

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

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

The Committee on Government Affairs was called to order by Chair Edgar Flores at 9:07 a.m. on Wednesday, March 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:

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:

Assemblyman P.K. O'Neill, Assembly District No. 40

STAFF MEMBERS PRESENT:

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



OTHERS PRESENT:

James Wells, President, Nevada State Prison Preservation Society
Stacey Montooth, Executive Director, Nevada Indian Commission
Marla McDade Williams, representing Reno-Sparks Indian Colony
Glen Whorton, Private Citizen, Minden, Nevada
Will Adler, representing Pyramid Lake Paiute Tribe
Charles Donohue, Administrator, Division of State Lands, and State Registrar, State
Department of Conservation and Natural Resources
Kate Marshall, Lieutenant Governor

Chair Flores:

[Roll was called and Committee rules and protocol were explained.] Members, for the sake of clarity for today's meeting, we will be taking the agenda in the order it appears. We will be doing the two bill presentations in the order they appear, followed by the work session document. For those of you who are waiting for your bill to be on work session, I would assume that we will get to them in about an hour to an hour and a half. To kick us off this morning, we have Assembly Bill 270. Assemblyman O'Neill, good morning and welcome. Whenever you are ready, we will open the hearing on Assembly Bill 270.

Assembly Bill 270: Revises provisions governing the preservation of the Nevada State Prison and the Stewart Indian School. (BDR 18-646)

Assemblyman P.K. O'Neill, Assembly District No. 40:

Assembly District 40 covers Carson City and part of southeast Washoe County. Today, I am here to introduce Assembly Bill 270 for your consideration. This proposed legislation seeks to enhance preservation efforts for the Nevada State Prison and the Stewart Indian School. With me today to assist on this important endeavor are Jim Wells, the Chairman of the Nevada State Prison Preservation Society, and Stacey Montooth, the Executive Director of the Nevada Indian Commission. They are here to elaborate on the need for and the opportunity this bill will provide for them, along with answering any questions you may have.

I am going to start by providing some background on the Nevada State Prison and the Stewart Indian School, then provide an overview of the bill as a whole.

Both the Nevada State Prison and the Stewart Indian School are located here in Carson City. Each facility was created around the time Nevada gained statehood, back in the 1800s. Both places are unique and tell a rich history of the state in its early days. For 150 years, the Nevada State Prison (NSP) played an important role in the state of Nevada, protecting its citizens, influencing its architecture, providing employment, and amassing an impressive list of historically significant events. After Nevada State Prison was decommissioned in 2012, the Nevada State Prison Preservation Society was formed as a nonprofit with a goal of preserving, interpreting, and developing this important site for the education of present and

future generations. The society is still hard at work, trying to get the prison museum up and running.

Stewart Indian School, for those who may not know its history, for 90 years fulfilled a federal commitment to pursue Native American education in Nevada. The school opened in 1890 with three teachers and 37 students from local Washoe, Paiute, and Shoshone tribes. Over the years, hundreds of American Indian children attended the boarding school. The school closed in 1980 due to federal budget cuts and earthquake safety issues. The State of Nevada acquired the campus through several transactions during the 1990s. The facility is now used by the state for classes and training, and several agencies have offices there, including the Nevada Indian Commission, which is located in the former superintendent's home. Today, the Stewart Indian School is listed on the National Register of Historic Places. The Stewart Indian School Cultural Center and Museum is in the former administration building. The school grounds are often used for powwows and other events to celebrate the rich history of our Nevada Indigenous people.

Now I would like to briefly walk you through the bill, then turn it over to the representatives with the Nevada State Prison and the Stewart Indian School to provide additional testimony and be available for questions.

In sections 1, 2, and 5, the bill requires that the proceeds from fees charged for the use of the buildings or grounds of the former Stewart Indian School be credited to the Nevada Indian Commission's Gift Fund to carry out programs to preserve and maintain the buildings and grounds of the former Stewart Indian School. These are fees that are derived from events that the Stewart Indian School Cultural Center and Museum sponsor and put on, not fees that are charged as rent to the various agencies that are currently using some of the buildings. Those rental and maintenance fees go to the state Buildings and Grounds Section [of the State Public Works Division of the Department of Administration]. These are only fees that come from money derived from the events they actually put on and sponsor.

Section 3 revises the allocation of money in the Silver State Industries Endowment Fund for administrative costs and the maintenance of the modern structures, buildings, and other property of the prison, and it eliminates the prohibition on spending or transferring the reserved principal of the fund.

Section 4 creates an exemption in current law that prohibits the sale of alcohol within one-half mile of any Department of Corrections facility that houses 125 or more inmates. This provision will allow the sale or consumption of beer and wine at the Nevada State Prison during special events, under very controlled delivery methods.

Section 6 will allow for the transfer of the reserved principal of the Endowment Fund for the Historic Preservation of the Nevada State Prison.

Section 7 of the bill ensures that any funding generated by a nonprofit corporation contracted to operate the prison as a museum belongs solely to the corporation. Finally, sections 8 and 9

eliminate the trust fund from further study and development of the Nevada State Prison and require any funding remaining in the fund on July 1, 2021, to be deposited in the Endowment Fund for the Historic Preservation of the Nevada State Prison.

Now I would like to ask both Mr. Wells of the Nevada State Prison Preservation Society and Ms. Montooth of the Nevada Indian Commission to provide additional testimony.

James Wells, President, Nevada State Prison Preservation Society:

The Nevada State Prison Preservation Society is a 501(c)(3) nonprofit organization that was created when the Nevada State Prison was decommissioned in 2012, to educate the public on the historical, political, social, and architectural significance of NSP, not just as a prison, but as a landmark that predates statehood. Since the prison was closed, through the work of the Nevada State Prison Preservation Society (NSPPS), the Nevada State Prison was placed on the National Register of Historic Places in 2015. We received a special use permit and change of occupancy designation in January 2021, which will allow us to hold public tours and events at the Nevada State Prison.

Over the last few years, the NSPPS has been preparing the prison to open to the public by doing maintenance repairs and disability access improvements. Most of that has been done through the solicitation of donations and grant applications. To date, we have raised about \$90,000 through memberships and donations, and we have collected about \$50,000 from events and special uses of NSP. We have also received grants totaling approximately \$50,000. We have spent over \$60,000 on maintenance, repairs, and improvement, and over \$15,000 on a study that would give us an idea of what the different sections of the prison could be used for. There are also plans to spend another \$25,000 this month on roof repairs, removing the tile floor in the old visitors' center, and abating asbestos. The old visitors' center will eventually become the exhibit hall for the Nevada State Prison.

There are two sections of NSP. There is a historical area that is part of the National Historic Register; that includes the older structures that date back to about 1925. Then there are a series of modern structures built in the 1970s. Most of the work that the NSPPS has done—and does—relates to the historical structures. In 2015, Assembly Bill 377 of the 78th Session created three trust funds. One was for the modern sections, called the Silver State Industries Endowment Fund; one was for the historic sections, the Endowment Fund for the Historic Preservation of NSP; the third was for the study and the development of the historic structures of NSP.

The first two of those trust funds are at the Department of Corrections; the third one is at the Department of Tourism and Cultural Affairs. Part of that is because the original thought in 2015 was that the State Land Registrar would assign the historic portions to one state agency to operate as a museum, and the more modern structures would stay with the Department of Corrections for potential commercial and correctional uses. In 2015, the license plate factory and the death chamber were still active, so there were limitations and restrictions on what could be done at the site. Those activities have now been moved to other Department of Corrections (NDOC) facilities, with only a maintenance facility remaining active on NSP.

grounds. That maintenance facility does not interfere with the ability to offer tours and hold events. At this time, there is no permanent plan for commercial uses of the more modern facilities. But NSP remains under NDOC control and will as long as that maintenance facility is open.

The two trust funds that were created at NDOC by A. B. 377 of the 78th Session have reserve principal requirements of \$100,000 each before any money can be used for maintenance or preservation of the facilities. The Silver State Industries Endowment Fund has no money in it, the Endowment Fund for the Historic Preservation of the NSP has a little over \$12,000 in it, and the trust fund that is at the Department of Tourism and Cultural Affairs has no money in it at this time. These facilities continue to need desperate maintenance and repairs. One of the things we did earlier this month was the roof; there was leaking between the C- and D-blocks that needed emergency repair. We did some of that through a grant we received. And for the rest of it, we used funds that we had raised previously. This bill would allow us to have access to the money to make these repairs more easily.

In regard to the prohibition of alcohol: We have had significant interest in holding events at NSP. The local chamber of commerce has requested events; we have received requests for weddings and other types of events. These requests are looking to serve beer and wine at their events, and these types of events have the potential to raise significant funds for the maintenance and operations of NSP. There is no intent to sell alcohol during the normal open tours, just at the special events. Also, there will not be any alcohol stored at the facility, ever.

The maintenance requirements and needs of this facility are great, and I think that this bill goes a long way toward giving us the ability to use the funds. With the change of designation, change of occupancy, and the special use permit from the State Public Works Board, it is anticipated we will start offering tours as soon as May. That is the plan right now. That money will then go into the trust fund—the Endowment Fund for the Historic Preservation of NSP; that money can then be used by the NSPPS and the Department of Corrections to make the improvements and continue to improve the facility for the public. We are very appreciative of Assemblyman O'Neill and the other cosponsors for bringing this bill forward, and we are certainly appreciative of the Chair and the Committee for hearing this bill this morning. We are excited about the prospects of what this bill will do for us, to open these funds, to continue to improve the site. We would certainly encourage you to visit, and we would be pleased to meet any of the Committee members out at the facility and give you an idea of what we have been doing and what the plans are going forward. With that, I am happy to answer any questions.

Assemblyman O'Neill:

Ms. Montooth has to be at another meeting by 10 a.m., so I would like to have her give her presentation.

Stacey Montooth, Executive Director, Nevada Indian Commission:

I am a citizen of the Walker River Paiute Nation and the executive director of the Nevada Indian Commission. I would like to thank Chair Flores and the Committee for carving out time to hear from me today. I would also like to express my appreciation to Assemblyman O'Neill for driving A.B. 270. I will be brief; the Assemblyman did an excellent job explaining the function of the Nevada Indian Commission, as well as the brief history of the Stewart Indian School. I am here primarily to answer any questions that you have about the impact of A.B. 270 and the function of the Stewart Indian School Cultural Center and Museum. I do want to add that, if successful, A.B. 270 would help the overall mission of the Nevada Indian Commission, which is to enhance the lives of the 70,000 self-identified Native Americans who call Nevada home. That includes our 27 tribal nations, bands, and colonies. With Assembly Bill 270's success, my staff of five would be able to not only continue our efforts to preserve and restore the historic campus, but also enhance this platform that allows us to tell the true, accurate, and firsthand accounts of the 90-year history of not just the Stewart Indian Boarding School, but all boarding schools. There is not a Paiute, Shoshone, or Washoe person in this area who does not have a direct connection to the boarding school.

This bill would enable a revenue stream to be added to our efforts—to not just physically and literally preserve the buildings and grounds at this amazing campus and our 69 buildings—but also to allow us to empower and continue to support and enrich the unique, ancient culture of the first citizens of this land. I stand for questions.

Chair Flores:

We will go to questions, starting with Vice Chair Torres.

Assemblywoman Torres:

I do not really have a question. I just want to thank the presenters, and specifically the bill's sponsor, for meeting with me and talking to me quite extensively this morning about the history of both the Stewart Indian School and the Nevada State Prison. I appreciate the conversation, and I look forward to continuing to preserve these historic sites.

Assemblywoman Thomas:

I just want to say that I support this bill, and I think this is something that is culturally good for our community and the state of Nevada. I look forward to visiting these entities.

Chair Flores:

Members, any additional questions or comments? [There were none.] Assemblyman O'Neill, I think you are the first presenter we have had in this Committee this session to whom there have been zero questions. You knocked it out of the park. Great job.

Assemblyman O'Neill:

Almost makes me nervous.

Chair Flores:

You should be. I am not sure what it means, but zero questions—I do not know if we have done that before. Good for you.

Assemblyman O'Neill:

I have you again tomorrow; I just hope I do as well. That is what makes me nervous.

Chair Flores:

I think the members are saving all the questions for the verbal beatdown tomorrow. We will go ahead and open it up for those wishing to testify in support of Assembly Bill 270. I am verifying we did not have anybody logged in who was hoping to speak in support of Assembly Bill 270 virtually. We will now go to the phone line for those wishing to testify in support of Assembly Bill 270.

[A one-minute recess was called to resolve technical issues.]

Marla McDade Williams, representing Reno-Sparks Indian Colony:

The Reno-Sparks Indian Colony supports A.B. 270, in particular, the provisions related to the Nevada Indian Commission. As you may recall, a similar bill was heard in 2019. While it was supported by the Legislature, it ran out of time to gain passage at the end of session. We hope you are able to support this measure.

Glen Whorton, Private Citizen, Minden, Nevada:

I am the former president of the Nevada State Prison Preservation Society and the former director of the Department of Corrections. I want to speak today in support of A.B. 270. As you have gone through the technical aspects of the bill, I would like to talk about the importance of the Nevada State Prison just briefly. The history of the Nevada State Prison is basically embedded in the culture and economy of this state and also in the history of the Legislature, the Executive Branch, and the Judiciary.

If you come through the main gate of the Nevada State Prison, you are walking on the location of the political origins of the State of Nevada at the Warm Springs Hotel. I understand the history of a prison is maybe a little unusual. It can be troubling; it is certainly unique. It is amusing, but it is always interesting. The members of the Nevada State Prison Preservation Society have raised and spent a lot of our own money to make this institution available to the community. We provided accessible restrooms, a handicap ramp, roof repairs, sewer repairs, constant weed abatement, and as we are speaking, there are men out here working on asbestos abatement so that we can have an area for a museum. As Jim Wells indicated, we have also obtained a change of use permit. I would like to invite you, if you have not seen the Nevada State Prison, to contact us. We are available any day and any hour you might be interested in coming out—just as many members of our community have expressed an interest in visiting us.

Will Adler, representing Pyramid Lake Paiute Tribe:

We would like to reach out to Assemblyman P.K. O'Neill and thank him for bringing forward this measure this year because Stewart Indian School is something that should be preserved, and it is a big piece of heritage for all Native people in the state of Nevada. Any measure brought forward to preserve it and its history is welcome and should be funded and supported as best we can.

Chair Flores:

We will continue hearing testimony in support of Assembly Bill 270. [There was none.] At this time, we will invite those wishing to testify in opposition to Assembly Bill 270 to call in. [There was no one.] At this time, we will invite those wishing to speak in the neutral position to Assembly Bill 270 to call in.

Charles Donohue, Administrator, Division of State Lands, and State Registrar, State Department of Conservation and Natural Resources:

The State Land Office is neutral on Assembly Bill 270. However, we have some questions related to the language policy proposed for the Stewart property. As background, the entire Stewart property, which is approximately 110 acres, is currently assigned to the Department of Administration's Buildings and Grounds Section. The Buildings and Grounds Section (B&G) is responsible for the daily management of the property and the associated maintenance needs of the infrastructure and grounds. In addition to the Nevada Indian Commission and Cultural Center and Museum, the property is occupied by a number of state agencies including the State Fire Marshal, Department of Public Safety, Nevada Peace Officers' Standards and Training Commission, and the Department of Corrections. Section 5 of the bill requires me, as the State Land Registrar, to direct revenue generated from the use of buildings and grounds at the Stewart property to the Nevada Indian Commission's Gift Fund, to carry out programs to preserve and maintain the buildings and grounds of the former Stewart Indian School.

However, the bill does not define what a fee is. The Division of State Lands (NDSL) believes what qualifies as a fee, in this case, needs to be clearer. Is it an application fee to use state land, or a fee for the admittance to the cultural center on the property, or an authorization for a utility easement that crosses a small portion of the property, or the rent for the occupancy of a building? The legislation is also silent on activities that were discussed during the development of the master plan, including day-use events that are authorized by the managing agency, including activities by the old football field, such as the Father's Day Powwow or artisan events on the grounds of the facility.

Another question NDSL has is that the legislation is silent on whether section 1 applies to the entire property, including the buildings where state agencies are housed, or whether it is limited to a specific portion of the property. This is important, as this is a large property with multiple uses. It would be helpful to clarify the interested area related to the legislation. Currently, there are limited third-party uses on the property, and NDSL has one active utility easement issued to Carson City that may be affected by this legislation.

Mr. Chair, I recognize Assemblyman O'Neill's opening comments regarding events that are sponsored by the Nevada Indian Commission, and that these are the focus of this legislation. Authorizations for these events are not authorized by *Nevada Revised Statutes* (NRS) Chapter 322 but are allowed by B&G statutes very similar to the agreement that is in place between the Department of Corrections and the Nevada State Prison Preservation Society. Mr. Chair, those are my comments; I would be happy to answer any questions.

Chair Flores:

Thank you for the insight you have provided. Members, any questions? [There were none.]

Charles Donohue:

Could I just add one more comment? I neglected to say that I would be more than happy to work with the sponsor of the bill, Assemblyman O'Neill, and Department of Administration to ensure that the focus of this legislation is captured correctly, and that the revenue the Nevada Indian Commission is looking to secure for their events on the grounds and the facilities of the Stewart property is clearly called out.

Chair Flores:

We have a request from the members for you to provide any information you would like to share to our committee manager, Judith Bishop.

Charles Donohue:

Will do.

Chair Flores:

She will make sure that the members of the Committee receive it. We will continue with those wishing to testify in the neutral position for Assembly Bill 270. [There were none.] Assemblyman O'Neill, any closing remarks?

Assemblyman O'Neill:

I am going to allow Ms. Montooth to speak, since she has a meeting to get to, then Mr. Wells, and I will come up last.

Stacey Montooth:

Again, I want to thank the Committee for listening to the perspective of the Nevada Indian Commission. I also want to thank my colleague from Buildings and Grounds, Mr. Donohue, for not only addressing his concerns to this body, but for the offer to work through those hurdles that he sees. I, too, want to personally extend an invitation to all of you, to your families, to come and visit our historic campus. It is spectacular. As the weather warms up, it is one of the most beautiful places to experience, not just in the capital of Nevada, but in our entire state. Thank you again for your time today.

James Wells:

I, too, would like to thank the Committee for hearing this bill this morning and certainly offer any assistance I can to Ms. Montooth and Mr. Donohue on language because we have some

similar language in the agreement with the Department of Corrections. I would be more than happy to help. We hope you will support this bill.

Assemblyman O'Neill:

In conclusion, I would like to thank Ms. Montooth and Mr. Wells for their time and assistance with this presentation, and for coming forward initially asking me to sponsor this bill—it is really a privilege. Both locations have a tremendous impact to Carson City directly and to the state as a whole and our history, which we should not lose and should fight to keep. There is a letter of support from the Carson City Board of Supervisors; it should be up on the Nevada Electronic Legislative Information System by now [[Exhibit C](#)]. I also anticipate that a few other letters of support coming from previous members of the Stewart Indian School will be up shortly. I am a little disappointed; I got a phone call at 8:45 a.m. from the Buildings and Grounds Section questioning all the fee issues, and I tried to bring it in. There is no intent to take money from the state or deprive the state from the natural, important work that they do there at the campus. I will meet with Mr. Donohue. I appreciate Mr. Wells also offering to help on the language—immediately, so we can get that clarified. Unfortunately, an amendment will probably be coming forth to you shortly, so we will address that. Otherwise, I want to thank everyone for their time. I look forward to working with you all and getting this legislation passed on and signed, improving our state as a whole.

[Additional exhibits include written testimony in support of [A.B. 270](#) from James Wells, [Exhibit D](#), and material submitted by Stacey Montooth, [Exhibit E](#).]

Chair Flores:

I appreciate the presentation, and the work you are doing. I am confident we will get to a good place. Members, be sure to reach out to Assemblyman O'Neill should you have any follow-up questions. As soon as we get that information to our committee manager, we will be sure to share that. With that, we will close the hearing on [Assembly Bill 270](#). We will now open the hearing on [Assembly Bill 307](#).

[Assembly Bill 307](#): Revises provisions governing employment practices. (BDR 18-764)

Assemblywoman Susie Martinez, Assembly District No. 12:

I am here to present [Assembly Bill 307](#) for your consideration. [Assembly Bill 307](#) seeks to improve the lives of Nevada's workers by providing information on how to access the tools and resources needed to advance their career and future. The Department of Employment, Training and Rehabilitation (DETR) is probably best known for operating the state's unemployment insurance system, but the agency has so much more to offer Nevada workers besides that. This is especially true for those who have never been dislocated from a job and are trying to reenter the workforce or are underemployed and wishing to move up on the career ladder. [Assembly Bill 307](#) seeks to address that by requiring each DETR division that carries out duties concerning job training or employment programs to prepare a notice setting forth a description of the services provided by the division or unit. The notice will be made available to all private employers in the state and requires employers to post a notice in a conspicuous location, such as a breakroom, containing a list of job training and employment

programs available for their workers. This would include programs such as the Career Enhancement Program with Nevada JobConnect.

The Career Enhancement Program, for example, is an employer-funded training and reemployment program that provides job seekers with training and resources to improve their potential learning. In fact, this program may also assist job seekers with any job-related expenses, such as certifications, work permits, and even small tools, in order to facilitate their entry—or reentry—into the workforce. This is just one of the critical and valuable programs that already exists. But I suspect most people might not be aware of its existence. I was not aware of it myself. This would help the workers sitting in the breakroom who are anticipating they may be dislocated or displaced due to circumstances out of their control. This could help the worker's family, friends, or colleagues who have been dislocated or displaced and are seeking to improve their job skills. Regardless, these programs cannot help people if these people do not know they exist.

I am proposing a conceptual amendment, which will be available on NELIS [Nevada Electronic Legislative Information System], to make technical changes [[Exhibit F](#)]. When I was submitting my bill, unfortunately, I did not convey to the Legislative Counsel Bureau exactly what I needed, so that is why we had to have these amendments.

The first part of the amendment would be to clarify that DETR would prepare the notice concerning job training and employment programs and provide that information to the Labor Board. Then the Labor Commissioner is responsible for requiring employers to post and maintain each notice in a conspicuous location at the place of employment. The amendment clarifies that the Labor Commissioner would make the notice available to all employers in private employment. It will also provide the flexibility for DETR, at their discretion when preparing these notices, to list any additional similar programs beyond the Career Enhancement Program and JobConnect services. That concludes my remarks, and I am open to any questions or concerns.

Chair Flores:

With that, we will start off with Assemblywoman Duran.

Assemblywoman Duran:

I actually did not realize they had a program like this to get people out into the workforce. Is this program for everybody? How much money does it have? Are there limitations on how much training you can get?

Assemblywoman Martinez:

The program is funded by the unemployment insurance tax; 0.5 percent of the tax goes into this fund. They currently have \$4.3 million in the fund, and funds keep getting added so it never gets depleted. Any Nevadan can participate. For example, if you are a substitute teacher and you know in the summertime you will no longer be working for the school district and you want to do something else, that is when you can tap into this program. They can assist you with schooling, tools for work—whatever you need; that is what they are for.

The reason for this bill is because when I became a legislator, obviously, I became more informed on things such as programs. That is when I became aware of this. I myself did not know about it, and I thought, Oh my goodness, if I do not know about it, imagine how many people do not know about it. I think that they need to know, especially now that we are going through the COVID-19 pandemic; this would be an amazing tool for many people to get back on their feet who just need a little bit of help to get their careers going.

Assemblywoman Duran:

Is there a waiting list or a process? Can you walk through how I would do it if I were interested and looking to change my career? What process or procedure do I have to do to inquire about different training, if you know?

Assemblywoman Martinez:

Basically, you just need to show up. You just need to ask them what they have available. You can go to school. They can help you with your tools. You will speak with them, and they can assist you and guide you in the direction you should be in.

Assemblywoman Duran:

Is this JobConnect at DETR, or is there a specific location online?

Assemblywoman Martinez:

Yes, it is with DETR.

Assemblywoman Thomas:

Anything that can help Nevada citizens gain a leg up on employment, especially relevant to the pandemic, is fantastic. My question is this: Will this require DETR or the Labor Commissioner to require additional employees? In other words, how would this affect the state?

Assemblywoman Martinez:

It has no fiscal note. They have these duties already; we are trying to have Nevadans be more open to these programs. That is why we want them to post a notice in the breakroom. The cafeteria is a great place, in many ways, and then people can see that this is available. [Unintelligible.] For instance, when I am in my breakroom at work, I will sometimes read the board and think, Hmm, this is interesting. Oh my gosh, I have a friend who is currently unemployed—You know what, friend, there is this information. I will take it and hand it to them so they can take advantage of this. This is what we want; we need to get the word out because this is an advantage for Nevadans to get back to work.

Chair Flores:

Assemblywoman Martinez, I think we are having some issues with your sound. I do not think our team was able to hear your last response. Could you please state it one more time and see if your sound is better?

Assemblywoman Martinez:

This has no fiscal note. Basically, DETR already does this. We want them to get the word out, so to speak, on these programs, so that people can take advantage of them. As I said earlier, we want them to post it in breakrooms. That way, when I am in the cafeteria at work, I can look on there and think, I have a friend who could take advantage of this program; let me get the information and get it out to them. What we want is for people to be able to use this.

Once DETR has that, then we send it to the Labor Commissioner, and they are the ones who post it. We have no fiscal note.

Chair Flores:

I think we are getting feedback from Assemblywoman Thomas' side and that is why we are having a difficult time hearing Assemblywoman Martinez.

Assemblywoman Thomas:

Hopefully, I am coming in okay. Just to clarify, DETR already posts, but you would actually have to go into the office to see what they have as far as jobs that are available; are you saying that you would like that to be posted in employers' breakrooms, so that everyone in the state that has a job, or has a friend who has a job, can actually see what is available?

Assemblywoman Martinez:

Yes. For instance, right now, I have never filed for unemployment. Department of Employment, Training and Rehabilitation has a little drop box where you can find some of this information. Not everybody goes to that. I have been at my job for over 30 years, so I have never had to file for unemployment. It would never dawn on me to go and look through there. We want it to be posted where they have the information on, for instance, minimum wage and some of the labor laws. We want it to be elevated, so that people will know about this program.

Assemblyman Ellison:

In rural Nevada, the unemployment office sends young people or those trying to change careers to JobConnect, which is active in our community. The self-employment programs that hire people and put them out on different projects also work with JobConnect. JobConnect exists big time in rural Nevada. I just figured it would be large in your areas. This is what the unemployment division should do: When someone comes in to either apply for unemployment or to change their careers, it should be on the computer when they log in to check with JobConnect or these programs because they help get these people tools, and not only that, they help them move forward into employment. I was surprised. I read the bill and thought, in our part of the state, they are already doing this.

Assemblywoman Martinez:

I was not aware of this program in particular, as I said. I have asked around. The reason for the bill is that we want people to be aware and get the word out that there are these programs, and these people can use it to gain employment. I especially believe that during this

pandemic, we need more help than ever. These programs are there. They are there to be used, and that is what we want people to know.

Assemblywoman Brown-May:

Thank you for bringing this bill forward; it is always great to empower our citizens to seek out and find great employment opportunities. I commend your efforts there. As you stated, information is really power. My question is this: Have you considered discussing the sharing of this information as employees are separated from employment opportunities? You talked a little bit about the bulletin board. In my experience, a lot of folks do not really read the bulletin board when they are employed. They only actually go in that direction when they need additional help. When a person is separating from employment opportunities, that really would be a time they may consider what other options they have. I was curious if you have considered or talked about making this information necessary for employers to give out as a person is separated from their employment, and perhaps targeting private employment agencies to post this information so folks know they have access to it via the one-stop center.

Assemblywoman Martinez:

We are always open to suggestions. I know it would be a little more difficult because it also depends on the employer—for instance, if you are union or not union. Sometimes if you are in a union and you agree to things, you get your job back. I think it would be a little more difficult, but we are always open for conversation. I am more than willing to work with you, and we can have further conversation in regard to this.

Assemblywoman Brown-May:

I think it was a great bill. I appreciate your efforts.

Chair Flores:

At this time, we will go to those wishing to testify in support of Assembly Bill 307. [There was no one.] We will invite those wishing to testify in opposition to Assembly Bill 307 to call in. [There was no one.] At this time, we will invite those wishing to testify in the neutral position for Assembly Bill 307 to call in. [There was no one.]

Assemblywoman Martinez:

Thank you, Chair Flores, and the hardest-working Committee, Government Affairs. I appreciate your time and your patience. Also remember, we as legislators have big megaphones; now that you are aware of this program, please reach out to your community. Let people know that these programs are available for them to get back on their feet. I appreciate your support for the bill.

Chair Flores:

With that, we will close the hearing on Assembly Bill 307. Next, we are going to move on to our work session documents. We are going to take the work session documents in the order they appear on the agenda, starting with Assembly Bill 2.

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

Jered McDonald, Committee Policy Analyst:

Assembly Bill 2 revises provisions relating to appointments to public bodies [[Exhibit G](#)]. This bill was sponsored by this Committee on behalf of Nevada Association of Counties (NACO) and heard on February 15, 2021. The bill removes the prohibition against the governor appointing a person to more than one board, commission or similar body at the same time. The bill also makes conforming changes relating to exceptions to the prohibition for members of the Sagebrush Ecosystem Council, and the Land Use Planning Advisory Council.

We did receive one amendment, which begins on the next page of your work session packet [page 2, [Exhibit G](#)]. This amendment came from NACO's Vince Guthreau. The amendment proposes to limit the number of allowed simultaneous gubernatorial appointments to three boards and deletes the conforming changes related to the Sagebrush Ecosystem Council and the State Land Use Planning Advisory Council.

Chair Flores:

Members, as you recall, during the presentation of Assembly Bill 2, one of the concerns that was shared by many of the members was that we did not want to see the makeup of a particular board being replicated throughout different boards because we kept appointing the same people. That was one concern on one side. On the other hand, we had a concern which was the genesis of the bill, which is what do we do when we have a talented individual that has the résumé but is already appointed to one board, and we cannot utilize that talent on a different board. I think the consensus was to try and narrow it down, and that is how they came up with that number three. I do believe we have someone here to answer any further questions, in case anyone would like to raise any. At this time, I would entertain a motion to amend and do pass Assembly Bill 2.

ASSEMBLYWOMAN BROWN-MAY MOVED TO AMEND AND DO
PASS ASSEMBLY BILL 2.

ASSEMBLYWOMAN DICKMAN SECONDED THE MOTION.

Members, any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Matthews will do the floor statement for Assembly Bill 2. Next on the agenda we have Assembly Bill 21.

**Assembly Bill 21: Revises provisions governing the confidentiality of personal
information of certain persons. (BDR 20-304)**

Jered McDonald, Committee Policy Analyst:

Assembly Bill 21 revises provisions governing the confidentiality of personal information of certain persons [[Exhibit H](#)]. It was sponsored by this Committee on behalf of the Division of Child and Family Services (DCFS) and heard on February 18, 2021. This bill authorizes a person for whom a fictitious address has been issued by DCFS to request the county assessor or county recorder to maintain the personal information of the person contained in the records in a confidential matter without having to obtain a court order. The bill also prohibits the Secretary of State, a county, or a city clerk from making personal information available. Finally, the bill authorizes any person for whom a fictitious address has been issued by DCFS to also request that the Department of Motor Vehicles display an alternate address on the person's driver's license, commercial driver's license, or identification card.

We did receive an amendment proposal on this bill from DCFS. You can take a look at the language they sent in on the next page [page 2, [Exhibit H](#)]. This amendment would require a person for whom a fictitious address has been issued to provide, in addition to a sworn affidavit, a confirmation letter and copy of the enrollment card issued by DCFS verifying the person has been issued a fictitious address. The amendment also provides that DCFS may verify a fictitious address when requested by a county recorder or assessor.

Chair Flores:

Members, as you recall, during this hearing we went through a series of questions. There had been some opposition from our recorders/assessors, only in that they were concerned about ensuring that they could recognize when this was a legitimate request rather than somebody trying to somehow circumvent the process. I know they worked very diligently behind the scenes to try and come up with a compromise to where DCFS, the recorders, and assessors were all on the same page. I wanted to thank them for their work and for coming up with this amendment. At this time, I would like to entertain a motion to amend and do pass Assembly Bill 21.

ASSEMBLYWOMAN TORRES MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 21.

ASSEMBLYWOMAN ANDERSON SECONDED THE MOTION.

Any discussion from the members?

Assemblyman Ellison:

I have a couple of concerns; I think it is a good bill, but I am going to reserve my rights. I am going to vote yes, but I am going to reserve my rights.

Chair Flores:

Members, any additional discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Brown-May will do the floor statement for Assembly Bill 21. Next on the work session document is Assembly Bill 111.

Assembly Bill 111: Revises provisions relating to the Peace Officers' Standards and Training Commission. (BDR 23-106)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 111 revises provisions related to the Peace Officers' Standards and Training Commission (P.O.S.T.) [[Exhibit I](#)]. This was sponsored by Assemblyman Frierson and others and heard in this Committee on March 12, 2021. You may recall that the bill, in its original form, transfers the duties to appoint and the authority to approve outside employment or duties or remove the executive director of P.O.S.T. The executive director of P.O.S.T. removes that from the commission and was going to give it to the governor.

However, you may recall that Assemblyman Frierson proposed an amendment at the hearing that essentially replaces the introduced version of the bill. That amendment is on the next page [page 2, [Exhibit I](#)]. You may recall that it proposes [unintelligible] to increase the membership of the commission to 11 members and requires the Majority Leader of the Senate and Speaker of the Assembly to each appoint one member who is not a peace officer and who has demonstrated experience in one or more of the following areas:

- Implicit and explicit bias;
- Cultural competency;
- Mental health as it relates to policing and law enforcement engagement;
- Experience working with certain vulnerable populations.

The amendment also requires the Governor, the Majority Leader of the Senate, and the Speaker of the Assembly to consider the racial, gender, and ethnic diversity of the commission when making appointments.

Finally, the amendment would propose to add Assemblyman Roberts as a cosponsor to the bill.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 111.

ASSEMBLYWOMAN CONSIDINE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 111.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Members, any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Considine will do the floor statement for Assembly Bill 111. Next on the work session is Assembly Bill 153.

Assembly Bill 153: Revises provisions governing performance contracts. (BDR 27-708)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 153 revises provisions governing performance contracts [[Exhibit J](#)]. This was sponsored by Assemblywoman Bilbray-Axelrod and Senator Brooks and heard in this Committee on March 2, 2021. The bill clarifies that savings realized throughout the term of a performance contract may be used to make any payments required under the performance contract, including the payment of finance charges. The bill also declares that it is the policy of the state to encourage using agencies to implement any operating cost-saving measures to reduce costs related to energy, water or the disposal of waste, or related labor costs. The state also encourages using agencies to continually review the possible use of their performance contract to implement a cost-saving measure.

We did have an amendment submitted by Assemblywoman Bilbray-Axelrod. This amendment proposes to amend the bill to authorize a state agency that has entered into a performance contract to submit a request to the Budget Division of the Governor's Finance Office as part of the agency's budget process for each biennium, to use any operating cost-savings generated from the performance contract to make any payments toward the performance contract or reinvest the savings into other operating cost-saving measures.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 153.

ASSEMBLYWOMAN DICKMAN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 153.

ASSEMBLYMAN MATTHEWS SECONDED THE MOTION.

Members, any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Dickman will do the floor statement for Assembly Bill 153. Last on the work session is Assembly Bill 184.

Assembly Bill 184: Creates the Office of Small Business Advocacy within the Office of the Lieutenant Governor. (BDR 18-213)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 184 creates the Office of Small Business Advocacy within the Office of the Lieutenant Governor [[Exhibit K](#)]. This was sponsored by Speaker Frierson and Assemblywoman Benitez-Thompson and heard in this Committee on March 15, 2021. The

bill creates the Office of Small Business Advocacy within the Office of the Lieutenant Governor to provide certain information to small businesses and to coordinate with certain state agencies and local governments to facilitate interactions between such entities and small businesses. In addition to other provisions, the bill requires the Office of Small Business Advocacy to establish and maintain an education course for small businesses. Finally, among other provisions of the bill, the communications, files, and records of the office are confidential and are not public records.

We did have an amendment submitted by the bill's sponsor. You can take a look at that on the next page [page 2, [Exhibit K](#)]. The amendment authorizes the office to establish and maintain an education course for small businesses, so that is changing it from required to authorized. Next, the amendment creates the Account for Small Business Advocacy within the State General Fund and requires that money in the account only be used to carry out the duties of the office. The amendment also authorizes the Lieutenant Governor to employ any necessary personnel within the limits of money available other than from the State General Fund. The amendment also introduces an expiration date on this legislation that will be June 30, 2023.

Chair Flores:

I would like to entertain a motion to amend and do pass Assembly Bill 184.

ASSEMBLYWOMAN TORRES MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 184.

ASSEMBLYWOMAN DURAN SECONDED THE MOTION.

Any discussion from the members?

Assemblywoman Anderson:

The new language of the expiration date makes sense, but I just want to make sure I am understanding correctly: with this date now, if there is no activity, is the account no longer in place? Or does this mean that if there is activity, that does not matter at all; this account is no longer in place? I think I am asking a freshman question on this. With the expiration date that is placed by that amendment, having it end by a certain date—I am just asking what that means.

Chair Flores:

We have both Ms. Lopez and our Lieutenant Governor. I do not know who would like to take that.

Kate Marshall, Lieutenant Governor:

It is my understanding that the money would only be used for the small business advocate. If there was money left over at the end of the two years, it is my understanding that we would attempt to go back to the Legislature—this is a proof of concept opportunity for us to be able to say, Look, here is what we did in two years. If you think that this is a worthwhile

endeavor, we will ask to continue it. If we did not do the job that you thought we should do, or if the small business community no longer needs the assistance, then we will devolve it. It is a way to try and make sure that we are not creating bureaucracy for the sake of bureaucracy.

Assemblywoman Anderson:

Thank you so much for that clarification; I greatly appreciate that ability to look into the future and say, You know what, we are trying something different. If it is working, we are going to come back to the same body that granted it. If it is not, we are not going to let it keep on going and be an empty idea. I really appreciate the thought process that went into it.

Assemblywoman Dickman:

I like this idea that we want to be helping small businesses, but I do not like the idea of creating a bureaucracy to help them navigate a bureaucracy. I think we should be dealing with making our government easier to deal with and understand, rather than creating another bureaucracy. For that reason, I have to be a no.

Assemblywoman Torres:

I want to thank the bill's sponsors, Speaker Frierson and the Lieutenant Governor, for working together on this legislation, and I want to clarify we are not adding an additional level of bureaucracy to the assistance for small businesses here in Nevada. We are providing them with that resource so that some type of assistance exists, because there is currently no advocacy in place. I appreciate the Lieutenant Governor for working to make sure that small businesses feel that they have an advocate that they can go to when there are issues. So many small businesses reach out all the time, and they reach out to legislators frequently because they know we can help, in some ways, navigate the process. But I think if we have a place where we can refer them to, we will be able to better serve our respective constituencies. I look forward to being able to utilize this in my community as small businesses reach out and express their need for assistance.

Chair Flores:

Members, any additional discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN BLACK, DICKMAN,
ELLISON, MATTHEWS, AND MCARTHUR VOTED NO.)

Assemblywoman Torres will do the floor statement for Assembly Bill 184.

Members, thank you all for the work today and for coming in prepared. As the meeting was going on, I was given a committee bill draft request (BDR). As you know, we need to introduce it. I just wanted to reemphasize and remind everybody that when we introduce a BDR, it does not mean we support the bill or are giving a position in any way. By introducing it, all we are doing is ensuring that it gets assigned to a committee, gets a hearing, and then goes through the regular motions. At this time, I would entertain a motion to introduce BDR 20-1026.

BDR 20-1026— Revises provisions governing county clerks. (Later introduced as [Assembly Bill 397](#).)

Amongst other things, it requires a county clerk to pay certain fees to the county treasurer on or before the fifth day of the month, revises the permissible uses of certain fees collected by a county clerk, and eliminates certain provisions related to the issuance of a marriage license during certain office hours or during other hours by a commercial wedding chapel. I will entertain a motion to introduce BDR 20-1026.

ASSEMBLYMAN ELLISON MOVED TO INTRODUCE BILL DRAFT
REQUEST 20-1026.

ASSEMBLYWOMAN THOMAS SECONDED THE MOTION.

Chair Flores:

Members, any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Next on the agenda is public comment. At this time, I would like to invite those of you wishing to join us this morning for public comment to please do so. [There was no one.] I would like to remind everybody that tomorrow, Thursday, March 25, we will be hearing Assembly Bill 311, Assembly Bill 315, and Assembly Bill 316. Please give yourself an opportunity to review all three bills ahead of time.

I also want to give everybody an idea of how the next couple of weeks are looking. We will be hearing a minimum of three bills per day, and at times, four. What that means is that we may have to alter some of the start times next week; we will see. I just wanted to give

everybody a heads-up; be prepared, as the weeks that are coming will be pretty long. There will be a lot of work expected from all of us to be able to get through that. Members, I appreciate all the heads-up and participation. With that, this meeting is adjourned [at 10:32 a.m.].

RESPECTFULLY SUBMITTED:

Geigy Stringer
Recording Secretary

RESPECTFULLY SUBMITTED:

Lindsey Howell
Transcribing Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a letter, dated March 19, 2021, submitted by Lori Bagwell, Mayor, Carson City, Nevada, in support of Assembly Bill 270.

[Exhibit D](#) is written testimony presented by James Wells, President, Nevada State Prison Preservation Society, regarding Assembly Bill 270.

[Exhibit E](#) is material regarding Assembly Bill 270, submitted by Stacey Montooth, Executive Director, Nevada Indian Commission, consisting of the following:

1. A Nevada Indian Commission document titled "Nevada Tribal Nation Facts," dated February 7, 2021.
2. A document about the impacts of COVID-19 and the Governor's Budget Recommendations for the Stewart Indian School Cultural Center and Museum, dated March 24, 2021.
3. A document with information about the Stewart Indian School Cultural Center and Museum, dated March 24, 2021.
4. A Nevada Indian Commission document titled "Our Big Four," dated March 24, 2021.
5. A document titled "Indian Reservations & Colonies of Nevada," dated March 24, 2021.
6. A Nevada Indian Commission document listing seven "Essential Understandings," dated March 24, 2021.
7. A map titled "Indigenous Tribal Territories," dated March 24, 2021.

[Exhibit F](#) is a conceptual amendment to Assembly Bill 307, dated March 23, 2021, presented by Assemblywoman Susie Martinez, Assembly District No. 12.

[Exhibit G](#) is the Work Session Document for Assembly Bill 2, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for Assembly Bill 21, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for Assembly Bill 111, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for Assembly Bill 153, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for Assembly Bill 184, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.