

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-First Session  
February 15, 2021**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 10:03 a.m. on Monday, February 15, 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](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Edgar Flores, Chair  
Assemblywoman Selena Torres, Vice Chair  
Assemblywoman Natha C. Anderson  
Assemblywoman Annie Black  
Assemblywoman Tracy Brown-May  
Assemblywoman Venicia Considine  
Assemblywoman Jill Dickman  
Assemblywoman Bea Duran  
Assemblyman John Ellison  
Assemblywoman Susie Martinez  
Assemblyman Andy Matthews  
Assemblyman Richard McArthur  
Assemblywoman Clara Thomas

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Jered McDonald, Committee Policy Analyst  
Erin Sturdivant, Committee Counsel  
Judith Bishop, Committee Manager  
Lindsey Howell, Committee Secretary  
Cheryl Williams, Committee Assistant



**OTHERS PRESENT:**

Vinson Guthreau, Deputy Director, Nevada Association of Counties  
Holly Welborn, Policy Director, American Civil Liberties Union of Nevada  
Bradley Crowell, Director, State Department of Conservation and Natural Resources  
Kyle Davis, Private Citizen, Reno, Nevada

**Chair Flores:**

[The meeting was called to order. Committee protocol was explained.] We will now begin the hearing on Assembly Bill 2.

**Assembly Bill 2: Revises provisions relating to appointments to public bodies.  
(BDR 18-437)**

**Vinson Guthreau, Deputy Director, Nevada Association of Counties:**

Thank you for the opportunity to present Assembly Bill 2 on behalf of the Nevada Association of Counties (NACO), whose members are all of Nevada's 17 counties.

I wanted to provide a little background on the issue that Assembly Bill 2 is trying to solve and to provide context for the Committee.

In Nevada, there are hundreds of state-level boards and commissions. These boards perform critical business on a wide range of very important and very specific public policy issues. Currently, there are over 100 vacancies on boards and commissions in Nevada, and we have provided the Committee with a list [[Exhibit C](#)] of all of the state boards that currently have vacancies, and also from this list, you can also get an example of some of the boards that this bill would address. I did provide that to Committee staff, so you should have that.

Currently, under Nevada law, a qualified individual cannot serve on more than one of these boards, whose members are appointed by the Governor.

It is NACO's opinion that diverse and broad local stakeholder representation is needed in order to fully represent the diversity and the needs of our state. This is one of the reasons that we are requesting the change in this bill—to allow individuals to serve on more than one board and to ensure that each seat on these boards is filled with an individual who can meet all of the qualifications required and also represent their communities.

I wanted to provide a couple of examples of state boards that oversee and provide input on critical local services and tax revenues, just to give the Committee an idea of why NACO started having discussions about finding a solution to this problem and engaging other stakeholders, some of whom you will hear from today, and also why we are making this request.

First, I will talk about the recently created Board on Indigent Defense Services. This board sets standards and provides oversight on public defenders in Nevada, a service that every county in the state provides. Public defenders provide legal representation to those who cannot afford it, which is guaranteed in the Sixth Amendment of our *U.S. Constitution*.

For a handful of the county appointments to this board, some of the requirements to serve are that they have to be a resident of a county of less than 100,000 in population, one member must have expertise and background in the finances of local government, and every board member has to have the following: significant experience providing legal representation to indigent persons who are charged with public offenses or representing children who are alleged to be delinquent or in need of supervision, and they must have a demonstrated commitment to providing effective legal representation to indigent persons.

For our appointments to this board, there are actually not that many folks who would meet all of these qualifications. It would usually be a county commissioner or a county manager who had expertise in county finances as well as indigent legal defense, as the appointee could not also be a public defender or district attorney. There are probably only a handful of people in this state that meet these qualifications, and most are on other boards that work on county-specific issues.

When the Board on Indigent Defense Services was created, we actually had three commissioners who had worked on and cared very much about indigent defense reform, and who met all of these qualifications. All three of these were on other boards so they were ineligible to serve. One had a term that was ending on another board and decided not to serve on that board again and became eligible at that point to serve; the other had to resign from another board; and the third felt he could not resign from his seat on the water district board in his region, as he had many years of institutional knowledge on complex water issues and his county needed his representation there. The third commissioner also happened to have extensive knowledge on indigent defense reform, and his institutional knowledge and voice on that issue was lost.

Another example is the Board of Trustees of the Fund for Hospital Care to Indigent Persons. Counties are required by Nevada law to fund and provide for the local social safety net. The Board of Trustees oversees dollars for hospital care for indigent persons, as well as county funds that are contributed to the state plan for Medicaid.

This board requires four county commissioner appointments, and these commissioners end up learning a very important but complex subject matter area having to do with the formula for funding Medicaid and the web of local dollars that supports indigent health care.

One commissioner with years of experience on this board resigned to serve on the Board on Indigent Defense Services, and the loss of her historic knowledge has been keenly felt.

To give you a few other examples of the range of expertise subject matter covered by these boards, other boards that have county representation include: the Commission on Off-Highway Vehicles, which oversees local grant dollars to fund safe off-highway vehicle infrastructure and recreation; the Nevada Census 2020 Complete Count Committee, which governs the census effort; and the State Land Use Planning Advisory Council (SLUPAC). This example is currently exempted from the one board limit in *Nevada Revised Statutes* (NRS) 232A.020, an exemption sought by counties and granted by the Legislature, but every county is required to have a representative on that board.

Following my testimony, you will hear other examples of why this change is needed from the American Civil Liberties Union (ACLU), and also the Director of the State Department of Conservation and Natural Resources. I will let them speak to their experience and the issues they have encountered.

Mr. Chair, if I can indulge the Committee, I would just like to briefly walk you through the bill, if that works.

**Chair Flores:**  
Please do.

**Vinson Guthreau:**

When I mentioned earlier in my testimony that no qualified individual could serve on more than one board—there are actually two exceptions to this limitation currently in Nevada law. One is the Sagebrush Ecosystem Council.

Section 1 of A.B. 2 addresses the Sagebrush Ecosystem Council and makes conforming changes that would remove the reference to this current exception in law, which, if this legislation passes, would no longer be needed.

If you look at section 2, subsection 6, this makes the change we are seeking—to delete the prohibition of a qualified individual from serving on more than one board appointed by the Governor. All other qualifications, residency requirements, and other criteria under NRS 232A.020 would remain in effect.

As previously mentioned, the other exception to this prohibition, under current Nevada law, is SLUPAC. Section 3 of A.B. 2 makes a conforming change that would remove the reference to the existing exception—similar to what was done in section 1, for the Sagebrush Ecosystem Council.

This act would become effective upon passage. That outlines the pretty straightforward change on this bill, and I thank you, Mr. Chair and members. With that, I am available to take questions—but also, if it is all right, or if it pleases the Committee, we would like the ACLU, who is partnering with us on this legislation, to briefly share their perspective on the bill.

**Holly Welborn, Policy Director, American Civil Liberties Union of Nevada:**

We are here in support of this legislation and to support the efforts of NACO. We have a unique, niche perspective on why it is necessary to permit the Governor to appoint an individual to more than one board or commission. I have had the pleasure of serving as the inmate advocate on the Advisory Commission on the Administration of Justice (ACAJ), and on the Nevada Sentencing Commission, both under former Governor Sandoval and current Governor Sisolak. Given the current restriction, I was only permitted to serve on one commission or the other. Traditionally, we would have either our legal director or our executive director appointed to one commission. I would serve on the other. That worked out well. Unfortunately, for the past year, we have had some unforeseen transitions within the ACLU that have tied our hands in ensuring that there was inmate advocate representation on the Sentencing Commission. I was the only person in the organization who could fill that role, but I was unable to do so. Both commissions have a very similar makeup, with two positions that are appointed by the Governor—that is the inmate advocate and the victim advocate. The legislative record is clear that the ACLU of Nevada is the designated organization to serve in the role of inmate advocate, given our connections to impacted communities, our access to national experts on best practices, and the critical role we play in the state Legislature and in the courts.

During the past interim, for about six months there was a vacancy, and the inmate advocate position was not filled due to this restriction. It took quite a long time to put a new executive director in place. We now have Athar Haseebullah; we are excited to have him and look forward to his serving on one of these commissions, but that does not reduce the fact that we are still in this stage of transition. I had to resign my post as the inmate advocate on the ACAJ in order to apply to be the inmate advocate on the Sentencing Commission. That commission meets on February 19, and given the time and delay that it takes to get appointed to commissions, we could be looking at yet another meeting where there is no one representing the voice of one of the most marginalized communities—if not the most marginalized community—in our state.

Right now, we are in the midst of a COVID-19 pandemic that is ravaging Nevada prisons, and incarcerated people are dying. There have been a total of 4,672 cases in Nevada prisons and 52 people have died. There is no voting member on those commissions, which is something that could have been avoided had I had the opportunity to apply to serve on both commissions, just until we filled the vacancies within our organization. These commissions weigh heavily on the side of law enforcement, district attorneys, judges, and the Department of Corrections, whose interests often diverge from incarcerated persons or those who are accused and making their way through the criminal justice system.

I want to make it very clear that this bill is not intended to appoint the same person to every commission. When there is an opportunity to appoint two different people, the Governor absolutely should—and he should continuously strive for diversity and increasing voices on different commissions and boards throughout the state.

But in situations like the one that I just described, we have to give the Governor some deference to be able to make some decisions on a temporary basis, to fill those vacancies so that voices of incredibly marginalized communities are not stifled and have a seat at the table. Those are my comments, and I am here to answer any questions you might have.

**Vinson Guthreau:**

We also have Mr. Brad Crowell, from the State Department of Conservation and Natural Resources. I think he wanted to make some remarks on this proposal as well.

**Bradley Crowell, Director, State Department of Conservation and Natural Resources:**

The first point I want to make is that the underlying statute that A.B. 2 amends is within the jurisdiction of the State Department of Conservation and Natural Resources. I wanted to make sure that the Committee knew that we are okay with this from that perspective. We are not concerned about the changes being made from a jurisdictional standpoint or the ability for us to implement our mission at the department. Secondly, I can say that I support the merits of the bill. The department itself, just speaking in that regard, is one of the larger departments. We have eight divisions and four programs, yet we have 13 or more boards and commissions associated with our department. It is hard to get those boards and commissions filled with the quality, talent, and diversity of candidates we would like. Given that we are continuing to add statewide to the number of boards and commissions we have, without necessarily removing any, it gets more difficult all the time to find qualified candidates to serve Nevada and sit on these boards. With the objective of finding the best-qualified candidates and the widest applicant pool to sit on these boards, certainly from within the State Department of Conservation and Natural Resources, we would appreciate it. I think, from a statewide perspective, it does make sense.

**Chair Flores:**

I know we have several Committee members wishing to ask a few questions. We will start with Assemblyman Ellison.

**Assemblyman Ellison:**

My first question of NACO is that you said that the appointee has to be a resident of a county of less than 100,000 in population. But you did not mean that number is in the bill; you just meant that as a statement, is that correct?

**Vinson Guthreau:**

I assume you are talking about my testimony. That figure is for the Board on Indigent Defense Services. I was giving the Committee a little bit of background there about the depth and focus of those boards. On the Board on Indigent Defense Services, which oversees public defense in Nevada, there is a requirement that four of the appointees that NACO makes come from counties of 100,000 people or less. I hope that clarifies it.

**Assemblyman Ellison:**

It does. The other question I have is based on some of the statements from the ACLU. Is it not true that a lot of these board appointments are being delayed because they are not being

appointed by the Governor? There are people applying for a lot of these boards—not the doubles, but a lot of the different boards that are not being appointed—are they not being filled through administration?

**Holly Welborn:**

I cannot speak for the Office of the Governor, but I think there are several obstacles. There is a lot of time and vetting that has to go into a commission appointment. When you apply for a board or commission, you go through an application process, get a waiver that is then notarized, and give both of those documents to the Governor's Office. There are systems in place that delay those appointments. There are other appointments that have interview processes, too, so I think there are any number of reasons for a delay in someone's appointment to a particular commission. From our perspective, this bill would be helpful because if we can handle those appointments during the interim, then we will not have unnecessary vacancies.

**Assemblyman Ellison:**

Could you explain the under 100,000 requirement in terms of whether it would serve your organization? Or would you have to be above that number?

**Holly Welborn:**

I think there is a need for some clarification regarding the Board on Indigent Defense Services. Mr. Guthreau was describing some of the limitations on appointments to that board. I know quite a bit about the Board on Indigent Defense Services because it arose out of some litigation we had filed against the state. Limitations on population are incredibly important for that particular board because we are talking about rural indigent defense services and people from a community that is quite small, where indigent defense services are significantly lacking. The pool of people that NACO can suggest for the Governor to appoint is also small. Right now, the Governor's hands are tied in regard to appointing people across different commissions. We want to maintain the small community representation that appointment provides on the Board on Indigent Defense Services. But there could be an expert that is appointed to that board who would also serve well on another board or commission—and might be the only person in said community who has those skills or expertise.

**Assemblywoman Black:**

This list says there are 295 vacancies on the boards and commissions. If this bill were to pass, how many of those vacancies could be filled?

**Vinson Guthreau:**

I do know that this bill would make it a lot easier for us to bring that expertise and diverse representation onto boards, but it is hard for me to predict the future about those positions getting filled. As I said, I just think this bill is another tool in the toolbox for us to try to get community input into those boards. I am sorry I do not have a concrete number for you.

**Assemblywoman Black:**

I spoke to Mr. Guthreau previously about this bill and addressed my concerns with it, so I do not think this will come as a surprise, but I have a couple of observations. I keep hearing the word "diversity," but if we have a lot of the same people on different boards, I am confused as to how that equates to diversity. I understand the situation—I served on the city council in Mesquite, Nevada, which has a population under 25,000, not including children and seasonal residents. It was my job to appoint people to various boards and committees within the city. Often, it did take a lot of work, and it was not necessarily easy to find people. However, it was always important to me that I made sure that I found people from diverse background and experiences, so that we would have different people bringing different things to the board. I think this bill ties your hands in trying to do that. My final comment is that if you are dealing with a lot of people but looking for similar skills and expertise that transfer to different boards and commissions, perhaps a better option would be to combine some of them. It seems like you should be able to do that and have one person serving on one greater board or commission if the skills are that specific to a certain cause.

**Vinson Guthreau:**

I know we had a dialogue about your questions. As far as combining boards, that is not a policy question that I can answer or solve. We fill the boards that are created, either through legislation or through other means at the pleasure of this body. We do believe that local input is critical, and you can see that in a lot of the board requirements that are outlined. We are attempting to fill those seats with as much diversity as possible; the NACO board is committed to that broad stakeholder engagement. We are filling boards that are created outside of our purview. I do appreciate your ideas for efficiency, but I just wanted to clarify what we do on our end.

**Assemblywoman Anderson:**

I have a crystal ball sort of question. I am looking at this list [[Exhibit C](#)]. It is helpful for us to see just how many commissions and boards do not have enough people as of January 14. I am very concerned with some of these vacancies, such as those in the State Emergency Response Commission—it does not seem like there is anybody on that commission at this time. My question is not so much about the language being presented in this bill, but the process. If Chair Flores would prefer that I ask this offline, I am more than happy to. My question is this: Do you believe that there are so many openings on so many of these commissions and boards due to the expertise of the applicants or the way these positions are advertised? Or is it because we just do not have enough expertise that is causing the problem with so many openings at this time? I know this is an opinion-based question, but I wanted to get your informed perspective on the matter.

**Vinson Guthreau:**

I do not have an immediate answer. I would love to take this question offline with you.

**Assemblywoman Anderson:**

I would be more than happy to have that discussion, then share it with the rest of the Committee, if that would be all right with the chair.



**Chair Flores:**

If we could have whatever information we receive be shared to the committee manager, she can then make sure that information gets to every member.

**Assemblywoman Considine:**

I echo what has been said. It is clear that there are boards and commissions that are really in need of people. But what struck me about the bill is that we seem to go from one extreme to another. Before, the rule was one person, one board. If we remove that prohibition completely, then it might allow for situations where there is one person with a lot of expertise, where you could check off a lot of boxes by putting that one person in multiple committees and boards. I was wondering if there was a discussion or any ideas about a middle ground. For example, if there is no one else qualified for a particular board or commission, then someone already on a different board or commission can be appointed or something along those lines. Was there a middle ground discussed, and if so, why was that not chosen?

**Vinson Guthreau:**

The reason we did not take a different option was that from NACO's perspective, it just felt like this was a limitation that was being put on appointments. We had all of these examples come up, recently and in the long term, and we felt that this bill would be another tool to try to get positions filled, and get those voices and stakeholders put on those critical statewide boards.

**Assemblywoman Brown-May:**

I want to start by saying that in my professional life, I have often been the person who has shared the availability of open seats with many people in my sphere as a way to try to fill those vacancies and bring diversity to many of our boards and commissions. How do we ensure that that diversity and membership continues despite narrowing this? Many members of the administration, in my experience, serve on multiple boards and commissions. As an at-large appointee—and I have served on a couple of boards and commissions across our state, most recently with the Nevada Bicycle and Pedestrian Advisory Board—I have found that at-large members are often at a disadvantage because we have such long-term administration or professional support in those committees with scheduling or other difficulties. If you are trying to bring diversity in, how do we make sure that membership continues, and we do not further narrow participation in this way? I will give you an example. The Governor's Workforce Investment Board has a current vacancy, based on the list you gave us: "One chief elected official, who shall collectively represent cities and counties" [page 6, [Exhibit C](#)]—"one chief elected official." Then, the Nevada State Rehabilitation Council a few pages back [page 9] says, "One representative of the State workforce investment board." It shows that we have some crossover in many of our boards and commissions already. My real question is this: How are you maintaining diversity and participation from a wide array of people?

**Vinson Guthreau:**

I understand that at on its face, it might seem like this bill would limit diversity by opening it up for individuals to serve on multiple boards and commissions. But as you can see, there is no representation right now on those two boards you mentioned. That is the objective here. It is not an issue of stacking boards. Right there, you have two boards with no local representation—we do not have that diversity right now. That is how I view it, anyway. Assemblywoman Brown-May, I am sorry we have not had a chance to meet with you on this bill yet. We look forward to meeting with you in the future.

**Assemblywoman Brown-May:**

It is no harm, no foul in regard to not meeting with me on this bill. It is a bill that I have looked very closely at, and this is an issue I have worked on for a number of years, so I understand the background behind it and the need to fill our boards and commissions. I respect that we are moving in that direction. I also know that a lot of times, there is an administrative hold-up in the Governor's Office with the vetting process noted earlier—while we might have a vacancy noted on this piece of paper, it may actually be in the process of being filled. With the two boards I mentioned in particular, I would like to note that there is only one vacancy on both of them, so I do think they have the representation.

**Holly Welborn:**

I wanted to also point out that this bill is specifically looking at gubernatorial appointments. However, there are a variety of different appointing authorities in a lot of these statutes that create different boards and commissions. It is not only the Governor's Office that makes appointment decisions. For example, there are boards that are required to include a member of the Las Vegas Metropolitan Police Department. That individual usually ends up being Chuck Callaway, who sits on both the ACAJ and the Nevada Sentencing Commission. He is a strong, critical voice on those boards and commissions. He is just one example of one person who does have overlap on those two commissions because of the nature of his involvement with the Legislature and his relationships with folks. Perhaps it would be on the appointing authority to put someone in with a different background; that authority could mix it up and appoint someone else the same way that we at the ACLU would if we were fully staffed and did not have the obstacles I described earlier. I think a lot of the questions about diversity and what the solutions are moving forward are a lot broader than opening up an opportunity for the Governor to appoint one person to multiple commissions when necessary. We have to look at how all these other appointing authorities are proceeding in how they select who they put on a board or commission when the appointment is not one selected by the Governor.

**Assemblywoman Torres:**

I am looking at the list of vacancies—do we know about how many seats could be filled by the Governor now? This is several pages long, and I think a colleague had noted that there were about 295 vacancies right now. But it appears to me that there would be less than 50 that would be appointed by the Governor through this legislation, correct?

**Vinson Guthreau:**

I feel like there are two questions there. Are you asking how many can be appointed by the Governor or how many are pending appointment?

**Assemblywoman Torres:**

I am just referring to the list that was sent out. I think there is some misunderstanding about whether all of these vacancies could be appointed by the Governor, or about how many would be appointed by him. My understanding is that very few of these would be gubernatorial appointments, correct?

**Vinson Guthreau:**

These are gubernatorial vacancies, but there may be some vacancies on this list that could be appointed directly. I cannot answer for how many are pending with the Governor's Office. But based on this list, these are board and commission vacancies from the Governor's Office. Some of these are out of our purview as well, and I cannot answer for what their process is at the Governor's Office and how many might be in the queue.

**Assemblyman Matthews:**

I appreciated Assemblywoman Considine's question; it really gets at my chief concern with this bill. Looking at current law, there is no doubt that the motivation for these questions is not just to ensure a diversity of viewpoints, which is important. We also want to be sure we avoid a situation where too much power is in the hands of too few individuals, which is one of the most essential principles—if not the most essential principle—inherent to our system of government. I think Ms. Welborn said earlier, and I am paraphrasing, that this bill is not meant to allow people to serve on a limitless number of boards. I certainly understand the challenge this bill is aimed to address. I think she also made the comment that, wherever possible, the Governor should appoint different members. My concern is that there is really nothing that would ensure that, unless I am missing something. There is nothing that would actually uphold that intention, either in this bill or elsewhere. I am wondering if there is anything you can point to that would prevent such a situation if this bill were to pass, other than hoping and relying on the Governor and others to abide by the desire not to have people on a limitless number of boards.

**Vinson Guthreau:**

I think the issue here is getting a bit muddled. I want to convey an understanding to the Committee that for some of the requirements of these boards, there may only be one person available who meets them. It is not that we are trying to stack boards. It just has to do with the ability to find the person that meets all these qualifications. I guess the inverse of that is that the individual may have to represent an underserved constituency. It would be difficult to find multiple people to do that. I will let Ms. Welborn chime in, since the question was directed at her.

**Holly Welborn:**

We are certainly concerned that, traditionally, people have been overlooked to serve on critical commissions and have critical voices across the spectrum of board appointments. Again, we have to take a look at the appointing authorities in a general sense. There does seem to be a lack of diversity and representation in those nongubernatorial appointments. I do know that there is a concerted effort, and perhaps some of the backlog is a result of making that concerted effort to culturally diversify.

I think a lot of these questions should really be asked of the Governor's Office and whoever directs boards and commissions about what steps they are taking to appoint individuals of diverse backgrounds and education and finding different people to serve on commissions. To Mr. Guthreau's point: A lot of these appointments are narrow and specific, like when the individual has to come from a community with a certain population, or have a certain set of skills, expertise, or degree levels—there might literally be only one person available, one who is needed to serve on multiple commissions and is unable to do so. That is the same situation that we are in at the ACLU with our being the designated inmate advocate for the commissions I mentioned. We get to a point where our hands are really tied in having those marginalized voices heard. The key component is that the people who are appointed to these commission are serving the public or serving voices that often are not heard. That increases the voices of different communities that are often overlooked on these boards.

**Assemblywoman Dickman:**

I was pleased with Assemblywoman Considine's question as well. I agree that it seems that we are going from one extreme to the other. I do not think there is anyone on this Committee who would deny the need to have these positions on the boards filled. But we are also concerned with the consequences of opening the door this wide. I wondered if you would be open to limiting the number of boards an individual could be on to perhaps two or three.

**Vinson Guthreau:**

I presented the bill as is, so I would have to go back to my members and ask them about your suggestion. We would have to take these conversations before a work session and figure that out. That is all I can say about it.

**Assemblywoman Dickman:**

I hope you will consider my suggestion. I think a lot of us would be more comfortable with it then.

**Vinson Guthreau:**

That is sort of what I was implying, that we would have to go back before a work session. I cannot answer that question for my members right now. We can work on that, so I appreciate the proposal.

**Assemblywoman Thomas:**

I am perplexed by all the questions being asked here. When I read this bill, it seems simple. I do not see where the confusion comes from if, for instance, we have 500 commissions and

five experts in certain areas, and the Governor asks that those people be assigned to the commissions that would benefit from their expertise. If we had one individual who was an expert on heart surgery, why would we not want him on every single commission relating to that subject? I do not understand; it almost seems like a conspiracy right now to have an expert on several different commissions. Please explain this to me. It seems to me that this is a very simple request to assign the limited number of experts in this state to multiple commissions.

**Vinson Guthreau:**

That is what I was getting at about the specific background that is needed in the experts that would be available to represent their communities.

**Bradley Crowell:**

For the Committee's information as they consider this bill: Not all boards and commissions come in the same color, flavor, or stripes, so to speak. For example, there are advisory boards which are purely advisory in nature, boards that have a regulatory function, and boards that oversee the administration of professional licenses. The impact of having those boards not filled is different depending on what kinds of duties they have. For instance, a regulatory board, if not filled, cannot necessarily perform its regulatory function. Something to consider here is what the board is designed to do and whether it can conduct its mission without the full complement of members. Then, obviously, there is the question of how challenging it is to get these boards and commissions filled with the right person in a timely way. I just wanted to make that distinction; there is a difference here between various boards and the implications of not having them filled.

**Chair Flores:**

Are there any additional comments? [There were none.] I will now open it up to testimony in support of Assembly Bill 2.

**Kyle Davis, Private Citizen, Reno, Nevada:**

I am here in support of A.B. 2. I appreciate NACO's bringing the bill forward. Having been a part of the state's boards and commissions process, both as a member and also working with and participating with many of these boards and commissions, I realize how difficult it sometimes to find the appropriate people to serve on these boards, which do serve an important part of our state government. I would encourage the Committee's support of this legislation. Thank you.

**Chair Flores:**

Is there anyone else wishing to speak in support of A.B. 2? [There was no one.] Please let the record reflect that we did receive a document indicating that there were seven individuals in support, and some of them indicated that they wished to speak, but we have had issues in the past with folk logging in. Is there anyone wishing to speak in opposition? [There was no one.] Is there anyone wishing to speak in the neutral position? [There was no one.] I will clarify for the record that we did have three individuals indicate that they were in the neutral position and wished to speak. It is unclear if they were unable to

log in. At this time, could we have at least one of our presenters come forward with closing remarks?

**Vinson Guthreau:**

I really appreciated the questions; they were pretty exhaustive. I do not have any further remarks, other than to thank the Committee for its time. I appreciate the dialogue this morning.

**Chair Flores:**

Members, I appreciate the questions. I think everyone comes from the same perspective in that we want to ensure that we do not have the same individuals making up all the boards. I think it has been clarified in the record that that is not the intent of this bill. At the same time, you are all willing to work with its sponsors. We have vacant seats, with individuals who can fill them; however, because of our current rules, they are unable to fill them. This bill is trying to take away those restrictions, especially for those highly demanding seats where a specific resumé is necessary and there are few people who can meet the requirements. I am confident that we will reach a middle ground where we can address the concerns the presenters brought up, while at the same time alleviating your concerns and making sure we continue to request that we have boards that look like Nevada, both ideologically and in terms of our different walks of life.

With that, I will close out the hearing on Assembly Bill 2. I urge the presenters to continue to work with our members. At this time, I would like to open it up for public comment. [There was none.] This meeting is adjourned [at 10:57 a.m.].

RESPECTFULLY SUBMITTED:

---

Lindsey Howell  
Committee Secretary

APPROVED BY:

---

Assemblyman Edgar Flores, Chair

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

## **EXHIBITS**

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a document titled "Board and Commissions Vacancy List," dated February 11, 2021, submitted by Vinson Guthreau, Deputy Director, Nevada Association of Counties, regarding Assembly Bill 2.