our role and responsibility of Southern Nevada Strong to convene different stakeholders around areas of interest, food insecurity being high on that list. With those issues in mind, we want to thank the bill sponsors and Assemblyman McCurdy for bringing forth A.B. 326. We offer our full support on behalf of this measure.

Corrie Bosket, Private Citizen, Las Vegas, Nevada:

I am the chair of the Urban Agriculture and Food Sustainability Forum. This was a collaboration that was done between Southern Nevada Strong, the Southern Nevada Regional Planning Coalition, the Southern Nevada Strong regional plan, and University of Nevada Cooperative Extension. Assembly Bill 326 and its amendments, with the farmers' markets and the extra innovations, will open access to a lot of funding, especially in the new provisions within the farm bill, in section 7212, but it is Urban, Indoor, and Other Emergent Agriculture Production Research, Education, and Extension Initiative. What that does is, it opens farmers' markets to be subsidized in ways that Nevada has not used the U.S. Department of Agriculture's farm bill before. With all of our plans with providing fresh food, hydroponics, things of that nature, these were not in the farm bill previously. For the first time in farm bill history, we have a hydroponic section which will provide local produce which will help with our resource management which also opens up other provisions in the farm bill, including conservation provisions, water, and energy conservation. This also opens other provisions within commerce and workforce development which will allow for training in the STEM [science, technology, engineering, and math] fields. This potentially would open additional funding federally of about \$200 million per year, and in the farm bill this would open funding federally for everybody of about \$10 million per year beginning with this fiscal year as well. I just wanted to state that and say that I am in support. All the people involved in our urban foods sustainability forum are in support of A.B. 326.

Amber Bosket, Member, Governor's Council on Food Security:

I serve on the Governor's Council on Food Security. I am here to testify in favor of A.B. 326 to establish a program to provide loans to certain operators of grocery stores in underserved communities. According to a study published by the Centers for Disease Control (CDC) in

November 2017, only one in ten adults in the United States get enough fruits and vegetables. People living in poverty are among those who get the fewest fruits and vegetables in their daily diet. In Nevada, nearly 40 percent of adults and 45 percent of adolescents consume less than one fruit per day. If I do the math, I think that means they consume zero. For vegetables, nearly a quarter of Nevada adults and over 40 percent of adolescents do not consume vegetables on a daily basis. These numbers, as shocking as they are, do not reflect the true lack of consumption of fruits and vegetables for those in poverty and in underserved communities. This is according to statistics from the CDC. I have personally experienced the true nature of nutrition, food access, and perception of fruits and vegetables in one of the most underserved communities in our valley.

I was the project director of the Zion Garden Park agricultural assistance program, a grant-funded opportunity in 2017 that enabled us to build a garden with 64 raised garden beds on a plot of land that was vacant for 50 years prior to the building of the garden. This garden is located in one of the food deserts in our valley that has suffered from the highest food insecurity rates in our state and beyond, with one in four residents in nearby neighborhoods food insecure. Food insecurity refers to someone who does not know when or where they will get their next meal. As part of our grant program, we offered educational workshops to teach community members about urban gardening and nutrition. During one of our workshops, we heard a story about an elementary school student in the community who saw carrots being pulled from a garden, but he did not know what they were because he had never seen one before. The need for more grocery stores in underserved areas is real and there is significant data that shows residents in these areas suffer from increased rates of chronic disease, including diabetes and heart disease. The CDC has a 68-page guide of ten strategies to increase the consumption of fruits and vegetables, one of which is to improve access to retail stores and markets that sell high-quality fruits and vegetables. Assembly Bill 326 directly solves this problem, and I am definitely in support of its passage.

Benjamin Schmauss, Government Relations Director, Nevada, American Heart Association:

We are in support of A.B. 326. We recognize that when we make the healthy choice the easy choice, that choice is made more often. We have a lot of children and adults in these underserved areas who are utilizing convenience food stores and junk food stores for their main source of food. We call those "food swamps." We have food deserts where there is no food, and then you have a food swamp where there is food, but almost all the food is food with minimal nutritional value.

We also see that oftentimes in these areas the infrastructure around there is quite dangerous to traverse on foot. Parents are making decisions to get food that is the closest to them, that is the lowest cost, that is the safest for their families. That oftentimes is going to that food swamp-type of place, and so the American Heart Association very much appreciates Assemblyman McCurdy bringing forth this bill and also the legislators for having this hearing.

Ashanti Lewis, Advocacy Manager, Three Square, Las Vegas, Nevada:

We are in support of A.B. 326 and are looking forward upon passage to continue working alongside Assemblyman McCurdy and the State Treasurer's Office to create sustainable retail options beyond the traditional grocery store model in high-need, low-access areas. Some examples of these sustainable options include permanent farmers' markets, co-ops, and indoor agriculture. In addition, through our network of agency partners, Three Square is willing and able to assist in outreach efforts, leading to increased access to healthy, affordable foods. Lastly, Three Square participated in the 18-month Invest Health program where Henderson, Nevada, was selected as one of 50 cities across the country to achieve better health outcomes for residents, one being increasing healthy food access in the Pittman neighborhood. The Invest Health program studied healthy food access projects financed in other states, and we will work to ensure these projects come to fruition in the state of Nevada.

Brian Maddox, Chief Production Officer, Clearinghouse CDFI:

Clearinghouse CDFI [Community Development Financial Institution] is standing in support of A.B. 326. We look to potentially partner with the state in implementing this program because we have seen in our 22 years of lending history that public-private partnerships are really effective. From our experience, it helps increase the likelihood of success for lending programs like this. One example, the Clearinghouse has been successful in working with the State of Nevada in the state New Markets Tax Credits bill a number of years ago. Clearinghouse received an \$8 million allocation from the state, which we were able to deploy within the state and actually leverage that \$8 million in tax credits with another probably \$84 million from outside federal credits and other types of private institutional investments. Clearinghouse to date, in the healthy foods arena, has been able to lend in its core lending over \$16.8 million for businesses that deal with healthy foods components within their operations. Under the New Markets Tax Credits program, which we are a recipient of, we have been able to deploy over \$117 million in financing for grocery stores throughout the western part of the United States.

Clearinghouse also has experience working in California with California FreshWorks. We are part of the lenders network there, and we have been able to get a lot of opportunities in the fresh food arena and production of grocery stores, one in particular in the city of Oakland in which we were able to build a 15,000-square-foot grocery facility in an area of town in Oakland that had not had a grocery store since the early 1970s. So Clearinghouse certainly knows how to get loan funds to the communities that are in need, and we certainly would love to partner with the State of Nevada in getting this Assembly bill approved and then also getting those funds utilized in the right communities.

Acting Chair Carrillo:

I am not sure how many more people there are in support, but we are running tight on time. If you can say "ditto," or if you could keep your comments under two minutes, we would really appreciate it.

Jodi Tyson, Member, Governor's Council on Food Security:

I believe I am the last one to testify.

I am a member of the Governor's Council on Food Security, and I just wanted to state for the record that as a member of the Council on Food Security, I support this measure and appreciate Assemblyman McCurdy and Treasurer Conine's efforts. The Governor's Council on Food Security has spent the last five years trying to increase participation in federal nutrition programs, including SNAP. This would be a good example of, "if you build it, they will come."

Acting Chair Carrillo:

We will now go to opposition, north and south. Is there anybody who would like to testify in opposition to Assembly Bill 326? [There was no one.] Is there anyone in the neutral position? [There was no one.] I believe Assemblywoman Gorelow has a comment.

Assemblywoman Gorelow:

I just wanted to see if you would be willing to amend me onto this bill?

Assemblyman McCurdy:

Definitely.

Acting Chair Carrillo:

I also ditto that.

Assemblyman McCurdy:

Definitely.

Acting Chair Carrillo:

We will make sure our policy analyst takes care of that and gets the individuals who want to be added to the bill. Assemblymen Assefa, Carrillo, Gorelow, Leavitt, Martinez, Munk, and Smith. Would you like to make closing remarks, Assemblyman McCurdy?

Assemblyman McCurdy:

I am elated and profoundly grateful for everyone who had an opportunity to participate in this process. As you all know, good things happen when we all come together. We talk about some of our concerns; some of the things we like, and that is really what has happened with this bill. I will not go into names, but I really want to thank the Treasurer, Zach Conine, for offering his services and his staff, especially Erik Jimenez and Miles Dickson, as well as everyone else for their participation. I am so, so thankful for all of you. We are going to do a lot of good. This is not the silver bullet, but this is a major step forward in a direction that is going to alleviate and provide fresh options for a lot of our constituents across the state. Mr. Treasurer, if you would like to add a few words.

Zach Conine:

I wanted to say thank you so much. Thank you to the new sponsors. Assemblyman Hafen, come join us. Have a great day.

[([Exhibit P](#)) was submitted but not discussed.]

Acting Chair Carrillo:

I will close the hearing on A.B. 326 and will turn it back over to the Vice Chair.

[Assemblyman McCurdy reassumed the Chair.]

Vice Chair McCurdy:

That concludes our bills for today. Is there anyone who wishes to testify in public comment today? [There was no one.] We are adjourned [at 10:54 a.m.].

RESPECTFULLY SUBMITTED:

Mark Peckham
Recording Secretary

Connie Jo Smith
Transcribing Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a Work Session Document dated March 29, 2019, regarding [Assembly Bill 21](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is a Work Session Document dated March 29, 2019, regarding [Assembly Bill 71](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is a Work Session Document dated March 29, 2019, regarding [Assembly Bill 143](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is a Work Session Document dated March 29, 2019, regarding [Assembly Bill 245](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is a Work Session Document dated March 29, 2019, regarding [Assembly Bill 381](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is written testimony submitted and presented by Assemblywoman Lisa Krasner, Assembly District No. 26, dated March 29, 2019, regarding [Assembly Bill 257](#).

[Exhibit I](#) is written testimony titled "Nevada Holocaust Museum: The Case for a Comprehensive Feasibility Study," authored by Peter D. Barton, Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs, dated March 25, 2019, regarding [Assembly Bill 257](#).

[Exhibit J](#) is a proposed amendment to [Assembly Bill 257](#), presented by Assemblywoman Lisa Krasner, Assembly District No. 26.

[Exhibit K](#) is a letter to Chair Flores and members of the Assembly Committee on Government Affairs, submitted by Rabbis ElizaBeth Beyer, Mark Fasman, and Sara Zober, in support of [Assembly Bill 257](#).

[Exhibit L](#) is various emails Chair Flores and members of the Assembly Committee on Government Affairs, in support of [Assembly Bill 257](#).

[Exhibit M](#) is a document submitted by Assemblyman William McCurdy II, dated March 29, 2019, concerning the Fresh Food Financing Initiative, regarding Assembly Bill 326.

[Exhibit N](#) is a proposed amendment presented by Assemblyman William McCurdy II, Assembly District No. 6, and State Treasurer Zach Conine, regarding Assembly Bill 326.

[Exhibit O](#) is a document with a link to a map titled "Fresh Food Financing Initiative," submitted by Assemblyman William McCurdy II, Assembly District No. 6, regarding Assembly Bill 326.

[Exhibit P](#) is a letter written and submitted by Aurora Buffington, Southern Nevada Food Council Convener, dated March 28, 2019, in support of Assembly Bill 326.