

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-First Session
February 24, 2021**

The Committee on Commerce and Labor was called to order by Chair Sandra Jauregui at 1:30 p.m. on Wednesday, February 24, 2021, Online. 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/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Sandra Jauregui, Chair
Assemblywoman Maggie Carlton, Vice Chair
Assemblywoman Venicia Considine
Assemblywoman Jill Dickman
Assemblywoman Bea Duran
Assemblyman Edgar Flores
Assemblyman Jason Frierson
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Elaine Marzola
Assemblyman P.K. O'Neill
Assemblywoman Jill Tolles

COMMITTEE MEMBERS ABSENT:

Assemblywoman Susie Martinez (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Michelle Gorelow, Assembly District No. 35

STAFF MEMBERS PRESENT:

Marjorie Paslov-Thomas, Committee Policy Analyst
Terri McBride, Committee Manager
Julie Axelson, Committee Secretary
Cheryl Williams, Committee Assistant



OTHERS PRESENT:

Aaron Ford, Attorney General
Mark Krueger, Chief Deputy Attorney General, Office of the Attorney General
John McGlamery, Private Citizen, Carson City, Nevada
Bailey Bortolin, representing Nevada Coalition of Legal Service Providers
Peter Guzman, President, Latin Chamber of Commerce
Kendra Bertschy, Deputy Public Defender, Washoe County Public Defender's Office
Paul Moradkhan, Senior Vice President, Government Affairs, Vegas Chamber
John Piro, Chief Deputy Public Defender, Clark County Public Defender's Office
Nick Vander Poel, representing Reno + Sparks Chamber of Commerce
Bryan Wachter, Senior Vice President, Retail Association of Nevada
Jim Hoffman, representing Nevada Attorneys for Criminal Justice
Jennifer Richards, Chief Elder and Disability Rights Attorney, Aging and Disability
Services Division, Department of Health and Human Services
Jennifer Pierce, Executive Director, Speech-Language Pathology, Audiology and
Hearing Aid Dispensing Board
Sarah Mersereau-Adler, representing Speech-Language Pathology, Audiology and
Hearing Aid Dispensing Board

Chair Jauregui:

[Roll was called.] On today's agenda, we have two bills we will be hearing. I will be taking these in order. The first bill on our agenda is Assembly Bill 61. I will open the hearing on Assembly Bill 61. I believe we have our Attorney General, Aaron Ford and Mr. Mark Krueger to present.

Assembly Bill 61: Revises provisions relating to trade practices. (BDR 52-424)

Aaron Ford, Attorney General:

I have two of my colleagues with me, Ernest Figueroa and Mark Krueger, our Chief Deputy Attorney General who will assist in presenting this bill to you. Consumer protection has been an important and defining arm of my administration as Nevada's Attorney General. The protection of consumers in Nevada, including residents and businesses, from unfair and fraudulent acts is one of my five Cs in this office. I will briefly tell you what they are. The first C is consumer protection and ensuring we focus on protecting consumers. I am also talking about four other Cs, which are the protection of constitutional and civil rights, criminal justice and reform, community engagement and involvement, and client services, which includes constituent services. I wanted to present this bill personally as one of the examples of the five Cs that we operate, in this instance in consumer protection. I will give brief opening remarks and turn it over to my colleagues to explain the bill section by section and then entertain questions.

With the Chair's indulgence, if I need to exit after that, I will ask for permission to do so. However, I am right next door and am able to come back to answer any questions the Committee may have specifically for me. I do believe you are in great hands with my colleagues.

Chair Jauregui:

Absolutely, Attorney General Ford.

Aaron Ford:

I will begin talking about Assembly Bill 61. This bill intends to give the Attorney General's Bureau of Consumer Protection (BCP) the modern-day tools it needs to enforce unfair conduct in this state through the enforcement of Nevada's Deceptive Trade Practices Act (DTPA) and other consumer protection statutes against today's modern-day fraudsters. Assembly Bill 61 seeks to establish a price gouging prohibition during the time of Governor Sisolak's declared state of emergency. As we discovered during this pandemic, such a prohibition is necessary to ensure the price, for example, of toilet paper and disinfectants, should remain reasonable during an emergency, and make sure fraudsters do not take advantage of residents who are already hardest hit because they lost their jobs.

As an anecdote, we received maybe not hundreds but certainly dozens of complaints of price gouging from every community you could consider. However, we received a lot from our minority communities; oftentimes because there are food deserts due to insufficient grocery stores there. Those that are there are sometimes hit by a supply chain concern that has artificially raised prices beyond what is reasonable. We believe needs and necessities can operate and exist at the same time. For example, a food desert exists because there are not enough grocery stores. However, we also have to ensure that the residents who are there can afford the food that has been provided at the grocery stores, but also protect businesses from unscrupulous actions that fall within the price gouging arena as well. In this arena, I know you will be getting some opposition testimony to the current iteration of the bill, and we welcome that as an opportunity to continue talking with our small businesses about this. Some of the same small businesses' consumers reached out to us during the pandemic to complain about price gouging. It is a real issue, and we look forward to working with them as well as the Committee members to ensure we can allay any concerns you may have in this arena.

Assembly Bill 61 also seeks to harmonize criminal penalties with that of general fraud. It will increase penalties for robocalling, which has become the number one complaint to the Federal Trade Commission across the nation and here in Nevada. I have had numerous robocalls, and I find them to be annoying and deplorable. We need these revisions to help continue the fight to stop these annoying calls.

Assembly Bill 61 also seeks to take advantage of the good work that you did last year in changing online protections of consumer personal identifiable information by making a violation of certain provisions of deceptive Nevada security privacy laws under *Nevada Revised Statutes* (NRS) Chapter 603A a violation of the DTPA. In addition, to make

it easier for our consumer protection division to ferret out companies and people who commit these fraudulent acts upon our residents, A.B. 61 eliminates the statute of limitations for violations of the DTPA. It revises provisions for the conduct of administrative hearings, as well as the enforcement and collection of restitution for those who have been harmed. It allows our BCP to retrieve discovery documents and data from state agencies in support of state litigation. Again, I recognize that will raise some eyebrows, at least in terms of the criminal penalties, by many members of this Committee because you, like me, are associated with current criminal justice reform. Rest assured, I remain committed to criminal justice reform and ensure you that we do not overly criminalize things.

With that said, please understand that with me presenting this to you, hopefully it is with a little bit of credibility to let you know that I have a team here that is looking to do the best it can to ensure that our residents are protected even within the confines of criminal justice reform. We remain confident that we can have conversations with you and others around these provisions to ensure that we can have a properly tailored bill at the end of the day.

Finally, A.B. 61 makes amendments [[Exhibit C](#)] to ensure greater punishments for those who would harm our seniors and vulnerable persons as well as our youth. It also provides general clean-up amendments as well. My team and I are here for questions. To go through the bill section by section [[Exhibit D](#)], I have Mark Krueger, Ernest Figueroa, and Christine Brady. Unless there are preliminary questions, I will turn it over to Mr. Krueger.

Chair Jauregui:

Let us go to Mr. Krueger, and then we will take questions after the presentation.

Mark Krueger, Chief Deputy Attorney General, Office of the Attorney General:

Attorney General Ford asked me to take you through the bill as presented [[Exhibit C](#) and [Exhibit D](#)]. I will start with section 1, which is a provision to *Nevada Revised Statutes* (NRS) Chapter 597 to increase penalties for robocalling. Section 2 adds section 3 and 4 to NRS Chapter 598. Section 3 is the price gouging prohibition that Attorney General Ford discussed. Section 4 creates a violation of NRS Chapter 598 for violations of the federal legislation prohibiting robocalls. Sections 1 and 5 work hand in hand.

Section 6 adds sections 7 through 17. Section 7 provides a provision that covers what has been absent from NRS Chapter 598, which makes an unconscionable practice in a transaction a violation. Section 8 ensures violations of this act are also violations of NRS Chapter 598A, which is our Unfair Trade Practices Act. Many times, we find these two chapters work in tandem. Section 9 maintains consistency of the bill with established exemptions, as well as section 10 and section 11.

Section 12 ensures the Attorney General's Office has coenforcement authority for civil administrative actions with the Consumer Affairs division. Section 13 increases penalties against minors ensuring it is consistent with penalties when we have crimes against elders or persons with disabilities. Section 14 maintains consistence of the bill with established enforcement actions, as well as sections 15 and 16.

Section 17 is the part Attorney General Ford talked about that we seek to harmonize criminal violations in NRS Chapter 598 with those of general fraud, specifically theft. Section 18 amends NRS Chapter 603A to include Chapter 603A violations, which are the privacy data violations, as a violation of NRS Chapter 598. Section 18 includes sections 19 and 20, which are the privacy violations.

Sections 21 through 24 also maintain consistency of the bill with established enforcement provisions. Sections 25 and 26 amend NRS Chapter 11, which deals with the statute of limitations for NRS Chapter 598. Section 27 amends NRS Chapter 41 to maintain consistency with the bill as well.

Sections 28 through 30 amend NRS Chapter 171 for consistency of the bill for purposes of criminal enforcement. Again, that harmonizes the criminal penalties in NRS Chapter 598 with that of general fraud.

Section 31 allows the Attorney General, primarily in our litigation cases, to get access to state records that are in possession of other agencies, boards, or commissions. Sections 32 through 35 are amendments for consistency of the bill. Section 36 attempts to correct an error that was created when in prior sessions, the Consumer Affairs division was defunded and when it received funding again, this particular oversight provision was not given back to them. This would do that.

That is a brief summary of all the sections of the bill [[Exhibit D](#)]. I am happy to answer any questions on behalf of the Attorney General's Office.

Chair Jauregui:

Does the Committee have any questions?

Assemblywoman Tolles:

This is quite an extensive bill, so I have a couple of questions. In general, I want to clarify that when we are talking about a state of emergency, I saw in the amendments [[Exhibit C](#)] you did narrow that down to the area of the direct emergency, which is in section 3, subsection 4. It is for the emergency or disaster area. As a bigger backdrop question, we are in a state where we are going on 12 months or so of a declared emergency that would encompass our entire state. Is it the intention of this legislation to apply this to all circumstances across the state in such a time that we currently find ourselves in?

Aaron Ford:

Let me answer the question I think you asked. Yes, it would apply to wherever the emergency has been declared. In our current circumstance where we have a statewide emergency because of the pandemic, where we see price gouging taking place, whether it be in Elko or in Enterprise, Nevada, yes, the amendments would apply there. Also, for example, if there is an emergency that is a lot shorter, where there is an earthquake or flood, it would apply there, relative to the place and time frame for which that emergency has been declared.

Assemblywoman Tolles:

If I jump ahead to section 17, subsection 3, paragraph (a), for "an offense involving a loss of property or services valued at \$1,200 or more but less than \$5,000" It bumps up from a misdemeanor to a category D felony. If I remember correctly, we jump from misdemeanor past gross misdemeanor to category D felony, and then it graduates up from there based on the value of the property loss. What happens if the value is under \$1,200? Does that go away and there is no misdemeanor?

Aaron Ford:

I will allow Mr. Krueger to chime in here.

Mark Krueger:

The intent of the edits were to mirror the punishments that can be found in theft specifically. That is where the categories were set from. To answer your specific question, the gross misdemeanor would still be in place. This just sets the price limits you would see for theft and harmonizes them with this particular chapter.

Chair Jauregui:

Assemblywoman Tolles, do you have a follow-up? I do have other members with questions as well.

Assemblywoman Tolles:

I will pause for now.

Chair Jauregui:

I think I have a member who has a question on this section as well, so let me go to Assemblyman Flores.

Assemblyman Flores:

I have some questions about this, and I would like some clarification. I am thinking of those folks who go from house to house or targeting specific people or areas. Let us say they are cheating families out of \$800 or \$900 with quick hustles. With this change in language, I am curious to know if those individuals are now somehow going to be flying under the radar when we are continuously finding that same individual engaging in the same type of conduct. As the section is written now, my understanding is that we were not catching that individual, correct? If we caught him a second time, now we are going to hit him with a harsher punishment. If we caught him a third time, we are going to hit him with a harsher punishment. I am curious to know that if we implement this language, by removing that first, second, third increasing punishment, will an individual who is consistently committing the same crime not be penalized in a more severe manner?

Aaron Ford:

I am going to chime in quickly and then allow Mr. Krueger to speak again. I will offer a little background on the purposes of incorporating these types of things. As a general matter, BCP has jurisdiction under NRS Chapter 598. Oftentimes, there are violations of

fraud and theft that are not contained within NRS Chapter 598, but they can be pursued under a particular cause of action. Instead of having to rely upon the generic fraud statutes, we intend to incorporate those things into the BCP jurisdiction under the exact same rules and requirements that currently exist. This would not be changing what you have already done relative to the allocation of punishment for first-, second-, or third-time offenders, nor would it be changing the circumstances under which they could be charged. It would enable BCP to streamline its prosecutorial processes and abilities by incorporating those directly within our jurisdiction. I do not know if that completely answers your question, but I think it addresses it at some level. So you can understand that we are not attempting to add new crimes and penalties, we are simply looking to align the statutes so that BCP can do its job a lot more efficiently. If I am incorrect, Mr. Krueger will let me know right now.

Mark Krueger:

Attorney General Ford is absolutely correct. From what I got from your question, I would like to add that this would enable us, within BCP, to get to those types of crimes that you were talking about and help more people.

Chair Jauregui:

I have a quick question. Why are we aligning it? What was not working in the way this statute is currently written as a misdemeanor, gross misdemeanor, category D felony that we want to change and align it with the other statute? We are now going to category D, category C, and category B felonies.

Mark Krueger:

The problem we were running into was that the misdemeanor was really our only ability to move forward. I will give you a specific example. We had a guitar consignment company that stole guitars for lack of a better way of saying it. We ended up taking a civil action against them, and we recovered a judgment against them for \$22,000 for the restitution for the victims' guitars. It would have been an opportunity for us to also take a criminal action against them to have some teeth behind it to actually get the restitution, especially with Marsy's Law to have that restitution paid back. A little aside to this case, we learned later that he had hidden some guitars in a storage shed, and we were never able to recover those. We are still trying to pursue the judgment with a second judgment meant to enforce the first judgment to try to collect this money, and the individual has absconded to Oregon the last we found out. The misdemeanor being the only charge we can start with did not give us the tools we needed to get restitution for these victims.

Assemblywoman Dickman:

I am wondering why you brought a deceptive trade practices bill as opposed to a price gouging bill. Is there a difference in prosecution?

Aaron Ford:

One of the things we found during the COVID-19 crisis was that we did not have a stand-alone price gouging bill, so we had to get creative in order to be able to protect consumers during this time period and we have to rely upon antitrust laws, for example, or looking at the

general fraud statutes. It makes it more difficult for us to be able to protect consumers during times like these. Our jurisdiction in the BCP is prescribed by statute, and one of those statutory jurisdictions is the DTPA. That is why we are bringing a price gouging bill in the context of our jurisdiction, but also in the context specifically for the emergency that had been declared.

Assemblywoman Dickman:

In section 7, subsection 2, paragraph (b), the phrase "unconscionable practice" seems a little broad. It is defined a little bit, but could you give an example?

Mark Krueger:

The reason for the phrase "unconscionable practice" is that we have a Deceptive and Unfair Trade Practices Act. The problem is that we do not have language in there that really gets to the heart of what is unfair, and "unconscionable" is meant to do that. I will give you a couple of examples. One of the areas is notario fraud, where individuals may take advantage of people who do not speak English as their native language. They would use a contract written in English and put in terms these people might not necessarily know. It is an unconscionable practice. Another example would be in areas where people might want a profile and set different prices based upon things such as sex, race, sexuality, gender, and things like that. These are the types of things we know and see, but we do not know how to describe and do not necessarily fit under other enforcement provisions in NRS Chapter 598. The need for this is important, and other states have similar statutes. I can give some additional examples if you need them. I hope that answers your question.

Aaron Ford:

The great example Mr. Krueger provided is notario fraud where a lot of immigrant communities are taken advantage of in this arena because, as Mr. Krueger indicated, there is a language barrier, and oftentimes people can be tricked into thinking they are getting something they are not. It does not necessarily mean the victims have been coerced, operated under duress, or had been intimidated in a transaction, but what they [notarios] have done is absolutely unconscionable. By the way, unconscionability is a prevalent term of art in the law, such that it is not making up a new standard. You can always rely upon how it has been interpreted in the law, through case law and otherwise, in order to be sure that this is not something that is overbroad or overreaching.

Assemblywoman Kasama:

My question has to do with section 1 and creating a category C felony. The way I understand this is that somebody, even on their first time making a robocall it could be for political reasons, selling goods, real estate, or many different areas and to immediately go to a category C felony seems to be too harsh. I sit on the Assembly Committee on Judiciary, and I hear a lot about how we have too many people in the jails, we criminalize too many penalties, and we need to figure out ways to keep from putting so many people in jail. With category C, you are looking at an automatic 1 to 5 years in prison. I, too, am bothered by robocalls. I do not think anybody enjoys them, but I think that would overcrowd our system that is already overcrowded. I recognize that there are certain businesses that will

consider this just a cost of business and pay the penalties, and I think that is what you are addressing here. We have people who just pay the penalty, and you have no teeth to stop it. I think it would make more sense to have it be on a graduated level so that a first-time offender is not put in jail for making a phone call. We do not like it, but I think that is too harsh. I think it should rather be some type of scale, so we do not overcrowd our prison system and jails. I hope that is something that can be considered.

Aaron Ford:

I do want to allow Mr. Krueger to speak first, and then I have a follow-up comment.

Mark Krueger:

We are open to suggestions, and I think your suggestion makes a valid point. I will certainly let Attorney General Ford speak about the policies of it. What we were thinking when we drafted this was to capture a significant enough deterrence for robocallers. Part of our problem is, of course, catching robocallers to begin with. We are making significant strides, and you will see that in the other section I related to with the TRACED Act [Telephone Robocall Abuse Criminal Enforcement and Deterrence Act], that we have the ability to now work with federal partners and other states to try to get tools in place to finally get to the source of robocallers. I am certain Attorney General Ford is open to your suggestion, and we can think about ways we can fix that. We want to have something in place that will act as a deterrent. Otherwise, it would be difficult to make sure people stop these horrid acts.

Aaron Ford:

Assemblywoman Kasama, you are singing my same song. If anyone knows me, they know I am a criminal justice reform advocate and absolutely understand what you are talking about. In fact, I look forward to working with you and using that exact same phraseology on bills I have coming before you and others in this particular arena. With that said, recognize that we have also put this in as a discussion piece. This was the first draft. These are all iterative projects, and we look forward to hearing from you on the best way to effectuate criminal justice reform in the context of this issue. We are open to suggestions you may have.

Assemblywoman Carlton:

Attorney General Ford, I would like you to put on the record the difference between price gouging and supply and demand, knowing full well what we experienced over the pandemic, and in my private life, trying to stock a food pantry. If you had told me I was going to pay \$7 to \$8 a pound for beef, I would say that is unconscionable, but that was supply and demand for the price of beef during the pandemic. I think it would be good for us to clarify the difference between price gouging and supply and demand.

Aaron Ford:

Absolutely. I will say some preliminary remarks and have Mr. Krueger talk specifically about the provisions of the bill [[Exhibit C](#)] because I think the bill itself tries to help outline some of those considerations. It is a question of whether we have supply and demand versus price gouging. We are not necessarily talking about going from \$15 to \$20 for toilet tissue. We are talking about \$15 to \$50, for example. That is not likely a supply and demand issue,

but it is an issue of people or industries trying to take advantage of folks during tough times. The statute lays out presumptions that would occur. They will look back 30 days before the emergency was declared to do a comparison to see if that makes sense. They will inquire into supply chain issues and inquire into facts and circumstances to make a determination on whether price gouging had occurred. We are sensitive to the law of supply and demand in these issues. Many other states have in place, for purposes of emergencies only, price gouging statutes they can rely upon to protect consumers during this time period. We did not, and it has made it difficult for us. We are trying to find the best practices from those states to incorporate into our laws to better protect our residents. Mr. Krueger, would you care to offer more detail on the language itself?

Mark Krueger:

The best way to answer this would be to say that there is a carve-out provision in this for supply increases. We recognize that at times, even in times of an emergency, supply prices will increase. Obviously, businesses have the ability to increase their cost. If their costs go up, they have to increase what they sell a good for. That is the supply increase. What we are trying to get to here, in times of emergency, when you have a fundamental spike in increase that is beyond what the supply chain increase is. That would then trigger the applicability during the time of emergency of this provision and what constitutes price gouging. I hope that answers your question. I would like to note that we have had a lot of discussions with the industry groups. Many times, when we talk about commodities, commodities are always subject to federal regulation and as well have their own supply chain increases.

Assemblywoman Carlton:

I just wanted to make sure we got that on the record.

Assemblywoman Hardy:

Let us say you are in a convenience store or a sandwich shop, and they were charging astronomical prices. The way I understand it is anyone from the clerk to the manager or owner would be subject to these penalties and felonies. I, too, think that is a little extreme. Possibly, we could have some discussions around that. Do I understand that correctly and all of those people could be subject to those penalties and fines?

Aaron Ford:

I think the answer to that is no. Those levels of individuals would not be held personally liable for that. It is the entity that is making that decision for price gouging purposes. Allow me to invite Mr. Krueger in. If I am mistaken on that, we will absolutely want to fix that.

Mark Krueger:

Attorney General Ford, you are generally correct. What we get to here is what the intent is behind the individual. I think your point is well taken, and we can work with some language to make it more specific. Generally speaking, you are going to have a decision maker who is going to decide to sell, let us say, a bottle of disinfectant for \$35 rather than the normal supply increase of \$4. That is the person we are trying to get at.

Assemblywoman Hardy:

I just wanted to make sure that is somehow delineated or specified in the legislation to make sure we are going after the right people and not penalizing, especially with such harsh penalties, those other people. Another thing along these lines, let us say you have a hotel or motel in rural Nevada that is charging \$500 a night rather than their regular \$50 a night. Could this be extended to a situation like that?

Mark Krueger:

The hotel and motel industry has its own chapter, so we would have to incorporate that chapter into this provision to specifically capture that group. It was only intended for the general goods and services.

Chair Jauregui:

I would like to remind the members to make sure you request a follow-up because I have other members who would like to ask questions.

Assemblywoman Considine:

I had more of a statement rather than a question, and it was addressed.

Assemblywoman Tolles:

I want to make a quick follow-up comment to Assemblywoman Hardy's questions, and I do have another question to clarify as well. I, too, would like to see clarification about who this would apply to. Having got my start in retail and restaurants, I would appreciate that clarification of who this would apply to. How can you prove that they were knowingly engaged in the activity of making those decisions? Do we have specific language that I may have missed that would prove that?

Mark Krueger:

Under a criminal context, we would do it in any fashion that a prosecutor would go to proving either direct or circumstantial evidence or both. In a civil context, we would apply the standard of "knowingly," as it is outlined in NRS Chapter 598 and case law to prove it civilly.

Aaron Ford:

I am sorry, we got kicked out of the Zoom, and I missed the question. If there is something specific for me, I am back.

Assemblywoman Tolles:

The question that was asked and answered was in regard to refining who we are going after and how to prove that they knew. I have one other thought that popped into my mind as I was listening to Assemblywoman Hardy. Since the entire state is in a declared emergency, and let us say we have tickets go on sale for events that can have a limited number of people socially-distanced, but those tickets are much higher in price. I want to make sure we do not unwittingly capture folks in the statutes where it may be a difference between price gouging and supply and demand.

Aaron Ford:

Per last session, a random check box was put on our complaint form that could specifically address ticket prices, resales, and things of that sort. We would have a separate enforcement mechanism that would not fall under price gouging that deals with goods and services. Going back to the hotel scenario, we do not have jurisdiction in real estate issues. When people complain to us as Bureau of Consumer Protection (BCP) on mortgage fraud issues, we have to refer that to the correct jurisdiction. We will absolutely ensure that the definition of price gouging is buttoned up so we do not unwittingly pull within our jurisdiction things that are not there, but we do have central authority on some of your examples elsewhere. Mr. Krueger, do you want to correct anything I just said?

Mark Krueger:

No, I think you nailed it.

Assemblywoman Marzola:

I have a question on section 3, subsection 3, paragraph (d). Would that capture gas prices as well?

Aaron Ford:

Section 3, subsection 3, paragraph (d) reads, "A price for a good or service is not grossly in excess of the usual price for that good or service for the purposes of subsection 1 if the price is: (d) Generally consistent with seasonal fluctuations or fluctuations in applicable commodity, regional, national or international markets;" Am I reading the question correctly?

Assemblywoman Marzola:

You are.

Aaron Ford:

You want to know if it would apply to gas. The answer to that would be dependent upon whether it is defined as a commodity. There may be other considerations that will kick in here. It deals with national and international markets to be sure with the Organization of the Petroleum Exporting Countries (OPEC) and the pricing of gas. It seems to be playing to that particular analysis. Mr. Krueger, would you chime in?

Mark Krueger:

We did not have that specific intent in our minds at the time we drafted this. I would have to work with the Legislative Counsel Bureau (LCB) Legal Division to determine exactly whether or not that would cover it. I guess the classic attorney answer is right now, it depends.

Assemblyman O'Neill:

I also had a question on supply and demand. In section 25, if I understand correctly, there is no statute of limitations on the deceptive trade practices. Can you help me understand that a little better? The only crimes I know of that have no time limit are child abuse and

homicide. This should be something that comes forward and moved in a fairly short time period, should it not?

Aaron Ford:

Let me first reference what you said about supply and demand. I want to reiterate that there are specific cutouts that address supply and demand so if it is an issue of supply and demand, it would not constitute price gouging. That issue is specifically addressed in verbiage. I want to go back to Assemblywoman Marzola's question on gas. Mr. Krueger is going to check with LCB to determine if what I am saying is correct, but gas prices are governed by national and international markets, and that will fall within one of the exemptions we are contemplating here. We can continue talking about that to be sure. To your question about the statute of limitations, I agree with you. We do not need to have no statute of limitations on this issue. I thought long and hard about it, and I am going to ask . . .

Mark Krueger:

Attorney General Ford and I have spoken about this quite a bit, and the final thought we had come around to in our discussions, along with interested stakeholders, is perhaps what we could do is have a carve-out for the criminal offenses and any private right of action, and leave it at the current four-year statute of limitations. That would resolve your concerns, Assemblyman O'Neill. It would also allow us at the Attorney General's Office to have the ability to go civilly in our actions that do take a long time and we find hidden items. I would like to give you a couple of examples. The Volkswagen emissions scandal was one of those cases that took a long time to reach into and investigate. If you remember, there were many items that were hidden from both federal and state agencies about emissions on these vehicles. Another item we are currently litigating is a certain opioid manufacturer. We have had press releases where some of these items started in 2016. This is a long time ago. With the "no statute of limitations," there are currently 13 states that do not have a statute of limitations in this arena, and that allows a more thorough and broader investigation in an area of very complex litigation with documents that number in the hundreds of thousands that need to be reviewed in order to move forward. With that in mind, I think Attorney General Ford's idea to have a carve-out to address your concerns makes a lot of sense, and we are willing to work with the industry and yourselves to do that.

Aaron Ford:

I want to reiterate that we always consider these first drafts, and the truth is we have vigorous conversations within this office on the appropriateness of the language we are pursuing. Sometimes we end up changing our minds, and conversations like this are very helpful in that regard. Please understand that. We look forward to working with you to address the issues you raised.

Assemblyman O'Neill:

I just had those concerns. I understand about the length of an investigation after working 40 years of investigations. It just did not seem fair. I like the idea of the carve-out to go to a civil action.

Chair Jauregui:

Seeing no further questions, I am going to move to testimony in support. Do we have Ms. Bailey Bortolin? [There was no response.] Do we have Mr. John McGlamery?

John McGlamery, Private Citizen, Carson City, Nevada:

I am testifying today as a private, informed citizen, but my background is that I am retired from the Attorney General's Office BCP as a Senior Deputy Attorney General. Basically, I am the one who enforced these laws for over 17 years on behalf of the state of Nevada. Nothing is more frustrating than having a scammer stealing \$45,000 or \$50,000, and all I could do was charge him with a misdemeanor under Nevada deceptive trade laws. It made no sense. I am absolutely in favor of all these changes. I do lecture for seminars for both AARP and the Learning Institute at the University of Nevada, Reno. I am still involved in deceptive trade practice issues. For the criminal part, I want to go to the issue with the felony. This is a red herring, clear and simple. Judges do not have people convicted for deceptive trade laws, theft, or securities violations and put them in jail. I have only had one judge put somebody in jail for this, and that is the person who had the money to pay the restitution and refused to do so over a period of six months. They do not put people in jail. The felony is something that is significant and goes onto their record. There are a lot of other things that go into practice. Not only that, but this is a psychological issue . . .

Chair Jauregui:

Mr. McGlamery, your time is up for testimony. If you have something in writing, you can submit it to the Committee manager to provide it to the Committee members.

John McGlamery:

I do have something like that to put in here about the small claims court [[Exhibit E](#)].

Chair Jauregui:

If you would like to provide your written testimony to the Committee, we will make sure it gets to the Committee members. I will remind everyone that testimony in support means you are in support of the bill as written with no changes. I will move to Ms. Bailey Bortolin, who is on the line to testify in support of A.B. 61.

Bailey Bortolin, representing Nevada Coalition of Legal Service Providers:

We want to offer support for this bill and say thank you to the Attorney General and his Consumer Protection office that has been doing some really important work during this pandemic to make sure that consumers are protected at this really important time. We see a need and understand the reasoning for strengthening these laws and providing them with stronger statutes to enforce the important work they are doing. We stand in support.

Chair Jauregui:

Is there anyone else in support of A.B. 61? [There was no one.] We will move to testimony in opposition to A.B. 61. I will start with Peter Guzman with the Latin Chamber of Commerce.

Peter Guzman, President, Latin Chamber of Commerce:

I want to compliment all the members who have asked incredible questions that have led me to even more questions. The Latin Chamber of Commerce supports the general spirit and concept of punishing bad actors and would certainly never question Attorney General Ford's good intentions. He is always fighting for the minorities. This time we cannot support this bill as currently written. Yesterday, our government relations team had a very productive call with the Attorney General's Office, and we are committed to continuing to work with their office to address our concerns. Our current concerns with the bill include the following: it potentially creates a business trap for small businesses—a trap which could provide for endless litigation with no reasonable parameters on the statute of limitations, which in turn could stifle business growth and job creation. Second, enhanced criminal penalty confines could lead to unintended prosecutions and incarcerations, which does not seem consistent with the current environment of criminal justice reform measures. As written, the bill applies to all persons and businesses engaged in the selling or renting of certain goods and services. Also, persons and businesses including store clerks, managers, and owners could now be prosecuted under felony statutes rather than misdemeanors. I think that is excessive. I also want to say in closing, we must clearly identify what businesses can and cannot be prosecuted under this. We all know the hospitality and service industry raises their room rates during big conventions, and they raise them high. Would they be penalized and become felons? No. I think we need to do more identifying specifically so we do not have unintended consequences. I appreciate you allowing me to speak today.

Kendra Bertschy, Deputy Public Defender, Washoe County Public Defender's Office:

First, I would like to thank the Attorney General's Office for their intentions with this bill to protect our citizens. We were able to speak with Chief Deputy Attorney General Krueger yesterday to express some of our concerns with this bill. We look forward to continuing to work with him in order to address our concerns. I want to start by thanking Attorney General Ford for his efforts and advocacy with the criminal justice reform system last session, as well as his continued efforts this session. We do have concerns with raising the criminal penalty on robocalls from misdemeanor to a category C felony, as well as creating new crimes. I would note that restitution can be requested and ordered in misdemeanor cases. We do look forward to continuing to work with the Attorney General's Office to strike the balance between protecting consumers and deterring criminal conduct. The U.S. Department of Justice has published scientific evidence that the certainty of being caught is a vastly more powerful deterrent than punishment. Increasing the severity of punishment is ineffective in deterring crime. I believe Assemblywoman Tolles discussed some of our concerns regarding overbroad language, which we believe may capture individuals this bill does not intend to capture. I know Mr. Piro will provide remarks, and we agree with his remarks as well.

Paul Moradkhan, Senior Vice President, Government Affairs, Vegas Chamber:

I would like to thank our Attorney General's Office for the time as we were working through some of our issues yesterday. We appreciate their engaging with the business community. As you heard, there are some concerns with sections 3, 4, 5, and 19. Those are just a few. We also have a concern about unintended consequences. It is our hope that we would be able

to come to a resolution on this bill and remove our opposition. Of course, the Vegas Chamber does not support fraud or related activities.

John Piro, Chief Deputy Public Defender, Clark County Public Defender's Office:

I want to echo the comments of Ms. Bertschy and Mr. Guzman. I am going to focus my comments on sections 25, 26, and 28 through 30. Deleting the statute of limitations seems like a small change, but it is actually a huge change. Long delays impair the ability of an accused to defend him or herself. For example, a long delay will affect an accused's ability to confer with potential witnesses, keep track of witness whereabouts, and will impair the accused's ability to prepare a defense and investigate allegations. The passage of time erodes memories, witnesses disappear, and events lose context over time.

The bill, as written, would remove the statute of limitations for deceptive trade practices. The only other statutes on the book that do that right now are murder and terrorism. This would elevate deceptive trade practices to the level of murder and terrorism and totally throw our statute of limitations scheme out of whack. Defending this charge decades after the fact would be incredibly burdensome and costly.

At this point, we are in opposition, but I would like to thank the Attorney General's Office for speaking with us about our concerns, and Mr. Krueger for talking with us and being open to keep working on this bill. We hope to move out of opposition. We do not want to stop the Attorney General's Office from going after bad actors, but we do need to narrowly tailor some portions of this bill so we capture the right people for the right reasons and keep integrity to the criminal justice system.

Nick Vander Poel, representing Reno + Sparks Chamber of Commerce:

The Reno + Sparks Chamber of Commerce is opposed to deceptive trade practice by its very definition but is not supportive of excessive and costly litigation that is outlined in this proposed legislation. For that reason, we must oppose A.B. 61 in its current written form. It must be noted that we did speak to the Attorney General's Office, and we do appreciate that conversation. With that being said, we did commit to working with the Attorney General's Office, but as written, we must oppose this bill. We look forward to further conversations.

Bryan Wachter, Senior Vice President, Retail Association of Nevada:

We, too, had conversations with the Attorney General's Office yesterday, and Mr. Krueger specifically. We look forward to working with them as this bill moves through the process. I wish I had more time to outline and explain to you the amount of changes and drastic issues the supply chain has gone through. We really appreciate Assemblywoman Carlton mentioning that the supply chain went through many challenges in the last 11 months. We do recall how empty our grocery store shelves were, especially in the beginning of the pandemic. I think that gives further credibility to the fact that price gouging was not rampant or widespread. If that were the case, there would have been product on the shelves. Also, I think another case against the validity to the fact that this was not a widespread problem is that the Attorney General mentioned they received dozens of complaints over the last 11 months. We have 3 million residents and many more million visitors that visit us every

year. It is certainly worth exploring, and we would be interested to know how many of those were found to be valid cases of price gouging. The Attorney General also mentioned that this was not designed to prevent price increases that go from \$15 to \$20, but the bill would actually put a limit in, so a \$15 item can only go up to \$16.50 the way the bill is currently written, before you start getting into the period of having a deceptive trade practice.

In general, we agree that it is overly broad. We draw your attention to section 3, subsection 1, paragraph (1). We think this section is very broad and would actually be covered in section 3, subsection 1, paragraph (b). We have concerns with section 3, subsection 4, and we also have concerns about section 3, subsection 5, paragraph (b) and really outlining who this would apply to and who would be subject to those actions. In section 4, we question whether this would be a deterrent as it is already illegal under federal law. We question the need to make and define it as a deceptive trade practice, even though it is already illegal under federal law. We also have concerns with section 7, subsection 1, paragraph (e) and section 7, subsection 2, paragraph (b).

Chair Jauregui:

Mr. Wachter, if you do have your testimony in writing, I would encourage you to provide it to our committee manager or secretary so they can share it with the Committee members. Is there anyone else in opposition?

Jim Hoffman, representing Nevada Attorneys for Criminal Justice:

I echo what Ms. Bertschy and Mr. Piro said. An additional point I would make is that we have this problem with mass incarceration in Nevada and across the country. One of the main reasons for that is that people pass criminal laws that make sense at the time and respond to a real social problem, but then they stay on the books forever. They mutate their extent to do things the drafters of the law did not consider. We think this is a situation where that might happen. Attorney General Ford said he has credibility as a criminal justice advocate, and that is true; he does, but he is not going to be Attorney General forever. I think the Committee should consider how this broad delegation of power might be misused decades down the line. Again, we look forward to working to resolve some of these issues, but for now, we oppose.

Chair Jauregui:

Is there anyone else in opposition? [There was no one.] I will now move to testimony in neutral. Do I have Paul Enos with Nevada Trucking Association on the line? [There was no response.] Is there anyone in neutral?

Jennifer Richards, Chief Elder and Disability Rights Attorney, Aging and Disability Services Division, Department of Health and Human Services:

[Provided written testimony, [Exhibit F.](#)] This office works to advance systematic improvement throughout the aging and disability services network through legal and policy advocacy so all Nevadans can live independent, meaningful, and dignified lives. In addition, the office acts as the designated legal assistance developer under the Older Americans Act.

The COVID-19 pandemic has disproportionately affected older adults and persons with disabilities. As a legal assistance developer for the state of Nevada, I can report anecdotally that our legal aid grantees have experienced a significant increase in consumer protection cases across the state, which we have been referring to the Attorney General's Office. In addition, the Federal Trade Commission (FTC) is currently reporting that there is upwards of \$340 million in total fraud loss due to the global pandemic. The FTC reports that persons over 60 years of age experience these losses at higher rates than other ages. Specifically, persons over 70 years of age experience a higher loss than all other ages. The FTC reports that there has been a 2,000-plus increase in identity theft reports regarding government benefits applied for or received. While fraud affects every generation differently, for persons over age 70, the preferred complex method to perpetuate fraud is by telephone.

This is a very important issue, and it is affecting the population that the Aging and Disability Services Division serves.

Chair Jauregui:

If you have testimony you would like to submit for everyone that is listening, you can provide it to our committee manager. Is there anyone else in neutral? [There was no one.] Attorney General Ford, would you like to give any closing remarks?

Aaron Ford:

Again, we look forward to working with those who called in. As they testified, most of them talked with us yesterday about the bill. We have not had the opportunity to digest or interact with them in detail, but we look forward to having those conversations. Some of the concerns raised, we have already acquiesced to; for example, the criminal concern. We will absolutely be addressing that; fret not, Mr. Piro and others, on that particular issue.

Let me be clear in that I said dozens of complaints, but I may be underestimating. My office was overrun with complaints during the COVID-19 season, some related to price gouging and some related to evictions. I cannot even count how many, and I did not want to offer a number because I did not want to be wrong on it. Let us be clear, we received several, many, a whole bunch, and more than just 12 price gouging complaints. You would have to look at my phone records to see the complaints; look on Facebook, Twitter, and elsewhere. You saw this going on in our communities. We tried to address it for those who reached out to us. Our statutes were woefully insufficient to prosecute and directly address what Mr. Wachter indicated. Fortunately, we were able to have conversations with some to convince them to back off, but what we saw was clearly an opportunity and intent to take advantage of the purchasing public. Do not let the number I said fool you. We have a problem here in price gouging when it comes to emergency circumstances. I think everybody saw it, and we intend to try to continue to work on it. Mr. Krueger is great, and he is my one person on the negotiation for the rest of this particular bill. Again, we look forward to receiving whatever concerns people have, and we will endeavor to accommodate them and compromise where we can and disagree with what we must.

[[Exhibit G](#) was submitted but not discussed and will become part of the record.]

Chair Jauregui:

I will now close the hearing on A.B. 61. The next item on our agenda is Assembly Bill 155. I believe we have Assemblywoman Michelle Gorelow here to present the bill, along with Jennifer Pierce. I will now open the hearing on Assembly Bill 155.

Assembly Bill 155: Increases the maximum amount of certain fees imposed by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board. (BDR 54-603)

Assemblywoman Michelle Gorelow, Assembly District No. 35:

I appreciate the opportunity to present Assembly Bill 155, which increases maximum fee caps for licensing and other sources provided by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board (the Speech and Hearing Board). I am joined today by the Board's executive director, Jennifer Pierce, who will be copresenting with me on today's bill.

During this time of great financial difficulty for many Nevadans, it does seem counterintuitive to pursue higher licensing and renewal fees; however, the proposed cap increases are necessary to alleviate solvency concerns by replenishing the Board's reserve fund. Since 2018, the Speech and Hearing Board has invested in several technology updates for their licensing database to fully integrate with their website and online application process. The additional costs associated with licensee growth, uncompensated investigations, and legal work has resulted in continual spending deficits. In fact, the Board has reported a net negative income from 2016 to 2019. The Speech and Hearing Board's reserve fund has been vital in covering these operation and modernization costs, but the cumulative deficit of the last few years puts the adequacy of the fund in jeopardy.

The fee cap increases before you today will allow the Board to undertake a public process to implement a modest fee increase that is necessary to solve the budgetary concerns of the Board, which as an independent entity is funded solely through licensing and service fees. We would not pursue this course of action if the bill's financial impact were overly burdensome on practitioners in the field. As Ms. Pierce can articulate, the current structure of the Board fees relative to median wages in the field show the Board's fees are modest and affordable when compared to similar professions. For example, the median salary of speech hearing practitioners is ranked sixth-highest among professionals in 18 board comparisons, while the fee cap for new licensees ranked fourteenth among the same group. Any fee increase implemented would only marginally impact professionals in the field.

I will now turn it over to Executive Director Jennifer Pierce, who will further discuss the Board's intent, new fee schedule, and financial impact of A.B. 155.

Jennifer Pierce, Executive Director, Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board:

[Read from written testimony, Exhibit H.] I have a brief PowerPoint slideshow [Exhibit I]. I want to share as I make my remarks today. As Assemblywoman Gorelow explained, our

practice law, *Nevada Revised Statutes* (NRS) Chapter 637B, prescribes the maximum fees the Board may charge for licensing and other services by setting fee caps. This bill would increase five of our eight fee caps in NRS. The Board's intent in pursuing this bill is to support its continued work on behalf of licensees, the public, and the state.

We recognize this is not an ideal time to raise fee caps. This initiative was approved by the Board in January 2020, and quickly and thoughtfully revised in the wake of the pandemic. All of the fee cap increases proposed in the bill are lower than originally planned, and some were eliminated altogether.

The Board's budget has resulted in a deficit in the last four fiscal years. In most years, the deficit budget was developed strategically to allow the Board to invest in technology and support services that increased staff efficiency and benefits to licensees, such as online applications, renewals, and payments. Right now, the Board's reserves equal approximately one-third of our annual operating costs.

Currently, all actual fees charged are at the maximum fee cap except for one. An increase in fee caps creates room for a modest increase in actual fees charged, which is critical to replenish reserves.

One of the Board's most important charges is its role to protect the public. With growth comes the opportunity for more complaint and disciplinary cases which can be costly to the Board in legal and investigative fees which are necessary, often substantial, and frequently irrecoverable.

Finally, our work relies heavily on investments in technology and efficiency. As such, we have made several investments since 2017 in a licensing database and integrated website to improve licensee access to applications and renewals. Online renewal and payments have been available to our licensees since 2017, and online applications went live in October 2020. Our licensing process is extremely efficient as we are able to issue licenses within three to five business days of receipt of a complete application.

I would also like to share with you briefly the diligence with which we have undertaken cost-saving efforts. The Board employs three part-time staff: me, the Executive Director at two-thirds time, a half-time Licensing Coordinator, and an Investigator used on an hourly, as-needed basis. Staff have foregone salary increases this fiscal year, and with the implementation of online applications, we do not anticipate a need to increase staff hours.

The Board shares office space with the Occupational Therapy and Environmental Health Specialists Boards to reduce costs, and we have relinquished unneeded office space to lower costs going forward.

In early 2020, the Board integrated the website with our licensing database vendor. This revision has already reaped significant benefits and maintenance cost-savings, reducing the need to pay hourly information technology support costs.

At the end of 2019, we transitioned Board email to Microsoft Office 365 and began using SharePoint to store Board documents, which has been especially useful as staff began working remotely due to COVID-19 and will mitigate future storage costs.

While we cannot predict the number and nature of complaints received, it is hoped that future efforts toward licensee education on our practice laws and regulations may result in fewer complaints.

We, too, are concerned about the economic well-being of our licensees. It is not the Board's intent to pursue excessive fee increases, but rather an effort to practice fiscal responsibility. A \$25 increase to new application and renewal fees would provide the Board with enough surplus to break even in most future years, and slowly rebuild our reserves.

We would like to emphasize to the Committee, our licensees, and stakeholders that an increase to actual fees charged would be made to the *Nevada Administrative Code* through the administrative rulemaking process during the 2021-2022 Interim, which would include very careful consideration by the Board and ample opportunity for input from licensees and the public.

We have made every effort to keep licensees and the Nevada Speech [Language] Hearing Association apprised of this initiative through regular email communication and website updates, both of which have included the resource materials submitted for today's meeting [[Exhibit I](#) and [Exhibit J](#)]. We are grateful for this partnership with the Association and look forward to the future work together on behalf of our licensees.

This final slide [[Exhibit I](#)] illustrates the requested increases to the fee caps. The Board declined to request a raise on fee caps for hearing aid dispensing examinations, and the conversion and endorsement fees that a licensee pays in addition to a regular license or renewal fee. Again, the Board does not intend to utilize the entire fee cap increase when considering an increase to actual fees and is committed to being a responsible steward of the fees it collects. Thank you for your time today, and I am happy to answer any questions you may have.

Chair Jauregui:

Does the Committee have any questions?

Assemblywoman Tolles:

Thank you for addressing our concerns about raising fees in the midst of this current situation we are in. This is not necessarily an automatic raise in fees, it is just a raising of the caps so you can work through that process. I do appreciate that you solicit input from your members or let them know you would solicit that from them through the process. Before today's proposal, have you surveyed your members, and do you have any survey results, as of today, about whether or not they are in favor of this request?

Jennifer Pierce:

We conducted a licensee survey in June 2020. We received a moderate response. There were quite a few neutral, but I would say about half of the responses were either opposed or strongly opposed, which we expected. We also know that the pandemic has affected everybody, so we knew that would be an expected response. That survey did indicate that to us, but I have not received very many specific responses when I have sent out emails or posted anything on the website.

Assemblywoman Tolles:

To make sure I heard you clearly, you said about half were opposed or strongly opposed, and many were neutral. Were there any that were in favor?

Jennifer Pierce:

There were comments I can recall. At least one comment said that the Board needs to do what the Board needs to do for its budget. I can see if I can pull up the surveys to see the responses on that item.

Assemblywoman Tolles:

I am certainly happy to have that follow-up afterwards with the whole Committee, so we do not take up too much time.

Chair Jauregui:

Ms. Pierce, you can provide any follow-up to the committee manager, and she will disperse it to the Committee.

Assemblyman O'Neill:

I have a quick question. What were your fees last session?

Jennifer Pierce:

Our fee caps were last changed in 2015. Our current Board was a merger of the formerly separate Speech-Language Pathology and Audiology and the Hearing Aid Dispensing Boards. Those two boards were merged during the 2015 Session. The fee caps were raised then, and I believe there was a change to the actual fees in that following interim.

Chair Jauregui:

Are there any more questions? [There were none.] We will move to testimony in support of A.B. 155. Do we have Sarah Mersereau-Adler with us?

Sarah Mersereau-Adler, representing Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board:

I want to follow up to Assemblywoman Tolles' question and let her know that repeated notifications through email have been sent to all the licensees since the bill draft request language and bill number was published. We also let them know on Friday of the hearing today. Ms. Pierce only received one email back, and that she was doing a good job and good luck. We have done a lot of outreach, and that was our most recent response. In addition,

we have a meeting with the Speech Hearing Association on Monday night because this was a quickly scheduled hearing, which we very much appreciate. We have had very positive dialogue with the Association.

Chair Jauregui:

That was testimony in support, correct?

Sarah Mersereau-Adler:

Yes.

Chair Jauregui:

Is there anyone else in support? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] Assemblywoman Gorelow, would you like to give any closing remarks?

Assemblywoman Gorelow:

I want to mention that there is an exhibit in Nevada Electronic Legislative Information System that is a letter in support [[Exhibit K](#)].

Chair Jauregui:

I will now close the hearing on A.B. 155. This brings us to our last agenda item, which is public comment. Is there anyone wishing to give public comment? [There was no one.] Committee members, we will be meeting on Friday, February 26, 2021, and please note the start time on the agenda. We will be meeting at noon, or upon adjournment of the floor session.

The meeting is adjourned [at 3:01 p.m.].

RESPECTFULLY SUBMITTED:

Julie Axelson
Committee Secretary

APPROVED BY:

Assemblywoman Sandra Jauregui, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of proposed revisions to [Assembly Bill 61](#), presented by Mark Krueger, Chief Deputy Attorney General, Office of the Attorney General.

[Exhibit D](#) is a copy of an explanation of the proposed revisions to [Assembly Bill 61](#), presented by Mark Krueger, Chief Deputy Attorney General, Office of the Attorney General.

[Exhibit E](#) is a copy of a letter submitted by John McGlamery, Private Citizen, Carson City, Nevada, in support of [Assembly Bill 61](#).

[Exhibit F](#) is a copy of a letter dated February 24, 2021, submitted and presented by Jennifer Richards, Chief Elder and Disability Rights Attorney, Aging and Disability Services Division, Department of Health and Human Services, neutral to [Assembly Bill 61](#).

[Exhibit G](#) is a copy of a letter dated February 24, 2021, submitted by Paul Enos, Chief Executive Officer, Nevada Trucking Association, neutral to [Assembly Bill 61](#).

[Exhibit H](#) is a copy of written testimony, submitted and presented by Jennifer Pierce, Executive Director, Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board, regarding [Assembly Bill 155](#).

[Exhibit I](#) is a copy of a PowerPoint presentation titled "Overview of [Assembly Bill 155](#)," dated February 2021, presented by Jennifer Pierce, Executive Director, Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board.

[Exhibit J](#) is a copy of a document titled "Overview of [Assembly Bill 155](#)," submitted by Jennifer Pierce, Executive Director, Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board.

[Exhibit K](#) is a copy of a letter dated February 23, 2021, submitted by Danielle Tesmer, Private Citizen, Carson City, Nevada, in support of [Assembly Bill 155](#).