

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

**Eightieth Session
April 12, 2019**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 8:58 a.m. on Friday, April 12, 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
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:

None



STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

None

Chair Flores:

[Roll was taken and Committee rules and protocol were explained.] I appreciate everybody's patience this morning. On the agenda we have several items. On the original work session document, Assembly Bill 70 was not listed. It is a huge packet and I wanted to make sure everybody had an opportunity to review that separately. There is an amendment attached to it. We also have someone here from the Office of the Secretary of State who can answer any questions you may have or provide any clarifications you may need.

Assembly Bill 70: Revises provisions governing the Open Meeting Law. (BDR 19-421)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 70 revises provisions governing the Open Meeting Law ([Exhibit C](#)). It was sponsored by this Committee on behalf of the Attorney General and heard on March 6, 2019. Assembly Bill 70 makes various changes to the Open Meeting Law (OML) including, but not limited to, the following:

1. Provides that if a member of a public body attends a meeting of a public body by means of teleconference or videoconference, the chair of the public body must ensure that members of the public body and the public can hear or observe each member attending by teleconference or videoconference;
2. Authorizes, under certain circumstances, a member of the public who is the subject of an action item on an agenda of a public meeting to attend and participate in the meeting by teleconference or videoconference;
3. Clarifies that any action taken by a public body arising out of a private meeting with its attorney, the action must be taken in a meeting held in compliance with the OML;
4. Requires, under certain circumstances, a subcommittee or working group of a public body to comply with the provisions of the OML;
5. Requires a public body to have draft minutes of a meeting available for inspection within 30 working days after adjournment of the meeting until the public body approves the minutes; and

6. Requires the Attorney General to investigate and prosecute a violation of the OML if a complaint is filed not later than 120 days after the alleged violation, and gives the Attorney General discretion to investigate and prosecute a violation of the OML if a complaint is filed more than 120 days after the alleged violation.

Finally, the bill extends the time period a public body must retain audio recordings or transcripts of a meeting beyond the current one-year requirement to five years.

We have a number of amendments on this bill. The first amendment [pages 3 and 4, ([Exhibit C](#))] was submitted by the Office of the Attorney General and proposes the following in addition to the other amendments: In section 2, it proposes to change the initial sentence to "A public body may conduct a meeting by means of teleconference or videoconference" to clarify that the public body is not required to hold a meeting by teleconference or videoconference. It also clarifies in section 10 that only unknown complaints not reasonably discoverable by the complainant could be investigated beyond the 120-day limitation and would allow the Office of the Attorney General to investigate unknowable violations while also giving public bodies some certainty that actions taken in public could not be overturned beyond the current 120-day period.

The second amendment [pages 5-51, ([Exhibit C](#))] was presented during the hearing. I believe this amendment is about 50 pages, so I will refrain from reading all the provisions of that amendment.

We received a third amendment late yesterday afternoon ([Exhibit D](#)). There are copies for all Committee members, and it is on the Nevada Electronic Legislative Information System. There are also copies available for the public. This amendment proposes in section 6 to remove the language defining and clarifying facilities that are acceptable for a public meeting. It also makes some changes in sections 8 and 9 to remove the provisions to extend the deadline to bring suit against a public body for a violation.

Chair Flores:

Committee members, are there any questions before we entertain a motion to amend and do pass with the conceptual amendment that has just been read? [There were none.]

ASSEMBLYMAN McCURDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 70.

ASSEMBLYWOMAN DURAN SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYMAN HAFEN VOTED NO.)

Assemblyman Assefa will take the floor statement.

**Assembly Bill 161: Revises provisions governing common-interest communities.
(BDR 10-705)**

Jered McDonald, Committee Policy Analyst:

Assembly Bill 161 revises provisions governing common-interest communities ([Exhibit E](#)). This bill was sponsored by Assembly members Hansen and Leavitt. The bill restricts a unit-owners' association of a common-interest community from prohibiting a unit's owner from keeping at least one pet within his or her residence, subject to the association's reasonable rules relating to the ownership of pets in the common-interest community. If an association adopts a rule restricting the number of pets kept by a unit's owner, this bill requires the rule to apply prospectively, prohibiting the association from restricting a unit's owner from continuing to keep a pet that otherwise complied with the previous rules of the association.

We have the amendment that was previously reviewed in two other work sessions. This would clarify that common-interest communities which currently prohibit pet ownership do not have to abandon an existing restriction; clarify that a newly formed common-interest community would be allowed to restrict the ownership of pets; and add Senator Melanie Scheible as a cosponsor.

Chair Flores:

Do I have a motion?

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 161.

ASSEMBLYMAN LEAVITT SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYWOMAN DURAN VOTED NO.)

Assemblywoman Hansen will take the floor statement.

**Assembly Bill 198: Revises provisions governing the use and ownership of certain
governmental real property. (BDR 20-953)**

Jered McDonald, Committee Policy Analyst:

Assembly Bill 198 revises provisions governing the use and ownership of certain governmental real property ([Exhibit F](#)). This bill was sponsored by Assembly members Leavitt and Roberts and Senators Hardy and Hammond and heard in this Committee on March 19, 2019. The bill authorizes a governing body of a city or the State Land Registrar to convey certain real property at no cost and without satisfying certain requirements for the sale or lease of real property if a person has mistakenly occupied and maintained the property for 20 years or more. We had a conceptual amendment submitted by Assemblyman Leavitt

which is attached. I believe these provisions replace the ability to convey land and instead would require Nevada's Department of Transportation (NDOT) to give the owner of the private land adjacent to NDOT-owned property an opportunity to lease the property before any modifications are made to the land. The amendment would also clarify that if during the lease between NDOT and a private owner, the land is transferred to a municipality, that lease also transfers with all its rights and privileges to the municipality. It also clarifies that prior to development or redevelopment, the municipality that owns the land will offer a first right of refusal to the adjacent property owner to acquire the land at market value or less if the municipality determines it to be feasible. You can look at the conceptual amendment on page 2 ([Exhibit F](#)). There are a couple of other provisions that I did not mention that were included in the original bill hearing.

Chair Flores:

Do I have a motion?

ASSEMBLYMAN HAFEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 198.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Bilbray-Axelrod:

I am going to vote for this out of Committee, but I do have some concerns and I will talk to the bill sponsor, but I will be a yes.

Chair Flores:

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

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Hafen will take the floor statement.

Assembly Bill 210: Revises provisions related to veterans. (BDR 37-125)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 210 revises provisions related to veterans ([Exhibit G](#)). This was sponsored by Assemblyman Edwards. It was heard in this Committee on April 3, 2019. The bill requires the Director of the Department of Veterans Services to appoint a veterans resource coordinator for each institution within the Nevada System of Higher Education (NSHE) to provide certain assistance and information to veterans and members of the military who are students at the institution. The bill also requires the director to present information at every transition assistance program sponsored or organized by the Department that explains the benefits, services, entitlements, and opportunities available to veterans. Further, among other provisions, the measure requires each veterans service officer of the Department to develop

cooperative working relationships with each advocate for veterans assigned to the officer by the director and contact each such advocate on a quarterly basis.

We had a conceptual amendment submitted by the sponsor, which starts on page 2 ([Exhibit G](#)). This amendment would rename the "veterans resource coordinator" to the "veteran outreach coordinator" and provide the duties of the position; require each veteran outreach coordinator, in carrying out his or her duties, to provide notice to private postsecondary institutions, trade schools, and vocational schools within the community surrounding the NSHE institution of the briefings, career fairs, and other events and programs for veterans and members of the military that are being held at the NSHE institution. It also makes an appropriation of \$483,000 per fiscal year of the biennium for one full-time equivalent professional staff position for a salary of \$50,000 plus benefits of \$19,000 for a total of \$69,000 for the position of one veteran outreach coordinator at each of the seven NSHE institutions. It deletes sections 3 through 6 of the bill.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 210.

ASSEMBLYWOMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 210.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Edwards will take the floor statement.

Assembly Bill 249, we are going to roll for now. Next we have Assembly Bill 280. We will roll Assembly Bill 280 for now as well. Next we have Assembly Bill 335.

Assembly Bill 335: Revises provisions relating to real property. (BDR 10-287)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 335 revises provisions relating to real property ([Exhibit H](#)). This was sponsored by Assemblywoman Jauregui and heard in this Committee on April 2, 2019. The bill authorizes a unit-owners' association for a common-interest community or condominium hotel to impose a fee for opening or closing any file for each unit. The bill also specifies that certain periods for taking certain actions relating to a resale package must be measured in calendar days; establishes certain caps on fees that may be charged for certain services relating to the resale package; and provides that the resale package remains effective for 90 calendar days. Finally, the measure requires an association for a common-interest community to provide a copy of a statement of demand to all interested parties not later than ten calendar days after receipt of a written request to do so.

Assemblywoman Jauregui submitted a couple of amendments. The amendments clarify the use of the fee for opening or closing any file for each unit; clarify that the Commission [Commission for Common-Interest Communities and Condominium Hotels] cannot adopt regulations to establish the maximum fee and instead allow for an annual increase in the fee based on the consumer price index, not to exceed 3 percent annually; authorize an association to increase the fee for preparing a certificate, in certain circumstances, but the fee will be based on the Consumer Price Index and not exceed more than 3 percent annually; authorize an association to increase the fee for the statement of demand on an annual basis, based on the Consumer Price Index, and not to exceed more than 3 percent annually; delete fees proposed in subsection 4(c) of section 3 and subsection 13 of section 4; clarify that the effective date of the bill is January 1, 2020, for the purposes of setting fees and upon passage and approval for all other purposes; remove "all other persons known to the association who have a financial interest in the potential sale of the unit" from the definition of "interested parties"; and change from three calendar days to three business days the time to furnish a statement of demand. It adds Assemblyman Hafen as a cosponsor.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 335.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 335.

ASSEMBLYMAN HAFEN SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Jauregui will have the floor statement.

Assembly Bill 362: Revises provisions governing the confidentiality of the personal information of certain public employees. (BDR 20-763)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 362 revises provisions governing the confidentiality of the personal information of certain public employees ([Exhibit I](#)). The bill is sponsored by Assemblyman Fumo and was heard in this Committee on April 3, 2019. The bill adds to the list any social worker or other person employed by the state or a political subdivision who performs work under certain circumstances to request certain personal information contained in the records of a county assessor, county recorder, the Secretary of State, or a county or city clerk remain confidential. Similarly, the bill adds those persons to the list of those authorized to request that the Department of Motor Vehicles display an alternate address on the person's driver's license, commercial driver's license, or identification card.

We had one amendment submitted by Assemblyman Fumo proposing that for the purposes of this bill, a "social worker" means any person licensed under Chapter 641B of *Nevada Revised Statutes* who performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers. We also had a friendly amendment submitted by Mr. [John] Fudenberg, Clark County, which proposed to add any county manager in this state to the provisions of the bill.

Chair Flores:

Do I have a motion?

ASSEMBLYMAN LEAVITT MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 362.

ASSEMBLYWOMAN GORELOW SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Fumo will take the floor statement.

Assembly Bill 382: Revises provisions relating to the compensation of certain public safety employees. (BDR 23-291)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 382 revises provisions relating to the compensation of certain public safety employees ([Exhibit J](#)). This was sponsored by Assemblywoman Monroe-Moreno and heard in this Committee on April 3, 2019. The bill requires the administrator of the Division of Human Resource Management, Department of Administration, to conduct a survey of the salaries and other compensation paid to sworn personnel and dispatch personnel of the Department of Public Safety (DPS) who are in the classified service; and comparable positions in the law enforcement agencies of the three most populous cities in Nevada and the two most populous counties in Nevada. The bill further requires the chief of the Budget Division, Office of Finance, Office of the Governor, to set forth in the biennial proposed budget proposed expenditures for salaries of classified sworn personnel and dispatch personnel of DPS, which are based on the rates established through the survey.

We had two amendments submitted by the bill's sponsor. The first one changes how the salaries are to be calculated to collect salary information based on the employer-paid retirement contribution so that it would be comparable between state employees and local government employees; and the next amendment would add correctional officers within the Department of Corrections and employees who serve in positions with corresponding ranks and similar duties with law enforcement agencies of the three most populous incorporated cities and two most populous counties in this state.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 382.

ASSEMBLYWOMAN DURAN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 382.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

We will ask Assemblywoman Monroe-Moreno to take the floor statement.

We will address Assembly Bill 425 later in the meeting and go to Assembly Bill 461.

Assembly Bill 461: Makes changes to provide assistance to homeless youth to access opportunities for post-secondary education. (BDR 18-1089)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 461 makes changes to provide assistance to homeless youth to access opportunities for post-secondary education ([Exhibit K](#)). This was sponsored by the Assembly Committee on Education and heard in this Committee on April 4, 2019. The bill creates the Liaison for Post-Secondary Education for Homeless Pupils within the Department of Employment, Training and Rehabilitation (DETR) to assist homeless and unaccompanied pupils in pursuing postsecondary education. The bill also establishes the Account for the Liaison for Post-Secondary Education for Homeless Pupils and authorizes the liaison to take certain actions to fulfill the duties of the position as defined in the bill. Finally, the bill authorizes the Board of Regents of the Nevada System of Higher Education (NSHE) to grant a waiver of registration and laboratory fees for homeless and unaccompanied pupils. There were amendments submitted by Assemblyman Thompson that proposed to move the Liaison for Post-Secondary Education for Homeless Pupils from DETR to NSHE; and then the liaison position will be funded as funds are available; and it allows NSHE to apply for and accept any gifts, grants, and donations from any source for the purpose of funding the position.

Chair Flores:

Do I have a motion to amend and do pass Assembly Bill 461?

ASSEMBLYMAN HAFEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 461.

ASSEMBLYWOMAN MARTINEZ SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Martinez will take the floor statement.

We are going to go back to Assembly Bill 280.

**Assembly Bill 280: Revises provisions governing document preparation services.
(BDR 19-254)**

Jered McDonald, Committee Policy Analyst:

Assembly Bill 280 revises provisions governing document preparation services ([Exhibit L](#)). This was sponsored by Assemblyman Flores and heard in this Committee on April 5, 2019. The bill authorizes a business entity that performs document preparation services to file a cash or surety bond with the Secretary of State on behalf of the employees of the entity that performs document preparation services. The bill sets the amount of the bond filed by a business entity based on the number of employees covered by the bond. Among other provisions, the bill also lowers the amount of the bond required for an individual registrant from \$50,000 to \$25,000; revises the definition of "document preparation service" to exempt enrolled agents who are authorized to practice before the Internal Revenue Service; requires the Secretary of State to deny the registration of an applicant as a document preparation service if the applicant has had his or her appointment or registration as a notary public suspended or revoked for cause in this state or another state; it authorizes the Secretary of State to suspend the registration of a registrant who is also appointed as a notary public and whose appointment as a notary public has been suspended. Finally, a registrant who is also an appointed notary public in this state and is in good standing with the Secretary of State may use the term "notary public" in advertisements or written descriptions.

There are two amendments submitted by Gail Anderson with the Office of the Secretary of State. The first would require a business to maintain a bond to cover the greatest number of employees employed by the business entity, including seasonal workers; provide a procedure of how a bond claim is made; require persons making a bond claim to notify the Secretary of State of civil action on a bond; and add a definition of a business entity for the purposes of this bill to include a corporation or limited liability company created pursuant to Title 7 ["Business Associations; Securities; Commodities"] of *Nevada Revised Statutes*. Finally, there are two requests for cosponsors, Assemblymen Carrillo and Smith.

Chair Flores:

Do I have a motion?

ASSEMBLYMAN HAFEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 280.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Bilbray-Axelrod:

If you are open to it, I would like to be added as a cosponsor.

Chair Flores:

Assemblyman Hafen, could you rescind your motion?

Assemblyman Hafen:

Rescinded.

Chair Flores:

Assemblyman Hafen has rescinded the motion to amend and do pass Assembly Bill 280.

I will entertain a motion to amend and do pass Assembly Bill 280 with the conceptual amendment.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND
DO PASS ASSEMBLY BILL 280.

In addition to having the sponsors listed there, include Assemblywoman Bilbray-Axelrod as a cosponsor.

Do I have a second?

ASSEMBLYMAN HAFEN SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Munk will do the floor statement.

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

Jered McDonald, Committee Policy Analyst:

Assembly Bill 425 revises provisions governing fingerprinting services ([Exhibit M](#)). This bill was sponsored by the Assembly Committee on Government Affairs and heard in this Committee on April 11, 2019. The bill requires any person who offers fingerprinting services for compensation to register with the Secretary of State and comply with various requirements. The bill authorizes the Secretary of State to adopt regulations to carry out the provisions of this bill and to take certain actions to facilitate the submission of complaints relating to a fingerprinting service. Further, the measure establishes certain qualifications for registration and provides for the disqualification of any person who has been convicted of certain criminal offenses or has been adjudged to have engaged in certain kinds of misconduct.

In addition to other requirements, the bill requires a fingerprinting service to file and maintain with the Secretary of State a cash or surety bond; conspicuously display at the registrant's place of business a copy of any state and local business license issued to the fingerprinting service; and provide a written contract between the client and the fingerprinting service containing certain terms and disclosures. Finally, the bill authorizes the Secretary of State to investigate any suspected violation of the provisions of this bill and take certain actions if a violation is found, including deny, suspend, revoke, or refuse to renew a registration under certain circumstances. The bill also provides for civil and criminal penalties for a person who violates the provisions of this bill and provides a private right of action to any person who suffers a pecuniary loss as the result of such a violation. There was an amendment presented yesterday [April 11, 2019] and it is attached [pages 2 through 13, ([Exhibit M](#))].

Chair Flores:

Committee members, I originally did not address this bill, and I was not sure how we were going to move forward with it, wanting to give everybody a heads-up. The bill as it presently is with the conceptual amendment will likely change slightly on the Senate side. In the interest of time and ensuring that we give stakeholders the opportunity to move, we are going to leave it as is, but it will be slightly modified. The modifications that will come are really around the idea of giving the Office of the Secretary of State as much control while not making it too difficult for small businesses to come into this world.

With that, I would like to entertain a motion to amend and do pass Assembly Bill 425.

ASSEMBLYMAN LEAVITT MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 425.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

I think it is a good bill. I still think the amendments need to go in, and I will see whether I can get my amendment in before it goes to the Senate. I still think the violators should have a heavier fine or at least be held to a felony for violations of the law.

Chair Flores:

Understood. I am confident that the stakeholders would likely agree with you.

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

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Smith, if I could ask that you please take the floor statement.

Last on the work session document is Assembly Bill 369, then we will recess in case we need to handle any additional business.

**Assembly Bill 369: Revises provisions relating to common-interest communities.
(BDR 10-284)**

Jered McDonald, Committee Policy Analyst:

Assembly Bill 369 revises provisions relating to common-interest communities (Exhibit N). It was sponsored by Assemblywoman Jauregui and heard in this Committee on April 10, 2019. The bill eliminates the super-priority lien held by a common-interest community for certain maintenance and abatement charges and a certain amount of assessments for common expenses. Further, the bill exempts certain disputes from mandatory mediation or certain actions brought to collect any sums for which a lien is created against a unit's owner under existing law, including sums for certain assessments, construction penalties, fines, fees, charges, late charges, interest, and costs of collecting a past due obligation. Finally, the bill provides that such actions must be commenced in the justice court, treated as small claims, and tried within 45 days after the summons and complaint are served on the defendant.

Assemblywoman Jauregui proposed the following amendment to eliminate the ability of a unit-owners' association to foreclose a lien for unpaid assessments, fines, fees, et cetera; provide that the collection of the money owed to an association by a unit's owner must occur through a civil action in the appropriate court; provide that civil actions to collect such money owed by a unit's owner are not subject to mandatory mediation or the program established by the Real Estate Division of the Department of Business and Industry; and require the court to hear and decide civil actions regarding the collection of unpaid assessment, fines, and fees within 45 days after the date the summons and complaint are served on the defendant. I wanted to note that the super-priority lien for homeowners' associations remains in the bill and is not stricken in the amendment.

Chair Flores:

Do I have a motion to amend and do pass?

ASSEMBLYMAN McCURDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 369.

Do I have a second?

ASSEMBLYWOMAN DURAN SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Bilbray-Axelrod:

I am going to vote for this out of Committee, but I think there is some work that needs to be done. I have talked to the bill's sponsor. I will reserve my right to change my vote.

Assemblywoman Gorelow:

I am also going to reserve my right to change my vote. I appreciate everyone who has come and talked with me in my office about this bill. I agree that there needs to be some additional work done.

Assemblyman Carrillo:

I feel the same regarding the work that needs to be done. I think we are not there yet. I think that putting out something that is expected to be fixed on the other side probably will not happen. I will be voting no.

Assemblywoman Munk:

I have also had conversations with Assemblywoman Jauregui. I will vote yes out of Committee, but I do reserve my right.

Assemblyman Smith:

I will vote yes out of Committee, but reserve the right to vote no on the floor based on pending discussions between now and then.

Assemblyman Assefa:

Regarding this bill, we have had several conversations with different parties over the past few days, but I am disappointed that we have not progressed anywhere. It looks like everybody is taking their corners and not getting to meaningful conversations, so I am going to vote yes to keep it alive and to continue working on it. I think there are solutions that we can bring to the table that will protect homeowners, which is the target, I assume, with this bill. I think those options need to be explored. I, too, would like to reserve my right to change my vote on the floor. If those discussions did not happen, it would not get to a meaningful conversation.

Assemblyman McCurdy:

I, too, would like to see additional conversations. At the end of the day, we are all trying to make sure we do the best job that we possibly can for our constituents, if that is what this is about. In addition to making the motion, I want to put on the record that I will be reserving my right, so I will encourage everyone to continue working.

Assemblywoman Duran:

I am just going to say "ditto."

Chair Flores:

Committee members, is there any additional discussion?

Assemblyman Ellison:

I understand where the sponsor of this bill is trying to get to, and I do not think we are going to get to it in this Committee. I really think that this needs to have a study and go back and look at all the problems and get some of these other stakeholders involved in this to try to find out what the problem is and what we can do to bring it back to the next session. This is

a big problem throughout the state, and I do not think we are going to fix it in this meeting. It definitely needs to be vetted, and I do not think you will do it in a Committee hearing. I think it needs to be done in mid-session and see if we can work out something that will work for everybody.

Chair Flores:

Is there any additional discussion?

Assemblyman Leavitt:

I want to also echo the comments I had previously about the sponsor of this bill and the dedication to her constituents. I will be a no on this. I think it is potentially the wrong way to go. In fixing it, it does not seem like it is going to get there. But if by some possibility it gets to a place where it can be agreeable, I would like to reserve my right to change my vote on the floor, but I am a no at this point.

Chair Flores:

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

THE MOTION PASSED. (ASSEMBLYMEN CARRILLO, ELLISON,
HAFEN, HARDY, AND LEAVITT VOTED NO.)

Assemblywoman Jauregui will take the floor statement.

The additional items that appear on the agenda will not be heard. I would like to invite anyone who is here for public comment to please come forward. [There was no one.]

The Assembly Committee on Government Affairs is in recess [at 9:37 a.m.] until the Call of the Chair.

[The Assembly Committee on Government Affairs was called back to order at 11:59 a.m. on Friday, April 12, 2019.]

Chair Flores:

We have a quorum. For those members who are in other committees, we understand that. We will be completing three things today, and then we will adjourn. Assembly Bill 371 is on everybody's desk. It is an item that was not originally on the work session document, but with the deadline, we have had all those questions answered. There is a conceptual amendment, so with that, I will hand it over to Mr. McDonald.

Assembly Bill 371: Revises provisions governing public records. (BDR 19-16)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 371 revises provisions governing public records ([Exhibit O](#)). It was sponsored by Assemblyman Daly and heard in this Committee on April 4, 2019. The bill specifies that all public books and records of a governmental entity are required to be open to public

inspection or to copy unless the records are otherwise declared by a specific statute or regulation to be confidential. Furthermore, the bill provides that the only exemptions or exceptions to providing access to public books and records are those provided by statute or regulation, thus abrogating any common-law exemption or exception to providing such access, including, without limitation, any balancing of interests.

Assemblyman Daly submitted a conceptual amendment for your review that is attached [pages 2-4, ([Exhibit O](#))]. This conceptual amendment will require certain public bodies as listed to compile specific information related to public records requests and report the compiled information to the Director of the Legislative Counsel Bureau (LCB).

As I understand it, this will be a one-time report. The conceptual amendment states that: each public body described above [page 2] shall, beginning January 15, 2020, compile the information listed below for 30 calendar days regardless of the number of requests in that time period or at least until 100 requests have been made or a period of not more than 120 days regardless of the number of public records requests made. The next page [page 3] lists the type of information they are to collect, that being the type of requestor, outcome or response to public records request; if any part of the request was not provided, the reason for denial; and then the time it took to process the request. All that information will be sent to the Director of the LCB and made available to the public.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 371.

ASSEMBLYWOMAN GORELOW MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 371.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Hardy:

I originally had a lot of concerns with this bill and had been talking to stakeholders about it but expressed concerns at the hearing. I am not comfortable voting yes on this because I would like more time to address it, but I will reserve my right to change my vote once I have more time to talk with people about these concerns.

Chair Flores:

There is a motion on the table to amend and do pass Assembly Bill 371 with the conceptual amendment provided by Assemblyman Daly. There has been a motion by Assemblywoman Gorelow and Vice Chair McCurdy seconded. We are in discussion now.

THE MOTION PASSED. (ASSEMBLYMEN ELLISON AND HARDY
VOTED NO. ASSEMBLYMEN BILBRAY-AXELROD, HAFEN, AND
LEAVITT WERE ABSENT FOR THE VOTE.)

Assemblyman Daly will take the floor statement.

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

Chair Flores:

I will take a motion to rerefer without recommendation.

ASSEMBLYMAN McCURDY MOVED TO REREFER WITHOUT RECOMMENDATION ASSEMBLY BILL 426 TO THE ASSEMBLY COMMITTEE ON WAYS AND MEANS.

ASSEMBLYWOMAN MUNK SECONDED THE MOTION.

Chair Flores:

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

THE MOTION PASSED. (ASSEMBLYMEN BILBRAY-AXELROD, HAFEN, AND LEAVITT WERE ABSENT FOR THE VOTE.)

We will move on to Assembly Bill 280.

Assembly Bill 280: Revises provisions governing document preparation services. (BDR 19-254)

Chair Flores:

The last item, specifically Assembly Bill 280, which we previously took action on as a Committee, we unanimously passed it out. However, I would like to request that we reconsider the amend and do pass of Assembly Bill 280 only for the purpose of adding Assemblyman Kramer as a cosponsor. As a Committee, you may remember Assembly Bill 280 dealt with enrolled agents. Assemblyman Kramer worked hard on the bill. One of the agreements that I promised him is that we would finish the work we were doing together on Assembly Bill 280 and that he would be included as a cosponsor, since he put in the work, and I want to make sure his name is added to the bill. Anybody who originally voted on it, which was all of us, can make the motion to reconsider.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO RECONSIDER THE ORIGINAL ACTION ON ASSEMBLY BILL 280.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYMEN HAFEN AND LEAVITT WERE ABSENT FOR THE VOTE.)

Chair Flores:

We have reconsidered the action taken originally on Assembly Bill 280. I would like to entertain a motion to amend and do pass Assembly Bill 280 with the conceptual amendment on the work session document and adding Assemblyman Kramer as a cosponsor.

ASSEMBLYMAN CARRILLO MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 280.

ASSEMBLYWOMAN HARDY SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYMEN HAFEN AND LEAVITT
WERE ABSENT FOR THE VOTE.)

The floor statement will be done by Assemblyman Smith.

I appreciate everyone working with us and being so flexible with your schedule. I do not intend for us to return.

**Assembly Bill 162: Revises various provisions relating to governmental administration.
(BDR 18-777)**

[Assembly Bill 162 was agendized but not discussed.]

Assembly Bill 249: Provides for the creation of land banks. (BDR 22-799)

[Assembly Bill 249 was agendized but not discussed.]

I will invite those wishing to speak in public comment to come forward. [There was no one.] This meeting is adjourned [at 12:08 p.m.].

RESPECTFULLY SUBMITTED:

Connie Jo Smith
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 70](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is a proposed amendment to [Assembly Bill 70](#), submitted by Gregory Ott, Chief Deputy Attorney General, Boards and Open Government, Office of the Attorney General.

[Exhibit E](#) is the Work Session Document, dated April 5, 2019, for [Assembly Bill 161](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 198](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 210](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 335](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 362](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 382](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 461](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit L](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 280](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 425](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 369](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit O](#) is the Work Session Document, dated April 12, 2019, for [Assembly Bill 371](#), presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.