

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

**Eightieth Session
April 8, 2019**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:04 a.m. on Monday, April 8, 2019, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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
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:

Assemblywoman Bea Duran (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Sarah Peters, Assembly District No. 24



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Asher Killian, Committee Counsel
Kirsten Oleson, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Brian L. Mitchell, Director, Office of Science, Innovation and Technology, Office of the Governor

Chair Flores:

[Committee rules and procedures were explained.] We will begin with the hearing of Assembly Bill 426.

Assembly Bill 426: Creates the Committee on Systems Integration within the Office of Science, Innovation and Technology. (BDR 18-1121)

Assemblywoman Peters, Assembly District No. 24:

I am here today to present Assembly Bill 426. I am excited about this bill. Throughout the session I have been talking about the importance of data collection and management. I have worked within our different regulatory systems throughout the state and have seen some of the unintended consequences of having a system of technology that is not driven in a centralized way. I think there are some efficiencies that can be made in making changes to the way that we address technologies and adopt technology in the state. It is important to consider the state of technology—where it is at, how we are using it, how we can use it, the growth and operation of technology, and the importance of having an understanding of how that utility can bring us forward as a state. Technology is one of the largest and fastest-growing industries. As things change, they change quicker. They change aggressively and for the betterment of humanity—which is amazing. We should be adopting it as quickly, efficiently, and as protectively as possible. Some of the fastest-growing industries that we have seen in our state are energy production, transmission, distribution, transportation, public safety, emergency response, and communication in information technologies—including data collection, management, and integration.

This bill proposes to create a committee of system integration. In preparing for this hearing, I had the opportunity to meet with the Office of Science, Innovation and Technology and also with the Division of Enterprise Information Technology Services under the Department of Administration. I had to ask legal if we could potentially move this committee to a different office because the Office of Science, Innovation and Technology is a workforce development office—this committee does not fit in well there. I am in the middle of preparing a conceptual amendment to move this office, and I have gotten approval from legal that the change can occur. Given the way the bill draft request (BDR) was requested, it was not

specifically mentioned to place this office under the Office of Science, Innovation and Technology. I do have the approval that the amendment can go through.

When I started to think about what kind of committee we could put together, I started thinking of the problem within our state and the way we use technology. Our state resources are often managed in silos. These silos lead to inefficiencies and unnecessary duplications that cost the state. It is important for the state to ensure that we are keeping up with technology and, as technology advances—which we have seen happens very quickly—our agencies and systems remain relevant. The solution is complex, but it includes the state working towards goals of integrating and utilizing efficiencies of technologies within the state.

The state of Nevada's information technology strategic plan for state fiscal year 2021, developed under the Division of Enterprise Information Technology Services (EITS), includes a road map to unity. The goal is to unify our state agencies through modernization of our technologies. The first step is to develop a framework that allows our state agencies to work together in a less siloed way. Enterprise Information Technology Service's mission is to provide information technology services in support to agencies located in Nevada so that they can provide public services to Nevada's citizens and visitors. The initial idea for A.B. 426 was to develop a committee of systems integration comprised of state agency representatives from some of the most obvious agencies that utilize technology as well as members of the public who have expertise in specific tech areas. I am proposing to expand that through the amendment that I have been working on. After meeting with EITS about their 2021 goals, it became obvious that we are imagining very similar things.

I am proposing various revisions to this bill. I will walk through the bill and let you know where I am proposing some revisions. I apologize for not having this, but it was not until late last week that I got to meet with some of these offices and really dive into working on this. In section 1, we will be changing the *Nevada Revised Statutes* (NRS) chapter to NRS Chapter 242 which is the Division of EITS. In section 2, I will be expanding and reconsidering ex officio members. One of the interesting pieces that I did not know before I met with EITS is that they already have an information technology (IT) advisory board which is made up of a very similar compilation of what we pulled out of here. There may be an opportunity to utilize an existing committee and not remake the wheel of committees, but to give that committee a different direction and directive. In section 2, subsection 1(b) the following members I want to include are the general public who are not involved in contracts or business with the state. I think this is very important to bring private industry or general public representatives into this committee so that we do not have bias to any particular technology or any particular utility of technology. It is important that as we develop this committee, it is as strategically unbiased as possible so that we can really be looking at how to create greater efficiencies in the way that we use technology. I am also considering under subsection 3, which is the appointment of members, that we allow appointments by nomination. We would have a nominating process so that stakeholders in the industry can nominate people who have unbiased attachments in those industries to be in the pool for appointment to this committee. I think, again, it is really important that we create

a strategically unbiased private sector membership in this committee. As we move on in the bill, the rest of it may change based on where we move the committee.

I want to make a comment here before we move on to section 3 about the intent of this committee. Again, the intent of this is the most important part of the potential amendment for this. The intent of this committee is to assist other state agencies in increasing technological efficiencies and protections across the state with regard to resources, infrastructure, and IT management strategies. The strategies behind this will take coordination among state parties and may result in some reorganization related to appropriate personnel and communication lines; however, as this committee assesses and comments on plans across the state—which is included in section 3—we will need to prioritize which plans will be addressed first because we have a lot going on in the state, and different areas require different technology. We need to strategically address those areas, as appropriate. The technology will be directed to develop recommendations on how to develop these streamlined efforts and report these to the Legislative Commission and the Office of the Governor. Those recommendations will be what drives the reorganization of personnel and communication lines—that is what I am imagining. There are a couple of other bills that are up for hearings: Assembly Bill 33—which comes out of the EITS and relates to the enhancement of the EITS Division and their recently released road map to unity; and Assembly Bill 279 creates the office of project management within EITS. I feel as though these bills are all very connected and interwoven in their direction of unity for the state and addressing some of the deficiencies and inefficiencies within the processes of utility of technologies and information sharing. With that, I am finished with my commentary on this and I will take questions—which I hope you have a number of because this is a really interesting area. I think this is something that the state really needs to be paying attention to.

Assemblywoman Bilbray-Axelrod:

I was curious if departments within the state of Nevada typically have IT directors. If so, should those folks have a seat at the table to, at least in the beginning, talk about best practices and ability to share that information?

Assemblywoman Peters:

My understanding is that EITS is already directed to coordinate with those different IT specialists and the state agencies, as appropriate. I think that is a really important part of this process. One of the things that we do not have a comprehensive view on is what technologies each of our agencies use. I think there are places where we see duplication of license agreements using the same technology. We see incidents of using different technology from different contractors to do the same thing. We also see the development of data management software that does not really meet the needs of our state because it is broadened by a subcontractor or contractor who has a boilerplate that they sell to a lot of different states or entities. I think it is very important to get a handle on what it is that we need as a state and where we can leverage similar resources and bring those resources into more centralized areas so that we can streamline efficiencies.

Assemblywoman Bilbray-Axelrod:

One of the things we want to do is to save the state money. Some of these software purchases, if you are using them in several different departments, could possibly be streamlined. We could pay a lump sum which would probably cost less than individuals purchasing the technology. The idea is that we find out exactly what is needed and then we can streamline that and get the best price for the state of Nevada.

Assemblywoman Peters:

Exactly. We do not have the numbers, but one of the things that I talked with EITS about doing is directing the committee to do an assessment of where we spend our dollars on technology so that we can build it into the narrative of why it is so important to streamline. Again, we do not have that information in a centralized location right now, but I think that it is a very important part of this process.

Assemblyman Assefa:

A few weeks ago in this Committee we had a briefing from folks in EITS. From their description, a lot of the stuff that they do is similar to what you are describing. With your conversation with EITS, and we currently have the Information Technology Advisory Board (ITAB) advising EITS, I am trying to see what this bill does that they do not do already. You are talking about efficiency and streamlining processes, but that is what they told us that they do. I am trying to figure out what this board will do that they do not do already.

Assemblywoman Peters:

Enterprise Information Technology Services brought forward Assembly Bill 33, which has some changes to ITAB that are very much along the same lines of what this bill is proposing. However, this bill proposes a step further in assessing plans across the state. If you take a look at section 3, this directive for this specific committee—which could be wrapped into future ITAB work—includes the development for a plan of coordinating, integrating, and optimizing plans for systems in the state. It also says, to the extent allowed by law, the committee shall coordinate the plan developed pursuant with any federal and private entities involved in planning for the system described in the paragraph. The Information Technology Advisory Board does not currently have the directive to work with private entities. I think that is very important as we move forward with broadband expansion, renewable energy expansion, and the electrification of our transportation industry. I think that we have to have the directive of working with private entities, and it is best practice to bring in folks who are advancing private industry and ensuring that we are working with that technology as best we can and not siloed in a public sector interest area. I think it is also important, in subsection 2, that this committee may review, study, and comment upon any plans submitted by any office, department, division, board, bureau, or other agency. This includes if, for example, a regional transportation commission wants to expand their electric vehicle fleet, this committee can come on board and say we think it would create more efficiencies if we put in a charging station here or moved your electric vehicle station here to expand the electric vehicle infrastructure for this community or area. I think that is another really important directive that this bill gives that A.B. 33 does not.

Assemblyman Leavitt:

Some of my questions have been asked, but I am still a little bit lost as to what we are talking about. You said that we are doing this bill, but this bill should go to a different department; it could be under ITAB or maybe it could not; maybe we could give a different directive to ITAB to broaden their scope. Where are we at with this? I am lost. I get the intent of the bill and I am very supportive of the idea, but I would like a little clarification of what this bill does differently, or do we just need to go in a different direction with the directive we give to ITAB? Could we give a different direction to a currently existing office? This bill looks as if it has some cost associated with it. If we could save the money on creating a new committee by implementing an existing committee, is that more cost-effective to give them a different directive or broadening their directive so they could look at different technology options?

Assemblywoman Peters:

Yes, part of the reason why I do not have a fully developed amendment for you today is because this has been a work in progress. We are trying to figure out where to fit this. I do not know why this bill was initially placed under the Office of Science, Innovation and Technology. When I went to legal they also did not know why it was placed there. When I asked legal whether we could move it, they said yes, because the BDR had no explicit suggestion for which office to put this under so we could move it wherever. At that point and after talking to EITS and hearing about how EITS is already structured, it became apparent that there could be a potential to leverage these existing committees—including ITAB. Assembly Bill 33 already addresses the idea that ITAB needs to be redirected to do certain things. Because A.B. 33 is still a bill that has not gone through a work session, I think it is appropriate for us to continue to consider this bill. It is important that we keep moving forward with this so that in the event that A.B. 33 does not make it through the houses, we still have the directive that the committee—potentially ITAB—manages and does the work that is described specifically in section 3 of A.B. 426.

I considered developing a flowchart for the committee. I know that sometimes nonlinear brains do not see the same patterns as linear brains. I am one of those linear-brain people, so this path seems strategic in my brain, but I know that it does not show up that way for everyone. As an example, we have EITS, who manages IT across the state. Then we have their ITAB, which is directed to work with EITS on future project development or on IT management services—but those do not include private projects. Assembly Bill 33 still does not include private projects or working with private industry. Assembly Bill 426 includes leveraging public and private projects and their interests in ways that enhance the management of technology in the state. I hope that we lessen the financial burden of what A.B. 426 proposes by utilizing ITAB, but that is a work in progress with developing the amendment for this and working with the EITS.

Assemblyman Smith:

I am curious about adding one representative from the general public. Would you still be pushing for the one representative or all three of these general public representatives?

Assemblywoman Peters:

I would be pushing for four public representatives because I think that the different areas in private sector industry and in innovative science and technology are really important. It is very important to have someone with expertise in IT; someone with expertise in communications technologies; having someone with expertise in advanced transportation systems; and having someone with expertise in energy production, transmission, and distribution. I would like to see people who have a background in forensic information technology—in the direction of cybersecurity. I would like to see someone who has a background in blockchain technology and database development—which I think is covered, and so information technologies would be both of those. I think that having people who work every day in the advancing industries and technologies is really important to addressing where the state needs to be working so that we move forward with our adoption of technology.

Chair Flores:

Are there any additional questions? Seeing none, I would like to invite anyone wishing to speak in support of A.B. 426 to come up. Seeing no one, I would like to invite those wishing to speak in opposition. Seeing no one, is there anyone wishing to speak in the neutral position?

Brian L. Mitchell, Director, Office of Science, Innovation and Technology, Office of the Governor:

I had the pleasure of working with the bill sponsor to strategize where the best home for this committee should be. I think that we have settled on a good place for it. As written, the bill would have a fiscal impact on my office—the Office of Science, Innovation and Technology—but we believe that the appropriations contained within the bill would be sufficient to cover the costs associated with establishing and staffing this committee. Having said that, I think that Assemblywoman Peters is making some adjustments to the bill and it may no longer live in my office, but I just wanted to get that on the record.

Chair Flores:

Assemblywoman Peters, do you have any closing remarks?

Assemblywoman Peters:

I just want to drive home the importance of working towards a unified technology infrastructure for our state. There is the potential for technology to be really inefficient and it is up to us, as leaders in this state, to ensure that we are making the best decision for our state dollars, state public interest, and our state moving forward as technology advances. I appreciate your consideration of this bill, and I look forward to working with you in the next part of this week on amendments as they come out.

Chair Flores:

At this time I would like to close out the hearing on A.B. 426. We are going to hear Assembly Bill 425 on a later date.

Assembly Bill 425 Revises provisions governing fingerprinting services. (BDR 19-945)

[Assembly Bill 425 was agendized but not heard.]

Is there anyone wishing to speak in public comment? [There was no one.] This meeting is adjourned [at 9:35 a.m.].

RESPECTFULLY SUBMITTED:

Kirsten Oleson
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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