

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-First Session  
May 29, 2021**

The Committee on Growth and Infrastructure was called to order by Chair Daniele Monroe-Moreno at 3:55 p.m. on Saturday, May 29, 2021, Online and in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislatures website at [www.leg.state.nv.us/App/NELIS/REL/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Daniele Monroe-Moreno, Chair  
Assemblyman Howard Watts, Vice Chair  
Assemblywoman Tracy Brown-May  
Assemblyman John Ellison  
Assemblyman Glen Leavitt  
Assemblyman C.H. Miller  
Assemblywoman Sarah Peters  
Assemblyman Tom Roberts  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Steve Yeager

**COMMITTEE MEMBERS ABSENT:**

Assemblyman Jim Wheeler (excused)

**GUEST LEGISLATORS PRESENT:**

Senator Chris Brooks, Senate District No. 3

**STAFF MEMBERS PRESENT:**

Katie Siemon, Committee Policy Analyst  
Jessica Dummer, Committee Counsel  
Devon Kajatt, Committee Manager  
Gina Hall, Committee Secretary  
Cheryl Williams, Committee Assistant



**OTHERS PRESENT:**

None

**Chair Monroe-Moreno:**

[Roll was called. Committee rules and protocol were explained.] I welcome everyone to our very short meeting. This will probably be one of the shortest meetings we will have all session. I will open the work session for Senate Bill 448 (2nd Reprint).

**Senate Bill 448 (2nd Reprint):   Revises provisions governing public utilities.  
(BDR 58-46)**

**Katie Siemon, Committee Policy Analyst:**

Senate Bill 448 (2nd Reprint) was first heard before this Committee on May 25, 2021, when it was presented by the bill's sponsor, Senator Chris Brooks, and others [read from [Exhibit C](#)]. It revises provisions governing public utilities. It makes various changes related to energy regulations, policies, and programs. Specifically, the bill:

1. Makes renewable energy storage facilities and hybrid renewable energy generation and storage facilities eligible for partial abatements of certain property and sales taxes;
2. Requires an electric utility to amend its current integrated resource plan (IRP) before September 1, 2021, to include a plan for two high-voltage transmission infrastructure projects to be in service by December 31, 2028;
3. Amends the components of an IRP to include a carbon dioxide emissions scenario that meets certain goals for reductions in carbon dioxide emissions by 2050;
4. Requires transmission providers to join a regional transmission organization before January 1, 2030, unless the Public Utilities Commission of Nevada allows a waiver or a delay;
5. Requires an electric utility to file a plan by September 1, 2021, for investing up to \$100 million in transportation electrification programs between January 1, 2022, and December 31, 2024;
6. Requires an electric utility to amend its IRP by September 1, 2022, to include a plan for accelerating transportation electrification;
7. Provides that there is no presumption that expenses, investments, or costs incurred by a utility were prudently incurred, and places the burden of proof on the utility;
8. Clarifies that, subject to certain conditions, a net metering system providing electricity to multiple units on the same property is not deemed a public utility;

9. Extends the Economic Development Electric Rate Rider Program through December 31, 2024, or whenever the set-aside capacity is fully allocated—whichever is earlier—modifies the allowable discounts, and requires the Commission to submit a report on the Program to the 2023 Legislature by December 31, 2022;
10. Increases from 5 percent to 10 percent the expenditures that must be spent on energy efficiency measures for customers in low-income households, residential customers, and public schools in historically underserved communities as part of an electric utility's energy efficiency plan;
11. Creates the Regional Transmission Coordination Task Force to advise the governor and Legislature on energy transmission policies; and
12. Abolishes the New Energy Industry Task Force and phases out the Electric Vehicle Infrastructure Demonstration Program by July 1, 2023.

The bill's sponsor has proposed two amendments that would make the following changes:

1. Add additional primary and nonprimary sponsors;
2. Amend the definitions of the terms "energy storage technology" and "facility for the storage of energy from renewable generation";
3. Remove subsection 4 of *Nevada Revised Statutes* (NRS) 701A.450, which governs the use of funds in the Renewable Energy Account;
4. Amend the definition of "wage" provided in subsection 7 of NRS 701A.365;
5. Add a representative of the Nevada Indian Commission as a member of the Regional Transmission Coordination Task Force; and
6. Clarify that the provisions of Section 35 of the measure apply prospectively.

There have been multiple fiscal notes submitted in response to this measure, which are available for review on the Nevada Electronic Legislative Information System (NELIS).

**Chair Monroe-Moreno:**

I welcome Senator Brooks to the table for any questions members may have. Members, you have the work session document in front of you on NELIS, along with the two amendments. Are there any questions?

**Assemblywoman Summers-Armstrong:**

Would you clarify a term used in section 49, subsection 5, paragraph (c) of the bill? New language that was added says, "Twenty percent of the total program expenditures

proposed in a plan submitted pursuant to this section must be dedicated to incentives for behind-the-meter investments in electric vehicle charging infrastructure or stations." What does the term "behind the meter" mean? Would you please clarify that?

**Senator Chris Brooks, Senate District No. 3:**

"Behind the meter" means it is on the customer's side; it is customer-owned equipment. Everything up to the electrical meter is utility-owned equipment; everything from the meter and behind the meter is customer-owned equipment. That means it would be eligible for customer-owned equipment. This gets to the question you asked in the bill hearing about whether this would be available to help folks do their own thing, like having their own charging stations. That is what this is intended to do.

**Assemblywoman Summers-Armstrong:**

Would you be a little bit more specific? When you say, "do their own thing," would these behind-the-meter, customer-owned incentives help residents put in charging stations at their homes? Or is this about some of the programming we talked about in concept about getting people into these vehicles?

**Senator Brooks:**

Yes. It would help customers—residential or commercial customers—leverage their monies and things they were doing by providing a rebate or incentive directly to the consumer so the consumer could take that money in addition to their own personal money to have a more robust charging infrastructure.

**Assemblywoman Summers-Armstrong:**

Madam Chair, may I ask another question?

**Chair Monroe-Moreno:**

This will be your last question.

**Assemblywoman Summers-Armstrong:**

To be clear, the details of this will be done after adoption in a different forum. That is how this will be hashed out.

**Senator Brooks:**

Yes, but that particular piece is just the five identified sectors that we want to address in charging and the \$100 million cap piece of it. This does not address the long-term electrification plan. It could be proposed by the Public Utilities Commission of Nevada, the utility when it submits its plan, folks who are intervening, or participating members of the public. It is something they could propose, but this does not address that. This only addresses the \$100 million initial investment and just makes 20 percent of it available that could be a behind-the-meter, customer-owned incentive.

**Chair Monroe-Moreno:**

Are there any other questions? [There were none.] For further clarification, we cannot put every single detail into our bills as we draft them, but the regulatory process—the public process once the case is open—I encourage every member who is interested in the bills that come through this Committee to stay involved and attend those meetings, to make sure that the intent of the legislation that we pass is actually followed through the regulation process.

I thank you for the amendment. I know there were a number of conversations concerning section 35 which adds language to NRS Chapter 704. I believe the second amendment you see today addresses the concerns that were brought up during the hearing, so it will not affect any pending cases going on now. It will only affect what goes on after the effective date of this legislation.

**Senator Brooks:**

May I offer a brief explanation of what the amendment language does?

**Chair Monroe-Moreno:**

Sure.

**Senator Brooks:**

Because of differing opinions as to whether section 35 is just a clarification of the current law or would establish new law, this provision is being added to make it clear that section 35 will only operate prospectively. We are trying to provide clarity going forward here, and we are not attempting to legislate an after-the-fact resolution of disputes arising from cases already heard by the Public Utilities Commission of Nevada.

**Chair Monroe-Moreno:**

Thank you for putting that on the record so the intent is clear in the legislative record. Are there any other questions from members? [There were none.] I will entertain a motion to amend and do pass Senate Bill 448 (2nd Reprint).

ASSEMBLYMAN WATTS MADE A MOTION TO AMEND AND DO  
PASS SENATE BILL 448 (2ND REPRINT).

ASSEMBLYMAN ROBERTS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN WHEELER WAS ABSENT  
FOR THE VOTE.)

I will take the floor statement. With that, we will close the work session for S.B. 448 (R2).

The last item on our agenda is public comment. Is there anyone here for public comment? [There was no one.]

Before we adjourn, I want to thank you all for a wonderful legislative session. We did not have the number of bills I thought we would have because we have been slammed in other years. You have made acting as Chair easy by studying the bills before they got to the Committee. You came in with great questions so I did not have to ask the questions I had on my list. I appreciate that. Assemblywoman Brown-May, you were appointed and just jumped in and carried some of the legislation from the Committee; I truly appreciate that.

For our staff—you are amazing with the late nights and early mornings and being patient with me. I know that sometimes I am not the easiest person to deal with, so I appreciate that. The broadcast staff has been working 24/7 through the interim, getting us in to this legislative session. Each day we got better and better at what we are doing virtually. I thank you all for that.

This will probably be our last meeting. I do not believe we will have anything else sent to us. I wish you all a busy interim. Stay involved during the regulatory process for all the legislation we passed to make sure it is enacted the way we intended. This meeting is adjourned [at 4:09 p.m.].

RESPECTFULLY SUBMITTED:

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Gina Hall  
Recording Secretary

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Joan Waldock  
Transcribing Secretary

APPROVED BY:

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Assemblywoman Daniele Monroe-Moreno, Chair

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

## **EXHIBITS**

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for Senate Bill 448 (2nd Reprint), presented by Katie Siemon, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.