

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

**Eightieth Session  
May 27, 2019**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 8:16 a.m. on Monday, May 27, 2019, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/80th2019](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 Dina Neal  
Assemblywoman Ellen B. Spiegel  
Assemblywoman Heidi Swank  
Assemblywoman Robin L. Titus  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS EXCUSED:**

Assemblyman John Hambrick

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Jill Tolles, Assembly District No. 25  
Assemblyman William McCurdy II, Assembly District No. 6  
Senator Joseph P. Hardy, Senate District No. 12  
Senator Julia Ratti, Senate District No. 13

**STAFF MEMBERS PRESENT:**

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

Minutes ID: 1344



Kristina Shea, Program Analyst  
Nancy Morris, Committee Secretary  
Lisa McAlister, Committee Assistant

After staff called roll, Chair Carlton stated five bills would be discussed in this meeting and reminded Committee members that the morning meeting would be recessed and reconvened in the evening at the call of the chair. She then invited Assemblywoman Neal to the testimony table to present Assembly Bill 223 (1st Reprint).

**Assembly Bill 223 (1st Reprint): Requires the Department of Health and Human Services to seek a federal waiver to provide certain dental care for persons with diabetes. (BDR 38-544)**

Assemblywoman Dina Neal, Assembly District No. 7, presented Assembly Bill (A.B.) 223 (1st Reprint), which was an oral health bill focused on creating a demonstration project for diabetic individuals. The proposed amendment to the bill (Exhibit C) removed the \$7 million-per-year, post-demonstration appropriation in the original bill. The only funding needed was \$250,000, which would be paid for by non-State General Fund sources.

Cody L. Phinney, Deputy Administrator, Division of Health Care Financing and Policy, Department of Health and Human Services (DHHS), stated that non-General Fund sources had been secured for the development of the waiver in the bill. She noted that the Centers for Medicare and Medicaid Services required the waiver program to be budget-neutral and would be developed accordingly. The next biennium would be used to develop the waiver and start the program.

Chair Carlton questioned whether the program would have an effect on General Funds in the future, or if it would remain budget-neutral.

Ms. Phinney stated that the budget neutrality requirement for this type of waiver was a five-year waiver, so it was possible there could be an effect in future biennia. The first five years were required to be budget-neutral and the waiver would adhere.

Chair Carlton asked whether demonstration waivers had been done before and what kind of effect previous waivers had.

Ms. Phinney stated that demonstration waivers had been done before, the most recent being the health care guidance program, which had ended. She lacked specific details about the fiscal effect of that program.

Seeing no other questions from Committee members, Chair Carlton asked what the funding source was for the waiver development, since it was not General Funds.

Ms. Phinney stated the money would come from tobacco funds.

Chair Carlton invited those in support of A.B. 223 (R1) to testify.

Joanna Jacob, Executive Vice President, Ferrari Public Affairs, on behalf of the Nevada Dental Association, thanked Ms. Phinney, Assemblywoman Neal, and Dr. Antonina Capurro, State Dental Health Officer, Bureau of Health Care Quality and Compliance, Division of Public and Behavioral Health, DHHS, for their efforts developing the bill.

Michael Hackett, Principal, Alrus Consulting, on behalf of the Nevada Primary Care Association, stated that the Federally Qualified Health Centers (FQHC) offered dental services as part of the core healthcare services they provided. The Association thanked Assemblywoman Neal for listening to how the FQHCs rolled out programs and provided services. The Association supported the bill and felt it would be beneficial to Medicaid patients served by FQHCs.

Seeing no others to testify in support, Chair Carlton invited those in opposition to or neutral on A.B. 223 (R1) to testify. Seeing no one, Chair Carlton invited Assemblywoman Neal to make closing remarks.

Assemblywoman Neal thanked the Committee for hearing this bill and shared that chronic diseases were projected to cost the state of Nevada \$401 billion from 2016 to 2030. The purpose of bringing the bill forward was to focus on oral health and diabetes patients in Nevada who represented a high percentage of individuals in the state. This was her first experience with an oral health initiative.

Chair Carlton stated she had been involved in oral health since 2001 and appreciated Assemblywoman Neal entering the area of oral health. She understood the role oral health played in overall health and could not understand why the two areas were separated.

Chair Carlton closed the hearing on Assembly Bill 223 (1st Reprint) and stated Assembly Bill 319 (1st Reprint) would be heard next.

**Assembly Bill 319 (1st Reprint): Revises provisions governing professional licensing.  
(BDR 54-314)**

Assemblywoman Jill Tolles, Assembly District No. 25, began her presentation of Assembly Bill (A.B.) 319 (1st Reprint) by stating she would focus on the financial side of the bill more than policy because she was in front of a money committee. The bill had come out of the Occupational Licensing Policy and Practice Learning Consortium in an attempt to find ways to reduce barriers to entry into the workforce for certain populations. This bill required regulatory bodies to develop and execute a process by which an individual with a criminal history could petition the regulatory body to review the individual's criminal history and determine whether the individual's criminal history would disqualify the individual from obtaining a license from the regulatory body. Continuing with highlights of the bill's fiscal effects, Assemblywoman Tolles stated that the bill required the regulatory body to respond within 90 days, provided for the regulatory body to offer a remedy for the disqualification for

the license by the body, and allowed for a regulatory body to charge a fee of no more than \$50 for related administrative costs. The administrative fee was added to remove fiscal notes attached to the bill. She also noted that a section of the bill that should have been removed had not been. Sections 4 and 5 in the bill referenced the Real Estate Division, Department of Business and Industry, and should have been taken out. Assemblywoman Tolles stated she would submit an amendment, which should remove the related fiscal note from the bill. Representatives were in the audience who could speak to the remaining fiscal notes and her colleague, Elliot Malin, who had been working on the legislation for three years, could provide more background on the fiscal notes.

Elliot Malin, EM Inc., stated he had no financial incentive tied to the bill, and it was a passion of his to help Nevadans get to work. He noted four fiscal notes remained on the bill. The Nevada State Board of Massage Therapists and Nevada Board of Examiners for Social Workers had submitted unsolicited fiscal notes with no fiscal impact on A.B. 319 (R1). A representative from the Nevada Board of Examiners for Social Workers was in attendance. The other two fiscal notes were from the Department of Taxation for \$57,124 in fiscal year (FY) 2020 and \$13,090 for FY 2021. With the allowable \$50 fee and 4,224 petitioners, the Department would raise more than enough money to cover the cost stated on the fiscal note. Mr. Malin clarified that the Department of Taxation would only need to charge \$4 per petitioner to recover the cost in the fiscal note and would not need to charge the entire \$50 per petitioner. Mr. Malin stated that the Department of Motor Vehicles (DMV) indicated it expected an increase in revenue from A.B. 319 (R1), which would offset the DMV's cost.

Chair Carlton stated she did not have a copy of the DMV's fiscal note, and Mr. Malin said he would leave his extra copy for the Chair.

Chair Carlton returned to the Department of Taxation's fiscal note asked whether \$50 would be the fee for everyone or whether some were charging \$25 and others would charge \$50.

Mr. Malin clarified that everyone would have the ability to charge up to \$50. He stated that the bill required petitioners to bring background checks, so there was no cost to any state agency or board for background checks.

Chair Carlton asked which section of the bill addressed the Real Estate Division. Mr. Malin responded that sections 4 and 5 of the bill addressed that Division.

Chair Carlton stated an amendment was needed to adjust sections 4 and 5. As soon as Assemblywoman Tolles had an amendment, the Committee could review it. She then asked whether there was still a fiscal note from the State Contractors' Board.

Assemblywoman Tolles stated the fiscal note from the State Contractors' Board had been removed.

Chair Carlton referenced her notes, which showed the Board would incur an extra \$164,800 per year and need an extra investigator, \$20,000 of which would be offset. Even though the funding was not State General Funds, it still needed to be recognized.

Assemblywoman Tolles clarified that the fiscal note had been removed completely because the Board had its own separate process.

Chair Carlton questioned whether the adopted amendment completely removed the fiscal note, and Assemblywoman Tolles stated it had. Chair Carlton said that needed to be confirmed by the Board.

Assemblywoman Titus asked how an applicant obtained a background check to bring to a regulatory body.

Mr. Malin explained that a petitioner could petition the Records, Communications and Compliance Division (RCCD), Department of Public Safety, and the Federal Bureau of Investigation (FBI) and obtain the needed records. The incorporated amendment stated that if the records were tampered with in any way, the petitioner would be rejected by the board.

Assemblywoman Titus asked whether other states had a similar process. She acknowledged this was not a policy committee, but there was a cost involved.

Assemblywoman Tolles stated that there was no new policy, and anyone could pay a fee and request a background check from RCCD and the FBI. She clarified that this did not authorize the licensing of an individual. The reentry population often invested time and money into training programs, workforce development programs, and education in their efforts to get back on their feet and be contributing members of society. This bill provided a means for those individuals to petition the board before investing to ensure they would not be disqualified solely because of their background. This bill was a step in the process to ensure individuals invested wisely as they pursued a new career and encouraged boards to help individuals achieve their goals. This bill was an information-gathering part of the process, not an authorization process.

Chair Carlton recalled discussions about the topic and understood the bill prevented false expectations or financial burdens on agencies for the cost.

Chair Carlton asked Assemblywoman Tolles to start the conceptual amendment with the Legal Division, Legislative Counsel Bureau, and bring a copy to the Committee.

Assemblywoman Tolles stated she would start the amendment process and stated she would provide other documentation if needed.

Chair Carlton stated that a mocked-up amendment was needed to accompany the bill out of the Committee. She then invited those in support of A.B. 319 (R1) to testify. Seeing no one,

she invited those in opposition to testify. Seeing no one, she invited those in neutral on the bill to testify.

Miranda Hoover, Capitol Partners, representing the Board of Examiners for Social Workers, confirmed that the Board's fiscal note was removed with the first reprint of the bill.

Chair Carlton closed the hearing on Assembly Bill 319 (1st Reprint).

**Assembly Bill 356 (1st Reprint): Revises provisions governing criminal procedure.  
(BDR 3-863)**

Assemblyman William McCurdy II, Assembly District No. 6, presented Assembly Bill (A.B.) 356 (1st Reprint) and stated that the bill allowed non-DNA evidence to be presented after a two-year period. The Office of the Attorney General had submitted a fiscal note, which had been removed, and a representative from the Attorney General's Office could provide more detail.

Jessica Adair, Chief of Staff, Office of the Attorney General, thanked Assemblyman McCurdy for his work on the bill and stated that the Office was supportive of the concept of the bill. The first version of the bill included language that would have caused an increase in post-conviction procedural work that would not have been absorbed by existing staff. The incorporated amendment allowed the Office to remove the fiscal note. The increase in workload would be absorbed by existing staff. The bill was important to ensure the judicial system provided justice.

Chair Carlton noted a conceptual amendment had been submitted and asked Assemblyman McCurdy if he was aware of the amendment.

Assemblyman McCurdy responded that he was aware of the amendment submitted by Tonja Brown, Advocates for the Innocent, and he had spoken to Ms. Brown. The amendment would not be included in the bill's progress through the Assembly. If the Senate wished to include an amendment, it would be considered.

Chair Carlton thanked Assemblyman McCurdy and stated it would be uncomfortable to change the policy of the bill in the Committee and continued that policy changes were usually made in this Committee only if it affected a fiscal note. She encouraged Assemblyman McCurdy to work with the Senate if policy changes to the bill were warranted.

Assemblyman McCurdy clarified that the amendment was considered not friendly until it could be discussed in depth.

Chair Carlton invited those in support of A.B. 356 (R1) to testify.

Tonja Brown, Advocates for the Innocent, stated her organization strongly supported the bill and hoped the Committee would pass the bill, allowing those who had been wrongly convicted a chance to seek their freedom.

Alanna Bondy, The Law Offices of Kristina Wildeveld & Associates, Las Vegas, Nevada, representing the Innocence Project and Nevada Attorneys for Criminal Justice, stated that A.B. 356 (R1) created a factual innocence law, which would provide an avenue for the wrongfully convicted to present new evidence of innocence when discovered beyond the two-year time limit currently in Nevada law. She stated that the bill would have minimal effect on the court system. The bill was based on factual innocence laws in Utah and Wyoming. Since the Utah law was enacted in 2008, a total of 17 petitions were filed in the state, and 3 of the petitions resulted in exonerations. Since the Wyoming law was enacted in 2018, a total of 12 petitions had been filed. Because of these low numbers and the narrowness of the bill, it would have a small effect on Nevada courts. She added that A.B. 356 (R1) would likely save money for the state because it created a clear path to relief for the wrongly convicted, which would avoid appeals and costly litigation that had been happening in the state when the wrongly convicted attempted to seek exoneration.

Seeing no others in support of A.B. 356 (R1), Chair Carlton invited those in opposition to the bill to testify. Seeing no one, the Chair invited those in neutral to testify. Seeing no one, Chair Carlton closed the hearing on Assembly Bill 356 (1st Reprint).

**Assembly Bill 487: Makes an appropriation to the Department of Veterans Services to provide financial assistance and support for the Adopt a Vet Dental Program. (BDR S-1247)**

Linda Haigh, Director and Founder, Adopt A Vet Dental (AAVD) Program, stated that while she testified, a video of individuals who had been helped by the AAVD program ([Exhibit D](#)) would play in the background. She then read her written testimony, [Exhibit E](#).

Jim Snyder, AAVD and Veteran Advocate, thanked the Committee for hearing Assembly Bill (A.B.) 487 on Memorial Day. He also thanked the Committee members who had met with AAVD advocates. Mr. Snyder was a U.S. Marine and veteran advocate who had been associated with AAVD for eight years. He had started as a volunteer and currently worked part-time for AAVD and was the first person veterans talked to on the phone or in the AAVD office. He was amazed at the organization's growth, and because he had benefited from the program, he could speak to it.

Mr. Snyder stated that Doris Howard, a 99-year-old World War II nurse, had planned to testify at the meeting but was being honored by Governor Sisolak at the Northern Nevada Veterans Memorial Cemetery in Fernley. Instead, she had sent a letter ([Exhibit F](#)) to each member of the Committee, asking them to support A.B. 487.

Mr. Snyder explained that the AAVD provided services beyond dental benefits, including information about resources available from the U.S. Department of Veterans Affairs (VA)

and Truckee Meadows Community College, and coordinated with Honor Flight Nevada. Mr. Snyder continued that the focus on helping female veterans started after a conversation he had with some female veterans who did not consider themselves Marines or veterans and did not wear hats that said "Marines." The AAVD then designated a staff member to be the veteran women's outreach coordinator. The AAVD helped 16 women between 2010 and 2016, and after shifting its focus, AAVD had helped 29 women between 2017 and 2019. Mr. Snyder stated that the increase in service was the direct result of the funding received in 2017, and he hoped it would continue so the AAVD could continue to help more veterans.

Tiffany Swisher, U.S. Air Force veteran and AAVD volunteer, recounted how she became involved with AAVD. She was diagnosed 15 years ago with adult-onset epilepsy. The medications prescribed by the VA to control her seizures damaged her teeth, but Ms. Swisher did not qualify for dental services from the VA. The damaged teeth hurt her self-esteem and made her afraid to smile. She unsuccessfully tried to find a source for free dental care, and her family finally took out a loan so she could get some dental work done. Because she continued taking the same medications, her dental problems persisted. One day she found AAVD and, skeptical, called. Once she was placed with a dentist, she received many services and felt better about herself after each appointment. She recalled the number of people she had already smiled at that morning and talked to, showing her teeth, and how she was no longer concerned about showing her teeth and had her smile back. She thanked the AAVD for being a caring organization that helped restore health and self-esteem. She now volunteered once a week in the AAVD office to pay it forward.

Chair Carlton stated that in the 2017 Legislative Session, the Committee approved more funding than AAVD had requested, and AAVD had spent all except \$1 of the appropriation. She noted that A.B. 487 came through the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs instead of through an individual appropriation. The Chair then invited those in support of A.B. 487 to testify.

Senator Joseph P. Hardy, Senate District No. 12, recalled as a veteran being thanked for his service at the veterans hospital. His cousin was also a veteran and had benefited from the AAVD program and received teeth and his smile. Senator Hardy surmised that while Memorial Day recognized those who made the ultimate sacrifice and died in service, A.B. 487 helped thank surviving service members, and he wholeheartedly supported the bill.

Joanna Jacob, Executive Vice President, Ferrari Public Affairs, on behalf of the Nevada Dental Association, thanked the veterans for their service and stated that AAVD was very important to the Association, which had supported the program in the 2017 Legislative Session. She also thanked Chair Carlton for her role in increasing the program's funding in the previous session. The Association was in support of the bill and hoped to continue to work with the program through its members and dental students and their donations of time. She hoped future sessions would provide funding to support similar programs in southern Nevada.



Lea Cartwright, Reno, Nevada, representing herself, explained that AAVD had helped a family friend in 2015. That friend, who had since passed away, loved to eat at In-N-Out Burger, and when his dentures broke and he could no longer eat at In-N-Out Burger, he shut down and was unhappy. With the help of AAVD and a local dentist, the friend received new dentures and enjoyed In-N-Out Burger during the final 18 months of his life.

Assemblywoman Jill Tolles, Assembly District No. 25, spoke on behalf of herself and recalled the visit from Mr. Snyder and her realization that he was one of the "after" photos in a brochure. Her father was a veteran, and she was connected to veterans in the community. She supported the bill and asked for the Committee's support.

Chair Carlton invited those in opposition to A.B. 487 to testify. Seeing no one, she invited those in neutral to testify. Seeing no one, she closed the hearing on Assembly Bill 487.

**Assembly Bill 495: Makes an appropriation to the Nevada Alliance of Boys and Girls Clubs, Inc. to be used for programs provided by the Alliance throughout the State. (BDR S-1118)**

Mike Wurm, Executive Director, Boys & Girls Club of Truckee Meadows, representing the Nevada Alliance of Boys & Girls Clubs, stated that the mission of the Boys & Girls Clubs was to enable all young people, especially those who needed it most, to reach their full potential as productive, caring, and responsible citizens. Every day in Nevada, kids had nowhere to go after leaving school and risked being unsupervised, unguided, and in unsafe environments during that out-of-school time. Children were most likely to engage in dangerous behavior, such as experimenting with drugs, tobacco, alcohol, or unsafe sexual practices between 3 p.m. and 6 p.m. The Boys & Girls Clubs provided a safe and positive environment for kids to learn, have fun, and develop supportive relationships instead of falling prey to these many risks. In Nevada, 42 clubs in 19 cities served more than 78,000 youths through membership and community outreach. The Nevada Alliance of Boys & Girls Clubs was always working to increase the number served. Seventy-eight percent of the members were 12 years old and younger, 56 percent were male, and 44 percent were female. The Boys & Girls Clubs of Nevada believed that who a person was, where the person was from, or the circumstances that surrounded the person should not determine that individual's access to experiences or opportunities. The alliance's agenda for Nevada's youth focused on solutions and policies that would have the greatest effect on the youths of the state and the fight to strengthen them. Nevada youth needed a voice, and with the Committee's help, they could close the opportunity gap for all youth in Nevada. The Boys & Girls Clubs of Nevada provided programs that covered out-of-school time and provided safer childhood experiences, health and wellness, education career readiness, and leadership development.

Marc Markwell, board member, Boys & Girls Club of Truckee Meadows, stated he had been a board member for 17 years. He was also part of the Nevada State Alliance. The Nevada State Alliance was an organization comprised all the Boys & Girls Clubs in Nevada with the purpose to educate and advocate for funding for Nevada clubs to ensure more kids in the

state had a positive place that was a home away from home. The Alliance had a successful history of partnerships with the state as recently as the 2017 Legislative Session. The Alliance was testifying to request that the Committee continue to embrace the partnership with the Clubs around the state and support Assembly Bill (A.B.) 495. The bill appropriated money toward evidence-based programs in clubs throughout the state, so the appropriation would be distributed statewide. Two main programs would be funded by the appropriation: Positive Action and Summer Brain Gain. The programs supported drug prevention programs and reading improvements on the state's agenda. Mr. Markwell noted that the bill included a requirement that the Alliance report to the Interim Finance Committee to ensure the funds were used as intended. The Alliance requested approval of A.B. 495 to continue the successful partnership the Boys & Girls Clubs and the state had enjoyed and make a positive impact on the lives of Nevada's youth. Mr. Markwell then introduced the next speaker, who was a good representation of the Clubs' strengths.

Monica Okopal, 2019 Nevada State Boys & Girls Club Youth of the Year, introduced herself as a senior at Damonte Ranch High School in Reno. She had been a member of the Boys & Girls Club of Truckee Meadows for five years. She started attending the Boys & Girls Club because she needed a positive environment to retreat to during a dramatic change in her life. Through the Club, she became a Leader in Training and had been a paid junior staff member for the past three years. She had received other awards and accumulated \$56,000 in scholarships to help fund her future education at the University of California, Irvine. Ms. Okopal credited the Club's programs for her personal growth. The Club's programs and staff provided mentoring that helped develop youth and assisted in times of struggle. The programs that A.B. 495 would support helped youth who might not have access to similar programs in their schools. She had considered studying nursing, but her exposure to Science, Technology, Engineering, and Mathematics (STEM) programs through the Club fueled her interest in pursuing the STEM field. Other youth would benefit from these programs to help fuel their interest in future careers.

Chair Carlton asked how the statewide program, not just northern Nevada, would benefit from the appropriation.

Mr. Wurm stated that the Alliance covered all of Nevada, and the programs were delivered throughout the state, including southern Nevada and rural counties.

Seeing no questions from Committee members, Chair Carlton invited those in support of A.B. 495 to testify.

Travis Crowder, Director, Boys & Girls Clubs of Mason Valley, stated his club served Yerington, Silver Springs, Dayton, and Hawthorne. He thanked his colleagues for their work on the bill and supported it.

Seeing no one else in support, Chair Carlton invited those in opposition to testify. Seeing no one, Chair Carlton invited those in neutral to testify. Seeing no one, she closed the hearing on Assembly Bill 495.

Chair Carlton stated some bills would be moved, and she had received the conceptual amendment from Assemblywoman Tolles. The Committee would not move A.B. 495 in this meeting because of the amount of funding involved and coordination with the Senate was needed. Chair Carlton asked Fiscal Analysis Division staff to walk through Assembly Bill 223 (1st Reprint).

**Assembly Bill 223 (1st Reprint): Requires the Department of Health and Human Services to seek a federal waiver to provide certain dental care for persons with diabetes. (BDR 38-544)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated that Assembly Bill (A.B.) 223 (1st Reprint) was heard in this meeting and required the Department of Health and Human Services (DHHS) to seek a waiver in accordance with federal law, known as a section 1115 demonstration waiver, related to the provision of dental care to certain Medicaid recipients with diabetes who were at least 21 years old. Assemblywoman Neal and Cody L. Phinney, Deputy Administrator, Division of Health Care Financing and Policy, DHHS, testified and it was indicated that with the conceptual amendment, the State General Fund appropriation for \$7 million was being removed. The contract for the development of the waiver would be supported with tobacco funds currently available to the Department. There was no testimony in support of, opposition to, or in neutral on the bill. The motion on A.B. 223 (R1) would be amend and do pass with the mock-up prepared by the Research Division, LCB, which had been provided to the Committee.

Seeing no questions from the Committee, Chair Carlton asked for a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 223 (1ST REPRINT).

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

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

The floor statement was assigned to Assemblywoman Neal.

**Assembly Bill 319 (1st Reprint): Revises provisions governing professional licensing. (BDR 54-314)**

Chair Carlton noted that Assemblywoman Jill Tolles, Assembly District No. 25, had provided a conceptual amendment (Exhibit G) to Assembly Bill (A.B.) 319 (1st Reprint). She summarized the amendment by stating that sections 4 and 5 of A.B. 319 (R1) pertained to the Real Estate Division, Department of Business and Industry, and removing those sections would remove the fiscal notes attached to the bill.

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that A.B. 319 (R1) was heard in this meeting and was presented by Assemblywoman Tolles. Some of the fiscal notes remaining on the bill would be funded by fees that were allowed up to \$50 to support the determinations when a person petitioned the occupational licensing board to determine whether there were any barriers to prohibit their entrance to that profession. She restated that Assemblywoman Tolles had provided a conceptual amendment that would remove sections 4 and 5 of the bill, which would remove the Real Estate Division's fiscal note. That note was the only remaining fiscal note that had a State General Fund effect. There was no testimony in opposition to the bill. If the Committee decided to move the bill on, it would be to amend and do pass.

Chair Carlton, seeing no questions from the Committee, asked for a motion.

ASSEMBLYWOMAN TITUS MOVED TO AMEND AND DO PASS AS  
AMENDED ASSEMBLY BILL 319 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

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

Because Assemblywoman Tolles was the sponsor of the bill, she was assigned the floor statement with Assemblywoman Titus as backup.

**Assembly Bill 356 (1st Reprint): Revises provisions governing criminal procedure.  
(BDR 3-863)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Assemblyman William McCurdy II, Assembly District No. 6, presented Assembly Bill 356 (1st Reprint), which related to the filing of a petition to establish a hearing regarding factual innocence of a person based on newly discovered evidence. When the bill was amended, it was indicated by the Office of the Attorney General that there would still be a fiscal impact, but the Attorney General's Office had since submitted a fiscal note indicating there would be no impact.

Seeing no questions from the Committee, Chair Carlton asked for a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO DO PASS AS  
AMENDED ASSEMBLY BILL 356 (1ST REPRINT).

ASSEMBLYMAN KRAMER SECONDED THE MOTION.

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

Chair Carlton stated that Assemblyman McCurdy would do the floor statement for this bill.

**Assembly Bill 487: Makes an appropriation to the Department of Veterans Services to provide financial assistance and support for the Adopt a Vet Dental Program. (BDR S-1247)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Assembly Bill 487 made an appropriation of \$250,000 each year to the Department of Veterans Services to provide financial assistance to support the Adopt A Vet Dental program. In addition to the program directors and alumni, Senator Joseph P. Hardy, Senate District No. 12, and Assemblywoman Jill Tolles, Assembly District No. 25, testified in support of the bill, and there was no testimony in opposition or in neutral on the bill. As indicated, the program still had \$1 left from the 2017 Legislative Session appropriation.

ASSEMBLYMAN WHEELER MOVED TO DO PASS ASSEMBLY BILL 487.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

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

The floor statement was assigned to Assemblyman Wheeler.

Chair Carlton asked the Fiscal Analysis Division staff to provide a preview of bills to be covered in the evening portion of the meeting. She also advised the audience to check the door of the meeting room for updates as things changed.

Ms. Jones stated that the bills tentatively planned to be discussed in the evening portion of the meeting were Senate Bill 448 (1st Reprint), Senate Bill 506, Senate Bill 521 (1st Reprint), Senate Bill 522 (1st Reprint), and Assembly Bill 536.

Chair Carlton opened the meeting for public comment. Seeing none, Chair Carlton recessed to the call of the chair at 9:31 a.m.

Chair Carlton reconvened the meeting at 7:22 p.m.

She stated that the next topic would be a work session for some bills. The Chair clarified that even though Senate Bill 448 (1st Reprint) was on the agenda, it would not be heard in this meeting and would be moved to the following day's agenda.

**Assembly Bill 44: Enacts provisions relating to the administration of the Stewart Indian School land and facilities. (BDR 18-188)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Assembly Bill (A.B.) 44 was the first to be work-sessioned. The bill related to the Stewart Indian School and created the Stewart Indian School cultural center and museum, managed by the museum director. The bill required the director to engage in various activities for operating and maintaining the museum and to establish stores for the sale of gifts and souvenirs. The bill also required that revenues generated by the museum be accounted for in the commission's gift fund. A fiscal note was placed on the bill by the Department of Tourism and Cultural Affairs for \$262,176 in the first year and \$242,288 in the second year. During the budget closings for the existing budget account, the Committee approved a lesser amount to include the operating costs in the budget that were included in the fiscal note. Two positions remained in the fiscal note. However, the Committee recommended this startup endeavor begin with volunteer positions instead of state positions until the need for additional state positions was determined. Ms. Jones clarified that there were no amendments to the bill, and various parties testified in support of the bill. There was no testimony in opposition or neutral on the bill, which was heard on April 1, 2019. The act would become effective upon passage and approval.

Chair Carlton asked whether Committee members had questions on A.B. 44. Seeing none, she asked for a motion to do pass A.B. 44.

ASSEMBLYMAN FRIERSON MOVED TO DO PASS ASSEMBLY BILL 44.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Hambrick was not present for the vote.)

The floor statement was assigned to Assemblywoman Swank.

Ms. Jones stated that the program analyst for the Department of Corrections would lead the work session discussion on the next two bills.

**Assembly Bill 506: Makes appropriations to the Department of Corrections for systems and equipment. (BDR S-1182)**

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Assembly Bill (A.B.) 506 made State General Fund appropriations to the Department of Corrections for the following projects:

- \$1.8 million for the Nevada Offender Tracking Information System (NOTIS)
- \$623,060 for the installation of a key control system for facilities

- \$1.5 million for wireless networking capabilities for facilities
- \$96,100 for uninterruptible power supply equipment
- \$3,390 for replacement data racks
- \$152,371 for the replacement of handheld and vehicle radios and repeater upgrades
- \$4,380 for replacement scanners.

Ms. Shea stated that A.B. 506 was last heard on May 22, 2019. The bill was presented by representatives from the Department of Corrections (NDOC), and there was no testimony in support of, opposition to, or neutral on the bill. There was a proposed amendment to the bill. At the May 7, 2019, budget closing by the Subcommittees on Public Safety, Natural Resources, and Transportation, the Subcommittees approved the recommendation for consideration to be given to fund the replacement of computers and associated software and hardware through a one-shot bill. Accordingly, General Fund appropriations of \$515,964 in fiscal year (FY) 2020 and \$514,385 in FY 2021 were recommended by the Governor to purchase 350 desktop and 16 laptop computers and should be included as a one-shot appropriation in FY 2019 totaling \$1,030,349 in A.B. 506.

In addition, during the Department's budget hearing on March 29, 2019, the Department indicated that the \$1.5 million for wireless networking capabilities for the facilities would be used to provide future expansion for tablets and wireless educational devices for inmates. The Department indicated that it currently did not have any issues with contraband wireless in the facilities and institutions. The wireless networking would allow for future expansion associated with the implementation of the NOTIS upgrades related to custody mobile capacity and learning management systems.

During the bill hearing on May 22, 2019, and in subsequent follow up with the agency, the Department indicated that currently inmates had access to custom-designed MP3 players, which the inmates individually purchased through the commissary with funding in inmates' personal accounts at the majority of its institutions and facilities. However, the Department indicated that the manufacturer was no longer producing the MP3 players, and the Department was interested in transitioning to tablet devices, purchased by inmates, to receive pictures, videos, music, and eventually programming and other educational material. The Department had indicated that the wireless networking capabilities were necessary to operate the inmate tablet program. Fiscal staff noted the new tablets would contain a full array of inmate services, including grievance management, inmate banking, medical management, and remote access to the law libraries; however, fiscal staff noted only the inmates who could afford to purchase the tablets would be able to access these services, and it was unclear what the effect would be on Internet bandwidth, considering more inmates would access the tablet system and require Internet connectivity that was currently not offered in the NDOC institutions.

Ms. Shea stated that the NOTIS request was a one-time General Fund appropriation of \$1.8 million in FY 2019 for upgrades to NOTIS. The recommended software improvements included business analytics, intelligence module, custom mobile capacity module, learning management system, and visitation enhancements to the current system. During the agency's

testimony on March 29, 2019, it was determined that upgrades to NOTIS appeared to be enhancements desired by the Department, but were not necessary for the Department's current operation. In addition, several of the modules were contingent upon receiving the wireless networking capabilities funding mentioned earlier in the testimony. Funding just the two modules without the wireless networking capabilities would require General Fund appropriations of \$250,000 for the business analytics module and \$170,000 for custom services for planning implementation. This amendment would decrease General Fund appropriations by \$1.4 million related to the NOTIS software improvements and require General Fund appropriations of \$420,000 related to NOTIS improvements over the 2019-2021 biennium. This act would become effective upon passage and approval.

Chair Carlton questioned whether there was a Fiscal staff recommendation to change the \$1.8 million for NOTIS to \$170,000 only. After a discussion with Fiscal staff, she restated that the recommendation was \$420,000 for NOTIS instead of \$1.8 million. The funding for the key control system was agreeable, but the wireless networking capabilities for the facilities was not supported by the Subcommittees, which still had concerns. The Committee agreed with \$96,100 for the uninterruptible power supplies, \$3,390 for replacement data racks, \$152,371 for the replacement radios and repeater upgrades, and \$4,380 for replacement scanners. Ms. Shea nodded in agreement.

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, recalled that when the Subcommittees on Public Safety, Natural Resources, and Transportation made their closing recommendations and the full Committee on Ways and Means closed the budget, there was a recommendation to move the replacement of computers and associated hardware out of the budget and into a one-shot bill, which would be an additional appropriation of \$1,030,349 in the bill if the Committee chose to fund it.

Chair Carlton stated this would change the appropriations in the bill to one-shots, because it was equipment and easier to do with money currently available. She asked whether Committee members had questions on A.B. 506. Hearing none, she asked Ms. Jones to walk the Committee through the bill to ensure everything was clear.

Ms. Jones summarized her understanding that the Committee wished to approve the following:

- \$420,000 for two enhancements to the Nevada Offender Tracking Information System (NOTIS)
- \$623,060 for a key control system
- \$96,100 for an uninterruptible power supply
- \$3,390 for data racks
- \$152,371 for radio upgrades



- \$4,380 for replacement scanners
- \$1,030,349 for the replacement of desktops and laptops that was previously included in the budget, but moved by the Committee to a one-shot appropriation.

Chair Carlton confirmed with Assemblywoman Neal, as chair of the Subcommittee, that the funding sounded appropriate. Assemblywoman Neal stated that as long as MP3 players were not funded, it sounded correct.

ASSEMBLYWOMAN NEAL MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 506.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Hambrick was not present for the vote.)

The floor statement was assigned to Assemblywoman Neal.

**Assembly Bill 524: Makes a supplemental appropriation to the Office of the Director of the Department of Corrections for an unanticipated shortfall in certain costs. (BDR S-1234)**

Kristina Shea, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Assembly Bill (A.B.) 524 made a \$1.5 million State General Fund appropriation to the Department of Corrections (NDOC) for an unanticipated shortfall in utilities costs, inmate-driven costs, and food costs. The bill was last heard on May 22, 2019, and was presented by representatives from NDOC. There was no testimony in support, opposition, or neutral on the bill. There was a proposed amendment during the hearing on May 22, and in subsequent follow-up with the Office of Finance, Office of the Governor, and the Department, the Department indicated an amendment for the Subcommittees' consideration would revise the supplemental General Fund appropriations to \$2,750,684 to fund the following unanticipated shortfalls:

- \$2,106,625 in salary costs
- \$251,562 in utility costs
- \$336,634 in inmate-driven costs
- \$35,078 in maintenance of buildings and grounds cost
- \$20,785 in operating expenditures.

Ms. Shea noted that the Department had submitted work programs for consideration at the June 2019 Interim Finance Committee (IFC) meeting. One work program included budgetary transfers between the NDOC budget accounts to help cover unanticipated shortfalls. Additionally, a work program was included for the same meeting that would allow the Department to transfer \$2.4 million from the offender store fund to cover a shortfall

in the prison medical budget. Ms. Shea presented the following options for the Committee to consider:

1. Amend the bill to reflect a General Fund appropriation of \$2,750,684 to fund unanticipated shortfalls.
2. Amend the bill to reflect a General Fund appropriation of \$5,169,127 to fund the unanticipated shortfalls noted above plus the \$2,418,443 shortfall for the prison medical budget, which were recommended to be funded with offender store funds if approved by the IFC at its June 2019 meeting.

Ms. Shea stated that the bill would be effective upon passage and approval.

Chair Carlton recalled past discussions, including those at IFC during the interim, regarding using offender store funds to cover the medical budget. During the interim, there were few choices. Now the Committee had the opportunity to fund it in the appropriate way and not take money out of the offenders fund to cover their own medical costs. She felt this was an inappropriate use of money from the store fund, which was funded by everyone, to cover the medical costs for just some prisoners. In the past, that was the only way to cover the medical costs, and the Committee was now in a position to fund things correctly.

Chair Carlton stated that the amendment would amend the appropriation to \$5,169,127 to fund the unanticipated shortfalls indicated above, which would include all the costs. The Department would not need to return to IFC for funding.

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that NDOC would still approach the IFC for a variety of transfers between budget accounts to cover shortfalls, but the portion related to accessing funds in the offender store fund would no longer be needed if the \$2,418,443 was included in the supplemental appropriation.

Chair Carlton clarified that \$5,169,127 included \$2,418,443 in shortfalls for the prison medical budget. Seeing no questions, she asked for a motion to amend and do pass.

ASSEMBLYWOMAN NEAL MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 524.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Hambrick was not present for the vote.)

The floor statement was assigned to Assemblywoman Neal.

Chair Carlton concluded the work session and opened bill hearings.

**Assembly Bill 536: Makes a supplemental appropriation to the Commission on Judicial Discipline for unanticipated operating expenses. (BDR S-1274)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Assembly Bill (A.B.) 536 made a supplemental appropriation to the Commission on Judicial Discipline for unanticipated operating expenses of \$49,897. The act would become effective upon passage and approval. The appropriation was not included in The Executive Budget for the current fiscal year for the Commission on Judicial Discipline.

Chair Carlton asked for testimony in support of, in opposition to, or neutral on A.B. 536. Seeing none, she closed the hearing on Assembly Bill 536. She stated it would be moved at the end of the meeting because it was for a supplemental appropriation.

**Senate Bill 506: Makes an appropriation to the Division of State Library, Archives and Public Records for the replacement of a large book scanner. (BDR S-1175)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Senate Bill (S.B.) 506 would be heard and then held. The bill was for a one-shot appropriation to the Division of State Library, Archives, and Public Records for the replacement of a large book scanner and would become effective upon passage and approval. The one-shot appropriation was for \$85,250. Ms. Jones stated that this was a Senate bill and would be held until the School Funding Bill was passed out of the Assembly.

Seeing no questions from the Committee, Chair Carlton invited those in support of S.B. 506 to testify.

Deni French, private citizen, Carson City, Nevada, stated he was in support of S.B. 506 and felt the library had been prudent in its management and deserved to have the equipment it needed.

Chair Carlton invited anyone in opposition to or neutral on S.B. 506 to testify. Seeing none, she closed the hearing on Senate Bill 506.

**Senate Bill 521 (1st Reprint): Makes a supplemental appropriation to the Nevada Highway Patrol for an unanticipated shortfall in dignitary protection services for visiting dignitaries. (BDR S-1235)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Senate Bill (S.B.) 521 (1st Reprint) made a supplemental appropriation to the Nevada Highway Patrol (NHP) for an unanticipated shortfall in dignitary protection services for visiting dignitaries. The bill was originally introduced for \$64,664 and amended in the Senate to provide \$113,000 in a State General Fund supplemental appropriation to cover the shortfall during the current fiscal year. A portion of the bill was included in The Executive Budget, but the incremental increase was not included.

Assemblywoman Titus sought clarification that the appropriation was for services that had been provided during the last election cycle and was not an anticipated spend in the future.

Ms. Jones stated that some of the spend had occurred during the current fiscal year, and the funding would carry NHP through June 30, 2019.

Chair Carlton invited anyone in support of, in opposition to, or neutral on S.B. 521 (R1) to testify. Seeing no one, she closed the hearing on Senate Bill 521 (1st Reprint).

**Senate Bill 522 (1st Reprint): Makes a supplemental appropriation to the Nevada Highway Patrol for an unanticipated shortfall in gasoline costs. (BDR S-1236)**

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, stated that Senate Bill (S.B.) 522 (1st Reprint) was amended in the Senate to reduce the amount needed. As introduced, the bill was for \$441,225 for a supplemental appropriation from the State Highway Fund, but had been reduced to \$384,277 as a supplemental appropriation for the current fiscal year. The bill would become effective upon passage and approval.

Seeing no questions from the Committee, Chair Carlton invited anyone in support of, in opposition to, or neutral on S.B. 522 (R1) to testify. Seeing no one, she closed the hearing on Senate Bill 522 (1st Reprint).

Chair Carlton explained to Senator Ratti that Senate Bill 448 (1st Reprint) had been moved to the next day's agenda because the Committee lacked sufficient time for a full hearing on the bill.

Chair Carlton stated that the Committee would process the bills it could. The first to be processed was Assembly Bill 536.

**Assembly Bill 536: Makes a supplemental appropriation to the Commission on Judicial Discipline for unanticipated operating expenses. (BDR S-1274)**

Chair Carlton stated that a motion on Assembly Bill 536 would be do pass and asked whether Committee members had any questions.

ASSEMBLYMAN FRIERSON MOVED TO DO PASS ASSEMBLY BILL 536.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Hambrick was not present for the vote.)

The floor statement was assigned to Assemblywoman Spiegel.

Chair Carlton stated that Senate Bill 521 (1st Reprint) would be processed next.

**Senate Bill 521 (1st Reprint): Makes a supplemental appropriation to the Nevada Highway Patrol for an unanticipated shortfall in dignitary protection services for visiting dignitaries. (BDR S-1235)**

Chair Carlton stated that there were no proposed amendments to Senate Bill 521 (1st Reprint), so a motion would be to do pass.

ASSEMBLYMAN FRIERSON MOVED TO DO PASS SENATE BILL 521 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Hambrick was not present for the vote.)

The floor statement was assigned to Assemblywoman Monroe-Moreno.

The final bill to be processed in the meeting was Senate Bill 522 (1st Reprint).

**Senate Bill 522 (1st Reprint): Makes a supplemental appropriation to the Nevada Highway Patrol for an unanticipated shortfall in gasoline costs. (BDR S-1236)**

Chair Carlton asked for questions or comments from Committee members.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO DO PASS SENATE BILL 522 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (Assemblyman Hambrick was not present for the vote.)

The floor statement was assigned to Assemblywoman Titus.

Chair Carlton adjourned the meeting at 7:53 p.m.

RESPECTFULLY SUBMITTED:

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Nancy Morris  
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 Assembly Bill 223 (1st Reprint), presented by Assemblywoman Dina Neal, Assembly District No. 7.

[Exhibit D](#) is a copy of a video presented by Linda Haigh, Director and Founder of the Adopt A Vet Dental Program, in support of Assembly Bill 487.

[Exhibit E](#) is written testimony submitted by Linda Haigh, Director and Founder of the Adopt A Vet Dental Program, dated May 27, 2019, in support of Assembly Bill 487.

[Exhibit F](#) is a copy of letter dated May 25, 2019, to members of the Assembly Committee on Ways and Means, authored by Doris M. Howard and presented by Jim Snyder, Adopt A Vet Dental Program, in support of Assembly Bill 487.

[Exhibit G](#) is a copy of a conceptual amendment to Assembly Bill 319 (1st Reprint), presented by Assemblywoman Jill Tolles, Assembly District No. 25.