

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

**Eightieth Session
April 8, 2019**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 8:13 a.m. on Monday, April 8, 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.

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
Assemblyman Tyrone Thompson
Assemblywoman Robin L. Titus
Assemblyman Jim Wheeler

COMMITTEE MEMBERS EXCUSED:

Assemblyman John Hambrick

STAFF MEMBERS PRESENT:

Cindy Jones, Assembly Fiscal Analyst
Sarah Coffman, Principal Deputy Fiscal Analyst
Carmen M. Neveau, Committee Secretary
Lisa McAlister, Committee Assistant

After roll was called, Chair Carlton reminded those present of the Committee rules and asked Cindy Jones, Assembly Fiscal Analyst, to begin her presentation.



Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said that the first request was from the Commission on Judicial Discipline for a supplemental appropriation not included in The Executive Budget. The supplemental appropriation of \$58,122 was intended to cover a shortfall because of a higher than expected caseload.

Chair Carlton asked for any questions from Committee members and hearing no questions, she called for a motion.

ASSEMBLYMAN FRIERSON MOVED TO APPROVE
A SUPPLEMENTAL APPROPRIATION OF \$58,122 FOR THE
COMMISSION ON JUDICIAL DISCIPLINE FOR THE
2019-2021 BIENNIUM.

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Hambrick and Benitez-Thompson
were not present for the vote.)

Ms. Jones explained that there were four bill draft requests (BDRs) that had been submitted for Committee introduction.

BDR 38-1204 – Revises provisions governing financial support for health care for persons who are indigent. (Later introduced as [Assembly Bill 494](#).)

Ms. Jones stated that this BDR related to the upper payment limit and allowed the state to leverage resources to receive additional federal funds. This was submitted as a budget implementation bill.

BDR S-1118 – Makes an appropriation to the Nevada Alliance of Boys and Girls Clubs of Nevada. (Later introduced as [Assembly Bill 495](#).)

Ms. Jones noted that this appropriation was for \$2 million.

BDR S-1113 – Creates pilot program to provide permanent adult daycare. (Later introduced as [Assembly Bill 497](#).)

Ms. Jones indicated that the appropriation amounts were \$379,600 in fiscal year (FY) 2020 and \$339,600 in FY 2021.

BDR 57-1215 – Revises provisions governing the employees of the Silver State Health Insurance Exchange. (Later introduced as [Assembly Bill 496](#).)

Ms. Jones clarified that this BDR allowed the Silver State Health Insurance Exchange to consist of classified and unclassified positions. Currently, all positions at the Silver State Health Insurance Exchange were unclassified.

Assemblyman Kramer referred to BDR 38-1204 and BDR 57-1215 and asked for the dollar amounts requested. Ms. Jones indicated that BDR 38-1204 specified the permissible uses of funds in that account, and Chair Carlton added that the BDR was a change in methodology to support the implementation of a budget decision unit with no funding requested. Ms. Jones clarified that BDR 57-1215 changed the type of classification for positions with no funding requested.

Chair Carlton asked for any other questions from Committee members, and hearing no questions, she called for a motion.

ASSEMBLYMAN FRIERSON MOVED FOR COMMITTEE APPROVAL OF BDR 38-1204, BDR S-1118, BDR S-1113, AND BDR 57-1215 TO BE INTRODUCED.

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Hambrick and Benitez-Thompson were not present for the vote.)

Chair Carlton announced that she had been asked to present [Assembly Bill \(A.B.\) 220](#), so Vice Chair Benitez-Thompson assumed the Chair and opened the hearing for [A.B. 220](#).

[Assembly Bill 220](#): Requires the issuance of bonds for environmental improvement projects in the Lake Tahoe Basin. (BDR S-435)

Assemblywoman Maggie Carlton, representing Assembly District No. 14 (Clark County), stated that the Nevada Legislature enacted [Assembly Bill \(A.B.\) 18 of the 75th Session](#) (2009), which authorized the issuance of not more than \$100 million in general obligation bonds for the state's apportioned share of the second phase of the Lake Tahoe environmental improvement program (EIP) between July 1, 2009, and June 30, 2020. The bill was structured so that each legislative session, the Division of State Lands returned to request authorization for each installment of the bonds. During the [79th Session](#) (2017), because of the economic downturn, the date was extended to June 30, 2030, to allow projects to be completed within the state's bonding capacity limits. The Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and Marlette Lake Water System unanimously voted on August 28, 2018, to request the drafting of a bill to release the next phase of bonds in an amount of \$8 million to carry out Nevada's portion of the Lake Tahoe EIP for the 2019-2021 biennium.

Charlie Donohue, Administrator, State Land Registrar, Division of State Lands, Department of Conservation and Natural Resources, testified in support of Assembly Bill (A.B.) 220 that provided for the issuance of bonds for the continuation of the Lake Tahoe EIP.

Mr. Donohue said that the Division of State Lands had been the lead coordinating agency for Nevada's share of the EIP since 1999, and Nevada's participation in the EIP continued to be a success. The EIP was a well-coordinated partnership of federal, state, and local agencies, the Washoe Tribe, and the private sector. The partnership carried out projects to protect and improve the Lake Tahoe environment and had become a national model for collaborative leadership. Nevada was a key member—its commitment to the EIP had funded 139 projects in focused areas of watersheds, habitat and water quality, forest management, and recreation. The EIP was the primary program that achieved environmental gains in the Lake Tahoe Basin.

Mr. Donohue said that the Division of State Lands submitted semiannual reports to the Interim Finance Committee (IFC). The most recent report was reviewed by the IFC last week. The report highlighted a successful field season with some high-profile projects. The Spooner Landscape Resilience Project, located in the Spooner unit of the Lake Tahoe Nevada State Park, contributed to the health of the forest and mitigated wildfire risk through the removal of over 5,000 trees, which were flown by helicopter from the project site to a mill for processing. Additionally, the Division of State Lands, in coordination with the Division of State Parks, continued efforts to control the invasive Asian clam population at Sand Harbor through the deployment of rubber barriers designed to smother any reproductive capacity in the existing population. Also, he noted, the Division of State Lands continued to engage in grant partnerships with local jurisdictions for storm water treatment projects.

Mr. Donohue continued with his presentation by stating that as the Division of State Lands had done in previous legislative sessions, it was requesting bond authority for the next round of Nevada projects. Specifically, A.B. 220 provided authority to sell \$8 million in general obligation bonds for the continuation of projects. The activities listed in A.B. 220 would continue to focus on the improvement of water quality infrastructure at Lake Tahoe, the improvement of forest health to reduce the risk of wildfires and to improve wildlife habitat, and the improvement of state-owned recreational facilities. In addition to improving the Lake Tahoe environment, there were active capital improvement projects that contributed to a strong local economy.

Mr. Donohue concluded by stating that passage of A.B. 220 would allow the state to build upon the success of past projects and continue to work with EIP partners to protect and restore the Lake Tahoe Basin. He added that the request was included in the Governor's Capital Improvement Program (CIP).

Assemblyman Kramer asked whether the general bond obligation was a state of Nevada obligation approved by the voters of Nevada. Mr. Donohue replied that the EIP was

approved and voted on by the citizens of Nevada, and there was a state obligation for the execution of the EIP. In 2009, A.B. 18 authorized the issuance of \$100 million, as approved by the Legislature.

Vice Chair Benitez-Thompson asked for any other questions, and hearing no other questions, she asked for public testimony in support of A.B. 220.

Kyle Davis, a paid lobbyist for the League to Save Lake Tahoe, spoke in support of A.B. 220. He agreed with comments made during testimony and urged the Committee members to support A.B. 220.

Steve K. Walker, a paid lobbyist for the Truckee Meadows Water Authority, spoke in support of A.B. 220 and said that the top six feet of Lake Tahoe was the water supply for the Truckee Meadows Water Authority, and the Authority appreciated any water quality improvements.

Vice Chair Benitez-Thompson asked for comments from anyone in Las Vegas and heard no one. The Vice Chair asked for anyone in opposition to or neutral on A.B. 220, and hearing no one, she closed the hearing on A.B. 220.

Chair Carlton returned to the meeting, resumed her duties as Chair, and opened the work session for Assembly Bill (A.B.) 88.

Assembly Bill 88: Revises provisions relating to the reporting of average daily enrollment in public schools. (BDR 34-333)

Cindy Jones, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, said that Assembly Bill (A.B.) 88 was heard on March 25, 2019, and a work session was held on April 1, 2019. The bill was not moved that day because of unanswered questions. The bill would allow school districts to submit average daily enrollment quarterly reports to the Department of Education on the next business day after the due date when the due date fell on a weekend or legal holiday. Additionally, the bill provided direction to change website references to reflect prior legislative changes in wording. An amendment was submitted by the Clark County School District that requested that enrollment numbers for each quarter for local school districts be based on estimates, rather than actual numbers for the most recent prior quarter. The amendment pertained to Clark County School District and would not impact funding, but allowed the larger school district to provide a more accurate budget to schools, based on estimates.

Chair Carlton said she walked through the process to ensure her memory was accurate. She said that school districts began to prepare budgets in November, then preliminary strategic budgets were prepared by January 15, based on the number of forecasted students.

Next, actual enrollments as of the Friday after Labor Day were incorporated into the projections, and then a reconciliation of the estimates compared to the actual number of enrolled students was conducted at the end of September. There were four stages in the process, she noted.

Chair Carlton asked for questions from Committee members.

Assemblywoman Neal asked whether the bill was moving along in the process with the Clark County School District's amendment. Chair Carlton confirmed that the bill was moving with the amendment.

Assemblywoman Spiegel asked about the process to be used for estimating the number of students, whether the process would be transparent, and whether the process would be accurate.

Jason Goudie, Chief Financial Officer, Clark County School District, replied from Las Vegas that one of the suggestions from the meeting last week was to ensure the process used by the demographics team to develop the forecasted enrollment was transparent. He was working with the team to document the process and the detail involved in projecting enrollments. That process would be presented to the public and included on the website so the public could better understand the process the team used to ensure the availability of accurate data. He said that a forecast based on estimated information for the future was better than using information from a prior quarter, acknowledging that forecasts would change. The population was transient and changing, he stated, and those factors could not be included in projections based on past actual data. The reconciliation funded the schools based on actual enrollment and differentiated between enrollment and attendance, where attendance was the number of students who showed up for classes.

Assemblywoman Titus noted that she had discussed this bill with schools and school districts in her area, and she was reassured that this bill would not adversely affect any of those schools.

Chair Carlton asked for any other questions from Committee members, and hearing none, she mentioned that the bill was not exempt and had to be moved by the deadline date. She noted Committee members would see the amendment as it moved forward. The Chair called for a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO AMEND AND DO PASS ASSEMBLY BILL (A.B.) 88, WITH THE CLARK COUNTY SCHOOL DISTRICT'S PROPOSED AMENDMENT.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblymen Hambrick was not present for the vote.)

Chair Carlton stated that she would handle the floor statement for A.B. 88.

Chair Carlton opened the hearing for public comment. Hearing no public comment from Las Vegas or Carson City, the Chair adjourned the meeting at 8:39 a.m.

RESPECTFULLY SUBMITTED:

Carmen M. Neveau
Committee Secretary

APPROVED BY:

Assemblywoman Maggie Carlton, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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