

**MINUTES OF THE
SENATE COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eightieth Session
May 2, 2019**

The Senate Committee on Growth and Infrastructure was called to order by Chair Yvanna D. Cancela at 1:33 p.m. on Thursday, May 2, 2019, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Yvanna D. Cancela, Chair
Senator Chris Brooks, Vice Chair
Senator Moises Denis
Senator Pat Spearman
Senator Marcia Washington
Senator Joseph P. Hardy
Senator James A. Settelmeyer
Senator Scott Hammond

GUEST LEGISLATORS PRESENT:

Assemblyman Richard Carrillo, Assembly District No. 18
Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1

STAFF MEMBERS PRESENT:

Marjorie Paslov Thomas, Committee Policy Analyst
Darcy Johnson, Committee Counsel
Rocky Cooper, Legislative Auditor
Tammy Lubich, Committee Secretary

OTHERS PRESENT:

Matthew Walker, Enterprise Holdings, Inc.
Sean Sever, CPM, Communications Director, Nevada Department of
Transportation

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Thor A. Dyson, P.E., Assistant Director, Operations, Nevada Department of Transportation
Bill Wellman, Las Vegas Paving Corporation
Brian Dowd, Granite Construction Company
Alexis Motarex, Nevada Chapter Associated General Contractors
David Bobzien, Director, Governor's Office of Energy
Robin Yochum, Energy Programs Manager, Governor's Office of Energy
Christi Cabrera, Nevada Conservation League
Tom Polikalas, Southwest Energy Efficiency Project
Hunter Stern, International Brotherhood of Electrical Workers 1245
Andrew MacKay, Executive Director, Nevada Franchised Auto Dealers Association
Charlene Albee, Director, Air Quality Management Division, Washoe County Health District
Sean P. McDonald, MBA, Administrator, Central Services and Records Division, Department of Motor Vehicles
Sally Summers, Horse Power

CHAIR CANCELA:

Assembly Bill (A.B.) 363 will not be heard and will be rescheduled.

ASSEMBLY BILL 363 (1st Reprint): Revises certain provisions relating to homeless youth. (BDR 43-1033)

We will begin our work session with A.B. 45.

ASSEMBLY BILL 45 (1st Reprint): Creates the Nevada Threat Analysis Center and the Nevada Threat Analysis Center Advisory Committee in the Investigation Division of the Department of Public Safety. (BDR 43-348)

MARJORIE PASLOV THOMAS (Committee Policy Analyst):

I will read the summary of the bill from the work session document ([Exhibit C](#)).

CHAIR CANCELA:

I will entertain a motion.

SENATOR HARDY MOVED TO DO PASS A.B. 45.

SENATOR SETTELMAYER SECONDED THE MOTION.

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THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

We will now move to A.B. 110.

ASSEMBLY BILL 110 (1st Reprint): Revises provisions relating to minor traffic and related violations. (BDR 43-427)

Ms. PASLOV THOMAS:

I will read the summary of the bill and the amendments from the work session document ([Exhibit D](#)).

CHAIR CANCELA:

I will entertain a motion.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED A.B. 110.

SENATOR BROOKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

We will move to A.B. 177.

ASSEMBLY BILL 177 (1st Reprint): Revises provisions governing short-term lessors of vehicles. (BDR 43-88)

Ms. PASLOV THOMAS:

I will read the summary of the bill from the work session document ([Exhibit E](#)).

CHAIR CANCELA:

I will entertain a motion.

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SENATOR BROOKS MOVED TO DO PASS A.B. 177.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

We will now move to A.B. 337.

ASSEMBLY BILL 337 (1st Reprint): Revises provisions governing railroads.
(BDR 58-957)

Ms. PASLOV THOMAS:

I will read the summary of the bill from the work session document ([Exhibit F](#)).

CHAIR CANCELA:

I will entertain a motion.

SENATOR DENIS MOVED TO DO PASS A.B. 337.

SENATOR WASHINGTON SECONDED THE MOTION.

SENATOR SETTELMAYER:

There were a lot of questions concerning the fee structure and the answers given were not very direct, therefore I will be voting no.

SENATOR HARDY:

I will be voting no because I believe in collective bargaining. I do not believe it is necessary to put this in statutes.

THE MOTION CARRIED (SENATORS HAMMOND, HARDY, AND SETTELMAYER VOTED NO.)

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CHAIR CANCELA:

We will move to A.B. 344.

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ASSEMBLY BILL 344 (2nd Reprint): Makes various changes to modernize the provision of cellular coverage. (BDR 58-838)

MS. PASLOV THOMAS:

I will read the summary of the bill from the work session document ([Exhibit G](#)).

CHAIR CANCELA:

I will entertain a motion.

SENATOR BROOKS MOVED TO DO PASS A.B. 344.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

We will now move to A.B. 365.

ASSEMBLY BILL 365 (1st Reprint): Revises provisions governing certain motor vehicle rentals. (BDR 43-695)

MS. PASLOV THOMAS:

I will read the summary of the bill and the amendment from the work session document ([Exhibit H](#)).

CHAIR CANCELA:

Mr. Walker, will you please explain the conceptual amendment ([Exhibit I](#)).

MATTHEW WALKER (Enterprise Holdings, Inc.):

Assembly Bill 365 allows for a demarcation between luxury and non-luxury vehicles for the purpose of establishing an alternative waiver cap. This bill would allow the demarcation of the Manufacturer's Suggested Retail Price of \$60,000 to float with inflation. With this change, 12 years from now, we will not be capturing a standard SUV as a luxury vehicle.

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SENATOR BROOKS:

Has the bill sponsor worked with you and been supportive of the conceptual amendment?

MR. WALKER:

Yes, Assemblywoman Cohen is in support of this amendment.

CHAIR CANCELA:

I will entertain a motion.

SENATOR HARDY MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 365.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANCELA:

We will now open the hearing on A.B. 22.

ASSEMBLY BILL 22 (1st Reprint): Revises provisions governing certain highway contracts. (BDR 35-239)

SEAN SEVER, CPM (Communications Director, Nevada Department of Transportation):

Assembly Bill 22 changes the retention amount the Nevada Department of Transportation (NDOT) can withhold from contractors on projects. After working with stakeholders, an amendment was agreed on to change the retention rate from 5 percent to 2.5 percent. We believe this bill will benefit NDOT, all of our partners and the taxpayers.

THOR A. DYSON, P.E. (Assistant Director, Operations, Nevada Department of Transportation):

Per *Nevada Revised Statutes* (NRS) 408.383 NDOT's current retention is 5 percent as shown on slide 3 of my presentation ([Exhibit J](#)). Only \$50,000 maximum can be withheld when a contract reaches 85 percent on any NDOT

contract, even if the project is \$100 million. The retention is then held until the contract is completed and accepted by the NDOT Director.

After working with industry, the proposed retention of 2.5 percent as shown on slide 4, [Exhibit J](#), was reached. The 2.5 percent is withheld beginning with the first payment to the contractor for work completed within specifications. The retention is then reduced after NDOT grants final inspection and the contractor has completed all clean-up and punch-up list items.

The benefits of changing from 5 percent to 2.5 percent are shown on slide 5 of [Exhibit J](#) and includes fiscal responsibility for the contractor to complete the work in a timely manner and in conformance with the contractual requirements. It is critical we work with the contractor to get the projects completed in a timely manner. Assembly Bill 22 also ensures the quality of work and protection for the taxpayers in the event the contractual requirements are not met.

The conceptual amendment changes the retention allowed by the prime contractor to the subcontractor from 10 percent to 2.5 percent. This will make the percentage the same across the board with NDOT withholding 2.5 percent on the prime contractor. The prime contractor then withholds 2.5 percent on the suppliers or subcontractors.

We worked with and carefully listened to industry. Both the Associated General Contractors (AGC) in the north and south are in favor of the amended version of A.B. 22.

BILL WELLMAN (Las Vegas Paving Corporation):

The NDOT has worked extensively with industry and other public entities in the State to bring consistency across the board. Las Vegas Paving supports A.B. 22.

BRIAN DOWD (Granite Construction Company):

Granite Construction Company supports A.B. 22 and echoes the comment by Mr. Wellman.

ALEXIS MOTAREX (Nevada Chapter Associated General Contractors):

The Nevada Chapter of the AGC supports A.B. 22.

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CHAIR CANCELA:

To verify, there are no new amendments and this is the amended bill from the Assembly?

MR. SEVER:

Yes, that is correct.

CHAIR CANCELA:

We will close the hearing on A.B. 22. I will entertain a motion.

SENATOR BROOKS MOVED TO DO PASS A.B. 22.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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We will open the hearing on A.B. 54.

ASSEMBLY BILL 54 (1st Reprint): Revises certain provisions relating to energy efficiency. (BDR 58-327)

DAVID BOBZIEN (Director, Governor's Office of Energy):

I would like to start with recognizing the Governor's Clean Energy Vision on slide 3 of my presentation ([Exhibit K](#)). The fact that Nevada has become the twenty-third state to join the U.S. Climate Alliance shows Nevada's commitment to regaining their position as a clean energy leader.

Senate Bill 254, sponsored by Senator Brooks, comes into play for climate planning and to reduce greenhouse gas emissions. Due to the fact that policymakers in Nevada have made progress over the years with the decarbonizing of electricity generation, we now recognize the built environment is a sector contributing to greenhouse gas emissions.

SENATE BILL 254: Revises provisions relating to carbon reduction. (BDR 40-907)

Assembly Bill 54 deals with 2 aspects of the built environment; State buildings and light bulb efficiency. Section 2 of the bill repeals NRS 701.215. This statutory provision directed the Governor's Office of Energy (GOE) to prepare a State Energy Reduction Plan which requires State agencies, departments and other entities in the Executive Branch to reduce grid-based energy purchases for State owned buildings by 20 percent by 2015. The chart on slide 4 of [Exhibit K](#) shows the State has met and eclipsed those targets, and they are obsolete. The GOE is recommending they be stricken.

During the Interim, the GOE will be active in State building spaces and will be engaging with our partner agencies to devise strategies to keep our commitment to the Climate Alliance moving forward. The GOE believes it is appropriate to go forward with removing this statutory provision so the GOE can begin the next chapter work.

Section 1 of the bill changes the terms and effective dates within NRS 701.260. It is important to note the passage of these statutes in 2007, along with other states, prompted Congress and then President George W. Bush, to establish federal standards that same year, so there would not be a patchwork of light bulb efficiency standards. This statute has languished for a number of years and the rules were never promulgated, because the provisions were eclipsed by the federal standard.

ROBIN YOCHUM (Energy Programs Manager, Governor's Office of Energy):
Under NRS 701.260 are the minimum requirements for selling general purpose lights within our State and the statute requires the GOE to adopt regulations to establish those minimum standards of energy efficiency for lumens per watt.

Rather than repealing the statutes as the introduced bill would have done, this first reprint of A.B. 54 updates the NRS and strengthens our lighting standards, regardless of what happens at the federal level.

In 2020, new federal lighting standards will take effect requiring the value of 45 lumens per watt for General Service Lamps (GSLs). Rulemaking is in process at the federal level for GSLs, and will be included in the definition. This is causing concern in the industry on a National level and the GOE believes that identifying these definitions and regulations will allow Nevada to create standards for lighting that will work for the State.

Slide 7 of [Exhibit K](#) shows what is included under the broader umbrella of the definition of GSLs, such as incandescent lamps, compact fluorescent lamps and light-emitting diode (LED) lamps.

According to the U.S. Energy Information Administration, all lighting in the U.S. used 230 billion kilowatt-hours last year, making up 6 percent of the total electricity consumption.

Throughout the bill, we have updated the current language from "general purpose light" to "general service lamp," which will align with industry standards. In section 1, paragraph 1, the effective date has been updated to show that on or after January 1, 2020, no GSLs may be sold in the State unless it meets or exceeds the minimum standard of energy efficiency established by the Director, and is tested in accordance with the applicable federal standards.

Section 1, subsection 2, paragraphs (a) and (b) identifies what must be included in the regulations. The effective date has also been updated from January 1, 2016 to January 1, 2020. The minimum standard of 45 lumens per watt of electricity consumed has also been identified.

Section 1, subsection 3 identifies the definition of GSL. The specialty lighting, or lighting necessary to provide illumination for persons with special needs, will be excluded under this definition.

Examples of considered specialty bulbs in 2007 were appliance lamps, infrared lamps, military, medical, public safety or certified historic lighting applications.

Slide 8 of [Exhibit K](#) shows the revolution of lighting and how it has continued to improve. This makes it necessary to have definitions within regulations, rather than statutes, to keep up with technology.

MR. BOBZIEN:

The light bulb piece is similar to the legislative intent in 2007. This standard is technology agnostic. We have moved past the curlicue lights that were popular for a time and have moved to the affordable LED light bulbs which last longer and use less energy. This change in the evolution of technology happened because states such as Nevada adopted regulations and standards of energy

efficiency in 2007. Assembly Bill 54 is keeping the energy efficiency momentum moving forward.

SENATOR HARDY:

Will this apply to lanterns or flashlights that are battery operated?

MR. BOBZIEN:

My understanding is that would not be part of A.B. 54.

SENATOR HARDY-:

The definition alludes to installed lighting, but it does not state anything about batteries.

MR. BOBZIEN:

I do not foresee any handheld application being included.

SENATOR SETTELMAYER:

Would these regulations have to come back through the Legislative Commission?

MR. BOBZIEN:

Yes.

CHRISTI CABRERA (Nevada Conservation League):

We are in support of A.B. 54.

TOM POLIKALAS (Southwest Energy Efficiency Project):

Southwest Energy Efficiency Project is in support of A.B. 54. Lighting represents approximately 12 percent of the average residential consumer's energy bill and is, therefore, an important consideration for energy bill saving opportunities.

We are making a rapid transition to LED lighting; however there are still many incandescent bulbs in apartments and low-income neighborhoods. Assembly Bill 54 is necessary to have the most efficient lighting available for these sectors. An estimate by the American Council for an Energy Efficient Economy indicated the standard set by A.B. 54 could save consumers approximately \$80 or more a year. Nationally, A.B. 54 enhances Nevada's leadership in economical clean energy technologies. The federal government's

plan to roll back lighting standards will cost American consumers billions of dollars. In relation to pollution, if we maintained the federal standard, it would have abated 23,000 tons of sulfur dioxide and 34 million metric tons of carbon dioxide.

Assembly Bill 54 is an important part of Nevada's leadership in energy efficiency in addition to the Renewable Portfolio Standard. Assembly Bill 54 is consistent with being part of the U.S. Climate Alliance and illustrates that greenhouse gas reduction can be economically accomplished.

We understand that specialty lighting, such as candelabras and outside garage lights, will be part of the rulemaking process described by the GOE.

HUNTER STERN (International Brotherhood of Electrical Workers 1245):
We are in support of A.B. 54.

CHAIR CANCELA:
We will close the hearing on A.B. 54 and open the hearing on A.B. 231.

ASSEMBLY BILL 231 (1st Reprint): Revises provisions governing automobile emissions. (BDR 40-836)

ASSEMBLYMAN RICHARD CARRILLO (Assembly District No. 18):
Assembly Bill 231 went through a lot of changes and we have come up with a consolidated consensus. Mr. MacKay with the Nevada Franchised Auto Dealers Association will go over the bill.

ANDREW MACKAY (Executive Director, Nevada Franchised Auto Dealers Association):
Assembly Bill 231 has been amended from the first iteration. Section 11 contemplates evidence of compliance for an emissions test for a period of 90 days. This has been problematic for our dealer members. When an individual buys a vehicle, they are granted a 30-day move permit. This means the dealer has to smog the used vehicles sitting on their lots every 60 days. This is to ensure the buyer has a 30-day period before having to obtain an emissions test. Assembly Bill 231 extends the 90-day period to 180-days. This 180-day period would be on inventory held by dealers in Nevada.

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CHARLENE ALBEE (Director, Air Quality Management Division, Washoe County Health District):
We are in support of A.B. 231 as amended.

CHAIR CANCELA:
We will close the hearing on A.B. 231. I will entertain a motion.

SENATOR SETTELMAYER MOVED TO DO PASS A.B. 231.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION CARRIED (SENATORS DENIS AND HAMMOND WERE ABSENT FOR THE VOTE.)

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CHAIR CANCELA:
We will open the hearing on A.B. 467.

ASSEMBLY BILL 467: Revises provisions regarding charitable organizations which benefit from special license plates. (BDR 43-396)

ASSEMBLYWOMAN DANIELE MONROE-MORENO (Assembly District No. 1):
I am here to present A.B. 467 which exempts a charitable organization from the submission of certain documents to the Commission on Special License Plates.

The Commission on Special License Plates is an ongoing statutory Commission which makes recommendations to the Department of Motor Vehicles (DMV) concerning the approval or disapproval of applications for special license plates in Nevada. Pursuant to NRS 482.38277, charitable organizations that receive fees from a special license plate are required on an annual basis to prepare and file financial documents and forms with the Commission. The information includes a balance sheet, a budget for the charitable organization, personal information of the individuals responsible for overseeing the operation of the organization and tax return information.

During the Interim, the Commission received testimony noting that some organizations no longer have a special license plate being produced or they receive less than \$10,000 in annual fees. Based on this information, the

Commission considered exempting the organizations from the reporting requirements.

Assembly Bill 467 exempts a charitable organization from submitting the information required pursuant to the NRS, if the fees collected from the special license plates are less than \$10,000 in a fiscal year or from a special license plate that is no longer in production.

ROCKY COOPER (Legislative Auditor):

The Legislative Audit Division is neutral on A.B. 467. We receive and review all the information for special license plates.

Section 1, subsection 4, paragraphs (a) and (b) make the Legislative Audit Division efficient by allowing the Division to focus on the organizations with special license plates no longer in production or that receive less than \$10,000 in a fiscal year in fees.

The Commission on Special License Plates recommends the approval and issuance of certain specialty license plates in Nevada. The number of specialty license plates authorized by the Commission is capped at 30 for First Tier. These special license plates must maintain an active registration of 1,000 plates. When the active registrations fall below the 1,000 plate threshold, the production of the plate is discontinued and can no longer be purchased. Existing plate holders can keep their discontinued plates and continue to pay their fees to the DMV until they no longer need the plates. After production of a specialty license plate is discontinued, a new opening becomes available and the Commission can recommend the approval of a new special plate design. Therefore, the number of specialty license plates on the road continues to grow.

Although the Legislature has provided the mechanism to cease production and issuance of low demand specialty license plates, the Audit Division must continue to monitor the financial activities and this creates inefficiencies.

The top part of the Special License Plates report ([Exhibit L](#)) shows the number of active plates that we review. The center of [Exhibit L](#) shows the Nevada Carpenters Union has only 47 active plates. In 2015, they had 77 plates and received \$962 and submitted over 100 documents for review.

The Legislative Audit Division is spending a significant amount of time and work in obtaining and maintaining the information even as these specialty license plates continue to decline. Assembly Bill 467 would make the Legislative Audit Division more efficient.

SENATOR SETTELMAYER:

Are individuals exempt from the eight-year rule of getting a new license plate or are they cut off when that plate is no longer manufactured?

MR. COOPER:

I do not have that information.

CHAIR CANCELA:

In looking at [Exhibit L](#), there are a number of organizations over the \$10,000 revenue mark that are exempt. Why are so many organizations exempt from the reporting requirements?

MR. COOPER:

If the funding or the special license plate fees are going to a government organization, they are exempt because there is adequate oversight and adequate records.

SEAN P. McDONALD, MBA (Administrator, Central Services and Records Division, Department of Motor Vehicles):

In answer to Senator Settelmeyer's question, only the traditional old style blue plates and the 150th plates are exempt from reissuance. The discontinued plates, if they are over eight years of age, are still subject to the eight-year reissuance rule.

SENATOR SETTELMAYER:

Would they remake those plates and send them out?

MR. McDONALD:

Yes, we remake the plate for the specific registered owner to ensure legibility and reflectivity.

SENATOR HARDY:

If we are not making any money off of the specialty license plates and are still charging the specialty license plate fee, at what point does the specialty fee

negate the time spent? Why are we continuing the plate and continuing to charge for the plate?

MR. McDONALD:

It is a statutory provision that we allow people to maintain the specialty license plates and continue to collect for those organizations, even if they have gone below the registration threshold.

SENATOR HARDY:

How much does it take to audit a specialty license plate that is not making any money? Where is the crossover point where it is not worth doing the audit and we stop charging for the specialty license plate?

MR. McDONALD:

The DMV still continues to collect money on behalf of the specialty license plate fund for renewals.

MR. COOPER:

To be sure I understood your question, you are asking when we stop spending time auditing the specialty license plates. I believe this is what A.B. 467 is trying to accomplish. We do not do an actual audit, but we are very thorough in reviewing the documents received and spend quite a bit of time on each special license plate. This bill intends to look at the specialty license plates that make up most of the funding.

SENATOR SETTELMAYER:

Did you state additional information can be requested if they are below the \$10,000?

MR. COOPER:

Yes, in section 1, subsection 5, paragraph (b) clarifies when additional information can be requested. If the Commission has concerns or there are complaints to a Legislator, the Commission can certainly request the Audit Division to obtain the information.

CHAIR CANCELA:

We will close the hearing on A.B. 467. I will entertain a motion.

SENATOR SETTELMAYER MOVED TO DO PASS A.B.467.

SENATOR SPEARMAN SECONDED THE MOTION.

I want to put on the record that I work for an organization that is a direct beneficiary of a special license plate, the Immigrant Workers Citizenship Project. This does not affect our operation, does not change anything or affect the way I vote.

SENATOR SETTELMAYER:

I have a few specialty license plates.

THE MOTION CARRIED (SENATORS DENIS AND HAMMOND WERE ABSENT FOR THE VOTE.)

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CHAIR CANCELA:

We will proceed with A.B. 484.

ASSEMBLY BILL 484: Revises provisions governing special license plates which benefit charitable organizations. (BDR 43-395)

ASSEMBLYWOMAN MONROE-MORENO:

The Commission on Special License Plates is an ongoing statutory Commission which makes recommendations to the DMV concerning the approval or disapproval of applications for special license plates in Nevada. Pursuant to NRS 482.38279, should a charitable organization fail to comply with one or more provisions of the NRS; or the Legislative Auditor determines an organization has committed improper practices and the Commission concurs; the Commission is authorized to recommend that the DMV suspend the collection of all additional fees for the charitable organization or suspend production of the special license plate.

During the interim, the Commission utilized the provision in NRS 482.38279 and recommended that the DMV suspend the collection of all additional fees collected on behalf of a charitable organization and suspend production of its special license plate. The DMV accepted the Commission's recommendation.

The Commission discussed additional recommendations that may be appropriate for situations when an organization does not comply with the provisions of law.

Assembly Bill 484 includes the recommendations the Commission felt would be appropriate for future considerations.

Section 7, subsection 4, paragraph (a) terminates the production and distribution of the special license plate and collection of all additional fees collected on behalf of the charitable organization. This will allow any holder of the special license plate to continue to renew the plate without paying the additional fee.

Section 7, subsection 4, paragraph (b) suspends the production and distribution of the special license plates and collection of all additional fees collected on behalf of the charitable organization and allows holders of the special license plate to renew the plate without the additional fee.

Section 7, subsection 4, paragraph (c) suspends the distribution of all additional fees collected on behalf of the charitable organization for a specified period and allows the production and distribution of the special license plate and the collection of additional fees to continue for that time period. In this case, holders of the special license plate are able to renew the plate with the payment of the additional fees. If the third recommendation is chosen, the organization must be informed in writing of the corrective actions that must be taken in a specific time frame. After the completion of the time frame, if the organization has completed all corrective actions, the suspension may be lifted and any collected fees will be forwarded to the organization.

If the organization has not completed the corrective actions, the DMV in consultation with the Commission, may extend the period of suspension one time or terminate production and distribution of the plate and collection of all fees, and allow any holder of the plate to renew without paying any additional fees. In this case, the DMV in consultation with the Commission would determine how to distribute remaining fees or continue production and distribution of the plate, and distribute all fees collected to another charitable organization that would utilize the fee for a similar purpose.

In order for an organization to be considered under this scenario, an application must be submitted to the DMV and the organization must meet all requirements for any organization seeking a special license plate. The remaining sections of the bill make conforming changes.

SENATOR BROOKS:

How often does this scenario happen?

MR. COOPER:

Since 2007, I believe there have been approximately 6 hearings

SENATOR SPEARMAN:

If the intent of an organization is to malign another organization, are there other penalties available?

MR. COOPER:

I have attended all of the hearings since 2007, and the Commission tries to help ensure the special license plates succeed.

ASSEMBLYWOMAN MONROE-MORENO:

This is my first time serving on the Commission on Special License Plates. The Commission members this Interim made every attempt to help the organization. This was not the first Interim Committee that had dealt with this issue and this organization. It became apparent the Commission needed other options and this is why we brought this legislation forward.

SALLY SUMMERS (Horse Power):

I am the founder of Horse Power and believe that section 5, subsection 2, paragraph (b) of the bill should be removed because of potential malicious targeting. One charity's hard work should not benefit another organization that did not do the work. This happened to Horse Power. Horse Power received threats from an Assemblyman that another organization was on board and ready to receive Horse Power's revenue if we did not comply with the Commission on Special License Plates. Horse Power did comply with every recommendation and did so within the unreasonably short amount of time given.

Horse Power would like the Committee to consider striking the language distributing all additional fees, including those held during the suspension, to different charitable organizations that meet certain requirements.

CHAIR CANCELA:

As Chair, I am uncomfortable with characterizing the actions of another member of this body as threatening without there being any proof or that person being

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able to defend themselves. We will close the hearing on A.B. 484 and I will entertain a motion.

SENATOR WASHINGTON MOVED TO DO PASS A.B. 484.

SENATOR BROOKS SECONDED THE MOTION.

THE MOTION CARRIED (SENATORS DENIS AND HAMMOND WERE ABSENT FOR THE VOTE.)

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CHAIR CANCELA:

There being no public comment, the meeting was adjourned at 2:36 p.m.

RESPECTFULLY SUBMITTED:

Tammy Lubich,
Committee Secretary

APPROVED BY:

Senator Yvanna D. Cancela, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	4		Attendance Roster
A.B. 45	C	1	Marjorie Paslov Thomas	Work Session Document
A.B. 110	D	2	Marjorie Paslov Thomas	Work Session Document
A.B. 177	E	1	Marjorie Paslov Thomas	Work Session Document
A.B. 337	F	1	Marjorie Paslov Thomas	Work Session Document
A.B. 344	G	1	Marjorie Paslov Thomas	Work Session Document
A.B. 365	H	1	Marjorie Paslov Thomas	Work Session Document
A.B. 365	I	2	Matthew Walker / Enterprise Holdings, LLC	Conceptual Amendment
A.B. 22	J	7	Sean Sever / Nevada Department of Transportation	Presentation
A.B. 54 (R1)	K	9	David Bobzien / Governor's Office of Energy	Presentation
A.B. 467	L	1	Rocky Cooper, Auditor / Legislative Counsel Bureau	Special License Plates Report