

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

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

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 9:12 a.m. on Saturday, May 29, 2021, Online and in Room 3137 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 Legislature's website at www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Maggie Carlton, Chair
Assemblywoman Daniele Monroe-Moreno, Vice Chair
Assemblywoman Teresa Benitez-Thompson
Assemblyman Jason Frierson
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Sandra Jauregui
Assemblyman Glen Leavitt
Assemblywoman Brittney Miller
Assemblywoman Sarah Peters
Assemblyman Tom Roberts
Assemblywoman Robin L. Titus
Assemblywoman Jill Tolles
Assemblyman Howard Watts

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Julia Ratti, Senate District No. 13
Senator Dina Neal, Senate District No. 4
Senator Nicole J. Cannizzaro, Senate District No. 6



STAFF MEMBERS PRESENT:

Sarah Coffman, Assembly Fiscal Analyst
Brody Leiser, Principal Deputy Fiscal Analyst
Eileen O'Grady, Committee Counsel
Anna Freeman, Committee Secretary
Bet Torres, Committee Assistant

OTHERS PRESENT:

Heather Korbolic, Executive Director, Silver State Health Insurance Exchange
Bailey Bortolin, Statewide Advocacy, Outreach, and Policy Director, Nevada Coalition of Legal Service Providers
Joanna Jacob, Government Affairs Manager, Clark County
Amber Howell, Director, Human Services Agency, Washoe County
Tess Opferman, representing the Nevada Women's Lobby
Kendra G. Bertschy, Deputy Public Defender, Washoe County Public Defender's Office
Kathryn Roose, Deputy Administrator of Quality and Oversight, Division of Child and Family Services, Department of Health and Human Services
Mariana Kihuen, Director, Government Affairs, College of Southern Nevada
Doug Unger, University of Nevada, Las Vegas Chapter President and Southern Nevada Government Affairs Representative, Nevada Faculty Alliance
Dylan Keith, Policy Analyst, Vegas Chamber
Arielle Edwards, Government Affairs Specialist, City of North Las Vegas
Jessica Adair, Chief of Staff, Office of the Attorney General
Stephanie Woodard, Senior Advisor on Behavioral Health, Division of Public and Behavioral Health, Department of Health and Human Services
Dan Musgrove, Chair, Clark County Children's Mental Health Consortium
Sarah Adler, representing NAMI Nevada
Joan Hall, President/CEO, Nevada Rural Hospital Partners
Helen Foley, representing T-Mobile and the Telecom Industry
Chad Hensley, President, Chairman, Nevada Society of Radiologic Technologists
Melanie Young, Executive Director, Department of Taxation
John McCormick, Assistant Court Administrator, Administrative Office of the Courts
Kent Ervin, Legislative Liaison, Nevada Faculty Alliance
Kevin Doty, Administrator, Purchasing Division, Department of Administration
Colin Robertson, Administrator, Division of Outdoor Recreation, Department of Conservation and Natural Resources
Julie Butler, Director, Department of Motor Vehicles
DuAne Young, Deputy Administrator, Division of Health Care Financing and Policy, Department of Health and Human Services:

Chair Carlton:

[Roll was called. Committee rules and protocol were explained.] We will begin with Senate Bill 424 (1st Reprint).

**Senate Bill 424 (1st Reprint): Creates the Public Health Resource Office.
(BDR 18-1107)**

Heather Korbolic, Executive Director, Silver State Health Insurance Exchange:

As many of you know, COVID-19 has exposed many of our state's strengths and weaknesses. While we have demonstrated an ability to respond to a public health crisis, we have done it with a frail, and in some cases nonexistent, public health infrastructure. Senate Bill 424 (R1), as amended, creates a Public Health Resource Office in the Governor's Office to analyze the existing infrastructure for meeting Nevada's public health needs. It also adds a position in the Office of Minority Health and Equity in the Department of Health and Human Services. The position would be responsible for researching and making policy recommendations to the Public Health Resource Officer on strategies to address disparate health outcomes in the communities of Black, Indigenous, and other people of color that result in systemic racism and structures of racial discrimination as well as health outcomes for rural communities and other underserved communities. The Office will analyze the relationship between the people and the entities involved in the provisions of public health services, including local health authorities, providers of health care, health care facilities, and nonprofit organizations.

The role of this Office is to identify and make recommendations to the Governor and to the Legislature concerning the state's unmet needs and opportunities to obtain federal or private funding or support for public health services and ways in which the state can improve coordination between providers and public health services and the delivery of those services. The State General Fund appropriation included in this bill is \$176,079 in fiscal year (FY) 2022 and \$226,799 in FY 2023 to fund two nonclassified positions in the Governor's Public Health Resource Office and \$76,062 in FY 2022 and \$98,511 in FY 2023 to support the Health Program Specialist in the Office of Minority Health and Equity.

Assemblywoman Titus:

Regarding the duties of the Public Health Resource Officer: are they going to be looking at and applying for federal grants? What is their duty after they gather the information?

Heather Korbolic:

The goal of this position is to identify grant resources and opportunities to bring to the state. That Office would then be responsible for working with entities, such as the Division of Public and Behavioral Health (DPBH), to obtain those grants.

Assemblywoman Titus:

This is a high-level office that will look for opportunities and reach out to individual offices such as DPBH, Patient Mortality, or any office that affects patient outcomes and health for Nevadans. Is there any accountability reporting back to this body or just to the Governor?

Heather Korbulich:

The bill specifies that the Public Health Resource Office will report back to the Governor and the Legislature on their findings and recommendations.

Chair Carlton:

This will be in coordination with the restructuring of the Grants Management Office that has been done. The appropriated funds will be leveraged for more funds, and there will be reporting of how it is working.

Heather Korbulich:

Correct.

Assemblyman Roberts:

I have a follow-up on Assemblywoman Titus's question. I am sure you have done some analysis. Is there an estimated return on investment? Is there reason to believe there are missed grants opportunities without this office?

Heather Korbulich:

The pandemic has highlighted some unmet needs throughout our state in investments in public health. While we were able to respond to the COVID-19 crisis, we did it with a scrappy bunch that are now burned out and ready for a rest. We have identified areas in which improvement is needed in those systems. This Office, though small, will be mighty in terms of identifying those gaps, whether it is within the state infrastructure or how we communicate and partner with local health authorities across the state.

Assemblyman Roberts:

I believe in looking for opportunities for more federal and private funding. I just want to ensure that this investment that we are looking to make will triple or quadruple the appropriated funds.

Assemblywoman Benitez-Thompson:

Section 1, subsection 2, addresses appointing someone to this position who is knowledgeable: are there certain degrees or backgrounds for which you will be searching?

Heather Korbulich:

Yes, we intend to find an individual with a public health background, or at least a background in health care and health care systems throughout the state.

Assemblywoman Benitez-Thompson:

Does that mean someone with a Master of Public Health degree?

Heather Korbulich:

I think if we limit the search to those with a master's degree, we may find that we are leaving out some individuals with specific or wide berths of knowledge and skillsets. We are looking

for someone who has a systematic approach and understands health care systems in Nevada, specifically.

Assemblywoman Benitez-Thompson:

Does section 1.6 include the costs for the salary, benefits, and all the associated costs of setting up the office?

Heather Korbolic:

That is correct; it includes setup and some travel for those individuals in addition to their salaries.

Assemblyman Hafen:

We have had some struggles this past year, and I hope this will address them. Particularly, under section 1.5 (d), I know we had trouble reaching out to communities where English is not the primary language spoken, it is not included, but I think it is implied. I want to ensure that the legislative intent is on the record. That is the intent here; we want to ensure that we are not leaving anyone behind.

Heather Korbolic:

That is absolutely the intent of the bill. I think the pandemic highlighted inequities and disparities. We recognize that we, as a state, need to do a better job of making sure that we have systems to reach out to those individuals.

Chair Carlton:

Are there any other questions from the Committee? [There were none.] Is there anyone wishing to testify in support of S.B. 424? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.]

We will close the hearing on S.B. 424 (R1) and move on to Senate Bill 274 (2nd Reprint).

Senate Bill 274 (2nd Reprint): Revises provisions relating to commercially sexually exploited children. (BDR 38-705)

Senator Julia Ratti, Senate District No. 13:

A brief bit of history is important on this bill. We had another bill, Senate Bill 293 of the 80th Legislative Session, that recognized an issue that many of us wanted to address: too many child victims of sex trafficking end up in the juvenile justice system and are treated as offenders rather than ending up in the welfare system and treated as victims who can then go on to be survivors. That is something with which not many of us are comfortable and is not necessarily serving those children in the best way possible.

I came forward, rather naively, with a bill that said we would just not do that anymore. We would take them out of the juvenile justice system and get them into the welfare system; it

would be great. It would have been wonderful if we could have just flipped a switch and it would work.

However, the needs of this population are incredibly complex. Many are under significant influence of sophisticated criminals. They have run away from home. Law enforcement officers who intercede in this type of situation have reason to be concerned that, if they place that child in a typical foster care setting, that child would run away. The choices were the traditional foster care system or the juvenile justice system—where they would at least know that the child was locked in and protected. I want to give great credit to the juvenile justice system that has done a lot of work trying to meet the health and human services needs of children.

Given those options, I understand why putting these children into the juvenile justice system was the choice that we have made for a long time. In 2019, we drew a line in the sand and said that in two years we are no longer going to do this. We provided a contractor to the Division of Child and Family Services to facilitate a working group and bring forward better solutions. That group worked through the interim, did a national best practices search, pulled together stakeholders to have conversations about it, and came up with some concepts of how to move this forward. The most significant concept is known as a receiving center. This would be a specialized form of foster care with some lockdown elements. This would avoid having a child who has been sexually exploited be retraumatized by being treated like an offender and could then go into the child welfare system.

We left 2019 with a significant unfunded mandate for the local governments. We have been doing a lot of work with Washoe and Clark Counties. A lot of the work that has happened in this session has been to rework the language so that we can make better access of some federal funds so that there would be options. Maybe it is a receiving center, maybe there is an alternative foster placement that would work for that child. This is complex health and human services policy so there is a lot more to this, but the bottom line is that this bill extends the timeline one more year. By 2023, we will no longer put these children into the juvenile justice system. It gives the counties more flexibility and time. It gives the counties the right language that they need to bring in federal funding. There is a small fiscal note for the state: one contracted position in the Division of Child and Family Services to continue the facilitation and stakeholder conversations necessary to move forward.

This does not affect many children but, for the children impacted, it will make a world of difference. I would like to give credit to the stakeholders from juvenile justice to courts, nonprofits, counties, and the people at the Division of Child and Family Services who have made this a labor of love to make sure that we do right by these children.

Assemblyman Leavitt:

My mother ran the Southern Nevada Children's Home for many years then moved on to Child Haven when that home closed. Is there any effort to coordinate with those facilities that have a group setting? I know firsthand that those are very good people who love and care for those children. I wonder if that is part of the plan.

Senator Ratti:

Yes, yes, and yes. They are saints and heroes. This gives those entities another tool, allowing them to get certified as a receiving center. That receiving center gives them more tools in their toolkit, including the ability to have a locked setting that may be necessary for a period of time with the children we are serving.

Bailey Bortolin, Statewide Advocacy, Outreach, and Policy Director, Nevada Coalition of Legal Service Providers:

All those entities were part of this working group. We have been working with all the involved stakeholders. There is a consensus that we do not have the tools that we need yet to be able to handle this specialized population in the way that is most appropriate. If you bring in this specific population to facilities such as Child Haven, there is often a recruiting risk to the other kids that are in the home, which leads to our current reliance on the juvenile detention system—that is a huge factor to how we have come to where we are. They are working with us toward the solution to be able to better serve these kids.

Assemblywoman Tolles:

To follow up on what you just said: the main challenge is that there is a multiplier effect. You do not want to feed into the incarceration model, but you also do not want to put other youth at risk. Recruiting is how this system continues to thrive. I think that it is unfortunate that we cannot fully fund it in this session, but keeping this moving forward toward the goal of full funding is a good step, correct?

Senator Ratti:

Correct. Some of it is about more funding. Some of it is about shifting existing resources into a new model—that is where we need the time. How do we use the Title IV-B funds from the federal government? Are there any savings from not having these children in the juvenile justice system? We need more funding for the juvenile justice population and for the child welfare population in the wraparound services of behavioral health, job training, and all those other things. If we had the best model, it would not just be about the safety, protection, and the limited level of service that we are able to offer with our current funding; it would be about the continued investments that many people in this room have been fighting for in behavioral health services, job training and employment services, and all the things that help us transition from being victims to being survivors. We are confident that the bill that we have put together will allow us to transition to this system. We can start building these receiving centers. The counties will have the flexibility for alternative placements. We are going to do better by these children within this one-year time frame. There is still more work for all of us to do for all the children in Nevada.

Assemblywoman Titus:

Do we have an idea of the number of children in this system? How many children do we think will be affected by this?

Joanna Jacob, Government Affairs Manager, Clark County:

Clark County's fiscal note was based on the numbers in consulting with our juvenile justice facility. We estimate that there could be as many as 150 kids who fall within this category in Clark County at any given time. I do not want to speak for Washoe County, but we have worked with them and I think they are similar. I believe we have the largest numbers in Clark County because of our economy, tourism, and all the things that go into this complicated situation. Those are the numbers that we have seen. I do not want you to think that we are not already seeing these kids, but we are seeing them through our work with Metro and juvenile justice.

Assemblywoman Titus:

I was trying to find out where they were coming from and the math that was being done.

Chair Carlton:

The unsolicited fiscal note from Clark County was approximately \$1.4 million in fiscal year (FY) 2023 for staffing, housing, and infrastructure. However, when I look at that, I also must look at the other side of the equation: law enforcement will be spending less money in those areas. It is a balancing act; the dollars that will not be spent on one side will be spent on the other side. We know it is expensive to put people through the system rather than giving them treatment.

Senator Ratti:

That was our starting assumption, and there is some truth to that. However, it is not a full offset. Relative to the entire juvenile justice population, it is a small percentage. The juvenile justice system will still need facilities, beds, and staff. By moving a child from one system to another, it will not create a 100 percent savings. There are indirect costs that go along with our juvenile justice system.

For the law enforcement piece: we need their cooperation to do something different. Right now, it may be easier to do a juvenile justice placement because that is the path that they are accustomed to using for all juveniles with whom they come into contact. Now they need to get trained to understand how to do these new placements, which will need to be a 24/7 model. You cannot wait until 8 a.m. to do this placement if you pick up a child in the middle of the night. There are some savings, but there will also be additional challenges for law enforcement, particularly in ensuring we have a 24/7 model that can be the receiving end.

Joanna Jacob:

That was the challenge when we worked on the original version of the bill. It is not a one-to-one offset. Juvenile justice needs to stay open, and that is a hard cost for Clark County. We are trying to work toward having a receiving center open 24 hours per day, 7 days per week—it has to be, because it has to be available.

I want to point out the important work we did in the amendment to the bill. Assemblywoman Miller sponsored the bill on children's advocacy centers. We are partnering with Metro through our work on our children's advocacy center, which is a forensic model. We can

bring in kids who have had a traumatic experience. We have forensic interviewing; they go through the system one time. There is a lot of work yet to be done, but we are looking to that children's advocacy center as an appropriate model for this because it is less intensive. You are not sitting in a police station, but we have all the tools we need to ensure the services are there.

The idea would be to move this population to the appropriate place; that is why we wrote in alternative care settings, to Assemblyman Leavitt's point. It is an individual assessment for each case, and we will need to house them at some point. You will see in our fiscal note that we contemplate, based on what we have seen already, that some of the CSEC (Commercial Sexual Exploitation of Children) individuals may be returned to a different jurisdiction, but we still might need to house them at some point in the process.

We appreciate Senator Ratti pushing the date out another year. If we need a designated facility and staff for this population, we will need to build that into our next budget.

Assemblywoman Benitez-Thompson:

Are the building and operations costs in the fiscal note assuming that a new brick and mortar building will be built or assuming additions or modifications to existing facilities? Nonprofits and other groups are also allowed to become receiving centers—would that be funding subgranted out for their hard costs?

Senator Ratti:

I think Amber Howell, Director of Human Services for Washoe County, is best positioned to answer how they are approaching this. I will add that we put some flexibility into the amendment with the language "or other appropriate placement." If we can build a model that does not require all that investment, that makes sense. The flexibility and the ability to draw down Title IV-B dollars was very important to that.

Amber Howell, Director, Human Services Agency, Washoe County:

Two things need to be built. First is a receiving center—I think we all agree we will change the name to something more attractive—which is a 72-hour assessment intake to get them stabilized and safe and figure out what is going on. We are looking at a couple of different things. We would never want to start building a building from the ground up—there are a lot of unutilized buildings in Washoe County that are perhaps owned by the state or a nonprofit, or that we could purchase and do some soft construction. The startup cost is to locate a building to do that. The other side of the equation is the placement cost. We have to find specialized foster homes to take this population; there is a cost that goes with that. Foster care in and of itself is expensive—it goes up to approximately \$700 per month per child. When you have this population, there are a couple of other facets to consider such as security and specialized training, so there are placement costs. The building is a one-shot cost that we do not need to reconcile year after year. Specialized staffing came into the fiscal note. Changing the language to allow Title IV-B had a significant impact for us. We will be able to draw down the money needed simply by putting Title IV-B language in.

Assemblyman Roberts:

My question is for Clark County. We operate a facility off Bonanza Road. We have several detectives there; it works in conjunction with Child Haven. We also worked to steer people toward resources. We have the two harbors. We converted a police station into a harbor to bring juveniles so that they could connect directly with services so that they would not enter the juvenile justice system. I see that this is geared toward victims of crime and things like that. It was so successful that we opened a second harbor. Police officers know to take kids there before we enter them into the juvenile justice system; we treat them differently. How do you see this working with the harbors? Is this facility after the harbor? How does it fit with what we are doing already? We had a significant footprint: I think I had at least a squad and a half, plus a sergeant and lieutenant assigned there, just to work with the advocates and ensure that a lot of these services were being done. What is the difference here?

Joanna Jacob:

Thank you for acknowledging the work that we have done. The harbors are a program through our juvenile justice division—one that we are working to expand. Our juvenile justice service and our child welfare system work very closely together all the time. I do not want to speculate but when we have talked about the CSEC population, we are working with juvenile justice and child welfare together so the idea would be to try to intervene wherever possible. If there is a child that comes to the harbor system that we believe could be a victim of commercial sexual exploitation, then the idea would be a warm handoff into the child welfare system. That is something that I think is contemplated by the mandate that Senator Ratti mentioned.

The work for the harbor is to keep them out of the juvenile justice system. We would be handing them off and tying them to services that we will be building through this new commercial sexual exploitation program. When Ms. Howell noted the additional language and the things that we worked on in this bill, it is just handing it off into the system in the best interest for the child. We would look to see where we can hand them off, whether it is into a receiving center, another placement, or if appropriate, into a specialized foster care home that Ms. Howell noted. I see it as a cog in the overall system that we are building in Clark County. I think that juvenile justice will probably still be a part of our working group and part of this whole system that will address this population.

Assemblyman Roberts:

This is something that Clark County supports, and you believe it to be a move in the right direction, correct?

Joanna Jacob:

Yes. We were neutral on the bill in the Senate when we were working on our amendments, but this is something that we know is coming, and we do support the amendment to the bill, and Senator Ratti for giving us this flexibility and working with us and legal aid as well. This is a move. The mandate is in the bill anyway, and it is the right thing to do.

Assemblyman Roberts:

I thought we were doing a lot of that already, which is why I did not understand the fiscal note. Thank you for that answer.

Senator Ratti:

Just to reiterate: the law, as it currently stands, requires this to start in July 2022. This gives them another year. If the bill does not pass, it does not give them the new language that allows them to draw down flexible funds, it does not give them new flexibility language about appropriate placement, and it starts immediately. Without this bill's passage, they are left with what we put into statute in 2019. This is a significant improvement from where we were last session.

Chair Carlton:

Is there anyone wishing to testify in support of Senate Bill 274 (2nd Reprint)?

Joanna Jacob:

Clark County is in support.

Bailey Bortolin:

The Nevada Coalition of Legal Service Providers wants to thank all the stakeholders for everything they have been doing on this for the last couple of years. We are excited to see this fundamental shift for these kids.

Tess Opferman, representing the Nevada Women's Lobby:

The Nevada Women's Lobby appreciates the work on this bill, and we urge your support.

Amber Howell:

Washoe County is in support.

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

My office represents the juveniles who are involved in the juvenile justice system. We have been involved in these conversations, and we appreciate Senator Ratti and Ms. Bortolin for bringing aboard this bill. I will ditto the statements made as to the importance.

Chair Carlton:

Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral?

Kathryn Roose, Deputy Administrator of Quality and Oversight, Division of Child and Family Services, Department of Health and Human Services:

I am here in neutral today to confirm that the fiscal note by the Division of Child and Family Services will be paid for through two sources of federal funding: the Victims of Crime Act funding and Title IV-B Subpart 2 funding, so this will have no General Fund impact.

Chair Carlton:

We will close the hearing on S.B. 274 (R2). We will open the hearing on Senate Bill 310 (2nd Reprint) as soon as Senator Neal is available.

[meeting in recess 9:58 a.m. to 10:00 a.m.].

Senate Bill 310 (2nd Reprint): Makes an appropriation to the Nevada System of Higher Education and authorizes the disbursement of certain federal money in certain circumstances to enable the College of Southern Nevada to assist and carry out the NV Grow Program. (BDR S-570)

Senator Dina Neal, Senate District No. 4:

I want to thank my colleagues for allowing NVGrow to be where it is. It came out in 2015 and we have managed to grow in such significant ways [[Exhibit C](#)]. This is an appropriations bill. Right now, we are up to 358 businesses. We have created 522 jobs. Our capital formation is approximately \$18 million. We have a revenue impact of approximately \$17 million. For the \$929 that we will spend on a business, whether it is for payment processing, Google optimization, getting a business website up, or giving business strategy in order to move to the next level, we have been able to produce a \$52,000 impact per business. In 2020, we were at 326 businesses. In 2019, we were at 210 businesses. We have grown.

Last session, we added the Asian Development Chamber which gave us an additional Chamber feeding businesses into NVGrow that we can move to the next level. We have expanded our staffing. We have approximately 10 plus some part-time people who weave in and out of the program. We have a unique, organic growth that is happening. We have an employee at CSN (College of Southern Nevada) who has been able to get with vendors and produce a line of clothing and is now moving into his second line. It has been interesting how NVGrow being housed at CSN has organically created opportunities of entrepreneurship not just for the businesses that we have but for the staff that may be considering businesses who then work with our program manager Kevin Raiford and then were able to launch.

The CSN staff member who has a clothing line is marketing to a vegan audience and is also helping us do podcasts. When the pandemic hit, we ended up helping a lot of our businesses move to an e-commerce model, and we started to pivot and extend the dollars in a different way where now businesses were trying to sell online. For example, we have Chef Sonia El Nawal who has the Rooster Boy Café and sells granola. Her current goal shift is to sell granola online. Because she had a brick and mortar business, the pandemic made us shift. College of Southern Nevada has a room where we help businesses create YouTube commercials. We have expanded in such significant ways that it is hard for me to put it all in one bucket.

I believe we have been good stewards with the money that the state and this Committee have given us. We even leveraged our money to move into grants. Former Assemblywoman Bustamante-Adams connected Nancy Brune to NVGrow, and NVGrow was included in their grant. We are set to receive \$1 million to spend over three years. That

is an example of how other people now want to step in and help us. We are now dealing with entrepreneurs. I only wanted to deal with second stage businesses, meaning they were already in play and just needed help getting to the next level. Now, entrepreneurs are coming to us and asking for help from the beginning stage all the way up to a \$300,000 margin.

That is my quick synopsis. We did not have a chance to have too many quarterly meetings during the pandemic. We will be having one soon where I will get into every dollar that is being spent. I want to let this Committee know that I have tried to manage the amount we received. In two years, we have made magic. I can do a lot with a little. We made magic with the \$350,000 we received, and I am here to hope and pray that I get another allocation so that we can continue to grow NVGrow.

Chair Carlton:

It is nice to hear that this is working. You are focusing on a lot of businesses. There are a lot of nonprofit organizations that could use something like this. Is there an opportunity for them to reach out to you or are they prohibited? Is it a resource issue to be able to help those groups?

Senator Neal:

They are not prohibited. We have had the door open for them; they just have to come to us.

Assemblyman Hafen:

The expense is approximately \$36,000 and the economic impact is approximately \$2 million, which is a substantial return on investment. With this additional \$400,000, are you anticipating a similar return on investment?

Senator Neal:

Yes. Part of that \$400,000 is staffing. Kevin Raiford, our program manager, gets paid \$42,000. Pablo Rea-Ocegueda is an important part of this conversation because he is the one who gets in the data. We spend half of the money on the businesses and the other half on the employees. When you think about the setup of the bill, it allows stipends for the professors on campus to engage. The culinary program, business professors, and SBDC [small business development center] counselors merge into all of this. It is not just one set of employees; it is a collaboration of individuals that merges skill sets to produce and leverage for the businesses. We had an SBDC counselor and student intern who spoke Mandarin, and now we are into African communities. We were always in Latino communities, but now we are in the subset of Tagalog. Our money is used in a way to bring in the right personnel to affect those relationships and communicate with those businesses, a small part on operations, and the other part is spent on businesses and leveraging them to the next level. I do not see us changing, just getting better in terms of how we focus and do more direct targeting.

Assemblyman Leavitt:

I have worked for you on a couple workforce development projects. You were able to bring a lot of entities together. I wonder if this is the same, with trade unions and municipalities stepping up to help organize and give input. Is this similar to your other projects in that way?

Senator Neal:

My goal and agenda were slightly different with my workforce development program. The local government does not play a role as much as the chambers of commerce play a role. Clark County business licensing had a role, but we have not had relationships with unions unless they came to us saying that they were a second stage business that wanted to grow to the next level. The only stipulation is a small business under 50 persons and with over \$50,000 gross revenue. It is a collaboration with the chambers and the ecosystem that is going on at CSN.

Assemblywoman Benitez-Thompson:

I voted for this bill a number of times in appropriations and in the policy committee. I know it has been a struggle to get this done. I have always thought that the state providing help to businesses in this stage is the most meaningful. Often, the focus has been on helping highly profitable companies with supports and economic incentives. There is a small group of people advocating for these smaller businesses getting off the ground where they will make it or break it. I have always believed in this intersection. This has worked out well; I like it.

Senator Neal:

We have a YouTube channel; I am just plugging that. The Superb Maids house cleaning service received an award from the Small Business Administration. We have had super successes with our businesses. One of our business owners is now going around educating and mentoring other businesses. He has expanded in significant ways, traveling around the United States to educate people on how to get suppliers, get fabric, and do different things. He then brings that expertise right back into our ecosystem to help build the other businesses. That was one of the outliers that I was hoping to get to—it was always in the bill—that internal mentoring business to business. It is important for a business to be able to tell you their mistakes and successes so that you can gain the same access to information and material. It has been good. It has been interesting. The effort that I did of managing came to fruition, and now they can run on their own.

Chair Carlton:

If I were you, I would look into making this a part of the budget because I think you have proven success over time. This is a piece of legislation that has truly made a difference for small businesses. I will open the hearing. Is there anyone here in support of S.B. 310?

Mariana Kihuen, Director, Government Affairs, College of Southern Nevada:

The College of Southern Nevada is very much in support of Senate Bill 310 (2nd Reprint). We are very proud of NVGrow. We want to thank Senator Neal for her ongoing leadership and vision for this program. We are very proud of our new website: csn.edu/nvgrow. Our program manager, Kevin Raiford has shared some data. The businesses served, as of the end of April 2021, is 386. The jobs created is 529. The cost of service to business is approximately \$929. The economic impact per business is \$52,088. We are certainly looking forward to continuing growing. I agree with you, Madam Chair in terms of future appropriations for this bill.

Doug Unger, University of Nevada, Las Vegas Chapter President and Southern Nevada Government Affairs Representative, Nevada Faculty Alliance:

We enthusiastically support S.B. 310 (R2). We believe this is just the kind of public-private partnership that will encourage the diversification of the economy of Nevada. The faculty enthusiastically supports it and thanks Senator Neal for bringing it forward.

Dylan Keith, Policy Analyst, Vegas Chamber:

The Chamber is in strong support of S.B. 310 (R2) and we would like to thank Senator Neal for bringing this forward once again. We are in strong support of the NVGrow program in that, on average, it increases businesses' economic impact fiftyfold. It is a great program, and we think it is an amazing use of state dollars. We are in strong support and we urge your support as well.

Arielle Edwards, Government Affairs Specialist, City of North Las Vegas:

With small businesses being the core of our economy, NVGrow has had an impact on hundreds of small business owners and their families. Nevada Grow has provided direct consulting services to the small businesses within the city of North Las Vegas so we believe that this program can be a game changer for individual families and will set them up for future success. We would like to thank Senator Neal for bringing this bill forward and we urge the support and passage of this measure.

Chair Carlton:

Is there anyone wishing to testify in opposition? [There were none.] Is there anyone wishing to testify in neutral? [There were none.] We will close the hearing on S.B. 310 (R2) and open the hearing on Senate Bill 390 (3rd Reprint).

Senate Bill 390 (3rd Reprint): Revises provisions relating to behavioral health. (BDR 39-635)

Senator Julia Ratti, Senate District No. 13:

There are two significant portions of this bill. Because it is relatively complex, you have a cheat sheet [[Exhibit D](#)]. This bill has a lot of fiscal implications because it includes two new funds being created, and the distribution of those funds.

We have been doing a lot of work in the state of Nevada on the issue of behavioral health. This bill has two separate and distinct components that are both in this bill because they relate to behavioral health and they are both in response to significant national events that we need to get our hands around here in Nevada.

The first six sections of the bill are in regard to the federal decision to stand up the 988 phone line. On October 17, 2020, the federal government passed the National Suicide Prevention Hotline Designation Act of 2020. This is an effort that behavioral health advocates have been working on for decades; it stands up the 988 phone line. You are all familiar with 911. Despite law enforcement's best efforts and significant work on training how to respond to someone who is experiencing a behavioral health crisis, I think there is a consensus among

behavioral health advocates, law enforcement advocates, and community advocates at large that law enforcement is often not the right response to somebody who is experiencing a behavioral health crisis.

In the Health and Human Services Committee, we talked about the Crisis Now model, which includes three components:

1. Stabilization.
2. Dispatch.
3. Follow-up.

The phone line response is a call line where 90 percent of instances of someone experiencing a behavioral health crisis can be stabilized. If needed, a mobile crisis intervention team can be dispatched. In the best practice model in Crisis Now, that team is comprised of a behavioral health professional and somebody with lived experience; they can usually stabilize somewhere between 8 to 9 percent. Lastly, there is a crisis stabilization center, which is a living room model that diverts someone who is experiencing a behavioral health crisis from either an emergency room placement or a jail placement.

We had another bill that you heard, Senate Bill 156, that created the licensing for those crisis stabilization centers. This bill is the phone line portion. It lines up with 988, the national hotline that will go live on July 16, 2022, regardless of what we do. We can either be ready for that to happen, or not. This bill seeks for us to be ready for that to happen. The bill [page 1, [Exhibit D](#)], allows the Board of Health to adopt regulations. The national legislation contemplated standing up the funding mechanism for this type of service with a surcharge on telephone lines, just like we do for 911. That national legislation authorizes that to happen. This bill authorizes the State Board of Health to adopt regulations. They want to do a planning process; they currently have a grant to do the 988 implementation process so they are working with stakeholders now. Many of the people in our communities from law enforcement and behavioral health, are working with the Department of Health and Human Services and Dr. Stephanie Woodard, who is leading that project, to start the work to stand up the 988 hotline.

We do not know what the rate is going to be because they need to build the plan, but it is capped at 35 cents per line. We have worked with companies that have phone lines to make sure that it is capped, that the money cannot be supplanted, and that we are strict on the definition of how the money can be used. The money can be used to stand up the 988 system, specifically ensuring that we have the people to staff the phone lines and the wraparound response that will be necessary once these calls stop going to 911 and start going to 988.

It will be a slow ramp up, just like 911. People will need to learn about this line. It is connected to the National Suicide Hotline which already exists but right now, you need to know that number. With this new program, everyone will be able to call 988 if they are having a behavioral health crisis. Over time, this will divert many people who are having

behavioral health crises out of the emergency response system and into a more appropriate behavioral health crisis system.

One of the big questions is the interoperability between 911 and 988. That does not need to happen on day one. We already have the ability to transfer people back and forth with our existing suicide hotline, currently run by Crisis Services of Nevada, but we do not have full interoperability, so that would be the long-term vision. There is work to do, and we want to be ready when that phone line goes live.

That is the first half of the bill. It is about building out that new and better crisis stabilization response system, specifically the phone and mobile crisis teams funded by the surcharge, in conjunction with 988.

The rest of the bill is also a significant development in behavioral health services. There has been tremendous work. We had the luxury of more time on the Senate side. Attorney General Ford presented an update on the opioid settlement process. We have had a devastating opioid epidemic in the state of Nevada and across the nation. You are aware that there has been a series of important and significant actions led by Attorney General Ford to go after individuals and companies who knowingly contributed to this epidemic. The first case has been won so we have the first opioid settlement dollars coming to the state. We need a mechanism and structure to catch those funds and ensure that they are used in an appropriate manner, with appropriate budget controls, and are applied to the impacts that have been experienced by the state of Nevada.

The Division of Public and Behavioral Health, working with the Office of the Attorney General, did significant work to support the legal process to ensure that we could clearly define what the impact of the opioid epidemic has been on the state of Nevada. The settlements need to be spent on addressing that impact. The Attorney General's Office has been aggressively pursuing those settlements. Billions of dollars will come in, so it is important to get this right.

This is built from the Fund for a Healthy Nevada model, which is the tobacco settlement, with some adjustments. It is the Fund for a Resilient Nevada. It has an advisory committee. We did a lot of work to ensure that people who were impacted and communities that were disproportionately impacted had a voice at the table. The Attorney General's Office appointed one third of the committee; the Office of Minority Health appointed one third to explicitly make sure that there are people of color in decision-making seats; and the Department of Health and Human Services appointed one third of the seats. Within that, there is another call out that says they must be representative of the communities in Nevada. That committee has to go through a needs assessment process that includes significant outreach to all communities and a plan of how the money will be used, a list of services on which the money can be spent. There is an explicit tie, thanks to Senator Kieckhefer, to comply with the State Budget Act and provisions for the Interim Finance Committee.

Chair Carlton:

My concern is over-restriction of the funds; you never know where the need is going to be in the future. As this fund moves forward, it needs to operate within its own lane. When those dollars have been used, it will be time to close this account and move on. I also do not want to be too restrictive in the uses because when you talk about the consequences of opioid use, that could be homelessness, food insecurity, or child welfare for the children involved. I want to make sure that these funds are available for whatever issue may arise from this. It is not just one point, there is a cascade of events that follows the person with the substance abuse issue.

Senator Ratti:

I want to point you to page 14 of the bill: section 9.6, subsection 2. There is a list starting with what you would expect:

- Expanding access of evidence-based prevention of substance use disorders, early intervention for persons at risk of a substance use disorder, treatment for substance use disorders, and support for persons in recovery.
- Programs to reduce the incidence and severity of neonatal abstinence syndrome—specifically where substance use is affecting neonatal care and birth—which we have talked a lot about this session.
- Prevention of adverse childhood experiences (ACEs).
- Intervention for children who have been impacted because their parents may have been impacted by the opioid epidemic.
- Services to reduce the harm caused by substance use, which is a pretty broad category.
- Prevention and treatment of infectious diseases; we know from the public health aspect that is a big part of it.
- Services for children and other persons in behavioral health crisis, which ties it back to the work we have been doing on rebuilding our behavioral health crisis system.
- Housing for persons who are in recovery or have substance use disorders, which will be a significant part of our homeless population.
- Campaigns to educate and increase awareness of the public is our general prevention work.
- Programs for persons involved in the criminal justice or juvenile justice system. We know that in our own prison population and our juvenile justice system there is tremendous impact from the opioid epidemic.
- Evaluation—because we want to know that we are doing well.
- Development of a workforce of providers—we know that we do not have the workforce that we need to address the needs in our community.
- Collection and analysis and data because, again, we want to know that we are doing well.
- Capital projects relating to substance use and substance use disorders, including, without limitation, construction, purchasing, and remodeling of buildings—again, homeless populations are significantly impacted by the opioid epidemic.

- Implementing the hotline for persons who are considering suicide or otherwise in a behavioral health crisis, which we just discussed. That has to be tied to the part that I want Ms. Adair to speak to, which is the actual settlements themselves.

Jessica Adair, Chief of Staff, Office of the Attorney General:

I would be remiss if I did not first acknowledge the thousands of hours of work that Senator Ratti, her staff, second assistant Christine Jones Brady, consumer counsel Mark Kreuger, and our unofficial opioid epidemic czar, Dr. Stephanie Woodard, put in to this bill. The first iteration of this bill looked like many of the other committees that you have seen in this state in which institutional players are making the decisions. I want to bring that up because I think it gets to your point, Chair, that when we spend money and state agencies are driving that train, we tend to stack our own agencies with people to address that problem, because that is what we know how to do. We threw that draft out and started from scratch with this bill so that the people who are driving the train in distributing this funding are affected communities. In that advisory committee, you will not see the institutional players, you will not even see the Attorney General sitting on that advisory committee. You will see communities that have been affected by this crisis and the people who work in those systems. That advisory committee is going to develop recommendations. Those recommendations have a great number of statutory requirements that you will see in the bill. For brevity, I am not going to go into detail, but they are emphasizing equity. Once those recommendations are made, they are sent to the Office of Minority Health and Equity in the Department of Health and Human Services (DHHS). With those recommendations, they are also going to look at a number of other sources of information that are in the bill. Those institutional players, those agencies who will have seen the harm that the opioid epidemic has wrought upon the state, the public; public hearings, public information gathering, and other stakeholders, community representatives, and committees created by this legislature who address these issues, including Assemblywoman Tolles' Substance Abuse Response Group.

With all of that information, as well as the data that we are going to get from the litigation itself, the Department is then going to develop two deliverables: a needs assessment—what are we missing? What do we have that is not quite working? What are we doing well? Once we have that needs assessment, they are going to develop a state plan to address those needs with this funding. That state plan has to center equity. It has to be evidence based. It has to be strategic in thinking about how we cannot supplant money, but use those funds to leverage other types of funding from private, federal, and other grant funding with input from the public and administered by the professionals at DHHS, who are very familiar with administering grant funding. At the end of the day, all of this goes to the Interim Finance Committee for approval, so the legislature then gets a say. I think it is important to talk about those pieces because it gets at the question that you raised about how we know this is going toward the need and how we ensure that, even though this is one-shot funding, people who are affected by this crisis are the ones who will benefit from the funds from those who brought this destruction on to our state.

Senator Ratti:

There is a nuance that I think is important for people to understand: we are dealing with the settlements that were pursued by the Attorney General's Office for the statewide impact. There is another group of lawsuits initiated by local governments, tribal organizations, and others—those dollars will not come through this process. However, there are some local areas that did not pursue lawsuits, and every Nevadan lives in a neighborhood within a city within a county within the state, so collaboration is important for the work we are doing at the state level and the work that will be done at the local level. This bill puts the same requirements on local governments. If they want any of the statewide dollars to flow down to the local level or nonprofits, they must do their own needs assessment and plan. We hope to nudge the collaboration between the local level and the state level. If they want a penny of this settlement to flow into that process, they must go through the same steps.

Assemblyman Roberts:

Section 3 talks about funding through the surcharge on phone lines; it allows for the establishment of response teams if funding is available. Have they penciled that out to see what it will cost to stand up the center and if there will be enough funding to establish mobile crisis teams? If there are no people to respond, it will hurt the center. We have always struggled for that funding so I am curious to see what the estimate might be.

Senator Ratti:

The short answer is that is why there is a planning grant. There is no specific fee in the bill, just a cap up to 35 cents because the planning grant process is going to work through. We are also in an exciting time where Senator Catherine Cortez-Masto is doing good work at the national level on this crisis response model. We are also seeing the ability to bill Medicaid for some of the components. That all needs to be sorted out to see what the local match needs to be because this will likely be able to draw down significant federal dollars as well to support the model. There is not an answer that anyone will be able to give you at this time. The planning grant will get you to that.

A piece that I want to highlight for you, Assemblyman Roberts, is on page 4, line 21: those mobile crisis teams seek to develop the best practice model that includes a behavioral health professional and a person with lived experience, which is the first team, Team A. It also recognizes that we have good projects that are already working in our communities. Item B is a team established by a provider of emergency medical services. We have seen some of the emergency responder models that have been working significantly on behavioral health. Item C, I think you will recognize, is the MOST (Mobile Outreach Safety Team) program. There will need to be triaging, if you will, to determine when we need a MOST team that includes law enforcement, when we need EMS (Emergency Medical Services), and when we need these other teams. There is a lot of work to blend the good work that has happened over the last several years on behavior health with MOST and the emergency response teams and this new model. There is not a simple answer yet; that is why the planning grant is needed.

Assemblyman Roberts:

I appreciate the forward thinking of this bill. There is certainly a gap in our state and nation; the police are left to handle a lot of these issues, and they do not necessarily have the equipment, training, or appropriate people to handle some of these situations. We have been trying to fill the gap and have struggled for funding. Hopefully, this will get us there with federal funding.

Assemblywoman Benitez-Thompson:

The 988 process, regulated by the FCC (Federal Communications Commission) is underway, is that correct?

Senator Ratti:

Yes, the line goes live July 16, 2022; it is underway.

Assemblywoman Benitez-Thompson:

The FCC documents do not include an assessment on telephone users, so that portion that is unique to Nevada, correct?

Senator Ratti:

That is correct. I will read the exact language in the national bill. "A fee or charge collected under this subsection shall only be imposed, collected, and used to pay expenses that a State [. . .] is expected to incur that are reasonably attributed to (A) ensuring the efficient and effective routing of calls made to the 9-8-8 national suicide prevention and mental health crisis hotline and to an appropriate crisis center; and (B) personnel and the provision of acute mental health, crisis outreach and stabilization services by directly responding . . . "

Assemblywoman Benitez-Thompson:

Thank you.

Senator Ratti:

It authorizes it in that specific way.

Assemblywoman Benitez-Thompson:

I worked on a telephone surcharge for the deaf and hard of hearing, and we had a Supreme Court lawsuit about the surcharge because we passed a bill to raise that surcharge and it ended up in court. The bill says that the State Board of Health will adopt regulations to impose a surcharge, and it will be sufficient to support the uses as set forth in subsection 2 and, I think it also makes reference to sections 2 through 6. What would be your intent for what that would look like for those expenses to be captured? What would be reasonable? I would like an idea of where those regulations might land.

Senator Ratti:

The authorization from the federal government is there. It is a little bit distinct from 911 in that 911 is generally handled at the county level. We have done some statewide things—the one that you referenced, and the bodycam legislation are examples.

Assemblywoman Benitez-Thompson:

I was referencing the TDD (telecommunication device for the deaf) charge on phone lines for deaf and hard of hearing that former Senator Raggio put in place. When the Aging and Disability Services Division needed to raise the charge—I believe the initial proposal was 2 cents—the uses for that surcharge ended up in court. My intent is for good legislative record for those uses that you would say are justifiable by the charge.

Senator Ratti:

The intent of the federal law is specific: the mental crisis hotline and appropriate crisis center, personnel and the provision of acute mental health, crisis outreach and stabilization services by directly responding to the 9-8-8 national suicide prevention and mental health crisis line. Uses would need to be included in that to be aligned with the federal legislation. Additionally, in the bill, section 3, subsections 2 through 4 have specific things for which we are allowed to use the money at the state level. It cannot be supplanted. In terms of legislative intent and expectations, much of this is already existing. For instance, the lifeline already exists, and we have Crisis Support Services of Nevada. As 988 becomes well known, there will be no question that their trajectory of calls will go up. They will need that gap resource to be able to answer and respond to those calls, and the technology and infrastructure around that. That would then flow into both the ability to do the case management and wraparound services for people who never need a dispatch but have been on the phone line and may need an inpatient bed or outpatient services, medication, or whatever that case management is to follow on with the wraparound. When needed, teams would be dispatched, some of which already exist. It is the delta that would need to be built out and then flow into the crisis stabilization center. That is the purpose of the 988 planning grant: to understand the needs assessment of where we are today and what the gap is going to be.

Assemblywoman Benitez-Thompson:

Having spent time fighting to get a 2-cent increase on a charge to support the deaf and hard of hearing centers and the work that they do, I do not want to get this surcharge approved and then be told that case services were not clearly defined so they cannot be paid for with this surcharge. I think the biggest thing of which we need to be cautious is the cost for existing services. You did say this money cannot be supplanted but the truth is we could triple or quadruple the size of the MOST program and still need more. What would that rate reflect on phone bills? It does not seem like there is a cap to be established. I think we need to be clear about what is in and what is out.

Senator Ratti:

Absolutely. That was a significant reason why we are on the third reprint—this is not intended to give an unlimited number of dollars to do all behavioral health across the state.

Therefore, tighter language on usage, no ability to supplant, and a cap are included in this reprint. It can be no higher than 35 cents, that is in the bill. For perspective, we have seen other states propose up to \$1.15. I think we are being Nevada moderate.

Chair Carlton:

If someone calls 911, 911 will not tell them to hang up and call 988; there will be a warm handoff when interoperability is available, correct?

Stephanie Woodard, Senior Advisor on Behavioral Health, Division of Public and Behavioral Health, Department of Health and Human Services:

Currently, there are some call exchanges already between the National Suicide Prevention call line through Crisis Support Services of Nevada and 911. We understand the need for interoperability because it is less automatic than it needs to be. That is the goal—we would not have people hang up and dial a new number—we want these two systems to run in parallel and sync with one another.

Senator Ratti:

It needs to go both ways. If the crisis call line gets a call that needs to go to 911, they need to be able to go in the other direction.

Assemblywoman Titus:

Are there any federal funds to offset this since it is a national priority? If not, we know that there has been an increase in suicide during the COVID-19 pandemic; is there any thought of using some COVID-19 funds to get this started based on the fact that COVID-19 has had an impact on suicide in our state?

Senator Ratti:

Sustainability of the program is something that is keeping us all up at night. Dr. Woodard, could you speak to the Medicaid reimbursement portion first?

Stephanie Woodard:

There are two components that I would like to highlight. At the national level, CMS (Centers for Medicare and Medicaid Services) has been working closely with SAMHSA (Substance Abuse and Mental Health Services Administration) and has committed to collectively providing technical assistance and guidance to states so that we understand how we can leverage Medicaid to ensure that we have some long-term sustainability built into our plan. That includes an 85 percent FMAP (Federal Medical Assistance Percentage) for mobile crisis services. We anticipate, as bills are rolling out at the federal level, that there will be a continued push to ensure that states are in a place to maximize Medicaid for some of that sustainability. In addition, since the American Rescue Plan Act was passed, the state has received approximately \$53 million in additional and supplemental block grant funds with the expressed desire of the federal government to use those dollars as seed money to build the infrastructure and stand up this system. That is exactly what we intend to do with those dollars, including expanding access for all behavioral health services for children and adults throughout the state with a keen priority in using those dollars to build infrastructure so that,

when we do need to go live on July 16, 2022, we have a system that is ready to go. That is the entire cascade of care that needs to come: not just the call center but mobile crisis and crisis stabilization as well.

Senator Ratti:

The surcharge on the phone line would help us to get to the 15 percent needed to match those federal dollars. We also listed this in the opioid settlement bill as an eligible use if there is a gap—particularly capital, because of how that money is likely to come in—thinking ahead for interoperability on 988 and 911. We do not know if that is how it will play out, but we are trying to cover all our bases by including Medicaid, the phoneline surcharge, and opioid settlement funds.

Chair Carlton:

We will open the hearing. Is there anyone here in support of Senate Bill 390 (3rd Reprint)?

Dan Musgrove, Chair, Clark County Children's Mental Health Consortium:

I started in this building at the same time as Chair Carlton. She and her partner in Commerce and Labor, former Senator Townsend, always worked on mental health issues. It was tough to get people to respond back then. She has always been a leader. Now we have Senator Ratti who has picked up the mantle of all the important mental health bills that have to come before this body. I am the Chair of the Clark County Children's Mental Health Consortium. I am also a member of the Clark Regional Behavioral Health Policy Board. I have been working on mental health issues since my first session, whether it was for clients or as a local government lobbyist. We talk about a system of care in children's mental health—Dr. Woodard is being a leader for a system of care on the adult side. All these parts and parcels must go together: 988 is just one spoke in the wheel. It is so important to have this opportunity for people to get care and access, and to put them in a position where they do not resort to suicide, but rather get the handoff they need to get care and help. Crisis Now, crisis stabilization, and all those front doors that we need for people and first responders to get people help—I am really appreciative of the work that this legislature does.

Sarah Adler, representing NAMI Nevada:

NAMI (National Alliance on Mental Illness) Nevada offers its support for both parts of S.B. 390 (R3). The 988 hotline can be lifesaving. Despite consistent and dedicated work of law enforcement in our state, since 2015, nearly one in three of fatal police shootings in Nevada have been of individuals with mental illness. Standing up 988 is going to happen whether we engage with it or not. The way that this bill proposes to engage will save lives. The second piece of the bill is also very exciting. I would note that many people with substance use disorder have what we call cooccurring disorders as well. Co-occurring is not referenced in the second piece of the bill but we hope, through the needs assessment, that will be discovered.

Joan Hall, President/CEO, Nevada Rural Hospital Partners:

Passage of S.B. 390 (R3) will provide critical funding for needed crisis interventions for those individuals who are impacted by behavioral health crises or substance use disorders.

These disorders impact not only that individual and their family but entire communities in Nevada. We urge your passage of this and thank Senator Ratti for bringing this bill.

Chair Carlton:

Is there anyone in opposition? [There was no one.] Is there anyone in neutral?

Helen Foley, representing T-Mobile and the Telecom Industry:

While an industry is never happy about having a tax imposed on itself, we know that 988 is an extremely important issue, and all our companies have been very strongly in support of that concept. We had quite a bit of heartburn when the fee was open and there was no finite information about a cap or a set fee. We were able to work with Senator Ratti, Senator Kieckhefer, and Dr. Woodard to come up with a cap of 35 cents. To give you an illustration of that potential: \$380,000 per penny is what we estimate the tax to be. If it were raised up to that maximum level, it would be \$13.3 million annually. We know that there are opioid settlement dollars that will be available for this. We also know that money should not be supplanted that is currently funding existing programs. We were able to get a liability protection for the landline and wireless companies. We think this is a very good piece of legislation, and we are happy with the outcome. We will do our part.

Chair Carlton:

We will close the hearing on Senate Bill 390 (3rd Reprint) and open the hearing on Senate Bill 455 (1st Reprint).

Senate Bill 455 (1st Reprint): Revises the qualifications to perform computed tomography and fluoroscopy. (BDR 54-1167)

Senator Nicole J. Cannizzaro, Senate District No. 6:

During the 2019 Legislative Session, Nevada legislators worked diligently with radiologic technologists and their advocates to pass Senate Bill 130 of the 80th Session, which passed the Senate with a unanimous vote and the Assembly with a vote of 40 to 0, with one member excused. We believe that this measure addressed the issues that had been raised regarding the training and licensing of these medical professionals. Unfortunately, when it came to promulgating the regulations, we found that due to wording in the bill, these radiologic technologists are restricted from receiving the licensing they need in order to practice fluoroscopy, which is part of their work. Senate Bill 455 (1st Reprint) will rectify that situation.

Chad Hensley, President, Chairman, Nevada Society of Radiologic Technologists:

On behalf of all radiologic technologists in Nevada, I appreciate you hearing this emergency legislation today. In 2019, S.B. 130 was passed, creating licensing requirements for those who operate medical imaging equipment that uses ionizing radiation, such as X-rays and computer tomography. This important legislation helped to protect patients by ensuring that only properly educated personnel perform these medical imaging examinations. Unfortunately, earlier this month, we received two technical bulletins that are on NELIS (Nevada Electronic Legislative Information System) from the Division of Public and

Behavioral Health, indicating that individuals holding the radiology credential would not be able to engage in fluoroscopy, based on a late amendment to the bill. The intent of the fluoroscopy amendment offered in 2019 was to allow radiation therapists, along with those credentialed in radiology to engage in fluoroscopy. Rather, it inadvertently limited the provisions of fluoroscopy services to only radiation therapists. The impact of not allowing those credentialed in radiography to engage in fluoroscopy would have detrimental impacts to patient care in hospitals, imaging centers, surgical centers, pain clinics, and any other facility that currently rely on assistance from radiologic technologists in fluoroscopic examinations. This emergency legislation would correct this unintentional error and allow those who are properly trained in fluoroscopy to continue working within their scope of practice and provide high quality patient care to those in Nevada. Lastly, this emergency legislation will better clarify under what parameters one can perform computed tomography while still allowing for the evolution of the field.

Chair Carlton:

There is no fiscal note on this bill. Because the Assembly Committee on Ways and Means can meet more often, this bill came to us so that it could be processed quickly. Are there any questions or comments from the Committee? [There were none.] Is there anyone here in support of S.B. 455 (R1)?

Joan Hall, President/CEO, Nevada Rural Hospital Partners:

The Nevada Rural Hospital Partners appreciate your hearing this bill and urge your passage of it. It directly impacts access to diagnostic services in rural Nevada.

Chair Carlton:

Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 455 (R1) and open the hearing on Senate Bill 416 (1st Reprint).

Senate Bill 416 (1st Reprint): Makes appropriations to the Department of Taxation for the replacement of information technology hardware and software and printers. (BDR S-1117)

Melanie Young, Executive Director, Department of Taxation:

Senate Bill 416 (1st Reprint) is a one-shot appropriation of General Funds for the replacement of computers, printers, software, hardware, and other various IT [information technology] replacements. Section 1 of the bill appropriates \$146,822 for the replacement of computer hardware and software; this will replace 89 computers that are in line with the state's computer replacement policy. Section 2 appropriates \$68,912 for the replacement of printers that will be past their useful life in the 2021-2013 biennium; this would replace 26 printers. Section 3 appropriates \$259,743 to replace hardware including servers, battery supplies, projectors, and storage appliances. Section 4 appropriates \$40,032 for replacement printers that are well past their useful life and should have been replaced in prior biennia; this would replace 27 printers. The total General Fund one-shot request is \$515,509.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] Is there anyone wishing to testify in support of S.B. 416 (R1)? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 416 (R1) and open the hearing on Senate Bill 441 (2nd Reprint).

Senate Bill 441 (2nd Reprint): Revises provisions governing the issuance and renewal of a seller's permit. (BDR 32-1077)

Melanie Young, Executive Director, Department of Taxation:

We are here to present Senate Bill 441 (2nd Reprint), which is incorporating the provisions regarding the retailer seller's permit found in the *Nevada Revised Statutes* (NRS) 372, 374, and 377, and placing them all in NRS 360. The bill has been amended. To provide some background: a sales and use tax permit is required for every business or person engaged in conducting business as a seller in Nevada. The seller's permit is issued to a business when they register with the Department, and the permit is required for each business location. Currently, there is a one-time fee of \$15. There are currently 97,194 businesses registered with issued seller's permits. Currently, the \$15 fee is distributed three different ways: \$5 goes to the General Fund, \$5 goes to local school support tax in the Distributive School Account, and the remaining \$5 is distributed to the counties through the Basic City-County Relief Tax.

While working through the language on S.B. 441 (R2), it came to our attention that some local ordinances contain the seller's permit language in NRS 374 requiring certain amounts be paid to the Department for the seller's permit. To avoid confusion, we and the LCB (Legislative Counsel Bureau) staff discussed options to better structure the seller's permit language. We concluded that a better way to structure the language is to include the language in NRS 360 and remove it from NRS 372, 374, and 377. The language in NRS 360 will include a current registration requirement of a seller's permit and the one-time permit fee of \$15. The permit fee distribution will remain the same as it currently is. This amendment would no longer require ordinances at the local level pursuant to NRS 377, 377(a), and 377(b) and any local acts to include provisions that would require the payment of a seller's permit fee to the Department.

The amendment will also remove the language pertaining to renewing the permit; the current one-time fee will remain. This amendment will have no fiscal impact to the state, schools, or local governments.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] Is there anyone wishing to testify in support of S.B. 441 (R2)? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 441 (R2) and open the hearing on Senate Bill 437.

Senate Bill 437: Increases the fee charged for certain actions and proceedings in justice courts. (BDR 1-1079)

Melanie Young, Executive Director, Department of Taxation:

When the Department of Taxation was faced with budgetary reductions, the executive team met to look at alternatives to proposing budget cuts. Our budget is primarily funded through the State General Fund and our largest expenditure is personnel. In reviewing alternatives, Senate Bill 437, which proposes a fee increase on justice court actions or proceedings, was identified. Section 1 revises the fee in NRS 4.065 for the commencement of a justice court action or proceeding from \$1 to \$2. The funding is remitted quarterly to the Department for the use by the Executive Director to administer the provisions in NRS 360.283 and NRS 360.289. These statutory references outline the requirements of the state demographer relating to the determination of the certified population by the Governor and the apportionment of tax receipts as well as the annual report of projected populations. The justice court fee was implemented in 1991 and has not changed in over 30 years. In determining the basis for proposing the fee adjustment, we looked at the actual cost incurred for the state demographer. To cover the state demographer's salary and directly associated operating expenditures, the fee would need to increase from \$1 to \$2. This would lead to an increase in revenue of \$85,818 in fiscal year (FY) 2022 and FY 2023.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] Is there anyone wishing to testify in support of S.B. 437? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 437 and open the hearing on Senate Bill 417.

Senate Bill 417: Makes appropriations to and authorizes expenditures of money by the Nevada Supreme Court for certain statewide technology systems for trial courts. (BDR S-1065)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 417 makes a State General Fund appropriation of \$1,336,800 and authorizes expenditures of nongeneral funds of \$203,533 for implementation of statewide E-filing solutions for local trial courts. The bill also makes General Fund appropriations of \$1,290,292 for the implementation of a statewide case management system in the trial courts.

John McCormick, Assistant Court Administrator, Administrative Office of the Courts:

This is a two-for-one one-shot bill that funds the initial stage of a statewide E-filing system for all trial courts and also funds a new trial court case management system. The current project for the case management system has failed so that will be heading to arbitration and subsequent legal proceedings. This second one-shot is so that we can resume that project with another vendor.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] Is there anyone wishing to testify in support of S.B. 417? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 417 and move on to Senate Bill 451, the Public Employees' Benefits Program bill.

Senate Bill 451: Establishes for the 2021-2023 biennium the subsidies to be paid to the Public Employees' Benefits Program for insurance for certain active and retired public officers and employees. (BDR S-1160)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 451 establishes the state's monthly contribution amounts for health insurance benefits provided to active employees and retired participants in the Public Employees' Benefits Program (PEBP) for the 2021-2023 biennium. For active participants, the state contribution toward the total monthly cost is \$727 per month for fiscal year (FY) 2022 and \$755 per month for FY 2023. For retiree participants not eligible for Medicare, the base state monthly contribution is \$471.50 in FY 2022 and \$498 in FY 2023. For Medicare-eligible retiree participants enrolled in PEBP-sponsored individual Medicare Exchange the base state contribution is \$13 per month for 15 years of state services, which equates to approximately \$195 per month.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] Is there anyone wishing to testify in support of S.B. 451? [There was no one.] Is there anyone wishing to testify in opposition?

Kent Ervin, Legislative Liaison, Nevada Faculty Alliance:

Of course, S.B. 451 needs to pass, but the PEBP budget closed before Treasury guidance was issued on the American Rescue Plan Act funds. Some add backs were made at that time, which we very much appreciate, but drastic benefits cuts compared with prepandemic plan remain for active employees. Monthly premiums are 45 percent higher. Maximum total out-of-pocket expenses for employees are 54 percent higher—now \$13,000 for a family on the base plan, that is a \$4,000 increase for a family. To put this bill in context, the employer contribution was \$783 in FY 2021 and now it is down to \$727 for FY 2022 and \$755 in FY 2023.

It is too late to restore benefits for FY 2022 because open enrollment ends on Monday, although the long-term disability can still be added back. However, for FY 2023, there is still time to restore benefits using state or federal funds. The American Rescue Plan Act includes funds to restore budget cuts made due to revenue losses like the cuts to PEBP. To fully restore PEBP for FY 2023, the employer contribution should be increased to the prepandemic level from FY 2021 plus medical inflation trend of approximately 4 percent. Our written submission has details. State employees and their families have suffered from COVID-19, the COVID-19 transformation of their work, and the COVID-19 economy. With

ample federal funds available to cover the revenue losses through FY 2023, state workers do not understand why the state would not restore benefits and premiums for its employees. Whether or not S.B. 451 is the vehicle, please do so.

Doug Unger, University of Nevada, Las Vegas Chapter President and Southern Nevada Government Affairs Representative, Nevada Faculty Alliance:

What S.B. 451 means for 44,000 state employees and non-Medicare retirees, and 70,000 covered lives:

- Premiums increase 44 percent.
- Deductibles increase 17 percent.
- Out-of-pocket maximums increase 28 percent.
- Stripped-down plan designs that shift costs to the sickest and most vulnerable.
- Life insurance cut in half.
- Long-term disability insurance eliminated.
- Tens of millions taken back from state contributions in a holiday by Assembly Bill 3 that are not yet restored.
- \$2.7 billion in American Rescue Plan Act funds, that guidelines by the U.S. Treasury permit filling budget holes exactly like the ones this legislature is choosing to leave open and deep with no indication from state leaders that our funds might be used to restore the PEBP budget in the future.

What should we report to UNLV (University of Nevada, Las Vegas) and CSN (College of Southern Nevada) medical teams who worked to exhaustion and risked their lives during this pandemic? What should we say to the police officers who reused N-95 masks until they were rags? What should we say to the dozens of teachers who contracted COVID-19, living now with long haul effects? What do you tell your own hardworking LCB staff, the staff of PEBP, and workers in every agency who put in unpaid hours month after month to keep this government running? What do I tell UNLV faculty who worked nights and weekends on emergency pivots, transitions, infinite management teams, and increased outreach to students to keep them from turning Zoom screens dark? One of my department colleagues who suffers from a long-term costly health condition perhaps said it best, breaking down in tears in a Webex meeting when she first saw these punishing cuts to PEBP. She said that nobody cares. Do not let that be the message. Please restore the PEBP budget. The money is there.

Chair Carlton:

Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 451 and open the hearing on Senate Bill 445 (2nd Reprint).

Senate Bill 445 (2nd Reprint): Revises provisions relating to state purchasing. (BDR 27-1075)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 445 (2nd Reprint) prohibits a contract from requiring the filing of any action or arbitration of dispute that arises to be instituted or heard in another state or nation or from requiring the state to indemnify another party against liability for damages. The bill removes

an obsolete requirement relating to quotation forms in the contents of an advertisement. Senate Bill 445 (2nd Reprint) requires the agency that directly purchases prescription drugs, pharmaceutical services, or medical supplies to maintain a public record of information. Finally, the bill increases the maximum amount of the contracts that the Clerk of the State Board of Examiners can authorize from \$50,000 to \$100,000. I would note that the Senate amended this bill, removing the provision that would have otherwise removed the requirement that the Purchasing Division publish an advertisement in the newspaper, therefore the Division will continue to be required to publish advertisements in at least one newspaper in the state. Based on the base budget, it appears that the amendment creates approximately \$7,100 a year in expenditure liability that is not accounted for in the approved budget.

Chair Carlton:

If the bill were to be moved, would we need to add the appropriation or did the Senate add the appropriation?

Sarah Coffman:

I believe I misspoke. The \$7,100 would not be State General Fund appropriations. These would be expenditures that the agency would have to absorb.

Kevin Doty, Administrator, Purchasing Division, Department of Administration:

Senate Bill 445 (2nd Reprint) is a budget implementation bill that, thanks to the amendment from the Senate, will no longer be saving them more than \$7,000 per year. My understanding is that the Purchasing Division will be expected to come forward with work programs in fiscal year (FY) 2022 and FY 2023 to put the money in the appropriate place.

Chair Carlton:

We understand where the Senate was coming from on this one. Are there any questions or comments from the Committee? [There were none.] Is there anyone here wishing to testify in support of S.B. 445 (R2)? [There was no one.] Is there anyone here wishing to testify in opposition? [There was no one.] Is there anyone here wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 445 (R2) and open the hearing on Senate Bill 449.

Senate Bill 449: Revises provisions governing outdoor recreation. (BDR 35-1155)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 449 transfers the duties to develop and administer the Outdoor Education and Recreation Grant Program from the Administrator of the Division of State Parks to the Administrator of the Division of Outdoor Recreation. This is a budget implementation bill.

Colin Robertson, Administrator, Division of Outdoor Recreation, Department of Conservation and Natural Resources:

The intent, mission, and purpose of the Outdoor Education and Recreation Grant Program and NDOR (Nevada Division of Outdoor Recreation) are very closely aligned. The change

will yield administrative efficiencies in the Department of Conservation and Natural Resources. The budget, as approved by the Governor and thus far approved by the Legislature, transfers the program, associated accounts, and program manager position from the Division of State Parks to NDOR. Senate Bill 449 improves statutory clarity and helps effectuate program and administrative efficiency along with the budgetary reorganization.

Chair Carlton:

One thing we have learned through this pandemic is that people want to get outside. We think this will be important in the future. Are there any questions or comments from the Committee? [There were none.] Is there anyone here wishing to testify in support of S.B. 449? [There was no one.] Is there anyone here wishing to testify in opposition? [There was no one.] Is there anyone here wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 449 and open the hearing on Senate Bill 457 (1st Reprint).

Senate Bill 457 (1st Reprint): Revises provisions governing the State Highway Fund. (BDR 35-1163)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 457 (1st Reprint), as amended, temporarily increases the proportion of proceeds generated from the imposition of any license or registration fees or other charges regarding the general operation of a motor vehicle available for administration from 22 percent to 27 percent from July 1, 2021 to June 30, 2026. This is a budget implementation bill.

Julie Butler, Director, Department of Motor Vehicles:

We are here in support of S.B. 457 (R1). Section 4.5 of the bill temporarily extends our historical cap from 22 percent to 27 percent. The practical effect of this legislation is allowing us to use a greater percentage of Highway Funds to fund our much-needed DMV [Department of Motor Vehicles] transformation project as well as sustain our continuing operations throughout the 2021-2023 biennium.

Chair Carlton:

Are there any questions or comments from Committee members? [There were none.] Is there anyone here wishing to testify in support of S.B. 457 (R1)? [There was no one.] Is there anyone here wishing to testify in opposition? [There was no one.] Is there anyone here wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 457 (R1) and open the hearing on Senate Bill 459.

Senate Bill 459: Authorizes expenditures by agencies of the State Government for the 2021-2023 biennium. (BDR S-1171)

Sarah Coffman, Assembly Fiscal Analyst:

Stephanie Day from our office provided a thorough walkthrough of Senate Bill 459 on May 26, 2019. The bill provides funding and authorizes the expenditures of funding other than State General Fund appropriations or State Highway Fund appropriations. The funding sources included in this bill relate to the federal funds, self-funded budgets that receive

money through fees or other means outside of revenue sources such as licensing fees, gifts, grants, interagency transfers, and other funding sources which total \$28.11 billion over the 2021-2023 biennium. This amount includes \$2.83 billion in federal funding, inclusive of anticipated American Rescue Plan funds in the COVID-19 Relief Programs Budget and \$1.36 billion in federal funding provided for pre-K education in response to the COVID-19 pandemic.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] Is there anyone here wishing to testify in support of S.B. 459 [There was no one.] Is there anyone here wishing to testify in opposition? [There was no one.] Is there anyone here wishing to testify in neutral? [There was no one.] We will close the hearing on S.B. 459 and begin the work session on Senate Bill 451.

Senate Bill 451: Establishes for the 2021-2023 biennium the subsidies to be paid to the Public Employees' Benefits Program for insurance for certain active and retired public officers and employees. (BDR S-1160)

Sarah Coffman, Assembly Fiscal Analyst:

Laura Rich, Executive Officer, PEBP [Public Employees' Benefits Program] presented this bill. There are no recommended amendments.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 451.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Chair Carlton:

Are there any questions or comments on the motion? [There were none.]

THE MOTION PASSED (ASSEMBLYMEN FRIERSON AND TITUS
WERE ABSENT FOR THE VOTE).

Let us move to Senate Bill 459.

Senate Bill 459: Authorizes expenditures by agencies of the State Government for the 2021-2023 biennium. (BDR S-1171)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 459 was just previously heard. It provides funding and authorizes the expenditure of funding other than State General Fund and State Highway Fund appropriations. There are no recommended amendments for this bill.

Chair Carlton:

Are there any questions or comments on the Authorizations Bill? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 459.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION PASSED (ASSEMBLYMAN HAFEN VOTED NO.
ASSEMBLYMEN FRIERSON AND TITUS WERE ABSENT FOR THE
VOTE).

[Meeting in recess from 12:11 p.m. to 5:04 p.m.].

Chair Carlton:

We will begin with a work session on Session Bill 416 (1st Reprint).

**Senate Bill 416 (1st Reprint): Makes appropriations to the Department of Taxation for
the replacement of information technology hardware and software and printers.
(BDR S-1117)**

Sarah Coffman, Assembly Fiscal Analyst:

The first bill up for work session is Senate Bill 416 (1st Reprint) which makes General Fund appropriations totaling \$515,509 for the Department of Taxation for replacement computers, printers, and IT hardware. There are no recommended amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 416 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

I believe Senate Bill 417 is next.

Senate Bill 417: Makes appropriations to and authorizes expenditures of money by the Nevada Supreme Court for certain statewide technology systems for trial courts. (BDR S-1065)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 417 appropriates General Funds of \$1,336,800 and authorizes expenditures of nongeneral funds in the amount of \$203,533 for the implementation of statewide E-filing solution for local trial courts. The bill also appropriates General Funds of \$1,290,292 for the implementation of a statewide case management system in the trial courts. There are no proposed amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 417.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

I believe Senate Bill 437 is next.

Senate Bill 437: Increases the fee charged for certain actions and proceedings in justice courts. (BDR 1-1079)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 437 increases from \$1 to \$2 the fee associated with the commencement of any actions or proceedings in the justice courts for which a fee is required and on the answering or appearance of any defendants on such actions or proceedings. The fees are required by current law to be deposited into the General Fund for the use of the Department of Taxation to adopt regulations establishing a method for determining population counts, issues related to reporting, and adopting regulations of associated reviews or appeals, and employ the State Demographer. There are no amendments proposed for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 437.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

Assemblywoman Titus:

I think this is an inappropriate increase in fee and I will be voting no.

THE MOTION CARRIED (ASSEMBLYMEN HAFEN, LEAVITT,
ROBERTS, TITUS, AND TOLLES VOTED NO.
ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE).

Chair Carlton:

May we have the next bill please?

**Senate Bill 445 (2nd Reprint): Revises provisions relating to state purchasing.
(BDR 27-1075)**

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 445 (2nd Reprint) prohibits a contract from requiring the filing of any action or arbitration of dispute that arises to be instituted or heard in another state or nation or from requiring the state to indemnify another party against liability for damages. The bill requires the agency that directly purchases prescription drugs, pharmaceutical services, or medical supplies to maintain a public record for information. Finally, the bill increases the maximum amount for contracts that the Clerk or the Board of Examiners can authorize from \$50,000 to \$100,000. There are no proposed amendments on this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 445 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

I believe Senate Bill 449 is next.

Senate Bill 449: Revises provisions governing outdoor recreation. (BDR 35-1155)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 449 transfers the duties to develop and administer the Outdoor Education and Recreation Grant Program from the Administrator of the Division of State Parks to the Administrator of the Division of Outdoor Recreation. This bill has no proposed amendments.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 449.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

Let us move on to Senate Bill 457 (1st Reprint).

Senate Bill 457 (1st Reprint): Revises provisions governing the State Highway Fund. (BDR 35-1163)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 457 (1st Reprint), as amended, temporarily increases the proportion of proceeds generated from the imposition of any license and registration fee and other charges regarding the general operations of a motor vehicle available for the administration from 22 percent to 27 percent from July 1, 2021 to June 30, 2026. There are no proposed amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 457 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

Assemblywoman Tolles:

I still have the same concerns that I expressed previously. I will be voting no.

THE MOTION CARRIED (ASSEMBLYMEN HAFEN, LEAVITT, ROBERTS, TITUS, AND TOLLES VOTED NO. ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE).

Let us move on to Senate Bill 441 (2nd Reprint).

Senate Bill 441 (2nd Reprint): Revises provisions governing the issuance and renewal of a seller's permit. (BDR 32-1077)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 441 (2nd Reprint) revises provisions governing the issuance of permits for sellers of tangible personal property. The bill provides for the disposition of fees collected for the issuance of seller's permits in the same manner as existing fees are distributed. The bill also makes conforming changes to reflect the movement of provision of law governing the issuance of seller's permits to Chapter 360 in the *Nevada Revised Statutes*. There are no recommend amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS SENATE BILL 441 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMEN HAFEN, LEAVITT, ROBERTS, TITUS, AND TOLLES VOTED NO, ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE).

Please present the next bill, Ms. Coffman.

Senate Bill 428 (1st Reprint): Makes appropriations to the Nevada Highway Patrol Division of the Department of Public Safety for the replacement of vehicles and motorcycles and certain equipment. (BDR S-1129)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 428 (1st Reprint) was heard on May 21. The bill makes State Highway Fund appropriations totaling \$12,904,978 for the Nevada Highway Patrol Division of the

Department of Public Safety. This is to replace fleet vehicles, fleet motorcycles, an oral fluid mobile analyzer . . .

Chair Carlton:

There is an issue on this bill that needs to be rectified. We cannot move this bill forward right now. We will move on to the next bill.

Senate Bill 430 (1st Reprint): Revises provisions governing the Nevada State Infrastructure Bank. (BDR 35-1110)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 430 makes various changes concerning the governance of scope of Nevada's infrastructure bank. It expands the Board of Directors of the bank to include the Director of the Office of Energy. It expands the list of projects that may be funded through loans or other financial assistance from the bank to include projects relating to water, waste water, renewable energy, recycling, sustainability, as well as digital, social, and economic development infrastructure. It authorizes the bank to provide loans and financial assistance to Indian reservations and Indian colonies and private and nonprofit entities created for charitable and educational purposes. This bill has no proposed amendments.

Chair Carlton:

Are there any questions or comments from the Committee?

Assemblywoman Titus:

I am supportive of the concept of the infrastructure bank. Ms. Coffman, you mentioned it could be used for educational purposes. Would private, charter, or public schools be able to apply for this funding?

Chair Carlton:

We had a conversation about that in the hearing. The Charter School Authority has their own capital improvement program encapsulated within the Authority itself. I do not think there is any prohibition but given the level of money available it may be better to go to the Charter School Authority. It was indicated, I believe, during the hearing that the first couple of projects would be bigger, more typical infrastructure projects. They do not think that the sophistication level of getting those things online that soon would happen. I will let Ms. Coffman clarify in case I misunderstood.

Sarah Coffman:

I believe that is correct; it is for the infrastructure pieces of it. The Treasurer provided testimony indicating that this would be for stable infrastructure at the beginning and then could be used for other purposes to provide for certain infrastructures. In terms of the charter schools, they do have a loan program. However, the amount provided in the reserve for that is fairly low. It is for startup costs more so than infrastructure costs related to the construction of a charter school.

Assemblywoman Titus:

Nothing in the bill prohibits charter schools from applying for this funding, is that correct?

Chair Carlton:

That is my understanding. Are there any other questions or comments? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 430 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

Assemblyman Hafen:

Based on the conversations during the hearing on this bill, these projects will be built in the state of Nevada. I will vote yes on this.

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

Chair Carlton:

We will now move on to Senate Bill 431.

Senate Bill 431: Makes appropriations to and authorizes expenditures of money by the Nevada Supreme Court for the replacement of computer hardware and software. (BDR S-1136)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 431 makes General Fund appropriations totaling \$231,109 to the Nevada Supreme Court for the Judicial Program and Service Division's budget for replacement equipment as well as for the Court of Appeals, the Supreme Court, and the Supreme Court Law Library, all for computer hardware and software replacement. In addition, this bill authorizes expenditure of \$93,610 not appropriated from the State General Fund or the State Highway Fund to the Judicial branch for the Administrative Office of Courts, the Uniform System of Judicial Records, the Judicial Education budget, as well as the Specialty Court budget for replacement computer hardware and software. There are no recommended amendments for this bill.

Chair Carlton:

Are there any questions or comments on S.B. 431? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 431.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

May we please have the next bill, Ms. Coffman.

Senate Bill 432: Makes appropriations to and authorizes expenditures by the Office of the Military for maintenance projects at certain facilities and the replacement of computer hardware and software, certain equipment and shop tools. (BDR S-1124)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 432 makes a State General Fund appropriation of \$530,024 to the Office of the Military and authorizes \$741,824 not appropriated from the State General Fund or State Highway Fund for maintenance projects at certain Nevada Army National Guard facilities. The bill also appropriates General Funds of \$39,750 to the Office of the Military for the replacement of computer hardware and software. Finally, the bill also makes a General Fund appropriation of \$43,180 to the Office of the Military and authorizes \$84,872 not appropriated from the State General Fund or the State Highway Fund for replacement equipment and shop tools. There are no recommended amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 432.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

Please present the next bill, Ms. Coffman.

Senate Bill 433: Makes appropriations to the Division of Public and Behavioral Health of the Department of Health and Human Services for maintenance and repairs and the replacement of certain equipment at certain facilities operated by the Division that provide mental health services. (BDR S-1121)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 433 makes State General Fund appropriations totaling \$2,620,411 to the Division of Public and Behavioral Health of the Department of Health and Human Services for maintenance and repair of various buildings at the Southern Nevada Adult Mental Health Services Campus, the maintenance and repair of various buildings at the Rawson Neal Psychiatric Hospital on the Southern Nevada Adult Mental Health Services Campus, as well as deferred maintenance projects for the Dini-Townsend Hospital and deferred maintenance projects for the Northern Nevada Adult Mental Health Services Campus as well as replacement of kitchen equipment for the Northern Nevada Adult Mental Health Services Campus. There are no recommended amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 433.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

Let us move to the next bill.

Senate Bill 435: Makes appropriations to the Office of Finance in the Office of the Governor for the costs associated with the replacement of the Advantage Financial and Human Resources System with the Enterprise Resource Planning System and furnishings for the operations center for the System. (BDR S-1052)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 435 makes State General Fund appropriations of \$23,567,659 and State Highway Fund appropriations of \$5,615,901 to the Office of Finance, Office of the Governor for the costs associated with the replacement of the Advantage Financial and Human Resources System with the Enterprise Resource Planning System. Additionally, S.B. 435 makes General Fund appropriations of \$32,055 and Highway Fund appropriations of \$7,519 to the Governor's Office of Finance for cost of furnishings for the operations center for the Enterprise Resource Planning System. There are no proposed amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 435.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYWOMAN TITUS VOTED NO.
ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE).

We will return to bill hearings commencing with the DMV bill. Please present the next bill,
Ms. Coffman.

**Assembly Bill 490: Makes a supplemental appropriation to the Department of Motor
Vehicles for the cost of issuing refunds of certain fees paid during Fiscal Year
2020-2021. (BDR S-1175)**

Sarah Coffman, Assembly Fiscal Analyst:

Assembly Bill 490 appropriates from the State Highway Fund to the Department of Motor
Vehicles the sum of \$7,840,974 for the cost of issuing refunds of the technology fee imposed
pursuant to section 3 and section 7 of Chapter 394 of the *Nevada Revised Statutes* which is
located on pages 2211 through 2213.

Julie Butler, Director, Department of Motor Vehicles:

Assembly Bill 490 would appropriate \$7.84 million for the cost of refunding technology fees
collected in fiscal year (FY) 2021, refunding approximately \$5.8 million. Without this
supplemental appropriation, the Department would need to take this out of existing
appropriations, and we would fall short in funding our technology project and other operating
expenditures.

Assemblywoman Titus:

The DMV has not spent the \$5 million that was collected so you have that in reserve, is that
correct?

Julie Butler:

That is correct.

Assemblywoman Titus:

At what point did the DMV stop using the fees that they were collecting?

Julie Butler:

We have been holding those fees in reserve for FY 2021 pending a decision from the Supreme Court. We have not used those funds.

Assemblywoman Titus:

There have been different suggestions on how to give the reimbursement of that \$1 fee, not necessarily to cut a check for \$1 that will cost you \$3. Do you have any other options or business plans to reimburse this fee?

Julie Butler:

We considered several options in terms of refunding these fees. We had a suggestion from Senator Settlemeyer that we analyzed extensively. His idea was to give everyone \$1 off a future transaction. The issue that we ran into with that is you cannot guarantee, using that methodology, that it is a one-to-one. For instance, someone new to the DMV would get \$1 off their transaction. Maybe they did not live in Nevada last year and did not pay the technology fee. The intent is to refund for the residents of Nevada that have actually paid the fee. The other issue with that solution is that our fees are set in statute so that would require further statutory change to cut the \$1 off a future transaction.

We considered doing credits. Our system is so old and clunky that the programming would be extensively more. The path that we are going down right now, depending on whether the court agrees, is to treat this sum of money somewhat like a class action lawsuit and let residents who paid the fee know by sending them a postcard and setting up a dedicated website such that, if individuals want to take advantage of their technology refund, they would have to log in and opt in. Then we would cut them a check. That would prevent us from dealing out a whole bunch of checks and having those checks possibly come back because we do not have correct addresses for people or having to deal with interest compounding until they decide to opt in. This seems to be the cleanest method that we can figure out to do this, but it does come at a cost, which we are asking for today.

Chair Carlton:

In order to give back the money, you need the technology fee to upgrade your technology so that you can give back the money, is that correct?

Julie Butler:

Correct. It just depends on the pot of money from which you want to take it.

Chair Carlton:

It appears that the General Fund will end up having to take care of this, which means money that would have gone to something else will not go there, it will go to this instead.

Assemblywoman Titus:

Did the court, in its decision, mandate a timeline for when this needs to happen? Could it wait until the time when the updated computer systems would allow you to know which people paid the fee?

Julie Butler:

They did not mandate a timeline. We are working with the State Treasurer's Office and Controller's Office on the plan. The Controller's Office is looking to hire some people and they will need to contract with Wells Fargo to issue the checks; there are things that need to be put in place to implement this. We are going to take our plan to our attorney. Our attorney has to present the plan to opposing counsel. Assuming opposing counsel agrees, that has to go to court. Then the court will agree. There is no mandated timeline by which we have to issue the refunds but the impression I got from our attorney is sooner rather than later. Plus, there is the issue of interest accruing; the longer we delay this, the more interest accrues so it is in our best interest to do this sooner rather than later.

Assemblyman Hafen:

On the timeframe: the bill says that you have until June 30, 2023, which gives you two years to commit the funds. Do you think that will be enough time to upgrade the technology and get the checks cut?

Julie Butler:

We do not plan to take the entire biennium to issue these refunds. We are hoping, assuming the court agrees, to give people a window of time, if they would like their technology refund, to log in to a website by a specific date. Our system currently, clunky though it is, can calculate how much we owe people. Our plan is not to wait until we get the transformation. We would like to take FY 2022 to get these refunds issued. The thought being, if people do not opt in, we would have to work with the Treasurer's Office and perhaps those funds would go to unclaimed property, wait out the statutory timeframe for that, and eventually revert back to the Highway Fund.

Assemblyman Roberts:

You had the foresight to not spend the fee. When did you stop collecting it?

Julie Butler:

We received the Supreme Court decision on May 13, and I think it was somewhere around May 18 that we were able to go into production to stop collecting that fee. It took some programming to zero out that fee.

Chair Carlton:

Are there any other questions or comments? [There were none.] Is there anyone wishing to testify in support of A.B. 490? [There was no one.] Is there anyone wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify in neutral? [There was no one.] We will close the hearing on A.B. 490 and go back to a work session to address Senate Bill 424 (1st Reprint).

Senate Bill 424 (1st Reprint): Creates the Public Health Resource Office. (BDR 18-1107)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 424 (1st Reprint), as amended, creates the Public Health Resource Office within the Office of the Governor, and requires the Governor to appoint the Public Health Resource Officer to oversee the office. The Public Health Resource Office requires a State General Fund appropriation of \$176,079 in fiscal year (FY) 2022 and \$226,799 in FY 2023 for personnel, travel, operating, and equipment costs for the Office. In addition, the Department of Health and Human Services requires General Fund appropriations of \$76,062 in FY 2022 and \$98,511 in FY 2023 for personnel, travel, operating, and equipment costs for the activities required in the Office of Minority Health and Equity. These are amounts that were provided for in the bill so there are no recommended amendments.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 424 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT
FOR THE VOTE).

We will move on to Senate Bill 310 (2nd Reprint).

Senate Bill 310 (2nd Reprint): Makes an appropriation to the Nevada System of Higher Education and authorizes the disbursement of certain federal money in certain circumstances to enable the College of Southern Nevada to assist and carry out the NVGrow Program. (BDR S-570)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 310 (2nd Reprint), as amended, appropriates \$400,000 to the College of Southern Nevada through the Nevada System of Higher Education to support the NVGrow Program. This was presented by Senator Neal and there are no amendments for this bill.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 310 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION CARRIED (ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE).

Chair Carlton:

I have received word that the amendment for Senate Bill 420 (2nd Reprint) has been reviewed by the sponsor. We will take a moment to ensure the amendment has been uploaded and is available for everyone.

[Meeting in recess from 5:53 p.m. to 5:59 p.m.].

Senate Bill 420 (2nd Reprint): Revises provisions relating to health insurance. (BDR 57-251)

Chair Carlton:

Senator Cannizzaro has submitted proposed amendment 3463 [\[Exhibit E\]](#). It was also discussed in the hearing that the Silver State Health Insurance Exchange would need more money. We will need to appropriate more money in addition to what is included in the bill; that is not encapsulated in the amendment, it will be done in addition. There was also the amendment from Jim Penrose, [\[Exhibit F\]](#) which we will be discussing.

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 420 (2nd Reprint) requires the Director of the Department of Health and Human Services to design, establish, and operate a public health benefits plan known as the public option. The public option must be available to all natural persons who reside in Nevada, both through the exchange and for direct purposes. The Director of the Department of Health and Human Services must use statewide competitive bidding processes to solicit and enter into contracts with health carriers and other qualified entities to administer the public option through the Director and may administer the program, as necessary.

In addition, S.B. 420 (R2), as amended, makes various changes to expand Medicaid coverage to the extent that money is available. Senate Bill 420 (2nd Reprint), as amended, makes State General Fund appropriations of \$167,500 to the Division of Welfare and Supportive Services and \$1,639,366 to the Public Option Trust Fund to implement the provisions of the bill. Proposed Amendment 3463 was recommended by the sponsor of the bill, Senator Cannizzaro. In addition, there was a conceptual amendment provided by Jim Penrose related to some cleanup language. Finally, there was discussion during the hearing that an additional \$600,000 in General Fund appropriations would be required for the Silver State Health Insurance Exchange for waiver development and actuarial analysis that would be provided in fiscal year (FY) 2023.

Chair Carlton:

Is the actuarial study encapsulated in the appropriations for the Public Option Trust Fund?

Sarah Coffman:

I believe \$1.6 million was for the implementation of the Public Option Trust Fund. It is also to provide system modifications to implement the provisions.

Chair Carlton:

Is there still a \$500,000 appropriation for an actuarial study in the bill or was that amended out?

Sarah Coffman:

It is my understanding that the Silver State Health Insurance Exchange is doing the actuarial analysis.

Chair Carlton:

Part of the money going to the Silver State Health Insurance Exchange will cover the study, is that correct?

Sarah Coffman:

That is my understanding. The actuarial analysis is \$500,000 and an additional \$100,000 is required for the waiver development for the Silver State Health Insurance Exchange.

Chair Carlton:

Everything we have discussed will be part of the motion as we move forward. Are there any questions at this time on S.B. 420 (R2) and all the variations on the amendments that we have discussed? It is \$167,850 for the Welfare Division, \$1.639 million for the Public Option Trust Fund, \$600,000 for the Silver State Health Insurance Exchange, which encapsulates the original discussion of \$500,000 for the actuarial study and \$100,000 for waiver development. The amendment proposed by Mr. Penrose has no fiscal impact. Is there anything you need to add, Mr. Young?

**DuAne Young, Deputy Administrator, Division of Health Care Financing and Policy,
Department of Health and Human Services:**

You captured the Medicaid notes. I am also here representing the Department. You have also, in your analysis, captured those from the Division of Welfare and Supportive Services.

Chair Carlton:

What were you referencing in Medicaid?

DuAne Young:

Within Medicaid, there are savings in budget account (BA) 3243 and system costs and actuarial costs within BA 3158. There is also a portion of the public option totaling approximately \$263,000 in FY 2022 and approximately \$871,000 in FY 2023. That is for the 2nd reprint submitted under the unsolicited fiscal notes on NELIS.

Sarah Coffman:

For clarification: there are savings being estimated in the Medicaid account. I would point out in the Appropriations Act, Assembly Bill 494, there is back language in Section 91 that allows for the savings in the Medicaid account to be transferred to the Administrative account to offset that. There is essentially no fiscal impact that needs to be accounted for within S.B. 420 (R2) with regard to Medicaid.

Chair Carlton:

Are there any questions or comments from the Committee? [There were none.] We are looking at a mock-up: Proposed Amendment 3463 to S.B. 420 (R2) proposed by Senator Cannizzaro on May 27, 2021. In addition to that mock-up, this will be added to the amendment: \$600,000 for the Silver State Health Insurance Exchange, which would be \$500,000 toward the actuarial study and \$100,000 toward the waiver development, and Mr. Penrose's amendment. We will make sure that everyone sees this amendment before it hits the floor.

Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
SENATE BILL 420.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

Are there any questions or comments on the motion?

Assemblywoman Titus:

I think this piece of legislation is probably the single most damaging thing we are going to do to health care access in our state in the entire time I have been in this building. I have incredible concerns about this bill. We all say we want more access to care. Giving someone a bus ticket without ensuring that buses will be available, you might as well be throwing them under the bus. I feel this bill throws health care under the bus. I will be voting no.

Chair Carlton:

I remember when we did mental health in this state by giving people a bus ticket and sending them out of the state. I believe we are moving forward. It is not 100 percent, but it is a step forward.

Assemblyman Roberts:

During the hearing, I had concerns about what this would do to insurers, particularly the Health and Welfare Trust—I sat on the Trust before—I think this is going to cost them money, therefore I will be voting no as well.

Assemblyman Frierson:

We have an obligation to make sure that the public is not misled about the nature of what we are doing; there are guardrails built in. There are valid concerns, but we also have time. If this is not going to kick in for several years, then a subsequent legislature can adjust. I beg to differ that this is the worst thing unless people who plan on being here do not plan on doing their jobs. It is our job to look at legislation and adjust.

My understanding is, not only do we have a study incorporated that will provide some insight and direction but, even if we apply for a waiver after that, it does not mean that the waiver will be granted. We have guardrails. We can look at it and adjust. I think we are selling this institution and misleading the public by suggesting that this body would not be able to adjust in two years if they need to.

Chair Carlton:

I whole heartedly agree with Assemblyman Frierson. It is not a secret that I have been skeptical of this bill from the beginning, but I have seen the amendments and have talked to proponents and opponents of the bill. I feel more comfortable knowing that, in the future, the returning legislators are well aware of what is going on, and I trust them to make the best decisions that they can to protect the constituents of this state. Are there any other comments at this time? [There were none.]

THE MOTION CARRIED (ASSEMBLYMEN HAFEN, LEAVITT,
ROBERTS, TITUS, AND TOLLES VOTED NO).

We will get the amendment put together. I will be happy to ensure that people are aware of it. We are still in work session so we will try to get Assembly Bill 490 to the floor.

Assembly Bill 490: Makes a supplemental appropriation to the Department of Motor Vehicles for the cost of issuing refunds of certain fees paid during Fiscal Year 2020-2021. (BDR S-1175)

Sarah Coffman, Assembly Fiscal Analyst:

Assembly Bill 490 appropriates from the State Highway Fund to the Department of Motor Vehicles the sum of \$7,840,974 for the cost of issuing refunds of the technology fee. There are no recommended amendments to this bill.

Chair Carlton:

Are there any questions on A.B. 490? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
ASSEMBLY BILL 490.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

Assemblywoman Titus:

I will be voting no on this bill. I feel that it is premature and that the DMV has not thoroughly vetted the other options.

Chair Carlton:

We have a problem before us that we must solve. We proposed another bill that we thought would be a solution but that did not work. We are only here for another three days. The DMV has an issue that they need to deal with. They need money to fix the problem. We do not have time to keep discussing this and coming up with multiple options. We need to give them the resources. There was a court case that made clear that this needs to be rectified and these dollars need to go toward getting the problem fixed. I do not see how this is premature.

Assemblywoman Titus:

I do concur that there is a problem that we need to fix. However, one of the reasons that I asked the questions that I did is that there is not a date set by the court of when these fees must be reimbursed. My suggestion is that we do not pass this at this time because I think it has not considered all options. When we take our license plates back, there are ways that they credit us. There are other options they already have in programs, so I am not convinced. I recognize that we are pushing this because we only have three days, but I do not feel that, because there was no court mandated deadline, that this is an appropriate time to do this.

Chair Carlton:

I wholeheartedly disagree with you. I feel it is the legislature's responsibility at this time to deal with the problems that are presented to us and to move forward. We will not be here after Monday at midnight so we cannot wait around for the court to decide what they are going to do. We have waited long enough. We have a responsibility to do this. Believe me, I would much rather spend this \$8 million on services for people with autism. Instead, we are spending \$8 million on helping the DMV refund \$5 million. I do not believe we have a choice. We cannot slow this down. By the time it gets to the floor, it has to go to the Senate, there is a three-day process, and we are at three days. There is no longer time for discussion on this issue. Nobody wants to vote for this bill, but we need to get it done.

Assemblywoman Tolles:

Was this money originally deposited in the Highway Fund or in the General Fund? Could you clarify?

Sarah Coffman:

The technology fee is in the DMV budget account. For the last year, they have been allowing it to accumulate in their reserve; they have not spent it because of the pending lawsuit. That amount of approximately \$5.6 million of technology fees will be paid out of the DMV fund. The costs associated with the refund—the issuance of checks, the various system implementations that they have to do to effectuate the refund—is what is being

discussed currently. That is the \$7.8 million from the Highway Fund to provide the costs associated with the refund.

Assemblywoman Benitez-Thompson:

Does it have to come from the Highway Fund?

Sarah Coffman:

No, it could be General Fund as well.

Assemblywoman Benitez-Thompson:

There is no preclusion on that according to the lawsuit. We have to repay it, but it is up to us to figure out how to repay it.

Sarah Coffman:

The technology fee itself was deposited into the DMV account. That \$5.6 million is the revenue that needs to go back to the various customers. However, how you go about implementing this and paying for the costs associated with refunding the money can be from the Highway Fund or the General Fund.

Assemblywoman Benitez-Thompson:

If members are feeling protective of this coming from the Highway Fund, we can look elsewhere in the General Fund. We may need to look at some of that.

Assemblyman Roberts:

I am fine with the funds coming from the Highway Fund. I just think it is premature. I think there are other options that we could do later on. I will be a no.

Chair Carlton:

When is later on?

Assemblyman Roberts:

Later on could be when the courts and the parties involved settle on how to return the fees; when we get a plan on how to return the fees. We could do it through IFC [Interim Finance Committee] through a contingency account. We could put this money in a contingency account and spend it through the IFC rather than appropriating the funds now. Those are other options.

Assemblywoman Benitez-Thompson:

I think we should consider and be open to looking at different things.

Chair Carlton:

The suggestion is to put General Fund money into a contingency account for this, is that correct? Only General Funds, not Highway Funds, can go into the contingency account.

Assemblyman Roberts:

I guess that is not an option then. I said I do not have an issue with using Highway Funds. Can you allocate Highway Funds from the IFC during the interim?

Sarah Coffman:

Yes, you can put a Highway Fund allocation into the IFC contingency account and appropriate it similarly to how we make General Fund appropriations in the restricted fund.

Assemblyman Roberts:

That sounds like a great option.

Chair Carlton:

We are going to set this bill aside for a moment because there are a lot of moving pieces to it and a lot of different things have been brought up. This has been an issue that has been in this session the whole time, and now we are hearing other options with which people might be comfortable. I want to confirm that, depending on which direction we go, that it will be supported when we get there; it is not just being suggested and still voted against. I do not want that to happen again.

Assemblyman Roberts:

I give my word that, if that is where we go, I will support it.

ASSEMBLYWOMAN MONROE-MORENO WITHDREW HER MOTION
TO DO PASS ASSEMBLY BILL 490.

ASSEMBLYWOMAN BENITEZ-THOMPSON WITHDREW HER
SECOND OF THE MOTION.

Senate Bill 428 (1st Reprint): Makes appropriations to the Nevada Highway Patrol Division of the Department of Public Safety for the replacement of vehicles and motorcycles and certain equipment. (BDR S-1129)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 428 (1st Reprint) makes State Highway Fund appropriations totaling \$12,904,978 to the Nevada Highway Patrol Division of the Department of Public Safety for the replacement of fleet vehicles, the replacement of fleet motorcycles, replacement of mobile data computer tablets, equipment items for the Division's multidisciplinary investigations and reconstruction team, replacement of printers and associated mobile adapters, as well as replacement computer hardware and software equipment. The total includes \$400,750 for oral fluid mobile analyzers and cartridges to be used for drug related offenses. There are no recommended amendments for this bill.

Chair Carlton:

I would recommend that the Committee delete the provision of \$400,750 for oral fluid mobile analyzers and cartridges from the bill. We would delete that out of the bill; that

would not be encapsulated in the bill. That is the proposed amendment. Are there any questions or comments from the Committee? [There were none.]

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND
DO PASS SENATE BILL 428 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE
MOTION.

Are there any questions or comments on the motion?

Assemblyman Roberts:

I wholeheartedly support this. These police officers definitely need these new vehicles. I was impressed by the fleet management of the state. I am happy to support this bill.

THE MOTION CARRIED UNANIMOUSLY.

Chair Carlton:

Ms. Coffman, please present the next bill.

Senate Bill 434: Makes an appropriation to the Office of Finance in the Office of the Governor for the construction of a medical school at the University of Nevada, Las Vegas. (BDR S-1064)

Sarah Coffman, Assembly Fiscal Analyst:

Senate Bill 434 appropriates State General Funds of \$25 million to the Office of Finance, Office of the Governor, for the construction of a medical school at the University of Nevada, Las Vegas. There are no proposed amendments.

Chair Carlton:

We heard this bill a couple days ago with a lot of discussion about the history of the medical school, what was going on, how it was going, a description from Mr. Hardy and other people about the equipment that is needed. This is the last dollar in; that is typically how the state does it.

Assemblywoman Titus:

I appreciate that we need to put the material in this building that we have funded in the past that has been a community project. That is the key, the community investment. This will improve access to care in Nevada. I am excited to have been part of an early graduating class in northern Nevada. I am proud to now see southern Nevada realize its dreams.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
SENATE BILL 434.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

Are there any questions or comments on the motion? [There were none.] I had not been supportive in the past because of the history, but I have been given guarantees that this money will be spent and will not sit in an account while other people need services. I have been guaranteed that this money will be spent so I will support the bill at this time.

THE MOTION CARRIED (ASSEMBLYMAN WATTS WAS ABSENT
FOR THE VOTE).

Any bills that we did not get to this evening will roll to tomorrow.

[Meeting in recess from 6:39 p.m. to 10:59 p.m.]. This meeting is adjourned [at 10:59 p.m.].

RESPECTFULLY SUBMITTED:

Anna Freeman
Committee Secretary

APPROVED BY:

Assemblywoman Maggie Carlton, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a PowerPoint presentation submitted by Senator Dina Neal, Senate District No. 4.

[Exhibit D](#) is an overview chart of [Senate Bill 390](#) submitted by Senator Julia Ratti, Senate District No. 13.

[Exhibit E](#) is a mock-up of Proposed Amendment 3463 to [Senate Bill 420 \(2nd Reprint\)](#), submitted by Senator Nicole J. Cannizzaro, Senate District No. 6.

[Exhibit F](#) is a proposed amendment to [Senate Bill 420 \(2nd Reprint\)](#), submitted by Jim Penrose.