

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Eightieth Session  
May 24, 2019**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 8:19 a.m. on Friday, May 24, 2019, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4404B 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](http://www.leg.state.nv.us/App/NELIS/REL/80th2019).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Maggie Carlton, Chair  
Assemblywoman Teresa Benitez-Thompson, Vice Chair  
Assemblyman Jason Frierson  
Assemblywoman Sandra Jauregui  
Assemblyman Al Kramer  
Assemblywoman Daniele Monroe-Moreno  
Assemblywoman Ellen B. Spiegel  
Assemblywoman Heidi Swank  
Assemblywoman Robin L. Titus  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS EXCUSED:**

Assemblyman John Hambrick  
Assemblywoman Dina Neal

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Brittney Miller, Assembly District No. 5  
Assemblywoman Sarah Peters, Assembly District No. 24  
Assemblyman Steve Yeager, Assembly District No. 9  
Senator James Ohrenschall, Senate District No. 21

**STAFF MEMBERS PRESENT:**

Cindy Jones, Assembly Fiscal Analyst  
Sarah Coffman, Principal Deputy Fiscal Analyst

Minutes ID: 1326



Janice Wright, Committee Secretary  
Lisa McAlister, Committee Assistant

After a call of the roll, Chair Carlton reminded those in attendance to silence electronic devices, and then she reviewed the rules of the Committee. Chair Carlton said there were two bills that the Committee was unable to process yesterday, and those bills would be processed first beginning with Assembly Bill 526 and then Assembly Bill 528. After those bills, the Committee would work its way through the agenda that was posted as the proponents of the bills were able to step out of their committees to present those bills. She would try to work around everyone's schedules.

Chair Carlton opened the hearing on Assembly Bill 526.

**Assembly Bill 526: Revises provisions relating to the Commission on Postsecondary Education. (BDR 34-1214)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill (A.B.) 526 authorized the Commission on Postsecondary Education to suspend the approval of or disapprove certain courses of training in certain circumstances; established a process for the appeal of such a suspension; and increased the number of voting members on the Commission from six members to seven members by adding a member knowledgeable on problems related to veterans. The bill was a budget implementation bill that included a \$411-per-year increase approved by the money committees in the budget for the extra member of the Commission. The bill included other provisions, and the agency requested conforming language changes needed to comply with the U.S. Department of Veterans Affairs (VA) requirements.

Christopher Sewell, Chief of Operations, Legislative Liaison, Administration Division, Department of Employment, Training and Rehabilitation, introduced other Department personnel including Tiffany Tyler-Garner, Ph.D., Director, Department of Employment, Training and Rehabilitation; and Kelly Wuest, Administrator, Commission on Postsecondary Education, Department of Employment, Training and Rehabilitation. Mr. Sewell presented Exhibit C, a proposed amendment to Section 1 of A.B. 526 to comply with current VA requirements. Sections 2 and 3 of A.B. 526 added a seventh member who was a person knowledgeable about veterans' affairs to the Commission on Postsecondary Education. Sections 4 through 8 of the bill added a process for the Commission to suspend and approve courses for the training of veterans, set forth the process for notification and contents of the notification, established an appeals process, and required the Commission to adopt regulations governing the appeals of hearings performed by the Commission. Sections 4, 5, and 6 incorporated section 1 into *Nevada Revised Statutes* (NRS) 394.510 that governed fines, revocations of licenses, penalties, and statutes of limitations. Sections 7 and 8 incorporated section 1 of the bill under the statutory administrative responsibilities of the Director of the Department of Employment, Training and Rehabilitation in NRS 232.920 and the Administrator of the Employment Security Division in NRS 612.220.

Tiffany Tyler-Garner, Ph.D., Director, Department of Employment, Training and Rehabilitation, thanked the Committee for its consideration. She noted that the bill was a commitment to ensuring due process, stakeholder engagement, and consumer protections.

Chair Carlton asked whether there was a proposed amendment to the bill.

Mr. Sewell responded that he had a proposed amendment that made about eight to ten word changes to conform to the U.S. Department of Veterans Affairs cooperative agreement that the Department had with the VA to ensure it matched that cooperative agreement. He submitted [Exhibit D](#), a request for amendments for [Assembly Bill 526](#).

Chair Carlton said the bill came directly to the Committee and did not have the opportunity to be amended by a policy committee.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill. There was none.

Assemblyman Kramer asked about the fiscal effects of the bill.

Chair Carlton responded that the fiscal effect was the per-diem expenditures for the additional member of the Commission.

Cindy Jones said the cost was \$411 per year, and that amount was included in the approval of the agency's budget account 2666 in decision unit Enhancement (E) 228.

Chair Carlton closed the hearing on [Assembly Bill 526](#) with the proposed amendments and the fiscal note.

Chair Carlton opened the hearing on [Assembly Bill 528](#).

**[Assembly Bill 528](#): Removes the prospective expiration of certain provisions relating to the list of preferred prescription drugs to be used for the Medicaid program. (BDR S-1203)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that [Assembly Bill \(A.B.\) 528](#) removed the prospective expiration of certain provisions related to the list of preferred prescription drugs to be used in the Medicaid program. The bill was effective upon passage and approval and was associated with decision unit Enhancement (E) 243 in the Medicaid budget account 3243 that was approved by the money committees.

Chair Carlton said she was familiar with the matter that had been discussed for a long time. She wanted the Committee to be aware of the proposal to eliminate the sunset.

Melissa Laufer-Lewis, Administrative Services Officer 4, Aging and Disability Services Division, Department of Health and Human Services, presented A.B. 528. The purpose of the bill was to remove the expiration date of *Nevada Revised Statutes* (NRS) 422.4025. The temporary provisions of NRS 422.4025 would expire on June 30, 2019. Currently, Medicaid was allowed to include typical and atypical antipsychotics, anticonvulsants, and antidiabetic medications on the preferred drug list that reduced the costs of those medications.

Beth Slamowitz, Pharm.D., Licensed Pharmacist, Senior Advisor on Pharmacy, Department of Health and Human Services, explained that Medicaid maintained a preferred drug list. Currently, Medicaid was allowed to address those three drug classes, the antipsychotics, anticonvulsants, and antidiabetics, on the preferred list. As of June 30, 2019, the temporary provision would sunset, and those drug classes would once again become restricted, and Medicaid would not be allowed to address those drug classes. The bill requested that the sunset be eliminated and Medicaid be allowed to continue to address those three drug classes on the preferred drug list.

Chair Carlton said the debate started over a decade ago. The change was proposed a number of times. The reason why the Legislature added the sunset was to ensure that those individuals in need received the proper drugs.

Ms. Slamowitz clarified that the temporary provision was approved in 2010. Originally there was some fiscal concern. Medicaid wanted to receive supplemental drug rebates from drug manufacturers, and those drugs needed to be addressed on the preferred drug list. Medicaid had received the drug rebates since 2010. An exception criteria was established for those individuals who requested a nonpreferred medication that was not on the preferred drug list. Medicaid was required by federal law to cover all medications as long as the drugs were U.S. Food and Drug Administration approved. Medicaid did not operate a closed formulary and was not allowed to restrict access to any medications. Medicaid was allowed to impose usage controls in place of a drug that was on the preferred drug list. That was the provision that Medicaid had been operating under since 2010. Medicaid presented this matter to the Legislature during every session since 2010.

Chair Carlton said she was the reason Medicaid was required to discuss the matter with the Legislature every session since 2010. She asked whether removal of the sunset would change medications that patients currently were able to receive or whether future patients would be able to obtain any medication prescribed by their doctor. She wanted to avoid forcing individuals to take a drug in those three categories that their doctor did not prescribe.

Ms. Slamowitz responded that nothing would change. There would be no difference to the process that had been occurring over the last ten years. The Medicaid program still had the same provisions in place with the continuity of care. The program allowed a six-month period during which individuals were grandfathered in when they became Medicaid-eligible coming from another plan or being released from a facility. If those individuals were not on a preferred medication during that time period, they could have that conversation with their physician. The physician could express medical necessity to require the patient to remain on

that medication. If the physician believed it was appropriate to change to a preferred drug, then that could occur as well. It was up to the patients and their physician to decide the best medication. Medicaid had policies in place to allow that choice to be made.

Chair Carlton wanted that information on the record. The matter had been a point of discussion over a number of years. The Legislature heard from individuals who had serious concerns because some medications might work better for some patients than others. Those three drug classes could change the lives of individuals.

Ms. Slamowitz agreed.

Assemblywoman Titus thanked Chair Carlton for her comments and had the same concerns. Elimination of the sunset was helpful, but it did not eliminate the process that prior authorization was required for any medication that was excluded from the formulary of preferred drugs. She understood that the bill would remove the sunset, and that removal would remain in perpetuity until the Legislature decided to make a change.

Chair Carlton confirmed that Assemblywoman Titus was correct. She said the intent of the Legislature was to impose the sunset to ensure that Medicaid reported to every session how the process worked. The sunset provided accountability. She asked whether removal of the sunset affected the cost in any way.

Ms. Slamowitz responded that removal of the sunset would affect the allowance for Medicaid to receive rebates on those three drug classes. Medications excluded from the preferred drug list were not eligible for rebates. When that provision sunsetted and Medicaid was required to exclude them from the preferred drug list, Medicaid would lose those additional rebates that it received for the state for those three drug classes.

Chair Carlton stated that instead of coming to the Legislature every session and asking for an extension of the sunset, A.B. 528 would eliminate the sunset and provide stability for the drug rebates.

Ms. Slamowitz replied that drug prices had increased and might potentially increase in the future. Many generic drugs could be coming to the market in the near future. It would be beneficial and cost less to prefer those generic drugs over the name brands.

Assemblyman Kramer asked about the reason for the fiscal note.

Ms. Slamowitz responded that the fiscal note was submitted because of the way the preferred drug list functioned. Medicaid was allowed to receive statutory rebates that were provided by the federal government. Additional supplemental rebates could be negotiated directly with the drug manufacturers. The additional supplemental rebates were received by the state because Medicaid allowed the manufacturers' drugs to be addressed on the preferred drug list. If Medicaid was not allowed to address those three drug classes and those three drug classes were excluded from the preferred drug list, Medicaid would lose those additional

drug rebates that the state had received because it no longer addressed the drugs as preferred or nonpreferred drugs.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill.

Jeanette K. Belz, MBA, J.K. Belz and Associates, testified on behalf of the Nevada Psychiatric Association, in opposition to the bill. She appreciated the Committee's patience with a complicated topic. She had been involved in the matter since 2010. The reason the sunset was applied in 2010 was to allow the state to get more money. Presently, that amount totaled approximately \$602,000 based on the fiscal note that she had seen. Elimination of the sunset meant that those drugs would no longer be excluded, and the state would be able to put restrictions on them and put them on the preferred drug list. Although the answers given by the Department of Health and Human Services were technically correct, it was a complicated topic. The bill allowed the state to put restrictions on those three drug classes.

Ms. Belz opposed the bill because when antipsychotics and anticonvulsants were not available to individuals with mental health conditions, their lives were more confusing. The state had provisions that allowed for a continuation of care, but removed those drugs from the list before 2010. There were no restrictions, and those were excluded drug classes. There were two other bills in the Senate that would make changes to Medicaid to allow one basic formulary regardless of whether the patient was covered by fee-for-service or managed care. There were currently three managed care organizations in the state. It was possible for a mental health patient with bipolar disorder to be prescribed different drugs based on what was included in the formulary. The bills in the Senate would create one formulary only based on the fee-for-service formulary. The Nevada Psychiatric Association supported that proposal because that formulary was developed during a public process through the Drug Utilization Review program and the Pharmacy and Therapeutics Committee that were publically noticed meetings, and psychiatrists and psychologists could make comments at those meetings.

Chair Carlton said when Senate bills were presented to the Committee the members would learn more about those. Right now, the Committee had to address A.B. 528. She wanted to understand the opposition. Chair Carlton said it was her understanding from the previous conversations that the provision would sunset. Medicaid operated under the provision now. The provision would move forward whether the Legislature extended the sunset or eliminated the sunset. There is no difference to extending the sunset for two years or to infinity. She asked what provision Ms. Belz opposed.

Ms. Belz responded that Chair Carlton was correct. There was no difference whether the sunset was extended or eliminated. The current process would remain unchanged. The reason she had advocated for an extension of the sunset was since 2010 she wanted to hold continuing conversations with the Medicaid program on how to make it better for mental health patients. Medicaid removed those three classes of drugs from the excluded list, and

that meant that the Department could put restrictions on the drugs. There was a small number of individuals who were grandfathered in from 2010.

Chair Carlton said no one had contacted her with a problem in almost a decade, and she wanted to understand the real opposition.

Ms. Belz said individuals told her they received phone calls from families who were frustrated because family members were unable to advocate for themselves when they were in crisis. Some of the patients were covered by commercial insurance, but some patients were covered by Medicaid. Medicaid was willing and helpful when those situations were presented on a case-by-case basis. Ms. Belz wanted a more global solution that did not require actions during a time of crisis for patients.

Chair Carlton said that situation had nothing to do with the bill, and the global solution was not relevant to the bill.

Ms. Belz responded that technically it did not, but practically it did because if the drugs could continue to be excluded from the preferred drug list, it would cost the state \$602,000 at this time.

Chair Carlton said that conversation should have occurred about 60 days ago.

Chair Carlton asked for further testimony in opposition to, or neutral on the bill. There was none. She closed the hearing on A.B. 528 and opened the hearing on Assembly Bill 150 (1st Reprint).

**Assembly Bill 150 (1st Reprint): Establishes a program to allow certain persons over 18 years of age to remain in foster care. (BDR 38-453)**

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1, presented Assembly Bill 150 (1st Reprint) that would establish a program to allow certain persons over 18 years of age to remain in foster care. The bill was approved by the Child Welfare and Juvenile Justice Committee in August 2018 at the request of the Children's Advocacy Alliance. She introduced Jared Busker, Associate Director/Government Affairs Manager, Children's Advocacy Alliance. In the original version of the bill, fiscal notes were submitted by Clark County, Washoe County, and the Division of Child and Family Services, Department of Health and Human Services. Mr. Busker would present a friendly amendment. The agencies worked together to clarify language in the amendment that was agreed to by all parties late last night. The amendment removed section 3 in its entirety and amended language in section 9.5 to make the bill purely a planning bill. She had emails from Alex Ortiz, Assistant Director, Department of Administrative Services, Clark County; and Jamie Rodriguez, Government Affairs Director, Office of the County Manager, Washoe County, stating that the fiscal notes were removed.

Jared Busker, Associate Director/Government Affairs Manager, Children's Advocacy Alliance, presented [Exhibit E](#), a proposed amendment to A.B. 150 (R1). He stated that the bill would allow the state to plan for an extension of independent living for foster care as allowed in the recently passed federal Family First Prevention Services Act [House Resolution 1892 signed on February 9, 2018] that would allow the state to draw Title 4E funding to pay for extended foster care for children. The Children's Advocacy Alliance planned to study that possibility.

Ross E. Armstrong, Administrator, Division of Child and Family Services, Department of Health and Human Services, stated that the Division submitted a fiscal note on the bill, but he appreciated that A.B. 150 (R1) was a planning bill. Extending foster care to the age of 21 years would require a different type of program. The federal government allowed considerable flexibility in the foster care program, and that was good for Nevada. But a foster care program that extended beyond the age of 18 years looked very different. The fiscal note that would remain would pay for a position to perform the planning required. He thought a half-time contracted position would complete the tasks within the timelines required in the statute. The costs would total \$35,553 in fiscal year (FY) 2020 and \$11,345 in FY 2021.

Chair Carlton asked about the planning and whether there would be a component of enactment to be discussed by a future Legislature to see how the extension would affect the entire foster care system.

Mr. Armstrong responded that all of the foster care programs for which the Division received federal reimbursements had to be approved by the Children's Bureau within the U.S. Department of Health and Human Services. The proposed program would have a statutory effect and a fiscal effect related to how the Division would obtain the State General Fund match for the federal funds that would be received.

Chair Carlton asked about the costs that Mr. Armstrong provided for the first and second year of the 2019-2021 biennium and whether there were federal dollars in those amounts or whether they were General Fund dollars.

Mr. Armstrong replied that the numbers included only General Fund dollars. The Title 4E allowable reimbursable amounts did not take into account the planning pieces for expanding the federal reimbursement.

Assemblyman Kramer said the program sounded similar to a situation where foster children who were 18 years old and in the middle of their senior year could remain in foster care until they graduated.

Mr. Armstrong responded that the Division currently had a 100 percent General Fund program called continuing jurisdiction that allowed youth to enter into an agreement to receive some funding between the ages of 18 and 21 to continue foster care services. Assembly Bill 150 (1st Reprint) would formalize that program and get federal approval to



allow the Division to draw federal funds to help those youth who were still transitioning. The goal was that every child would find his forever home before the age of 18 years, but Mr. Armstrong knew there was still a population that would be unable to find that home.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill.

Jamie Rodriguez, Government Affairs Manager, Office of the County Manager, Washoe County, stated that the amendment and deletion of section 3 of the bill allowed Washoe County to remove its fiscal note. Also, Alex Ortiz, Associate Director, Department of Administrative Services, Clark County, asked her to say that the Clark County fiscal note was removed.

There being no further testimony, Chair Carlton closed the hearing on A.B. 150 (R1) and opened the hearing on Assembly Bill 236 (1st Reprint).

**Assembly Bill 236 (1st Reprint): Makes various changes related to criminal law and criminal procedure. (BDR 14-564)**

Assemblyman Steve Yeager, Assembly District No. 9, presented Assembly Bill (A.B.) 236 (1st Reprint). He said that the bill was the culmination of an effort that started more than a year ago when the state leaders including then-Governor Brian Sandoval, Speaker Jason Frierson, then-Majority Leader Aaron Ford, and then-Chief Justice Michael L. Douglas requested that Nevada be selected as a justice reinvestment state. The Justice Reinvestment Initiative was a public-private partnership between the U.S. Department of Justice, Bureau of Justice Administration and Pew Charitable Trusts. Nevada had requested assistance in 2016, but Nevada was not selected. Usually only one state per year was selected. Nevada was the lucky recipient of the effort and was selected in 2018 as a justice reinvestment state. The Advisory Commission on the Administration of Justice was the interim committee that worked with the Justice Reinvestment Initiative. Assemblyman Yeager had the pleasure of serving as Chair of that Commission.

Assemblyman Yeager stated that the Crime and Justice Institute was the actual technical provider that examined the criminal justice system and associated data in depth and reported back to the Advisory Commission on the status of the criminal justice system. Nevada had been provided more than 11,000 hours of technical assistance at no cost to the state or the taxpayers. Assembly Bill 236 (1st Reprint) was the result of a year of working with anybody and everybody on accomplishing meaningful criminal justice reform that increased public safety by focusing on treatment and more intensive and proactive community supervision. If A.B. 236 (R1) was approved, the state was projected to avert somewhere around \$550 million in prison costs over the next decade. That was money that could be reinvested in treatment programs related to behavioral health and substance abuse. He understood that the money committees were unable to take into account those savings when examining the fiscal effects of the bill on state agencies. But it was important to note that any investment that the state made now to enact the bill would be recouped approximately 250 times over the

next decade. Simply stated, A.B. 236 (R1) was a great investment for the state financially, not to mention the benefits of addressing the drivers of crime and keeping communities safer.

Assemblyman Yeager said he had a letter from the Crime and Justice Institute (the technical assistance provider) that indicated passage of the bill would come with additional resources to the state for the phase 2 enactment. That support would last up to three years. The assistance had been granted to other states and would be of great assistance in getting state agencies ready to transition should the bill pass by July 1, 2020. The agencies would not have to complete the work on their own. The technical assistance would be provided at no cost to the state. He submitted [Exhibit F](#), a letter dated May 15, 2019, to Assemblywoman Carlton, Chair of the Assembly Committee on Ways and Means, authored by Len Engel, Director of Policy and Campaigns, Crime and Justice Institute, in support of Assembly Bill 236 (1st Reprint).

Assemblyman Yeager said A.B. 236 (R1) was long and thorough and represented the most comprehensive change to the criminal justice system in at least 30 years. He would explain the fiscal notes and had some good news to report. The Department of Corrections revised its fiscal note downward by almost 80 percent. He presented [Exhibit G](#), a revised fiscal note ID 11478 from the Department of Corrections, prepared by Scott Ewart, Administrative Services Officer 4, Department of Corrections. The original fiscal note over the 2019-2021 biennium was about \$560,000. The revised fiscal note was now about \$110,000. In addition, the Legislative Counsel Bureau had submitted a fiscal note related to the duties of the Sentencing Commission. He thought that the Committee had already approved Assembly Bill (A.B.) 80 (2nd Reprint) that was the Sentencing Commission standalone bill [[Assembly Bill 80 \(2nd Reprint\)](#): Makes various changes relating to the Nevada Sentencing Commission. (BDR 14-469)]. Because the Sentencing Commission's work was crucial to A.B. 236 (R1) upon advice from the Legal Division, Legislative Counsel Bureau (LCB), he included the language from A.B. 80 (R2) in A.B. 236 (R1). He understood that A.B. 80 (R2) was changed in some ways in the Committee before it was approved yesterday. He worked with the Legal Division, LCB, to determine how best to address the change. The bottom line was as long as the Sentencing Commission bill was enacted, he could remove those provisions from A.B. 236 (R1) or could conform the bill to what A.B. 80 (R2) provided. He thought the entirety of the LCB fiscal note was based on staffing the Sentencing Commission.

Assemblyman Yeager did not as yet have confirmation, but he believed that the Department of Health and Human Services would likely be removing its fiscal note because the reprint of the bill removed the new batterers' intervention program that seemed to be the sole basis of the \$106,000 fiscal note. He contacted the agency to confirm that. Given some changes in the first reprint of the bill, he believed that local governments would be removing some or all of their fiscal notes. The original version of the bill reclassified some felony crimes to misdemeanors that would have sent them to municipal courts. But the reprint of the bill largely kept those as felonies, and the workload would not be shifted to municipal courts. The Peace Officer Standards and Training (P.O.S.T.) Commission submitted a fiscal note of about \$163,000 on the bill. That cost was a result of section 104 that established a behavioral

health grant program to be administered by P.O.S.T. Section 104 specified that it was subject to the availability of funding. He thought the fiscal note from P.O.S.T. reflected the cost if the agency had to hire a position to create the grant program. The program was subject to available funding and was not a requirement for P.O.S.T. to engage in that grant program if no funding was available.

Assemblyman Yeager said the Division of Parole and Probation, Department of Public Safety, submitted a fiscal note of \$750,000. Most of the cost appeared to be related to the collection of data that would need to be delivered to the Sentencing Commission to ensure the sustainability of the reforms and savings. He could not stress enough the importance of accurate and actionable data so that future Legislatures could make data-driven decisions. It was most unfortunate that the current information technology (IT) systems were incapable of collecting some of the information. His hope was that the deficiency could be addressed through future IT upgrades, and the state would not continually have to pay individuals to perform tasks that computers would complete more quickly and efficiently. He had consulted with the Division of Parole and Probation, but he did not achieve any movement in getting that fiscal note reduced. In fact, the fiscal note might be increased somewhat because of the expanded data collection duties in the bill. He reiterated that the whole point of justice reinvestment was to look at who was in the prisons, how they got there, and how much time they spent in prison to allow the Legislature to make data-driven decisions. He thought that provisions of the bill were critically important, although it was likely to cost the Division of Parole and Probation some money to be able to accomplish the tasks.

Chair Carlton said she had just been handed a paper that was titled "State of Nevada-Budget Division Payroll/Position Detail" and asked who submitted it. No one said they had presented the paper. She said she would determine the source of the document later. [It appeared that the page was prepared by the Department of Corrections and would be marked as [Exhibit H](#) for purposes of the minutes. The document was titled "State of Nevada-Budget Division Payroll/Position Detail for Department of Corrections Director's Office Budget Account 3710," prepared by Scott Ewart, Administrative Services Officer 4, Department of Corrections.]

Chair Carlton had a question about why the grant program would be administered by P.O.S.T. She asked about the nexus because usually grant programs were administered by the Division of Public and Behavioral Health, Department of Health and Human Services. She wanted to understand how the grant had a nexus with P.O.S.T.

Assemblyman Yeager responded that the grant program would fund police officers in the field. He said if there was a better place for the grant program to be housed, he would be comfortable changing the language.

Chair Carlton asked whether it was a specific grant for police officers in the field.

Assemblyman Yeager replied yes because more citizens with mental health needs had been shifted into the criminal justice system, and most often the hardworking police officers were

on the front lines of that system. The idea was to try to give police more resources through the grant program for offenders who needed treatment rather than incarceration. Mental health patients would be diverted when law enforcement interacted with them. He knew that law enforcement shared that goal, but he was sensitive to the fact that treatment cost money and budgets were tight.

Assemblywoman Titus said the bill was a practical solution that needed to happen to address the mental health problems. The solution offered more than just holding somebody in an incarceration situation. Section 58 changed different classifications of felonies based on how much the crime was worth. When the value of the property stolen in a theft was less than \$1,200, the crime was classified as a misdemeanor. Most of the crimes doubled from \$650 to \$1,200 in many categories. She asked about the last time that the amounts were adjusted. She knew that as inflation happened, things were worth less but items cost more.

Assemblyman Yeager replied that the Legislature changed the amount from \$250 to \$650 in Assembly Bill 142 of the 76th Session (2011) sponsored by Senator James Ohrenschall, Senate District No. 21 [then-Assemblyman Ohrenschall]. Originally, A.B. 236 (R1) proposed a level of \$2,000, but the amount was changed to \$1,200 in the bill. Over 100 hours of meetings were held with stakeholders and interested parties to work on the bill. The \$1,200 amount was a consensus of district attorneys, retailers, and others, and everyone believed that was the right level. The \$1,200 was still lower than the theft level set in approximately 40 other states. The group studied other states and reached a consensus to set the level at \$1,200.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of A.B. 236 (R1).

John J. Piro, Deputy Public Defender, Legislative Liaison, Office of the Public Defender, Clark County, testified in support of A.B. 236 (R1). The bill would be the most substantial criminal justice reform in decades and would result in cost savings to the state to stop the revolving door process that was currently occurring in the criminal justice system with mental health offenders.

Kendra Bertschy, Deputy Public Defender, Office of the Public Defender, Washoe County, testified in support of A.B. 236 (R1). She believed the bill was fiscally responsible and would have a positive effect on Nevada for generations to come. Assembly Bill 236 (1st Reprint) provided evidence-based reform to safely lower the prison population and redirect taxpayer money by reinvesting it into the communities to keep those in crisis from even entering the criminal justice system.

Holly Welborn, Policy Director, American Civil Liberties Union Nevada (ACLU), testified in support of A.B. 236 (R1) and said that was probably one of the most important pieces of legislation that would be before the Legislature during the 80th Session (2019). Nevada's recidivism rate was 15 percent higher than the national average. It was critical to invest wisely now to save the state hundreds of millions of dollars over the next decade. For those

reasons, the ACLU strongly supported the bill and encouraged the Committee to fund A.B. 236 (R1).

Ann Silver, Chief Executive Officer, Reno+Sparks Chamber of Commerce, testified in support of A.B. 236 (R1). She read her prepared testimony.

Good morning, Chair and Members of the Committee:

My name is Ann Silver and I serve as the CEO of the Reno+Sparks Chamber of Commerce, representing 1,700 members that employ 75,000 residents.

The Chamber has identified criminal justice reform as one of our legislative priorities for this session. We appreciate working with Assemblyman Yeager to develop language that may bridge the gap between necessary public safety measures and the reforms needed to modernize aspects of our criminal justice system.

In 2017, two out of every three individuals sent to prison were nonviolent offenders, 40 percent of whom had no felony conviction and more than 40 percent had not completed high school.

Research proves that sending nonviolent offenders to prison actually increases the likelihood to reoffend when released. And, unfortunately, incarceration has become the default response to people struggling with behavioral health issues, when time spent in prison will not address the underlying factors that lead these individuals to commit crimes.

Many provisions of Assembly Bill 236 (1st Reprint) will limit excessive spending on incarceration and refocus our justice system on rehabilitation programs, thereby saving prison beds for the most serious offenders.

It is time to create a sensible roadmap that will reduce recidivism, require nonviolent offenders to become productive workers, reunify broken families and parentless children, and demonstrate what President Lincoln said when he once asked our country to find the "better angels of our nature". We urge your support for A.B. 236 (R1). Thank you.

Tonja Brown, Advocates for the Inmates, testified in support of A.B. 236 (R1).

There being no further testimony in support of A.B. 236 (R1), Chair Carlton asked for testimony in opposition to the bill.

Daryl DeShaw, Private Citizen, Las Vegas, Nevada, testified from Las Vegas in opposition to A.B. 236 (R1). The bill went a long way to make improvements in the criminal justice system. What had been greatly overlooked was the cost burden it would place on the citizens

of Nevada. It shifted the focus to taking individuals out of the prisons and moving them into other treatment programs. Mental health and drug treatment programs were severely underfunded, and both of those were big problems in the communities. He lived and worked in downtown Las Vegas and drove by the homeless corridor every day. It was a disaster. But no one had really looked at what making that shift would cost for treatment programs that lacked sufficient funding now. It cost an average of about \$170 per day to keep a person in jail. An individual in an acute drug treatment program in Nevada cost an average of \$1,600 per day. The cost of a mental health facility was \$2,400 per day. A shift of 10 percent of the prison population to those alternative treatment programs would double the amount of money that was spent by the state. The state should develop ways to fund those treatment programs on a scaled-down version before the Legislature approved this type of change.

Chair Carlton asked to understand Mr. DeShaw's opposition to the bill. His argument appeared to be that insufficient funds were provided to other treatment programs to compensate for the change in how those individuals would be treated.

Mr. DeShaw responded that the cost of the alternative treatment programs, if only 10 percent of the prison population was moved to treatment, was equal to the entire prison budget and would double the amount of money the state spent.

Assemblyman Frierson asked who Mr. DeShaw was referring to when he said "we," and whether "we" referred to the state. He did not recall whether Mr. DeShaw was speaking on behalf of an industry or a department. The state budget was approved by the Legislature.

Mr. DeShaw replied that he referred to "we" as the citizens of Nevada. It was the taxpayers' money the Legislature spent for treatment programs.

Assemblyman Frierson thought Mr. DeShaw was not speaking on behalf of his personal experience in the criminal justice arena.

Mr. DeShaw responded that he was speaking based on numbers that he researched online. He heard the numbers that had been provided during hearings and testimony on the bill. His research provided the costs to keep somebody in jail versus costs to keep somebody in mental health facilities or drug treatment programs.

Assemblyman Frierson said it was his understanding that those numbers reflected a savings, and it was less expensive to provide diversion and treatment versus incarceration. He asked Mr. DeShaw to point him to some sources of the numbers.

Mr. DeShaw responded that the theory proposed by the bill was that by pulling individuals out of prison and reducing recidivism, the state would save \$500 million in a decade. The problem was that the savings failed to account for the cost of treatment programs for offenders to keep them from reoffending and keep them out of jail. The savings failed to account for the cost of those alternative programs. The alternative programs were very

expensive. The average cost of acute drug treatment in Nevada was just over \$1,600 per day, and the average cost of inpatient mental health treatment programs was over \$2,400 per day. He calculated 10 percent of the prison population, multiplied by the number of days, times \$1,600 per day, and subtracted the \$170 savings. The result was the state would spend double the amount currently spent on prison populations.

Assemblyman Frierson said he felt an obligation to ensure that the record was clear. As a former Chief Deputy District Attorney and a former Public Defender, his experience was that Mr. DeShaw's numbers were completely false. The state currently provided treatment programs, and spaces in those programs were available. What Mr. DeShaw was saying was his opinion and not fact. Assemblyman Frierson said the Committee lacked any support for Mr. DeShaw's numbers, and there was no support to suggest that diversion or treatment was more expensive than incarceration. The theory that reducing recidivism was somehow more costly when it also increased public safety was selectively addressing the budgetary effects.

Chair Carlton said that the fiscal note process was comprehensive. The Committee had not received fiscal notes except from the Department of Corrections. The Department of Health and Human Services did not submit a fiscal note reflecting increased costs for treatment programs. She believed that the numbers that Mr. DeShaw researched were not current numbers. The Legislature closed all those budgets and substantially increased funding for mental health treatment and new beds for juvenile mental health services. Mr. DeShaw was unaware of those amounts because those bills had not been drafted as yet and would be voted on in the next several days. Chair Carlton was encouraged about the additional support for mental health services. She suggested Mr. DeShaw study those increases to see that the Legislature had taken seriously both sides of the equation and approved funds for needed services. She understood where Mr. DeShaw's numbers might have been obtained, but thought he might be using numbers from a couple of years ago that did not relate to the current matter.

Mr. DeShaw responded that when offenders were moved from prison to treatment programs, mental health services and drug treatment were more expensive. Treatment was always more expensive in the short term because there was no way to budget for it because the number of individuals moved was unknown. He thought \$1,600 was an accurate number for acute treatment.

Chair Carlton thanked him for his presentation during the public forum.

Mark Newman, representing Surety Bail Agents of Nevada, testified in opposition to A.B. 236 (R1). He said the argument supporting treatment was filled with incorrect data. Right now, the Las Vegas Metropolitan Police Department (Metro) funded 2 officers per 1,000 residents. The staffing formula did not take into account 330,000 tourists who visited Las Vegas on average every week that resulted in a staffing formula closer to 1.3 officers per 1,000 individuals. That inequity exacerbated the shortfall and the rising crime problems. He disagreed with the claim that over \$500 million would be saved in prison costs. He believed that funds could be better spent to deter individuals from committing crimes. He added that

the prison population would increase about 9 percent over ten years. The Legislature failed to consider the prison population numbers. The state lacked mental health services and infrastructure to address moving offenders from prison to treatment programs. He added that computer automation took away from human interaction.

Chair Carlton asked for further testimony in opposition to or neutral on the bill.

Stephanie O'Rourke, Major, Deputy Chief (North), Division of Parole and Probation, Department of Public Safety, said Assemblyman Yeager presented much of the information that she would have shared with the Committee. She presented five exhibits.

[Exhibit H](#) was a document titled "State of Nevada– Budget Division Payroll/Position Detail 2019-2021 Biennium (FY 20-21) WO5 Working Version 02.01.2019" dated May 22, 2019, presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety, in support of Assembly Bill 236 (1st Reprint).

[Exhibit I](#) was a document titled "State of Nevada – Budget Division Line Item Detail & Summary 2019-2021 Biennium (FY 20-21)," dated May 5, 2019, prepared by Scott Ewart, Administrative Services Officer 4, Department of Corrections, presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety, in support of Assembly Bill 236 (1st Reprint).

[Exhibit J](#) was a proposed amendment to Assembly Bill 236 (1st Reprint) dated March 28, 2019, authored by Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety, in support of A.B. 236 (R1).

[Exhibit K](#) was a letter dated March 7, 2019, to Assemblyman Steve Yeager, Chair, and the Assembly Committee on Judiciary, authored by Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, citing some of the agency's concerns about the language of Assembly Bill 236 (1st Reprint) presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety.

[Exhibit L](#) was a letter dated May 23, 2019, to Assemblyman Steve Yeager, Chair, and the Assembly Committee on Judiciary, authored by Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, citing the need to amend the fiscal note for Assembly Bill 236 (1st Reprint), presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety.

Ms. O'Rourke thanked the Committee for recognizing the limitations of the Offender Tracking Information System (OTIS) program. She said that Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, asked that her thanks be shared with the Committee. The Division would submit an additional fiscal note on the bill that related to the limitations of OTIS. Section 6 of the bill required substantial demographics to be captured for the reporting requirements of the Advisory Commission that OTIS failed to



capture. She was hopeful that the new OTIS would be up and running by the end of fiscal year (FY) 2021, but that would depend on the effective date when the new contract was awarded. The Division worked hard to reduce the cost as much as possible, but the Division would need additional staff to perform the manual data collection.

Chair Carlton asked about the additional fiscal note for data collection. She asked whether that fiscal note would be in addition to the existing fiscal note for FY 2020 and FY 2021.

Ms. O'Rourke responded that the Division would submit an additional fiscal note because of the limitations of the OTIS system. She said the cost for the 2019-2021 biennium would be \$918,000.

Chair Carlton said the Legislature had spent money on OTIS to fix it but was unable to resolve the problems.

Philene O'Keefe, Administrative Services Officer 2, Division of Parole and Probation, Department of Public Safety, stated that the payroll assessment costs totaled \$1,736 for FY 2020 because the agency would hire two new positions on July 1, 2020. The total costs for FY 2021 included an additional \$150,337 for two new positions, a management analyst 1 and an accounting assistant 3.

Chair Carlton repeated that in FY 2020, \$1,736 would pay for the personnel assessments.

Ms. O'Keefe added that the personnel assessments were charged regardless of when the positions started during a biennium for costs of personnel, payroll, and information technology (IT) assessments. The total cost for year one of the 2019-2021 biennium was \$1,736 for FY 2020. Salaries and other costs did not start until July 1, 2020, for FY 2021 that was year two of the 2019-2021 biennium.

Chair Carlton said she understood the cost was \$150,337 for FY 2021 that was the second year of the 2019-2021 biennium. She asked about the \$918,000 figure that was mentioned earlier.

Ms. O'Keefe responded that the \$918,000 was the total cost that the agency anticipated over the 2019-2021 biennium for both fiscal notes.

Chair Carlton said the original fiscal note listed costs of \$344,542 in FY 2020 and \$421,466 in FY 2021 and \$842,000 in future biennia.

Ms. O'Keefe replied that yes, the agency was looking at the future biennia costs.

Chair Carlton said she appreciated the agency being prepared, but she did not budget for future biennia.

Ms. O'Keefe added that the agency would need \$981,000 for the total 2019-2021 biennium costs. The Division listed a cost of \$422,186 in FY 2021 for the initial fiscal note and an additional \$150,337 for FY 2021 on the revised fiscal note for a total of \$571,803 in FY 2021.

Chair Carlton said in her notes she saw a future biennia cost of \$842,000 and asked about the time frame for that number.

Ms. O'Keefe responded that the time frame was the 2021-2023 biennium.

Sheri Brueggemann, Administrative Services Officer 4, Department of Public Safety, stated that the fiscal note system asked for the future costs of the future biennia. That was what that number represented. However, when OTIS was updated and applied, there would be no fiscal note in future biennia.

Chair Carlton said that the number she needed to understand was the 2019-2021 cost. She did not need a number for future biennia, and that number was misleading. The fiscal cost for FY 2020 would total \$344,542 and FY 2021, \$421,466. Changes related to the data collection would cost personnel assessments totaling \$1,736 in FY 2020 and salaries and other costs for two new positions totaled \$150,337 for FY 2021.

Ms. O'Keefe confirmed that Chair Carlton's numbers were correct.

Stephanie Woodard, Psy.D., Medical Epidemiologist, Division of Public and Behavioral Health, Department of Health and Human Services, stated that she confirmed the removal of the fiscal note for the Division of Public and Behavioral Health, Department of Health and Human Services, with the amendment that Assemblyman Yeager spoke to removing the batterers' program. She knew that criminal justice reinvestment acts from other states had a profound effect to ensure individuals with behavioral health problems or mental health and substance abuse problems had an opportunity to access needed treatment. The result was safer communities and individuals who reached a place of recovery as opposed to incarceration. The proposal was related to the risks and needs responsivity models. Those risk assessments were part of the proposed legislation and would move Nevada forward to ensure that Nevada used the most evidence-based top standards of care to identify those individuals who were most appropriate for diversion and treatment courts. She thought that additional information was important. She confirmed that the Department, including the Medicaid Division, had evaluated and reviewed the bill, and no other fiscal notes had been submitted.

Chair Carlton asked for further testimony and there was none.

Assemblyman Yeager stated that he did not understand the opposition and thought those two gentlemen who previously testified in opposition to the bill represented the bail bonds industry. He suggested that if the state could treat the drivers of crime, whether it was mental health or substance abuse disorders, then it could prevent a person from returning to the

criminal justice system. There would be a savings in prison costs but that was not the only savings. Everything that could be done to bring someone back into the workforce and become a productive member of society and reunify families was a benefit. That was a social cost that was hard to quantify. The bill sought to use evidence-based practices to ensure the state was doing as good of a job as possible to enhance public safety and spend taxpayer money wisely. The state was not getting a good return on the corrections cost investment now. Nevada's recidivism rate was higher than the national average, and the state's incarceration rate was higher than the national average. He urged the Committee to support the bill. He reiterated that any money that was invested now would generate a lot of savings in the future, and future legislators would be appreciative of the efforts.

Chair Carlton thanked Assemblyman Yeager and asked whether there were any proposed amendments to the bill.

Assemblyman Yeager responded that there were no proposed amendments to the bill.

Chair Carlton closed the hearing on A.B. 236 (R1) and opened the hearing on Assembly Bill 271 (1st Reprint).

**Assembly Bill 271 (1st Reprint):   Revises provisions relating to call centers.  
(BDR 53-900)**

Assemblywoman Sarah Peters, Assembly District No. 24, presented Assembly Bill (A.B.) 271 (1st Reprint). She presented Exhibit M that was mock-up amendment No. 5832 to A.B. 271 (R1). She also presented Exhibit N that was a proposed conceptual amendment to A.B. 271 (R1). The bill would protect hardworking Nevadans, their jobs, and economic incentive resources. The bill related to call centers. The fiscal note had been removed, and the Office of the Labor Commissioner agreed to remove the fiscal note based on the amendment. Exhibit O was a copy of an email from Shannon M. Chambers, Labor Commissioner, Office of the Labor Commissioner, who confirmed that the fiscal note was withdrawn and no longer needed. The bill required an employer who relocated a call center to a foreign country to notify the Labor Commissioner of the relocation and the number of employees displaced.

Assemblywoman Peters heard from stakeholders that there was a concern about a "bad actors list." She removed the idea of a list from the bill, and the bill now was just a data compilation. The data was a notification of a relocation of a business and the number of employees displaced from the business. The initial bill addressed the need to track and protect jobs in call centers. As call centers were closed in Nevada and jobs were moved overseas, she wanted to ensure that the individuals who were affected by those relocations were protected. The Labor Commissioner would be notified within 90 days of a relocation and the number of employees who might be displaced because of that relocation. That list was available for agencies that wished to receive economic incentive resources. Those businesses that had relocated out of the country would not be allowed to receive those

incentives for up to five years after they had left the state unless the businesses could show that it would cost the state not to give them the incentive.

Assemblyman Kramer said it seemed to him that what the bill addressed was a bad actor who came to the state, promised something, received the incentive, hired individuals, got a better deal someplace else, and skipped out. The bill tried to make it financially hard on those individuals when they wanted to return to Nevada. He asked about the number of those bad actors who returned to Nevada. He thought businesses would change their name and return to Nevada to try the same thing again under a different name.

Marc Ellis, President, Communication Workers of America, testified that the bill could be picked to death. There was no way to stop individuals from changing to new corporations, but what could be done was focus on the bad actors.

Assemblywoman Benitez-Thompson thought there was another piece of legislation that included a set of abatements related to the call centers. Those abatements related to general economic incentives. That language specified that a company cannot close down without the Office of Economic Development, Office of the Governor (GOED) examining the circumstances to consider whether a company changed its name to avoid provisions of GOED. She did not see that matter addressed in this bill but thought that would be seen when all the bills were enrolled. She would double check with the Legal Division, Legislative Counsel Bureau, because that had occurred in the past. Company A could become company B, but GOED could look at the application to determine who filed the application and whether it was the same group of individuals.

Assemblywoman Peters said the bill provided a tool for those departments that delivered economic incentives to ensure that those resources were used appropriately. She said that Ms. Chambers sent an email ([Exhibit O](#)) assuring the Committee that she would remove the fiscal note for the Office of the Labor Commissioner.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of the bill.

Richard P. McCann, J.D., Executive Director, Nevada Association of Public Safety Officers, CWA – Local 9110 AFL-CIO, testified in support of A.B. 271 (R1). The bill protected jobs and families.

Chair Carlton asked for testimony in opposition to the bill.

Omar Saucedo, Director, External Affairs, AT&T, testified in opposition to A.B. 271 (R1). He had some testimony prepared but had not seen the most recent amendment until now. He would explain briefly some of the changes the earlier amendment made. He thanked everyone who worked on the bill. He spoke to Speaker Jason Frierson and Majority Leader Teresa Benitez-Thompson and worked to get the bill to where it was today. He expressed the concerns of AT&T. The first concern was the notification was 90 days.

The Worker Adjustment and Retraining Notification Act (WARN Act) already required notification. The WARN Act required companies that relocated a call center to notify the union and the highest-ranking elected official of that local jurisdiction. The AT&T would appreciate aligning the notification period with federal law. It was easier for businesses to keep track of a consistent notification period for call center closures.

Mr. Saucedo said the other concern of AT&T was the \$5,000-per-day penalty. A fee of \$500 per day was associated with the closure or failure to provide adequate notification under federal law. He was concerned about the fee increasing from \$500 to \$5,000 per day. He spoke to counterparts in other states about the 30 percent call volume reduction. In other states, the requirement was a flat closure of a call center rather than a call reduction. The concern of AT&T was that products might be eliminated that resulted in a reduction of call volumes of 30 percent. Through no fault of the company, it might be inappropriately captured under the definition or the parameters of the bill. He appreciated the intent of the bill and believed that a company that received economic incentives to bring jobs to Nevada should repay those incentives when the call center closed within five years. The AT&T had those concerns and appreciated the time of the Committee.

Misty Grimmer, Senior Public Affairs Executive, The Ferraro Group, representing Cox Communications, testified in opposition to A.B. 271 (R1). The opposition was because Cox wanted to keep working on the bill with the bill's sponsor. Cox Communications had one of the largest call centers in Nevada, and it was the largest call center for Cox Communications with 600 employees. Cox was proud to bring those jobs to Nevada. That was why Cox had an interest in the bill. Cox understood that it had limited exposure in the bill that related to moving jobs internationally. Cox had no intentions of moving jobs out of the country. The term "displace" and the definition might require more work to accurately define. She asked whether the term "displaced" meant that the person actually lost his job or whether Cox wanted to relocate the person to another job. In the notice provisions, Cox wanted more clarification about what "notice" meant. She asked whether Cox Communications should send an email, certified letter, or exactly what was required. The fine was \$5,000, and Cox wanted to ensure it was in compliance with the law. Ms. Grimmer had just seen the most recent amendment and appreciated the removal of the list.

David Dazlich, Director, Government Affairs, Las Vegas Metro Chamber of Commerce, testified in opposition to A.B. 271 (R1). He echoed the concerns of the previous two speakers regarding the notice and fine structure. He clarified that the Chamber supported the state being able to retrieve economic incentives from bad actors; however, the addition of the last-minute amendment was opposed.

Chair Carlton asked for further testimony in opposition to or neutral on the bill. There was none. Chair Carlton said the fiscal note had been removed, but there was a problem with the policy. Chair Carlton closed the hearing on A.B. 271 (R1) and opened the hearing on Assembly Bill 276 (1st Reprint).

**Assembly Bill 276 (1st Reprint): Creates the Nevada State Teacher Recruitment and Retention Advisory Task Force. (BDR 34-1062)**

Assemblywoman Brittney Miller, Assembly District No. 5, presented Assembly Bill (A.B.) 276 (1st Reprint). The bill created the Nevada State Teacher Recruitment and Retention Advisory Task Force. There had been much discussion about turnover rates for teachers in Nevada. The teacher turnover rate affected all school districts, including the rural school districts and the two largest school districts, Clark County School District and Washoe County School District. It was difficult to quantify the social and academic costs to the students. There were real dollar amounts related to the costs of recruitment. A natural attrition occurred in any profession. In the field of teaching, individuals quit the profession altogether, and even worse, teachers left Nevada to teach in other states. The Task Force would be composed of teachers to make recommendations to the Legislative Committee on Education about what the state could do to attract teachers to teach in Nevada and, even more important, to retain the teaching force in Nevada. There were 977 vacant positions identified in Clark County School District for licensed professionals and over 100 vacant positions in Washoe County School District. Washoe County School District anticipated spending over \$43,000 in operating expenses for teacher recruitment, and Clark County School District was budgeted for \$900,000 for that purpose. The bill was an investment to improve teacher retention. The Department of Education had submitted a fiscal note on the bill. It was a sensible request because the Department would be supporting the facilitation of the bill, and the costs were the per diem expenses of the Task Force participants.

There being no questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill.

Natha C. Anderson, President, Washoe Education Association, also representing the Nevada State Education Association, testified in support of A.B. 276 (R1). The bill was supported in the policy hearings and was supported again today. Recruitment and retention was important to the school districts. Many of the vacancy numbers presented were special education teachers and other specialized fields including music. Any help to attract and retain teachers was beneficial.

Mary Pierczynski, representing the Nevada Association of School Superintendents, testified in support of A.B. 276 (R1). She said it was a good idea to study how the state could encourage more individuals to enter the teaching profession. There were many school vacancies that needed to be filled.

Tom Greene, Regional Advocacy Director, Western Region, Foundation for Excellence in Education, Excellence in Education in Action, testified in support of A.B. 276 (R1).

There being no further testimony in support of the bill, Chair Carlton asked for testimony in opposition to or neutral on the bill. There was none. She asked Assemblywoman Miller whether there were any proposed amendments.

Assemblywoman Miller responded that there were no proposed amendments.

Assemblyman Kramer said his concern was money. He asked about the Task Force and thought insufficient money caused problems in efforts to attract and retain teachers. He asked whether Assemblywoman Miller anticipated development of a list of other methods that would help the state in the endeavor.

Assemblywoman Miller confirmed that the Task Force would develop numerous suggestions to attract and retain teachers. Research showed that as much as teachers should be and would like to be recognized and paid at the level they were at professionally based on their degrees, she knew that salaries were not the No. 1 reason why individuals left the teaching profession. The No. 1 reason individuals left the teaching profession was related to workload and class sizes. There were many reasons that did not include money. She knew there would be multiple recommendations that did not include money.

Assemblyman Kramer asked if the bill was approved whether she would return to the Legislature during the 81st Session (2021) with some recommendations that would be helpful.

Assemblywoman Miller responded that hearing the collective voices throughout the state would provide validation to the recommendations. The bill was designed around teachers who had been teaching in Nevada for the last five consecutive years. Those teachers would understand why they entered the profession and why they remained in the profession. About 40 percent of teachers left the teaching profession within the first five years.

Chair Carlton said she was told by teachers that changes were needed other than money to make their lives better in the classrooms. There were no proposed amendments from Assemblywoman Miller, but the bill would be amended to incorporate the appropriation to pay the costs of the Task Force. The motion would be an Amend and Do Pass to ensure that the dollars in fiscal year (FY) 2020 and FY 2021 were incorporated into the bill.

Chair Carlton closed the hearing on A.B. 276 (R1) and opened the hearing on Assembly Bill 289 (1st Reprint).

**Assembly Bill 289 (1st Reprint): Revises provisions relating to the subject area of reading. (BDR 34-93)**

Assemblywoman Sarah Peters, Assembly District No. 24, presented Assembly Bill (A.B.) 289 (1st Reprint). She said the bill revised provisions related to Senate Bill 391 of the 78th Session (2015), Nevada's Read by Grade 3 Act. The bill was sponsored by the late Assemblyman Tyrone Thompson, Assembly District No. 17, and was important to him. She submitted Exhibit P, a proposed amendment to A.B. 289 (R1). The policy in the bill would promote services and remove retention being the default for students who failed to meet the reading criteria by grade 3, increase intervention services and

intensive instruction, and change the name of the teachers to literacy specialists instead of learning specialists. The bill had been a work in progress with stakeholders, including Assemblyman Thompson, who championed the effort; Dr. Katherine Dockweiler; Meredith Smith, who worked closely with Assemblyman Thompson; other legislators; and representatives from the Department of Education and the county school districts.

Assemblywoman Peters said the Committee was aware of the Read by Grade 3 program. She had been working on fiscal notes, and the most recent amendment was an effort to eliminate some of the fiscal effects from the school districts and the needs addressed. The conceptual amendment brought the focus back to the program being applied in grades kindergarten through grade 3 and ensured continuous parental inclusion with the emphasis on parental involvement. Section 7 related to the determination of proficiency at the end of grade 3 and was revised. The previous language would have resulted in retention of students or holding back students with a good-cause exemption. The most recent amendment directed the school principal to offer continued intervention and support services to promote students. The determination to promote or retain would be made in consultation with the literacy support team that had been invested with the student, including the teacher, literacy specialist, and other experts surrounding that student. The services would continue to be offered to students who were promoted. The bill retained reference to the existing authority of the principal to retain students. The fiscal notes on the bill included notes submitted by the Department of Education and the rural school districts. The State Public Charter School Authority removed its fiscal note. Representatives were present to speak to the policy matters or those fiscal notes.

Chair Carlton asked whether the Committee should work from the 1st Reprint or whether there was an additional amendment.

Assemblywoman Peters responded that an additional amendment was submitted as [Exhibit P](#).

Chair Carlton said she had a copy of [Exhibit P](#) and asked for a brief explanation of [Exhibit P](#).

Assemblywoman Peters reviewed [Exhibit P](#) for the Committee. Section 3 of the bill was a reporting requirement for charter schools and was deleted. Section 4, subsection 1 was revised to add the previously deleted language of "grade 3" and deleted "an elementary school." Pupils enrolled in grade 3 would be provided services to meet the grade 3 reading requirements. Section 5 added the previously deleted language of "in kindergarten or grade 1, 2 or 3." The intent was to require written notice to parents or guardians of pupils in kindergarten or grade 1, 2, or 3. The focus was primarily on those first three grades to ensure that students met retention in those early years. The amendment did not eliminate the services provided for students who failed to meet those criteria. Other changes were in line with that distinction. Section 7 contained language to determine the next step for students who failed to meet the goals and the decision to promote or retain those students. The notification to parents was deleted because the parents should be notified throughout the process. The change included a reference to statute that already existed and gave school



principals the discretion for retention of students who failed to meet those standards. The effective date was revised to be consistent throughout the enactment of the program.

Chair Carlton said the fiscal note from the Department of Education was included in The Executive Budget and had General Fund appropriations associated with the bill. She thought it was unusual to have the Department of Education submit a fiscal note on its own bill.

Jhone Ebert, Superintendent of Public Instruction, Department of Education, said the Department saw an opportunity to look at the work being done by the Department and provide better support to teachers and the learning environment. She submitted [Exhibit Q](#), a revised fiscal note No. 11487 prepared by Jennifer Bauer, Administrative Services Officer 3, Department of Education. There were three main components to the fiscal request. The first component was the Department saw the opportunity to provide targeted support and professional development for the kindergarten through grade 4 (K-4) teachers, deliver professional development, and expand those grades to be more focused as it moved forward.

According to Ms. Ebert, the second component was to study the tools currently used within the Department, and the tool currently used was free. A statement was made about General Funds currently being available. The tool used by the Department was free, and no additional funds were allocated for a new tool. The vendor that the Department used planned to eliminate that free tool within the next six to eight months. Reporting, communications, and real-time information should be cloud-based. The Department's staff would ensure the students received their interventions and services as prescribed in the monitoring plans in A.B. 289 (R1). If a new tool was not acquired, the Department would revert to an antiquated paper-based system. The reporting requirements in section 3 for the public charter schools and in section 10 for the public elementary schools created accountability necessary to ensure that all students who were not demonstrating reading proficiency by grade 3 were not forgotten but were provided their promised services.

Ms. Ebert continued that the third component was a school improvement tool. The tool would deliver a comprehensive needs assessment aligned to the Every Student Succeeds Act plan and reporting requirements. A tool allowed the Department to conduct a root-cause analysis to identify the greatest needs among the school districts and informed the entities of onsite visits and program goals. The same school improvement tool informed school performance plans and strategic budgeting. Together, the desktop monitoring application, the onsite support and visits, and the school improvement tool created coherence across the state and delivered greater results for the students. She thanked Assemblywoman Peters and all the members of the Committee for honoring their friendship with Assemblyman Thompson and pursuing his vision for the Read by Grade 3 bill.

Chair Carlton said it was atypical for a Department to submit a fiscal note for its own bill, and she would ask the Fiscal Analysis Division staff to review the fiscal note and other sources of funding.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of the bill.

Natha C. Anderson, President, Washoe Education Association, and representing the Nevada State Education Association, testified in support of A.B. 289 (R1). Read by Grade 3 had been a huge concern for many of the Association's members. They supported the bill in the policy hearings and continued to support the bill now.

Lindsay E. Anderson, Director of Government Affairs, Washoe County School District, testified in support of A.B. 289 (R1). The District worked diligently over the interim with Assemblyman Thompson to develop the policy in the bill and was committed to seeing that through. The District did not submit a fiscal note. She was grateful for the additional appropriation. She hoped that based on the work done over the interim, the allocation of the funds that were approved could be determined at the district level by the Legislature at the end of the 80th Session (2019). That was part of the reason that Assemblyman Thompson cared so much about moving from a competitive grant to a formula-based appropriation as soon as possible to allow the school districts to know how much money would be received and deploy those resources by the time school started. The school districts were continuing to work in that direction.

Bradley Keating, Director of Government Affairs, Clark County School District, testified in support of A.B. 289 (R1). The additional appropriation was greatly appreciated. If the bill was not approved, nearly 7,000 students would be held back in the Clark County School District alone and that was a staggering number. He looked forward to working on some policy changes during the Senate hearings to ensure that the intent of Assemblyman Thompson remained. He echoed the comments of Ms. Anderson about the benefits of moving from a competitive grant to a formula that was written into the bill. It was important to the District to know the dollar amount as it moved forward to the formula grant. In previous administrations, school districts were forced to use different evidence-based providers as part of the grant process. Clark County School District had to pay \$17,500 for two individuals to come for one day to provide training for literacy specialists. The District hoped, as it moved forward, that those dollars were allocated the right way to ensure that students achieved the goals and were able to read by grade 3, as opposed to having somebody come in and train for one day.

Mary Pierczynski, representing Nevada Association of School Superintendents, testified in support of A.B. 289 (R1). The rural school districts had removed their fiscal notes now that it was a formula-based grant rather than going through a competitive grant process.

Jessica Ferrato, Principal, Crowley and Ferrato Public Affairs, representing the Nevada Association of School Boards, testified in support of A.B. 289 (R1). She thanked Assemblywoman Peters for working on the bill and moving forward with it. She looked forward to continuing to work on the process.

Dr. Katherine Dockweiler, Past President, Nevada Association of School Psychologists, read her prepared statement.

Good morning Madame Chair and members of the Committee on Ways and Means. My name is Dr. Katie Dockweiler with the Nevada Association of School Psychologists, and I am here to speak in support of A.B. 289 (R1).

The state does an excellent job of tracking and providing longitudinal data on third-grade proficiency rates. As such, we have a clear picture of the projected number of students, and the corresponding financial costs, of the current Read by Grade 3 program *if we do not* fund and pass A.B. 289 (R1). Excluding any good-cause exemptions, the estimated financial cost to the state with the first cohort of retained students was \$81.8 million or nearly *\$164 million per biennium*. The cost of nearly \$82 million will be repeated annually with each new cohort of third-grade students subject to the existing law.

Assembly Bill 289 (R1) improves the law and bolsters the literacy supports given to students without the large fiscal consequences to the state or the harsh social and emotional consequences to students. The financial costs associated with A.B. 289 (R1) are a small investment compared to the very real multimillion-dollar price tag that will otherwise be realized.

Last year, 9,985 students (27 percent of Nevada's 3rd graders) obtained Emerging scores on the Smarter Balanced Assessment Consortium, or the SBAC, which is the assessment used to determine reading proficiency under the existing Read by Grade 3 program. At the current per student funding cost, this brings us to the \$81.8 million. We recognize that costs do not include any exclusionary factors and is the highest projected cost of the existing law. A.B. 289 (R1) will essentially remove the financial impact and save the state nearly \$164 million each biennium.

The Nevada Association of School Psychologists strongly supports A.B. 289 (R1) and respectfully requests the support of the Committee to fund and pass A.B. 289 (R1). Thank you.

Meredith Smith, Director of Policy, Nevada Succeeds, testified in support of A.B. 289 (R1). Nevada Succeeds had supported Read by Grade 3 when it first was approved by the Legislature in the 78th Session (2015). Nevada Succeeds supported the bill in its original format and supported updating the original legislation to remove the retention component. It was aware of a 2015 data analysis of more than 1,200 research studies on influences of retention on student achievement. The analysis found that retention showed a negative effect on student achievement. Dr. Dockweiler said it was a wise financial decision to not keep the retention component. Additionally, Nevada Succeeds favored adding the additional supports past grade 3 to provide clarity around the role of reading specialists. The Literacy Project

foundation found that three out of five individuals in U.S. prisons were unable to read, and 85 percent of juvenile offenders had trouble reading. Other research had estimated that illiteracy rates in prisons were as high as 75 percent of the population. Given that the Committee was charged with making funding decisions about many often-competing policy priorities, she thought those statistics were important. She believed that if help could be provided to ensure students received reading help and interventions, even if students could not read by grade 3, perhaps other negative social outcomes could be prevented. She asked the Committee to support A.B. 289 (R1) by approving the needed appropriations.

Alexander Marks, Nevada State Education Association, testified in support of A.B. 289 (R1). He participated in the work group, and it was a pleasure working with Assemblyman Thompson on the responsible fixes that would benefit the students without penalizing them for being in a system that was chronically and consistently underfunded.

Chair Carlton asked for testimony in opposition to the fiscal note of A.B. 289 (R1).

Tom Greene, Regional Advocacy Director, Western Region, Foundation for Excellence in Education, Excellence in Education in Action, testified in opposition to A.B. 289 (R1). He said he was a former public school teacher. Excellence in Education supported the Read by Grade 3 program for the past five years. He presented [Exhibit R](#) that was a document titled "Reading Policy Research." He did not believe the fiscal note took into account the long-term effects that promoting children to 4th grade had on the state. When children were not prepared to read by 3rd grade, research suggested that they were four times more likely to drop out of high school. When students came from communities of color or disadvantaged communities, they were eight times more likely to drop out of high school. As a former public high school teacher, he saw children who struggled to read in 10th grade. It was difficult because he lacked the skills to teach literacy. He saw their results and self-esteem suffer because they were unable to read by grade 10. He heard a lot about retention hurting the students' self-esteem. He thought it hurt students' self-esteem when they were not provided the resources, skills, and knowledge needed by grade 3 to learn to read. He opposed the bill because the data was clear. Other states with automatic retention were doing far better and improving their literacy rates faster than Nevada.

Chair Carlton cautioned Mr. Greene that he was straying from the fiscal note. She asked him to speak to the fiscal note. The Committee had limited time today, and the bill was approved by the policy committee.

Mr. Greene said making sure students could read by grade 3 ensured that they were on a trajectory to graduate high school and get a job and not on the pathway to incarceration.

Ann Silver, CEO, Reno+Sparks Chamber of Commerce, testified in opposition to A.B. 289 (R1). She opposed the repeal of automatic retention. An important decision about reading had to be made when a teacher realized the child's future was at stake.

Chair Carlton said the hearing was not about the policy statement but was limited to the fiscal note. She advised the speakers to keep their comments to the fiscal note.

Ms. Silver said she would discontinue any further remarks.

Chair Carlton said the bill would go to the Senate, and all the speakers would have every opportunity to share their remarks during the Senate hearings.

Chair Carlton asked for testimony in the neutral position on the bill and there was none. She closed the hearing on A.B. 289 (R1) and opened the hearing on Assembly Bill 331 (1st Reprint).

[Chair Carlton left the meeting briefly, and Assemblywoman Benitez-Thompson assumed the Chair.]

**Assembly Bill 331 (1st Reprint): Creates the Outdoor Education and Recreation Grant Program. (BDR 35-89)**

Assemblyman Steve Yeager, Assembly District No. 9, presented Assembly Bill 331 (1st Reprint). The bill enacted the No Child Left Inside Act of 2015 that was patterned after a similar program adopted by the state of Washington in 2007. The No Child Left Inside Act was a grant program to provide students with opportunities to experience the natural world with educational and recreational programs and activities. The formal name of the grant program was the Outdoor Education and Recreation Grant Program. The fiscal note was submitted by the Division of State Parks, State Department of Conservation and Natural Resources, for an employee to run the program and for a small operating budget. The employee would be a grants and projects analyst 2, and the total cost was \$99,135 in fiscal year (FY) 2020 and \$96,659 in FY 2021. He considered requesting a small appropriation as seed money for the grant program but could begin without that.

Vice Chair Benitez-Thompson understood that the cost for the grants and projects analyst 2 position and operating costs for the program would be \$99,135 in FY 2020 and \$96,659 in FY 2021. She asked whether that was the most recent cost of the bill.

Assemblyman Yeager confirmed that the fiscal numbers were the most recent figures.

Vice Chair Benitez-Thompson considered Assemblyman Yeager's request for seed money for the grants office to award to public agencies. She asked if the seed money was not approved, whether the program would still require operating costs to administer the grants.

Robert Mergell, Administrator, Division of State Parks, Department of Conservation and Natural Resources, stated that even if the Division did not receive any grant funds, the Division would still need the position to develop and administer the grant program. The position would establish the program and seek grants. A committee would be created to oversee the program, and that process would incur costs. After the position established the

program and rules for distributing the grants, the position would seek potential funding sources to put money into the grant account.

Vice Chair Benitez-Thompson understood that the grants and projects analyst 2 position would support the committee and seek grant funds for the program. The position's responsibilities would include creating and operating the program, applying for and administering grants, and supporting the committee.

Mr. Mergell confirmed that Vice Chair Benitez-Thompson was correct.

Assemblywoman Jauregui believed that the fiscal note included the salary for the position. The position would be tasked with finding grant dollars for the outdoor opportunities. The cost of the outdoor opportunities would not be funded by the state but would be funded by grants.

Mr. Mergell responded that if the state did not contribute any funds for the grants, then grants would be sought to deposit in the grant account. The grant program would move forward by actively seeking donors to contribute funds to the grant program account.

Vice Chair Benitez-Thompson said the Committee had asked technical questions and was ready to receive testimony on the bill.

[Assemblywoman Carlton reassumed the Chair.]

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill.

Alexander Marks, Nevada State Education Association (NSEA), testified in support of the bill. He said NSEA supported the bill in the policy committee and still supported the bill. He thought the program would engage young individuals who were most at risk, improve academics, enhance personal health, and develop an appreciation of nature. It was a good bill and should be approved.

There being no further testimony, Chair Carlton said there were no amendments to the bill. Chair Carlton closed the hearing on Assembly Bill 331 (1st Reprint) and opened the hearing on Assembly Bill 425 (1st Reprint).

**Assembly Bill 425 (1st Reprint): Revises provisions governing fingerprinting services. (BDR 19-945)**

Mike Draper, Partner, Argentum Partners, representing Fingerprinting Express and A-1 Fingerprinting, presented Assembly Bill 425 (1st Reprint). The bill addressed the fingerprint industry in Nevada at a time of data breaches and different concerns about personal information. The private fingerprint industry had been overlooked for many years. He worked on this bill with Chairman Flores [Assemblyman Edgar Flores, Assembly District

No. 28, and Chair of the Assembly Committee on Government Affairs] for the last year and a half. The Office of the Secretary of State worked with the parties to develop the program in the policy committee. The bill would hold fingerprint vendors to the same standards and processes as document technicians and notaries public.

Mr. Draper said the Department of Public Safety inspected fingerprint companies when they first opened. He worked with the Department of Public Safety to craft an amendment that removed the fiscal note. Mr. Draper submitted [Exhibit S](#) that was a proposed amendment prepared on behalf of the Assembly Committee on Government Affairs. The amendment removed language but conceptually retained the focus of the bill. It would give the Department of Public Safety the ability to develop and administer regulations and oversight of the fingerprint industry. The Department would conduct annual discretionary inspections throughout the industry to ensure that companies secured personal information and that information was transmitted to the state in a proper and safe way.

Mr. Draper said the amendment was short and provided the Department of Public Safety with the ability to create regulations for the fingerprint industry and conduct inspections. The Office of the Secretary of State and the Department of Public Safety were present to discuss the fiscal note. He appreciated everyone's time and effort on this bill. Fingerprint background checks were required by statute for more than 80 different industries. He anticipated that the bill would be the start of efforts to ensure that the fingerprint industry was safe, secure, and continued to evolve in a manner that was intended by statute.

Chair Carlton believed that the intent of the proposed amendment was to place oversight of the fingerprint industry with the Department of Public Safety, and the fiscal note would be removed.

Mr. Draper responded that the fiscal note would be removed.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill.

Gail J. Anderson, Deputy for Southern Nevada, Office of the Secretary of State, stated that she oversaw the document preparation services program and had worked on the bill previously. The conceptual amendment that was provided to her consisted of five sections. The amendment completely removed any responsibility of the Office of the Secretary of State from the bill. Fiscal note No. 9950 would be removed from [A.B. 425 \(R1\)](#).

Mindy McKay, Chief, Records, Communications and Compliance Division, Department of Public Safety, testified in support of [A.B. 425 \(R1\)](#). She thanked the persons who invited the Department to participate in amending [A.B. 425 \(R1\)](#). When the proposed amendment that was agreed to by the parties became Reprint 2, the Division's current fiscal note would become null and void, and there would no longer be a fiscal effect. She thanked the Committee as she worked through the established fiscal note process for its time and service to the great state.



David Dazlich, Director, Government Affairs, Las Vegas Metro Chamber of Commerce, testified in support of A.B. 425 (R1).

There being no further testimony, Chair Carlton closed the hearing on A.B. 425 (R1) and opened the hearing on Assembly Bill 476 (1st Reprint).

**Assembly Bill 476 (1st Reprint): Revises provisions concerning affordable housing. (BDR 25-1119)**

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27, presented Assembly Bill (A.B.) 476 (1st Reprint) with Assemblyman Al Kramer, Assembly District No. 40. A revised fiscal note was prepared for the bill. Assembly Bill 476 (1st Reprint) would reestablish the Advisory Committee on Housing. The Advisory Committee on Housing existed in *Nevada Revised Statutes* (NRS) until it was recommended to be sunsetted by the Legislative Commission's Sunset Subcommittee (NRS 232B.210). In rethinking the current status of affordable housing, it made most sense to reestablish the Advisory Committee on Housing and encourage it to do good work and generate action.

Assemblywoman Benitez-Thompson said section 3 created the Private Activity Bond Council. The Council existed in the *Nevada Administrative Code* 348A.280 and was called the Special Committee to Provide Advice on the Private Activity Bonds. Assembly Bill 476 (1st Reprint) would move into statute the Special Committee and change the composition. The biggest change in the composition was the addition of a member of the Senate and a member of the Assembly who were both appointed by the Legislative Commission. Other than that addition to the composition, the Special Committee stayed largely the same.

Assemblywoman Benitez-Thompson explained that the goal was to have the Advisory Committee on Housing provide input to the Private Activity Bond Council to improve a qualitative understanding of the housing needs to prioritize how those private activity bonds were allocated. The discretion remained in the Department of Business and Industry Director's hands regarding how the actual allocations occurred. A revised fiscal note would be provided. The revised fiscal note from the Department now only requested the travel associated with the staff needs for the bill. The fiscal note was revised to \$68,944 in fiscal year (FY) 2020, and \$82,953 in FY 2021, and the cost in future biennia was \$165,906.

Chair Carlton asked whether travel was being added or deleted from the fiscal note.

Assemblywoman Benitez-Thompson responded that the revised fiscal note contained mostly the personnel and travel for personnel and included related costs in categories for salary, travel, operating, information technology, and equipment.

There being no further questions or comments from the Committee, Chair Carlton asked for testimony in support of, in opposition to, or neutral on the bill.



Mendy Elliott, representing the Nevada Rural Housing Authority, testified in support of A.B. 476 (R1). The Nevada Rural Housing Authority supported the policy and changes to the fiscal note.

Terry Reynolds, Deputy Director, Department of Business and Industry, testified in neutral on the bill. He introduced his staff. The Department reduced its original fiscal note and he presented [Exhibit T](#), a revised fiscal note on Assembly Bill 476 (1st Reprint) from the Department of Business and Industry. He clarified that the money to pay the costs would come from the industrial bond fund and not from the State General Fund. Assembly Bill 476 (1st Reprint) created two committees and restored the Advisory Committee on Housing.

Stephen Aichroth, Administrator, Housing Division, Department of Business and Industry, testified that A.B. 476 (R1) addressed his previously submitted fiscal concerns and no fiscal effect remained for the Division.

Michael Brown, Director, Department of Business and Industry, testified that the idea of reestablishment of the Advisory Committee on Housing was brought to the administration early. He believed it needed to be restored, and he looked forward to chairing the Committee with legislators.

There being no further testimony, Chair Carlton closed the hearing on A.B. 476 (R1) and said the bill required no General Funds. She asked the Fiscal Analysis Division staff to verify the costs.

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, responded that the process required a work program to be processed to establish the new position and additional costs if the bill was approved.

Chair Carlton opened the hearing on Assembly Bill 498 (1st Reprint).

**Assembly Bill 498 (1st Reprint): Revises provisions relating to fictive kin caregivers. (BDR 38-452)**

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1, presented Assembly Bill (A.B.) 498 (1st Reprint). The bill revised provisions related to fictive kin caregivers to establish a program to allow certain persons who provided care for children who were not blood related. This related to children who found themselves in a position where they had to be placed with a person who was not a blood relative because family was unable or unwilling to provide care. Those placements allowed children to grow to adulthood in a family environment and maintain connections to their family. Fictive kin caregivers were different from foster parents because they were unlicensed when they first accepted children into their home. As a result, fictive kin were not entitled to the financial support that nonkin foster parents received. There was a fiscal note attached to the bill. The Department of Health and Human Services was present to address that fiscal note.

Lisa Swearingen, Chief, Eligibility and Payments Unit, Division of Welfare and Supportive Services, Department of Health and Human Services, said the Division submitted a fiscal note on the bill related to required system changes and development of a new aid code if the agency created the new fictive kin caregiver program. The costs included development and requirement costs associated with system changes reflected in the fiscal note.

Chair Carlton asked whether the costs were one-time costs for the agency to develop the new program.

Ms. Swearingen confirmed Chair Carlton was correct.

Chair Carlton said that the costs occurred in the 2019-2021 biennium. The total cost was \$5,560 for required programming hours at \$150 per hour. She suggested it would be cost effective for the state to hire its own programmers.

Ms. Swearingen said the Division would not add any additional positions, but the fiscal note was solely to pay for the system changes. The cost was covered 100 percent by the Temporary Assistance for Needy Families (TANF) block grant, and no General Funds would be required.

Chair Carlton confirmed that the TANF block grant would pay the costs.

Jennifer Jeans, Child Advocacy Attorney, representing Washoe Legal Services and Legal Aid Center of Southern Nevada, testified in support of A.B. 498 (R1). She represented children in foster care proceedings. She emphasized how important the bill was for fictive kin placements for her clients. The clients had been through significant and continuing trauma. The ability to remain in their communities with an adult with whom they had an emotional connection was beneficial and meant a great deal to the children. The bill would be an excellent use of federal dollars.

There being no further testimony, Chair Carlton closed the hearing on A.B. 498 (R1).

Chair Carlton said the Committee would begin to process a number of bills in a work session.

**Assembly Bill 309: Makes various changes relating to education. (BDR 34-886)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill (A.B.) 309 made various changes related to education. The bill was heard on May 14, 2019, with the proposed amendment. Originally, Assemblyman Frierson presented the bill. Exhibit U was the proposed mock-up amendment No. 5815 to A.B. 309. Technical changes to that amendment had been provided to the members. The amended bill accomplished several things. Section 1 specified that the intent of the Legislature was to make known to school districts the total amount of support from all state and local funding sources. Section 3 required school districts that negotiated with employee organizations to increase salaries of teachers and classified employees in a fiscal

year and reserve for that fiscal year the amount of money sufficient to provide the agreed-upon increase in the salaries of teachers and classified employees. Section 5 authorized the board of county commissioners of each county to impose, by a two-thirds vote of the board or by a majority vote of the people at a primary, general, or special election, a new sales and use tax at the rate of one-quarter of 1 percent of the gross receipts of retailers. Section 8 authorized the proceeds of the tax to be used to pay the cost of one or more programs of early childhood education, adult education, programs to reduce truancy or homelessness, certain matters related to affordable housing, and incentives for recruitment or retention of licensed teachers for high-vacancy schools. Section 13 made an appropriation for a block grant to each school district and charter school for certain purposes. Section 14 provided a temporary waiver for the minimum textbook expenditures for the upcoming biennium. Section 15 authorized the Legislative Counsel Bureau to approach the Legislative Commission to request an allocation from the Contingency Account [*Nevada Revised Statutes* (NRS) 353.266] to pay the costs of the Legislative Auditor to conduct any recommended special audit or investigation of the school districts in the state.

Ms. Jones said the Department of Education submitted a fiscal note on the bill indicating the need for a management analyst position to support the programs required in the bill at a cost of \$100,137 over the 2019-2021 biennium. Based on the proposed amendment, the Committee approved providing the Fiscal Analysis Division staff authority to include language in the K-12 education bill to transfer funding from five categorical programs to the State School Remedial Trust Account to facilitate the block grants of the bill. Testimony in support of the bill was from a variety of organizations that supported school districts and school district personnel. There was no testimony in opposition to the bill. The Kenny Guinn Center for Policy Priorities testified in neutral. The Fiscal Analysis Division staff recommended an additional adjustment related to the effective date in section 3, subsection 3 to change the date to November 1 or December 1 because the final month of sales tax collections were not known and distributed until August of the next fiscal year. A change to a specific date could be determined by Assemblyman Frierson, but it was just a minor technical adjustment.

Assemblyman Frierson said the last technical change was designed to make the bill practical and functional. He supported the changes. With respect to that date, he had no preference.

Ms. Jones said she would work with the Department of Taxation and ask them to suggest the appropriate date.

Assemblyman Frierson responded that he would support that change. In a practical sense, whatever gave the Department of Taxation adequate time to obtain the necessary information was appropriate.

Chair Carlton said the Committee would incorporate that change into the motion. When the amendment was received, she would ensure it was reviewed and appropriate.

There being no further questions or comments, Chair Carlton called for a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED THAT THE COMMITTEE AMEND AND DO PASS ASSEMBLY BILL 309 AND AUTHORIZE THE FISCAL ANALYSIS DIVISION STAFF TO INCLUDE LANGUAGE IN THE KINDERGARTEN THROUGH GRADE 12 EDUCATION BILL TO TRANSFER FUNDING FROM FIVE CATEGORICAL PROGRAMS TO THE STATE SCHOOL REMEDIAL TRUST ACCOUNT TO FACILITATE THE BLOCK GRANT PROVISIONS OF THE BILL AND MAKE A TECHNICAL ADJUSTMENT TO THE DATE IN SECTION 3.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Kramer, Titus, and Wheeler voted no. Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton said she would present the amendment and the floor statement.

**Assembly Bill 150 (1st Reprint): Establishes a program to allow certain persons over 18 years of age to remain in foster care. (BDR 38-453)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 150 (1st Reprint) was heard earlier this morning and established a program to allow certain persons over the age of 18 years to remain in foster care. A proposed amendment (Exhibit E) was discussed during the hearing. The fiscal note on the bill was revised to \$35,533 in fiscal year (FY) 2020 and \$11,345 in FY 2021. Those amounts would be amended into the bill.

There being no questions or comments, Chair Carlton called for a motion to Amend and Do Pass to include the amendment presented and the amounts in the fiscal note.

ASSEMBLYMAN FRIERSON MOVED THAT THE COMMITTEE AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 150 (1ST REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblywoman Monroe-Moreno.

**Assembly Bill 236 (1st Reprint): Makes various changes related to criminal law and criminal procedure. (BDR 14-564)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill (A.B.) 236 (1st Reprint) was heard earlier this morning and made various changes related to criminal law and criminal procedure. There were several fiscal notes submitted on the bill. The first fiscal note was provided by the Division of Parole and Probation, Department of Public Safety, and was increased slightly. The revised amount was \$344,542 in fiscal year (FY) 2020 and \$571,803 in FY 2021 for a total of \$916,345 for the 2019-2021 biennium. The Department of Corrections revised its fiscal note to \$30,348 in FY 2020 and \$83,133 in FY 2021. The Peace Officer Standards and Training (P.O.S.T.) Commission costs remained the same at \$74,117 in FY 2020 and \$91,986 in FY 2021. Those amounts could be included and delineated by agency in the appropriation for the bill.

Assemblywoman Titus said she would support the motion but reserved her right to change her vote on the floor.

There being no further questions or comments, Chair Carlton called for a motion to Amend and Do Pass A.B. 236 (R1).

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED THAT THE COMMITTEE AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 236 (1ST REPRINT).

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblyman Steve Yeager, Assembly District No. 9, and Assemblywoman Monroe-Moreno would be his backup.

**Assembly Bill 276 (1st Reprint): Creates the Nevada State Teacher Recruitment and Retention Advisory Task Force. (BDR 34-1062)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 276 (1st Reprint) was heard earlier this morning and created the Nevada State Teacher Recruitment and Retention Advisory Task Force. The Department of Education submitted a fiscal note, and the cost was \$7,692 in each year of the 2019-2021 biennium. Costs for travel and per-diem expenses for the Task Force to be able to conduct its business were included. An additional State General Fund appropriation should be added to the bill if the Committee so chose.

There being no questions or comments, Chair Carlton called for a motion add the appropriation to the bill and Amend and Do Pass.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED THAT THE COMMITTEE ADD THE APPROPRIATION AND AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 276 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblywoman Brittney Miller, Assembly District No. 5.

**Assembly Bill 289 (1st Reprint): Revises provisions relating to the subject area of reading. (BDR 34-93)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill (A.B.) 289 (1st Reprint) was heard earlier this morning and revised provisions related to the subject area of reading commonly known as the Read by Grade 3 program. An amendment was provided to the Committee that changed some of the policy aspects of the bill. Funding for the program was approved by the money committees. The Department of Education submitted a fiscal note reflecting a cost of about \$40,000 for each year of the 2019-2021 biennium. The Fiscal Analysis Division staff noted that in closing the budget for the program, the money committees approved an additional position and in-state travel totaling \$185,000. The Department would provide professional development in addition to two positions that were already approved for the program with in-state travel as well of nearly \$5,000 per year over the 2019-2021 biennium. It was unclear as to the need of the fiscal note in addition to the amounts already approved in the budget for the Department of Education to administer the program.

Chair Carlton had similar concerns as she parsed through the fiscal note to ensure the actual concerns were addressed and the equipment and systems were truly needed with all the other dollars that Ms. Jones had spoken about. She preferred to process the bill without the fiscal note right now. The Committee needed to move bills through the process. If a problem was discovered along the way, it could still be addressed, but she did not want to slow the process down on the bill. The proper motion would be Do Pass.

Ms. Jones said an amendment was submitted by the sponsors of the bill, and the motion would be Amend and Do Pass.

Chair Carlton appreciated that reminder.

Chair Carlton asked for any questions on the bill from the Committee members.

Assemblywoman Titus said she opposed the bill. Unfortunately, she was against the policy. This was not a policy committee, and therefore she would not explain why she opposed the policy but she would vote no on the bill.

There being no further questions or comments, Chair Carlton called for a motion to Amend and Do Pass.

ASSEMBLYMAN FRIERSON MOVED THAT THE COMMITTEE AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 289 (1ST REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Kramer, Titus, and Wheeler voted no. Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton said she would assign the floor statement later.

**Assembly Bill 331 (1st Reprint): Creates the Outdoor Education and Recreation Grant Program. (BDR 35-89)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 331 (1st Reprint) was heard earlier this morning and created the Outdoor Education and Recreation Grant Program. A fiscal note was submitted by the State Department of Conservation and Natural Resources to add a position to support the committee that was established in the bill and to seek grants. The amounts indicated were \$99,135 in fiscal year (FY) 2020 and \$96,659 in FY 2021. Those amounts could be amended into the bill.

There being no questions or comments, Chair Carlton called for a motion to Amend and Do Pass to include the amounts of the fiscal note into the bill.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED THAT THE COMMITTEE AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 331 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblywoman Swank.

**Assembly Bill 425 (1st Reprint): Revises provisions governing fingerprinting services. (BDR 19-945)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 425 (1st Reprint) was heard earlier this morning and revised provisions governing fingerprinting services. Both agencies that submitted fiscal notes indicated that the amendment would remove the fiscal costs for those agencies. An amendment was proposed by the bill sponsor that resulted in those fiscal notes being removed.

There being no questions or comments, Chair Carlton called for a motion to Amend and Do Pass.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED THAT THE COMMITTEE AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 425 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick and Neal were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblywoman Jauregui.

**Assembly Bill 476 (1st Reprint): Revises provisions concerning affordable housing. (BDR 25-1119)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 476 (1st Reprint) was heard earlier this morning and revised provisions concerning affordable housing. The Department of Business and Industry indicated the need for a management analyst position. The Department noted that the position would be supported by the Private Activity Bond Fund. The agency would need to present a work program to add the position when it was needed. There was no General Fund cost for the bill.

Assemblyman Kramer asked whether there would be a technical change to the bill. There were some minor changes to the Advisory Committee on Housing.

Assemblywoman Benitez-Thompson responded that the minor changes to the composition of the Advisory Committee on Housing had been submitted to the Legal Division, Legislative Counsel Bureau, but would not affect the fiscal note. The proper motion would be Amend and Do Pass to complete the minor changes.

Ms. Jones explained that there was a technical adjustment proposed by the bill's sponsor that affected the Advisory Committee on Housing, but did not affect the fiscal note. The position would be supported by the Private Activity Bond Fund.



There being no further questions or comments, Chair Carlton called for a motion to Amend and Do Pass.

ASSEMBLYMAN KRAMER MOVED THAT THE COMMITTEE AMEND  
AND DO PASS AS AMENDED ASSEMBLY BILL 476 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

THE MOTION PASSED. (Assemblywoman Titus voted no.  
Assemblymen Hambrick, Neal, and Wheeler were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblyman Kramer.

**Assembly Bill 498 (1st Reprint): Revises provisions relating to fictive kin caregivers.  
(BDR 38-452)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 498 (1st Reprint) was heard earlier this morning and revised provisions related to fictive kin caregivers. The Division of Welfare and Supportive Services, Department of Health and Human Services, indicated a fiscal effect of approximately \$834,000 as a one-time cost in fiscal year 2020 to program changes to the information system for the provisions of the bill. The costs would be 100 percent supported by the federal Temporary Assistance for Needy Families grant, and there was no State General Fund effect, and no amendments would be needed.

There being no questions or comments, Chair Carlton called for a motion to Do Pass as Amended.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED THAT THE  
COMMITTEE DO PASS AS AMENDED ASSEMBLY BILL 498  
(1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick, Neal, and Wheeler were  
not present for the vote.)

Chair Carlton assigned the floor statement to Assemblywoman Monroe-Moreno.

**Assembly Bill 526: Revises provisions relating to the Commission on Postsecondary  
Education. (BDR 34-1214)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, explained that Assembly Bill 526 was heard earlier this morning and revised

provisions related to the Commission on Postsecondary Education. The bill was a budget implementation bill that added one person to the Commission with some policy implications regarding training for veterans. A State General Fund appropriation of \$411 was approved by the money committees in the budget. The agency presented a conceptual amendment to change some words in the bill related to the need to remain compliant with federal law.

There being no questions or comments, Chair Carlton called for a motion to Amend and Do Pass.

ASSEMBLYMAN FRIERSON MOVED THAT THE COMMITTEE  
AMEND AND DO PASS ASSEMBLY BILL 526.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

THE MOTION PASSED. (Assemblymen Hambrick, Neal, and Wheeler were not present for the vote.)

Chair Carlton assigned the floor statement to Assemblywoman Spiegel.

Chair Carlton said that concluded the items on the agenda for the morning. She cautioned the members to be prepared because actions were reported to the floor immediately. She opened public comment.

Senator James Ohrenschall, Senate District No. 21, introduced his stepbrother, Tyler Daykin, who last weekend earned his Ph.D. in plasma physics from the University of Nevada, Reno (UNR). Mr. Daykin reached out to Senator Ohrenschall last weekend about keeping scientists and engineers in Nevada. He wanted to let someone know, and Senator Ohrenschall encouraged him to speak to the Legislature. Mr. Daykin was present to share his thoughts with the Committee about keeping scientists in Nevada.

Tyler Daykin, Ph.D., Private Citizen, Reno, Nevada, stated his concerns about funding one of the best research facilities in Northern Nevada known as the Nevada Terawatt Facility (NTF). Sadly enough, it no longer received adequate funding from UNR and would be closing soon. As a recent alumni, he believed it was his responsibility to say something about the facility. He was concerned that he was the last generation of physicists to come from NTF. The facility taught fundamental science, defense science, fusion science, and all were very important for the state and the country. It was the only university facility in the United States that could perform certain types of experiments. It was unique because NTF could perform ultra-intense lasers as well as pulsed electrical discharge devices and pulse-powered machines together. That allowed NTF to do large collaborations with national labs and other universities to do groundbreaking research. The only other place was Sandia National Labs, and it could only do about 15 percent of the shots that UNR could perform.

According to Mr. Daykin, the NTF provided graduate and undergraduate students the hands-on work that was not seen at other large universities where the technicians did the work, and the scientists analyzed a lot of the data. The closure of NTF would hurt the R1 status at UNR and jeopardize the prominent university for future research. Currently, the NTF itself had awarded 40 Ph.D.s in the last ten years, and that was a lot. All of those students had either stayed in Nevada or gone to national labs because of the research and experience received from NTF.

Mr. Daykin explained that an outside committee was formed in 2017 to examine the Physics Department. That committee found that NTF was in high regard despite its small size and emphasized that NTF needed careful attention from UNR that it had not received. The NTF grants and reimbursements supported a large number of other faculty positions in other departments. The Physics Department was one of the largest departments in the University, despite its small size. The committee found that NTF was the anchor that held the Physics Department together, and without NTF it would be hard to continue to produce any graduate or undergraduate students. He said if NTF could receive more support, it could attract more scientists, faculty, and graduate students. He thanked the Committee for listening to him.

Chair Carlton asked whether the funding was eliminated by UNR.

Mr. Daykin responded that the funding was unsupported by the University because it believed the funding would be better spent on other programs even though the outside committee found that NTF grants supported a large number of faculty in other departments.

Chair Carlton wanted to ensure that the University decided to cut the funding, and the Legislature had not made that cut.

Assemblywoman Benitez-Thompson said she was not a scientist but was married to one in real life. She would ask UNR about that funding decision. It was worth asking. Sometimes it was interesting asking what programs UNR bolstered and what programs it let fall by the wayside. In 2011, UNR let go of the supply chain management program and that always seemed odd to Assemblywoman Benitez-Thompson. She would ask about the NTF decision.

Chair Carlton said that concluded the meeting for today. The Assembly Committee on Ways and Means meeting would begin tomorrow morning at 9 a.m. in Room 3137. The Assembly Committee on Ways and Means and the Senate Committee on Finance would meet jointly tomorrow morning at 8 a.m. in room 4100 to close the Distributive School Account budget.

There being no further business before the Committee, Chair Carlton adjourned the meeting [at 11:19 a.m.].

RESPECTFULLY SUBMITTED:

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Janice Wright  
Committee Secretary

APPROVED BY:

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Assemblywoman Maggie Carlton, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment to section 1 of Assembly Bill 526 presented by Christopher Sewell, Chief of Operations, Legislative Liaison, Administration Division, Department of Employment, Training and Rehabilitation.

[Exhibit D](#) is a request for amendments for Assembly Bill 526 presented by Christopher Sewell, Chief of Operations, Legislative Liaison, Administration Division, Department of Employment, Training and Rehabilitation.

[Exhibit E](#) is a proposed amendment to Assembly Bill 150 (1st Reprint) presented by Jared Busker, Associate Director/Government Affairs Manager, Children's Advocacy Alliance.

[Exhibit F](#) is a letter dated May 15, 2019, to Assemblywoman Carlton, Chair of the Assembly Committee on Ways and Means, authored by Len Engel, Director of Policy and Campaigns, Crime and Justice Institute, presented by Assemblyman Steve Yeager, Assembly District No. 9, in support of Assembly Bill 236 (1st Reprint).

[Exhibit G](#) is a revised fiscal note ID 11478 from the Department of Corrections, prepared by Scott Ewart, Administrative Services Officer 4, Department of Corrections, presented by Assemblyman Steve Yeager, Assembly District No. 9, in support of Assembly Bill 236 (1st Reprint).

[Exhibit H](#) is a document titled, "State of Nevada – Budget Division Payroll/Position Detail 2019-2021 Biennium (FY 20-21) WO5 Working Version 02.01.2019," dated May 22, 2019, prepared by Scott Ewart, Administrative Services Officer 4, Department of Corrections, presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety, related to Assembly Bill 236 (1st Reprint).

[Exhibit I](#) is a document titled, "State of Nevada – Budget Division Line Item Detail & Summary 2019-2021 Biennium (FY 20-21)," dated May 22, 2019, prepared by Scott Ewart, Administrative Services Officer 4, Department of Corrections, presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety.

[Exhibit J](#) is a proposed amendment to Assembly Bill (A.B.) 236 (1st Reprint) dated March 28, 2019, authored by Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety, in support of A.B. 236 (R1).

[Exhibit K](#) is a letter dated March 7, 2019, to Assemblyman Steve Yeager, Chair, and the Assembly Committee on Judiciary, authored by Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, citing some of the agency's concerns about the language of [Assembly Bill 236 \(1st Reprint\)](#), presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety.

[Exhibit L](#) is a letter dated May 23, 2019, to Assemblyman Steve Yeager, Chair, and the Assembly Committee on Judiciary, authored by Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety, citing the need to amend the fiscal note for [Assembly Bill 236 \(1st Reprint\)](#), presented by Stephanie O'Rourke, Deputy Chief, Division of Parole and Probation, Department of Public Safety.

[Exhibit M](#) is a mock-up amendment 5832 to [Assembly Bill 271 \(1st Reprint\)](#) presented by Assemblywoman Sarah Peters, Assembly District No. 24.

[Exhibit N](#) is a proposed conceptual amendment to [Assembly Bill 271 \(1st Reprint\)](#) presented by Assemblywoman Sarah Peters, Assembly District No. 24.

[Exhibit O](#) is a copy of an email from Shannon M. Chambers, Labor Commissioner, Office of the Labor Commissioner, dated May 24, 2019, confirming that the fiscal note was withdrawn and no longer needed.

[Exhibit P](#) is a proposed amendment to [Assembly Bill 289 \(1st Reprint\)](#) presented by Assemblywoman Sarah Peters, Assembly District No. 24.

[Exhibit Q](#) is a fiscal note 11487 on [Assembly Bill 289 \(1st Reprint\)](#) prepared by the State Public Charter School Authority by Jennifer Bauer, Administrative Services Officer 3, presented by Jhone Ebert, Superintendent of Public Instruction, Department of Education,

[Exhibit R](#) is a document titled "Reading Policy Research," presented by Tom Greene, Regional Advocacy Director, Western Region, Foundation for Excellence in Education, Excellence in Education in Action, in opposition to [Assembly Bill 289 \(1st Reprint\)](#).

[Exhibit S](#) is a proposed amendment prepared on behalf of the Assembly Committee on Government Affairs to [Assembly Bill 425 \(1st Reprint\)](#) submitted by Mike Draper, Partner, Argentum Partners, on behalf of Fingerprinting Express.

[Exhibit T](#) is a revised fiscal note on [Assembly Bill 476 \(1st Reprint\)](#) presented by Terry Reynolds, Deputy Director, Department of Business and Industry.

[Exhibit U](#) is a proposed mock-up amendment 5815 to [Assembly Bill 309](#) presented by Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau.