

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

**Eighty-First Session  
May 30, 2021**

The Committee on Ways and Means was called to order by Chair Maggie Carlton at 11:30 a.m. on Sunday, May 30, 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](http://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 Dallas Harris, Senate District No. 11  
Senator Melanie Scheible, Senate District No. 9  
Assemblywoman Selena Torres, Assembly District No. 3  
Senator Moises (Mo) Denis, Senate District No 2  
Senator James Ohrenschall, Senate District No. 21



**STAFF MEMBERS PRESENT:**

Sarah Coffman, Assembly Fiscal Analyst  
Brody Leiser, Principal Deputy Fiscal Analyst  
Asher A. Killian, Chief Deputy Legislative Counsel  
Bryan J. Fernley, Legislative Counsel  
Mary O'Hair, Committee Manager  
Carmen Neveau, Committee Secretary  
Bet Torres, Committee Assistant

**OTHERS PRESENT:**

Linda J. Haigh, President and Founder, Adopt a Vet Dental Program  
Demetrio (Deme) Gonzalez, Executive Director, Adopt a Vet Dental Program  
Andy Freeman, Private Citizen, on behalf of United States Army Veterans  
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada  
Michael Flores, Director, Government Relations and Community Engagement,  
University of Nevada, Reno  
Warren Hardy, representing the Council for a Better Nevada  
Sabra Smith Newby, Vice President, Government and Community Affairs, University  
of Nevada, Las Vegas  
Paul J. Moradkhan, Senior Vice President of Government Affairs, Vegas Chamber  
Dagny Stapleton, Executive Director, Nevada Association of Counties  
Kanani Espinoza, representing the Nevada System of Higher Education  
Tracy Bower, Director, External Affairs, Administration Division, Desert Research  
Institute  
James Humm, Director of Compliance and Regulatory Affairs, Governor's Office of  
Economic Development  
Bob Potts, Deputy Director, Governor's Office of Economic Development  
Stacey Bostwick, Director of Workforce Development, Governor's Office of  
Economic Development  
Dylan Keith, Policy Analyst, Vegas Chamber  
Kyle Dalpe, Provost and Vice President, Finance, Western Nevada College  
Arielle Edwards, Government Affairs Specialist, City of North Las Vegas  
Kent Ervin, Legislative Liaison, Nevada Faculty Alliance  
Amber Stidham, Vice President of Government Affairs, Henderson Chamber of  
Commerce  
Jhone Ebert, Superintendent of Public Instruction, Department of Education  
Michael Arakawa, Background Investigations Manager, Office of Educator  
Development, Licensure, and Family Engagement, Department of Education  
Lindsay Anderson, representing the Washoe County School District  
Leonardo Behavides, Coordinator, Government Relations, Clark County School  
District  
Hawah Ahmad, representing the Clark County Education Association  
Mary Pierczynski, representing the Nevada Association of School Superintendents

Kanani Espinoza, representing the Nevada System of Higher Education  
Sarah Adler, representing the Nevada Coalition to End Domestic and Sexual Violence  
Anthony J. Ruiz, Senior Advisor, Government Relations and Community Affairs,  
Nevada State College  
Zach Conine, State Treasurer, Office of the State Treasurer  
Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the Clark  
County District Attorney  
Ross Armstrong, Administrator, Division of Children and Family Services,  
Department of Health and Human Services  
Erica Valdriz, Fundraising Coordinator, Vegas Chamber  
Sharath Chandra, Administrator, Real Estate Division, Department of Business and  
Industry  
Rocky Finseth, representing Nevada REALTORS  
DuAne L. Young, Deputy Administrator, Division of Health Care Financing and  
Policy, Department of Health and Human Services

**Chair Carlton:**

[Roll was taken, and Committee rules and protocol were reviewed.] Today will be a busy day. First, we will consider bills that were rolled from yesterday. Bills that we did not get to hear yesterday include Senate Bill 185, Senate Bill 212 (2nd Reprint), Senate Bill 287 (2nd Reprint), and Senate Bill 347 (2nd Reprint).

**Senate Bill 185: Makes an appropriation to the Department of Veterans Services to provide financial assistance and support for the Adopt a Vet Dental Program. (BDR S-381)**

**Chair Carlton:**

The first bill for today is Senate Bill 185. I will open the hearing for S.B. 185.

**Linda J. Haigh, President and Founder, Adopt a Vet Dental Program:**

I am Linda Haigh, President and Founder, Adopt a Vet Dental Program. Testifying with me today will be Demetrio (Deme) Gonzalez, Executive Director, a retired Navy veteran and a gold star family member. First, we would like to thank you for the opportunity to speak today in support of S.B. 185 and for the past four years' financial support to our low-income veterans and the Adopt a Vet Dental Program. Our mission is to provide critical dental care to our low-income veterans in dire need, and for the past 11 years, we have had the privilege of doing just that. But we have had incredible help from our volunteer dentists and specialists, grantors, and donors, and most importantly, appropriation funds approved by you, our state Legislators.

Because the qualifications of dental care are so restrictive at the Veterans' Administration (VA), the vast majority—90 percent—of our veterans do not qualify. This had led to an epidemic of oral health disease among our veterans. Adopt a Vet targets the low-income veterans who do not qualify and cannot afford to see a dentist. In northern Nevada, we have many veterans enrolled at the Reno VA. What we do not have is a school of dental medicine,

like the University of Nevada, Las Vegas (UNLV), in the south. There, veterans can go to the dental clinic five days a week for low-cost dental care, and once a month during the school year, low-income veterans can go to the Sergeant. Clint Ferrin Memorial Clinic for dental care at no cost. This clinic can accommodate approximately 65 veterans at one time. In northern and central Nevada, Adopt a Vet becomes the only viable option for our low-income veterans to receive no-cost dental care. We are their last hope of ever receiving dental treatment. I would like to point out that at this time, 98 percent of all referrals come from the VA, but we receive no financial assistance from them.

Despite these challenges, we are excited to report our program successes since 2010. We have provided dental care to 1,377 low-income veterans who have received full restoration and/or emergency treatment. This includes 229 veterans living in rural areas and 71 women veterans, two of our most underserved veteran populations. We currently have 120 volunteer dental professionals participating in our program. To date, our dentists and specialists have donated over \$7 million in dental services to our veterans in 14 counties in northern and central Nevada. We simply would not be able to have this program without their generosity, compassion, and commitment. Because our community dentists could not keep up with the demand of veterans who need dental care, Adopt a Vet started a veteran dental clinic at Truckee Meadows Community College in 2017. This allows us to keep our waitlist down to around 100 veterans, which is more manageable and reduces the veterans' wait time. The clinic is an open environment setting which is better suited for our severe PTSD [post-traumatic stress disorder] military sexual trauma veterans, as well as other veterans. Now I will turn it over to Deme Gonzalez.

**Chair Carlton:**

Please keep the comments brief and directed to the fiscal note, please.

**Demetrio (Deme) Gonzalez, Executive Director, Adopt a Vet Dental Program:**

My name is Deme Gonzalez, and I am the Executive Director for the Adopt a Vet Dental Program. The program's successes from July 1, 2019 to March 30, 2021—the Program completed 174 veteran cases with full restoration and 45 [unintelligible] despite the dental clinic being shut down for five months in 2019 for reconstruction. Both the clinic and community dental offices were closed for three months due to COVID-19 from March 11, 2020 to June 24, 2020. Although COVID-19 added several new restrictions and protocols for the dental clinic and community dental offices, limiting production, the Program is now on track to surpass pre-COVID-19 numbers despite all these additional requirements.

The Program's volunteer dental providers have completed 219 veteran cases and have donated over \$1.1 million in dental services for our veterans. The Program completed dental care for 21 women veterans and 25 veterans living in rural areas, surpassing our promise to the state last session to reach out to 15 more veterans for each of these underserved veteran populations. After years of research and development, I know that I personally have talked to many Legislators on ZOOM and the question we are always asked is why we are not in the south. I am happy to tell you today that because of the different program management things

that we have done this past fiscal year we are now, as of July 1, 2021, going to be a full Nevada program—not only in the north but a whole Nevada program. As of July 1, 2021, we will be in Las Vegas, in the southern area, and we will be starting a program there as well.

**Chair Carlton:**

If I remember correctly, the first year we funded this Program was 2017, and then we funded the Program again in 2019, and the original funding request came from Senate Finance. This request came through an interim committee request if I understand correctly. For the record, is that correct?

**Linda J. Haigh:**

Yes, it did come through Senate Finance.

**Chair Carlton:**

Was it a request from one of the interim committees that this request was sent to Senate Finance?

**Linda J. Haigh:**

Yes, it was a special need.

**Chair Carlton:**

Thank you. I wanted to clarify for the record that this was work done during the interim and the interim committee submitted the request to Senate Finance, and that is how it got here today. Are there any questions from Committee members? [There were none.] I am pleased to hear that the Program will be moving to southern Nevada to deal with dental issues in that area. I will open the hearing for S.B. 185. Is there anyone who wishes to speak in support of, opposition to, or neutral on, S.B. 185?

**Andy Freeman, Private Citizen, on behalf of United States Army Veterans:**

I would like to speak on behalf of veterans who are treated by this Program. Have you ever suffered from a toothache so severe you were willing to remove the tooth yourself? That is where I found myself, looking in the mirror with four teeth that were killing me. Going to a dentist during the pandemic was not an option, especially without a job or insurance. I found some strings, and I tied it to the loosest tooth, and I asked my wife to pull it. She said "no." So, I pulled my first tooth myself with string. The rest of the four teeth did not come out as easily. Those teeth required pliers. Again, I found myself in front of the mirror, talking to myself through the agony that I knew I was going to feel. If there was a way to properly explain how much pain I was feeling when I was using those pliers to remove my teeth without being numbed, I would. But there is not. At this point, I had no smile, I could not eat solid food, and I was depressed and struggling to get a job with the smile I had. I spoke to my primary physician at the beginning and he gave me a list of dentists that might be able to help. The Adopt a Vet Dental Program was the only one who returned my call, willing to help. I was then put on a waiting list, and some months later, I received a call. I was finally going to be seen by a dentist and begin treatment.

Thanks to this program, I am now able to eat healthy foods, I do not feel depressed anymore, I am able to command a better paying job where I can smile and communicate with customers without feeling ashamed. This Adopt a Vet Dental Program that you have graciously supported and funded has saved my life. In closing, I want to thank the Legislative body and the Ways and Means Committee for their support and consideration for the continued financial support for the Adopt a Vet Dental Program. God bless you, thank you for restoring my confidence, my smile, my self-esteem, and my life. Thank you.

**Chair Carlton:**

Is there anyone else in support of, in opposition to, or neutral on, S.B. 185? [There was no one.] I will close the hearing on S.B. 185. Our next bill is Senate Bill 212 (2nd Reprint).

**Senate Bill 212 (2nd Reprint):** Revises provisions relating to the use of force by peace officers. (BDR 14-215)

**Chair Carlton:**

The next bill that was rolled to today from yesterday is Senate Bill 212 (2nd Reprint).

**Senator Dallas Harris, Senate District No. 11:**

I am Dallas Harris and I represent Senate District No. 11, and I am here to present S.B. 212 (R2). This bill was vetted through the Assembly Judiciary Committee and then was sent to the Ways and Means Committee because there was an unsolicited fiscal note placed on the bill by the Department of Public Safety. The Department has confirmed that section 7, subsection 3, removes the fiscal note and there is no longer any fiscal impact.

**Chair Carlton:**

Do we have an email or other documentation confirming that?

**Senator Harris:**

Yes, the email has been forwarded to Committee staff, which was a chain discussion with the Department of Public Safety and Senate Fiscal staff.

**Chair Carlton:**

It is not in my notes, but we do need to confirm for the record that the fiscal note has been addressed.

**Sarah Coffman, Assembly Fiscal Analyst:**

I do have an email dated May 25, 2021 from Senator Harris.

**Chair Carlton:**

Are there any questions from Committee members? [There were none.] I will open the hearing on S.B. 212 (R2). Is there anyone in support of S.B. 212 (R2)?

**Christine, Saunders, Policy Director, Progressive Leadership Alliance of Nevada:**

I am Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada. We support this bill.

**Chair Carlton:**

Is there anyone else in support of S.B. 212 (R2)? [There was no one.] Is there anyone in opposition to, or neutral on S.B. 212 (R2)? [There was no one.] While Senator Harris is here, has a fiscal note from the Nevada System of Higher Education (NSHE) been addressed? And there also seem to be dollars from the Records, Communications, and Compliance Division, Department of Public Safety. I apologize that we did not address those earlier.

**Senator Harris:**

Those fiscal notes were removed by amendment on the Senate side.

**Chair Carlton:**

No other closing comments are necessary. I will close the hearing on S.B. 212 (R2). The next bill for discussion is Senate Bill 287, (2nd Reprint).

**Senate Bill 287 (2nd Reprint): Revises provisions relating to higher education. (BDR 34-933)**

**Chair Carlton:**

I will open the hearing on Senate Bill 287, (2nd Reprint).

**Senator Dallas Harris, Senate District No. 11:**

I am Dallas Harris, representing Senate District No. 11, and S.B. 287 (R2) also no longer has a fiscal note. I believe we have a representative from the Nevada System of Higher Education (NSHE) to confirm that the fiscal note has been addressed.

**Michael Flores, Director, Government Relations and Community Engagement, University of Nevada, Reno:**

I will ensure we forward an email documenting that the fiscal note has been removed. I think the paperwork has been done and we have removed our fiscal note from S.B. 287 (R2).

**Warren Hardy, representing the Council for a Better Nevada:**

We would be remiss if I did not take the opportunity to express my appreciation to Melody Rose, Chancellor, NSHE, Dr. Keith E. Whitfield, President, University of Nevada, Las Vegas (UNLV), and to Brian Sandoval, President, University of Nevada, Reno, (UNR) for helping us work through this bill, which will put UNLV, on equal footing with regard to these grants.

**Chair Carlton:**

Are there any questions from Committee members? [There were none.] I will open the hearing on S.B. 287 (R2). Is there anyone in support of S.B. 287 (R2)?

**Sabra Smith Newby, Vice President, Government and Community Affairs, University of Nevada, Las Vegas:**

I am Sabra Newby, representing UNLV, and I am in support of this bill. I sent you each an email several days ago, with letters of support from local elected officials in southern Nevada [[Exhibit C](#)]. Those letters have been uploaded in the Nevada Electronic Legislative Information System, and UNLV supports this bill. We look forward to working with UNR as we move forward.

**Paul J. Moradkhan, Senior Vice President of Government Affairs, Vegas Chamber:**

The Chamber is also in support of S.B. 287 (R2). We appreciate the work that was done by Senator Harris and the stakeholders, and we are supportive of the primary tenet regarding land grant designation for the financial benefits of UNLV, UNR, and the Desert Research Institute (DRI).

**Chair Carlton:**

Is there anyone else in support of S.B. 287 (R2)? [There was no one.] Is there anyone in opposition to, or neutral on, S.B. 287 (R2)?

**Dagny Stapleton, Executive Director, Nevada Association of Counties:**

The Nevada Association of Counties (NACO) is neutral on this bill and we want to thank the proponents and sponsors for working with NACO on the amendments that went into getting the bill to this point. We believe that the current version captures the intent in ensuring that as land grant status is extended to UNLV and DRI, the cooperative extension and agriculture experiment station programs, including federal, state, and county funding sources and the structure of those will not be affected as we move forward. We are neutral on the question of the land grant designation, the concern of county government in this bill is solely regarding the extension program, and the funding for that program, which is primarily county funding.

**Kanani Espinoza, representing the Nevada System of Higher Education:**

For the record, the Nevada System of Higher Education (NSHE) is neutral on S.B. 287 (R2) and we look forward to working with stakeholders.

**Tracy Bower, Director, External Affairs, Administration Division, Desert Research Institute:**

The Desert Research Institute (DRI) is neutral on S.B. 287 (R2), and we look forward to working with our colleagues at UNLV and UNR.

**Michael Flores:**

The University of Nevada, Reno, (UNR) is neutral on S.B. 287 (R2). We were originally in opposition to this bill the way it was introduced, and I want to thank Senator Harris for working with us on the amendment. We wanted to make sure we were able to hold our programs harmless and continue the work we were doing throughout the state, and that is why we are neutral.



**Chair Carlton:**

Is there anyone else in neutral on S.B. 287 (R2)? [There was no one.] Are there any closing comments from Senator Harris?

**Senator Harris:**

Thank you for hearing these two bills today. I appreciate everything that Chair Carlton has done for the state, and I do not envy the person who has the task for replacing you as Chair. The state is better off because of your service.

**Chair Carlton:**

Not seeing any other comments, I will close the hearing on S.B. 287 (R2). The next bill to be discussed will be Senate Bill 347 (2nd Reprint).

**Senate Bill 347 (2nd Reprint): Revises provisions governing sexual misconduct in institutions of the Nevada System of Higher Education. (BDR 34-237)**

**Chair Carlton:**

I will open the hearing on Senate Bill 347 (2nd Reprint). Please proceed.

**Senator Melanie Scheible, Senate District No. 9:**

I am here today to present Senate Bill 347 (2nd Reprint) along with my cosponsor, Assemblywoman Selena Torres. This bill will help to improve our response to, and prevent, sexual assault on college campuses. We have worked long and hard on this bill to get the language to a place where there is no fiscal impact. We have representatives from the Nevada System of Higher Education (NSHE) here to confirm that, and I am working on confirming that with the Office of the Attorney General. Additionally, from a technical perspective, we are requesting an amendment to capture changes that were inadvertently not made on the Senate side, but that reflect negotiations with all stakeholders. We have sent that to your staff, and I hope that we will be able to circulate that to the committee.

**Assemblywoman Selena Torres, Assembly District No. 3:**

Thank you, Senator Scheible, for adding me as a cosponsor to this important piece of legislation. I am going to quickly walk through the components of this bill. This bill will help us understand the scope of sexual violence on college campuses, create uniform policies on sexual misconduct, and ensure better use of community resources in coordination with local programs regarding sexual violence. Our response provides more support to victims and other involved parties, and it allows for expanded training and awareness for personnel and students.

**Chair Carlton:**

The amendment that was mentioned was not in my file. It looks like Sarah Coffman, Assembly Fiscal Analyst has a copy. Do Committee members have a copy of the proposed amendment?

**Assemblywoman Torres:**

I may have sent the amendment to the wrong person. I apologize. The changes are technical changes other than language that strikes out coordination between the task force and the Office of the Attorney General, so that it is completely under NSHE.

**Chair Carlton:**

We will need to get a copy of that amendment for Committee members.

**Senator Scheible:**

There is a conceptual amendment, and there is also a mockup of the amendment. [Assemblywoman Torres re-sent the amendment to Committee staff.]

**Chair Carlton:**

In order to speed up the process I will close the hearing on S.B. 347 (R2), and I will wait for the amendment to be circulated, and then I will reopen the hearing on this bill. I will now open the hearing on Senate Bill 24 (2nd Reprint).

**Senate Bill 24 (2nd Reprint): Revises provisions relating to workforce development. (BDR 18-289)**

**Chair Carlton:**

I will open the hearing on Senate Bill 24 (2nd Reprint).

**James Humm, Director of Compliance and Regulatory Affairs, Governor's Office of Economic Development:**

We are here today for S.B. 24 (R2). Director Brown sends his regrets; he could not be here today. We have Bob Potts, Deputy Director, and Stacy Bostwick, Director of Workforce Development, on Zoom; they are experts on WINN [Workforce Innovations for a New Nevada]. I will now turn the discussion over to Mr. Potts and Ms. Bostwick.

**Bob Potts, Deputy Director, Governor's Office of Economic Development:**

We are testifying in support of S.B. 24 (R2). For the record, my name is Bob Potts, and I am the northern Deputy Director in the Governor's Office of Economic Development (GOED). I would like to speak about the importance of the WINN program and proposed changes to the WINN program as outlined in S.B. 24 (R2). Often, when working with companies, what matters most to them in expansion or relocation decisions are questions about workforce and education, and what the available talent in the region looks like. To that point, I often pose the following questions: Is it a qualified and available workforce that attracts great companies or is it great companies that build a qualified workforce? The answer to both of those questions is yes. The WINN program is at the heart of that conversation. It helps us to develop targeted training based on industry demand in partnership with postsecondary providers. This training continues well beyond the graduation of the first cohorts and has never been more relevant than it is now. Since March 2020, I have participated in weekly calls with members of the Governor's Economic Advisory Council. We have had comprehensive conversations on the inverse relationship that the health situation has had on

our economies. It has become evident to those of us involved in those phone calls that there will be approximately 35,000 displaced leisure and hospitality workers who will not have a job to return to and will no longer be eligible for unemployment insurance without changes in rules.

We currently have 19 active business development projects in our pipeline in Nevada. Fourteen of those projects, or 75 percent, are manufacturing projects. Sixteen of those projects, or 86 percent, are in Clark County. In total, these projects are estimated to create more than 12,500 jobs at or above the state's average wage and over \$9.6 billion in capital investment. Additionally, we have 14 projects in the state on hold. Nine of those projects, or 64 percent, are manufacturing projects. Ten of those projects, or 71 percent, are in Clark County. These 14 additional projects are estimated to create 8,400 jobs, with an average wage of at least \$25 per hour, and over \$1.9 billion in capital investment. Again, these projects are on hold while due diligence is done, so the effects may be even higher.

Now more than ever, we need the Legislature's help in approving the suggested statutory changes in the WINN program and helping us to bring together the workforce demanded in companies and industries that we work. This in turn will help with diversification and the cyclical nature of our economies, and most importantly, will create opportunity and a future for these Nevada workers.

**Stacey Bostwick, Director of Workforce Development, Governor's Office of Economic Development:**

In the interest of time, I thought I would focus on the fiscal impact of S.B. 24 (R2). It is important to note that there are no fiscal notes, but there were two amendments from Senate Finance that affect the fiscal nature of the language in this bill. The first amendment focuses on ensuring that spending is prioritized. A limit was placed on overhead costs which GOED supports. The second amendment includes reversion language. Language was added that removed the reversion requirement to afford GOED business continuity to entertain projects that were not able to be entertained in the past. This language also provides flexibility for GOED, no matter when projects are received in the biennium.

**Chair Carlton:**

Are there any questions from Committee members on S.B. 24 (R2)? [There were no questions.] There is one small glitch that I would like Sarah Coffman, Assembly Fiscal Analyst to discuss.

**Sarah Coffman, Assembly Fiscal Analyst:**

Section 4 of S.B. 24 (R2) provides that money in the WINN account would not revert which is inconsistent with what was approved in the Appropriations Act, previously approved by the Ways and Means Committee. Section 53 of the Appropriations Act allows the State General Fund appropriations in the account to balance forward from the first year to the second year, however, the Act provides that the funding will revert at the end of the biennium.

**Chair Carlton:**

We would need to reconcile the difference between the Appropriations Act and S.B. 24 (R2), and I believe that is a discussion for a future biennium. We would need to do this earlier in the session to ensure all the pieces of the puzzle fit together. To move forward, Committee members we will need to delete the reversion language from the bill, so we do not approve something that creates a conflict. The Appropriations Act takes precedence over the bill.

**James Humm:**

To be clear, we can move the funds from the first year to the second year of the biennium, but at the end of the biennium, the funds will revert. Is that correct?

**Chair Carlton:**

That is correct. If you would like to change that in the future, please raise the issue early in the session, so the language will agree with the Appropriations Act. I will open the hearing on S.B. 24 (R2). Is there anyone in support of S.B. 24 (R2)?

**Dylan Keith, Policy Analyst, Vegas Chamber:**

The Chamber is in support of S.B. 24 (R2) for the economic and workforce development opportunities the bill presents.

**Kyle Dalpe, Provost and Vice President, Finance, Western Nevada College:**

Western Nevada College supports S.B. 24 (R2). We are the recipient of WINN funds, and we appreciate the flexibility the bill provides. I look forward to the reversion discussion as we move forward.

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

The City of North Las Vegas is in support of S.B. 24 (R2).

**Kent Ervin, Legislative Liaison, Nevada Faculty Alliance:**

The Nevada Faculty Alliance is in support of S.B. 24 (R2).

**Amber Stidham, Vice President of Government Affairs, Henderson Chamber of Commerce:**

The Henderson Chamber of Commerce is in support of S.B. 24 (R2).

**Chair Carlton:**

Is there anyone in opposition to, or neutral on, S.B. 24 (R2)? {There was no one.] Are there any closing comments on S.B. 24 (R2)? [There were none.] I will close the hearing on S.B. 24 (R2). The next bill will be Senate Bill 27 (2nd Reprint).

**Senate Bill 27 (2nd Reprint): Revises various provisions relating to education.  
(BDR 34-326)**

**Jhone Ebert, Superintendent of Public Instruction, Department of Education:**

My name is Jhone Ebert, and I serve as the Superintendent of Public Instruction. I will be presenting Senate Bill 27 (2nd Reprint) today. There are three main components of this bill. The first component is teacher licensing. We worked with the Department of Public Safety (DPS), as well as the Federal Bureau of Investigation (FBI), to ensure alignment with federal compliance. The second component is the pupil-centered funding plan. There are several moving pieces for the pupil-centered funding plan—those items were addressed in Senate Finance. The third component was to ensure alignment with federal requirements and to provide more direct support and services for the compact between schools, students, and parents.

**Chair Carlton:**

Can you elaborate on the Teach Nevada Scholarship Program for the record, please?

**Jhone Ebert:**

In this bill, we are asking to expand that Program to include universities that provide educators outside of Nevada, as well as in Nevada. Also, we have funds set aside for streamlining because some students complete the Program, and other students do not. We streamline those funds to ensure funds are available and to ensure we can expand on the front end for teachers entering the Program. This will allow us to maximize the number of students we have who want to become teachers.

**Chair Carlton:**

If I understand you correctly, I thought the original purpose for the Teach Nevada Scholarship Program was to grow and support our own teachers. These future educators will still be Nevadans, but those students will be able to attend schools outside Nevada. Is that correct? Is there a component that these educators who received scholarships will have to return to Nevada to teach?

**Jhone Ebert:**

Yes. Those educators must teach in the state of Nevada or the funds will need to be returned.

**Chair Carlton:**

Are there any questions from Committee members? I see that the fiscal impacts to Washoe County and White Pine County have been removed. We do not fund those counties, but we want to be aware of how bills may affect counties.

**Jhone Ebert:**

That is correct. All fiscal notes have been removed.

**Assemblywoman Benitez-Thompson:**

Can you provide more detail on the payback provision?

**Jhone Ebert:**

I will let Mike Arakawa address that question.

**Michael Arakawa, Background Investigations Manager; Office of Educator Development, Licensure, and Family Engagement; Department of Education:**

The intent is to expand the options that are available to individuals who want to be licensed to teach in Nevada. This provision will allow those students to attend out-of-state schools if needed. There are various situations where this need might arise, including students who transfer and students who graduated from a Nevada high school and then choose a school outside of Nevada for a teaching degree. These students would be eligible for this scholarship.

**Assemblywoman Benitez-Thompson:**

Regarding payback provisions, and because I have worked with legislation for the Western Interstate Commission for Higher Education (WICHE), I wonder about students who do not return to Nevada to teach for a certain number of years. If you look at repayment obligations, would you see those debts? The state has not been successful in recovering those debts in the past, and I know you must be diligent to recover debts such as these. I know that thought needs to be included in the process for recovering payback.

**Assemblywoman Miller:**

Along the same lines, does the proposed legislation stipulate the payback requirements? With medical professionals, there is always a requirement that if we help to support an education, we are expecting a specific number of years of service in return. Also, in section 19, the language has been amended to read " . . . shall create a school-family compact . . . ". Can you explain what a school-family compact is?

**Michael Arakawa:**

The service requirement for individuals receiving one of these scholarships is five years of service in Nevada.

**Jhone Ebert:**

And three of those five years must be in a low-income school.

**Assemblywoman Miller:**

Can you indicate which section in the bill addresses that requirement, and explain what a school-family compact is?

**Jhone Ebert:**

Regarding a school-family compact, we know that when parents are involved with their child's education and when the parents have strong communication with the educator, our students are successful. As a state, we have had this on the books for quite a while, as well as the federal government. This bill proposes that we move from the top-down approach that was in legislation, where the state Department of Education was to develop a form and then push the form out to schools, to a best practice approach that has evolved over time and

where each school in a school district develops a form that is compliant with the components specified on page 16 in the bill. This form will be developed locally and by the parents, the children, and the school district where the children live. The school will then report back to the State Board of Education and the Department of Education. The shift is not to do away with the compact, but instead the compact will be built by those that are affected by the compact. This is in alignment with the State Board of Education and federal requirements.

**Assemblywoman Miller:**

I am still unclear whether the requirement for five years of service is in the bill for students that receive scholarships. It sounds like we are trying to grow our own educators in Nevada, so it is interesting that the scholarship can be used for tuition or expenses at institutions outside of Nevada. Could legal staff indicate where the requirement is for five years of service with three years at low-income schools?

**Jhone Ebert:**

Regarding the length of service requirement for the Teach Nevada Scholarship, that language is not included in S.B. 27 (R2). That language was not a component that we wished to change. I would need to ask for assistance from legal counsel in determining where the length of service requirement is in statute.

**Chair Carlton:**

Ms. Ebert, please have someone from the Department of Education find the answer and provide us with that information. The Ways and Means Committee does not have legal counsel that attends these meetings. This language is already in statute, we just need to ensure that this language is consistent with the intent.

**Bryan J. Fernley, Legislative Counsel:**

I will research this and provide you with the answer as soon as possible.

**Chair Carlton:**

Thank you. If the answers are in current statute, we just need to know that. If not, we will need to address this further. Are there any other questions? [There were none.] I will now open the hearing on S.B. 27 (R2). Is there anyone in support of S.B. 27 (R2)?

**Lindsay Anderson, representing the Washoe County School District:**

The Washoe County School District has removed the fiscal note based on the current version of the bill, and we support the S.B. 27 (R2).

**Dylan Keith, Policy Analyst, Vegas Chamber:**

Senate Bill 27 (2nd Reprint) is a Southern Nevada Forum priority and the Vegas Chamber is in support of this bill with the benefits that the bill provides.

**Leonardo Behavides, Coordinator, Government Relations, Clark County School District:**

For the record, the Clark County School District is in support of S.B. 27 (R2).

**Hawah Ahmad, representing the Clark County Education Association:**

The Clark County Education Association is in support of S.B. 27 (R2).

**Mary Pierczynski, representing the Nevada Association of School Superintendents:**

The Nevada Association of School Superintendents is in support of S.B. 27 (R2).

**Chair Carlton:**

Are there any others in support of S.B. 27 (R2)? [There was no one.] Is there anyone in opposition to, or neutral on, S.B. 27 (R2)? [There was no one.]

**Bryan Fernley:**

To answer the question, the five-year requirement is in existing law, *Nevada Revised Statutes* (NRS) 391A.585, subsection 4, paragraph b. This requirement is not changed by the bill.

**Chair Carlton:**

The other component of that question, and I apologize for not making our request clear, is whether three of those five years must be spent in a Title 1 school. Is that currently in the statute?

**Bryan Fernley:**

I will research that and get back to the Committee.

**Chair Carlton:**

Ms. Ebert, I have one additional question about money that may still be available in the fund. I believe that just over \$1 million has been spent, and that there was over \$5 million left in the fund. I believe the balance may be the impetus for expanding the scholarship to include out-of-state institutions. Can you confirm the remaining balance?

**Jhone Ebert:**

Yes, you are correct.

**Chair Carlton:**

I wanted that information for the record. It was not as though we were running out of money and still expanding the program to out-of-state institutions. We want to get that funding to Nevada students who want to be teachers but want to attend an out-of-state school. I will close the hearing on S.B. 27 (R2). I will open the hearing on Senate Bill 347 (2nd Reprint), and I believe the amendment has been uploaded to NELIS now and we will ask Senator Melanie Scheible and Assemblywoman Selena Torres to walk us through the amendment briefly.



**Senate Bill 347 (2nd Reprint): Revises provisions governing sexual misconduct in institutions of the Nevada System of Higher Education. (BDR 34-237)**

**Senator Melanie Scheible, Senate District No. 9:**

I will hand the discussion of the amendment changes to Assemblywoman Selena Torres, my cosponsor.

**Assemblywoman Selena Torres, Assembly District No. 3:**

In section 12, page 5, of the proposed amendment to Senate Bill 347 (2nd Reprint), [Exhibit D] language has been stricken regarding the Office of the Attorney General and the provision of administrative support to the task force. Those responsibilities will be assumed by the Nevada System of Higher Education (NSHE). In section 18 [page 11], the grievance process for investigating a report that is pursuant to federal requirements for Title IX, is confirmed. In section 23 [page 14], there is similar language that ensures accordance with the grievance process and in alignment with federal standards. Section 24.9 [page 17] provides clarifying language to ensure that the No Contact directive is mutually applied to the complainants and the respondent. Section 25 [page 18] includes additional clarifying language for the number of reports for alleged incidents are for the misconduct that is allegedly committed. Additionally, there is language to ensure that the information contained in the report must be available and disaggregated for students, by students and employees. Section 27.1 [page 19] clarifies and strikes language regarding institutions and adds language regarding NSHE.

**Chair Carlton:**

You added language in section 28 [page 26], under Victim's Advocate, that is only to update the definition, if I read it correctly.

**Assemblywoman Torres:**

That is correct.

**Senator Scheible:**

I believe that in section 28, Committee members may appreciate that the language allows us to seek federal funding for the victim advocates.

**Chair Carlton:**

Are there any questions from Committee members in relation to the mockup amendment No. 3468 to S.B. 347 (R2) that has been provided?

**Assemblyman Watts:**

I appreciate the work that has been done on this bill, and I have been heavily engaged with all stakeholders. I heard reference to the Office of the Attorney General earlier, and I see the proposed change to language in the mockup amendment. I am guessing that the change is what alleviates the fiscal note from the Office of the Attorney General. Is that your understanding as well?

**Assemblywoman Torres:**

Yes, that is correct. I know that Senator Scheible sent notification to Committee members as well that the fiscal note has been removed.

**Chair Carlton:**

Are there any other questions from Committee members? [There were none.] I will open the hearing on S.B. 347 (R2). Is there anyone who wishes to speak in support of this bill, with the proposed amendment included?

**Kanani Espinoza, representing the Nevada System of Higher Education:**

The Nevada System of Higher Education (NSHE) put together a Title IX team, created the proposed amendment as well as a previous amendment that was introduced in Senate Finance, and as the bill stands. We appreciate the safety of our students and hope Committee members support this bill.

**Sarah Adler, representing the Nevada Coalition to End Domestic and Sexual Violence:**

The Coalition to End Domestic and Sexual Violence wants to let you know that the Coalition has worked with campus advocates and with students, including Students with the Angry Voice Coalition. The concerns presented in the bill are real. This bill establishes an important framework and the Coalition supports S.B. 347 (R2).

**Michael Flores, Director, Government Relations and Community Engagement, University of Nevada, Reno:**

This is an important issue for the University of Nevada, Reno (UNR), campus community and UNR is in support of S.B. 347 (R2).

**Kent Ervin, Legislative Liaison, Nevada Faculty Alliance:**

The Nevada Faculty Alliance is in support of S.B. 347 (R2). The Alliance appreciates that bill sponsors reached out to all stakeholders, and on a personal note, in my classes over the past few years, there has been an uptick in students approaching me with various issues, and we, as faculty, need all the support for this that we can get to ensure students get to the appropriate resources so students do not fall through the cracks.

**Anthony J. Ruiz, Senior Advisor, Government Relations and Community Affairs, Nevada State College:**

Nevada State College is in support of S.B. 347 (R2), as amended. This is an important bill.

**Chair Carlton:**

Is there anyone else who wishes to speak in support of S.B. 347 (R2)? [There was no one.] Is there anyone who wishes to speak in opposition to, or neutral on, S.B. 347 (R2)? [There was no one.] I do not believe there any closing comments so I will close the hearing on S.B. 347 (R2). The next bill is Senate Bill 68 (1st Reprint).

**Senate Bill 68 (1st Reprint): Revises provisions governing public investments. (BDR 31-399)**

**Zach Conine, State Treasurer, Office of the State Treasurer:**

Senate Bill 68 (1st Reprint) modernizes and strengthens Nevada's current investment statutes by increasing the impact to the Nevada Capital Investment Corporation (NCIC) on public school funding, ensuring greater participation for local school districts, and expanding the state's investment vehicles. Section 2 of this bill increases the transfer from the Permanent School Fund to NCIC from \$50 million to \$75 million to generate additional funding for public schools. The NCIC is administered by the Office of the State Treasurer, and operates through the Silver State Opportunity Fund, which invests dedicated capital in Nevada's businesses and does so with the primary goal of generating greater returns for the state's Permanent School Fund. The Silver State Opportunity Fund secondarily seeks to increase economic development and employment in the state.

Sections 3 and 4 of the bill increase the total amount by which the State Treasurer can issue bonds that are guaranteed by the Permanent School Fund upon request from school districts from \$40 million to \$60 million. By increasing this cap, smaller school districts can more greatly use the state's Permanent School Fund and encourage additional school construction in areas of need. Finally, section 1 of the bill allows the Office of the State Treasurer to invest in reverse repurchase agreements. For reverse repurchase agreements, the state as the investor, owns a security which a banker or dealer purchases under an agreement, and then sells back to the state on a specified date at an agreed upon rate. Reverse repurchase agreements can be used as a cash management tool to help avoid liquidating a security prior to its maturity date to meet unexpected or immediate cash flow requirements. Please note that section was amended by Senate Finance to restrict the use of these agreements solely as a conservative liquidity tool, and not for yield enhancement on public funds.

**Chair Carlton:**

I do not remember having a conversation about this. Has this cap been at the same level for long?

**Treasurer Conine:**

Yes, the original Permanent School Fund transferred to NCIC, under *Nevada Revised Statutes* (NRS) 355.280, and has stayed at the same level since inception.

**Chair Carlton:**

I knew this was familiar, but I could not remember. Our intent is to be super conservative because these are school funds. Is that correct?

**Treasurer Conine:**

That is correct.

**Chair Carlton:**

Are there any questions from Committee members? [There were none.] I will open the hearing on S.B. 68 (R1). Is there anyone who wishes to speak in support of, in opposition to, or neutral on, S.B. 68 (R1)? [There was no one.] I do not hear any closing comments, so I will close the hearing on S.B. 68 (R1). Senate Bill 93 (1st Reprint) will not be heard at this time.

**Senate Bill 93 (1st Reprint): Revises provisions relating to Medicaid. (BDR 38-193)**

[Senate Bill 93 (1st Reprint) was agendaized but not heard.]

**Chair Carlton:**

The next bill for discussion is Senate Bill 108 (1st Reprint).

**Senate Bill 108 (1st Reprint): Establishes provisions relating to juvenile justice. (BDR 5-549)**

**Senator Melanie Scheible, Senate District No. 9:**

I will be discussing Senate Bill 108 (1st Reprint). This is a bill proposed by the Nevada Youth Legislature that has already been heard by the Senate and Assembly Judiciary Committees. This bill was not originally heard in Senate Finance because there is no fiscal impact. I understand that when you look at the fiscal notes associated with this bill, there are many fiscal notes. I would like to point out that many of the fiscal notes are for zero dollars, and then I will go through the fiscal notes that do have an associated dollar amount and explain why the fiscal notes were removed.

Senate Bill 108 (R1) was a bill proposed by the Youth Legislature, and the youth participants did a great job presenting, and explaining the need for, this bill. This bill is intended for people who, in their professional capacity, interact with youth in the juvenile justice system. Specialized training is needed in the cognition of youth to recognize special needs of youth, as well as the need for training on implicit bias, racial profiling, and cultural competence. The purpose of this bill is to ensure that all professionals who interact with these youth—whether it is a child in need of supervision, a child in the juvenile justice system, or a child in a delinquency system—need adequate training to interact appropriately with youth from all sectors of the community.

Originally, S.B. 108 (R1) required anyone who would or could ever be in contact with youth to have this training, but that scope has been narrowed to ensure we are only targeting people employed at an agency that deals with youth, and only those staff that interact with youth, including but not limited to parole and probation officers, school police, counselors, and social workers. This training would not apply to administrative staff, accountants, analysts, or attorneys. There is an additional amendment that we will be requesting.

**Assemblywoman Benitez-Thompson:**

We realized in discussions on another bill that background checks had been inadvertently omitted in that bill. Senate Bill 108 (R1) has been identified as a tool to correct that omission. You will be seeing an amendment from the Legal Division soon.

**Chair Carlton:**

We will hold S.B. 108 (R1) until we see that amendment.

**Senator Scheible:**

I have gone through all the fiscal notes on this bill, and all fiscal notes were removed based on amendments. Would you like me to reach out to each entity that submitted a fiscal note, or would it be sufficient to have one person testify about the changes in the bill that remove all those agencies from the jurisdiction of the bill?

**Chair Carlton:**

I will let Fiscal Analysis Division staff answer that question, but there is one fiscal note that is still applicable. That fiscal note is \$2,700 from the Division of State Parks, State Department of Conservation and Natural Resources. I do not believe we have received any documentation that the fiscal impact has been removed. We will need that documentation, as well as the new amendment, to process this bill.

**Senator Scheible:**

I will work on that.

**Chair Carlton:**

I will open the hearing on S.B. 108 (R1). Is there anyone who wishes to speak in support of S.B. 108 (R1)?

**Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the Clark County District Attorney:**

I am testifying in support of S.B. 108 (R1). I think this bill will change the way our system looks at children, especially the addition of training around adverse childhood experiences. We surveyed sheriffs and police around the state, and the lack of training on how to deal with children who have had trauma in their life was identified as a need. I think this training will make a difference for youth.

**Chair Carlton:**

Is anyone else in support of, or in opposition to, S.B. 108 (R1)? [There was no one.] Is anyone neutral on S.B. 108 (R1)?

**Ross Armstrong, Administrator, Division of Children and Family Services, Department of Health and Human Services:**

I would like to confirm that the Division of Children and Family Services' fiscal note on S.B. 108 (R1) was zero, and as amended, the fiscal note remains at zero.

**Chair Carlton:**

Is there anyone else in neutral on S.B. 108 (R1)? [There was no one.] We will wait for further information on removal of the fiscal notes and an additional amendment. I will close the hearing on S.B. 108 (R1). We will now return to the discussion on Senate Bill 27 (R2).

**Senate Bill 27 (2nd Reprint): Revises various provisions relating to education. (BDR 34-326)**

**Asher A. Killian, Chief Deputy Legislative Counsel:**

In response to the question about the requirement to receive the holdback from the Teach Nevada Scholarship, *Nevada Revised Statutes* (NRS), 391A.585 has the five-year teaching requirement that has to be satisfied for the holdback. In addition, there are regulations that have been adopted by the Department of Education, codified as *Nevada Administrative Code* (NAC), 391A.070, that contain additional requirements. One of those requirements by regulation is the mentioned requirement that the person must be employed for at least three years as a teacher in a Title 1 school, a one- or two-star school, or a school with a teacher vacancy rate higher than the average teacher vacancy rate in the state. That is the currently existing regulation. The Department of Education has submitted a proposed regulation, R-110-20, to remove that three-year requirement, but as of this time, the regulation to remove the requirement has not yet been adopted and submitted to the Legislative Commission for approval.

**Chair Carlton:**

Can you please give me the NAC citation again, as well as the proposed regulation to remove the requirement?

**Asher A. Killian:**

The NAC citation is NAC, 391A.070, and specifically, subsection 1, paragraph e. The proposed regulation to remove the requirement is 110-20.

**Chair Carlton:**

If the last digits of the proposed regulation are 20, this proposal was from last year and is not a recent proposal?

**Asher A. Killian:**

This was a regulation that was proposed in October 2020, just after the deadline for submittal of proposed regulations before the presession period. This proposed regulation is in the Department's possession, but typically requests during that period of the biennium are not processed until after session.

**Chair Carlton:**

Interesting. We typically do not process regulations during session because there are too many other things that need attention. We also do not need moving pieces while we are writing statutes. Now that we have answers on S.B. 27 (R2), we do not need to reopen the

hearing on S.B. 27 (R2), and we can move to Senate Bill 128. This bill is to conduct a study, and since the Treasurer is here, we will open the hearing on S.B. 128.

**Senate Bill 128: Directs the State Treasurer to conduct a study concerning publicly funded scholarship and grant programs in this State. (BDR S-535)**

**Senator Moises (Mo) Denis, Senate District No 2:**

I will present the short version of Senate Bill 128. This bill directs the State Treasurer to conduct a study concerning publicly funded scholarships and grant programs in the state. Specifically, S.B. 128 requires the State Treasurer to contract with one or more qualified, independent consultants to conduct a study concerning the effectiveness of publicly funded scholarships and grant programs in Nevada for persons pursuing higher education. The study must include a comprehensive review of student outcomes for scholarship and grant recipients, graduation and dropout rates of recipients, as well as an evaluation of the way such programs are administered. The study must include a thorough evaluation of the short- and long-term financial viability of these programs and the projected future cost of administration. For added flexibility, this review may include any other matter that the State Treasurer, in consultation with the Nevada System of Higher Education (NSHE), determines is relevant to the study. This bill sunsets on the April 1, 2022 deadline for submitting a report and findings of the study to the Legislative Committee on Education. The study must include recommendations for improving the effectiveness and efficiency of publicly funded scholarships and grants and must address the improvement of student outcomes from recipients as well as the reduction of administrative costs for each scholarship program.

The Legislative Committee on Education must then review the report and recommendations and consult with solicited persons and entities charged with administering publicly funded scholarship grant programs. The Committee must consider the report and recommendations when requesting the drafting of legislative measures. Finally, there is no fiscal note included for this bill, as the measure specifies that the cost of carrying out the study must be paid from the Endowment Account created by the State Treasurer under *Nevada Revised Statutes* (NRS) 353B.350.

**Zach Conine, State Treasurer, Office of the State Treasurer:**

Every year we have a conversation about funding the Millennium Scholarship and a series of other scholarships. We also know that NSHE spends a significant amount of money on scholarship efforts and our goal here is to look at everything holistically and ensure the state is spending its money in the most effective way, so the Legislature can make decisions.

**Chair Carlton:**

It is my understanding that the fiscal impact to your office would be between \$75,000 and \$125,000, and this will be paid from the Endowment Account. Is that correct?

**Treasurer Conine:**

That is correct. The Endowment Account is funded by fees from our 529 college savings plan account partners.

**Chair Carlton:**

And that would not have an adverse effect on the Endowment Account?

**Treasurer Conine:**

It would not.

**Chair Carlton:**

Are there any questions from Committee members?

**Assemblywoman Benitez-Thompson:**

Looking back to see what is happening with scholarships is a good tool to determine if we are funding students who complete their education, or students who drop out of college. The data will help to determine the best- and worst-case scenarios in terms of whether our dollars are well spent in funding these students. But what will we do with this data?

**Senator Denis:**

Once the report comes back, the Legislative Committee on Education will meet during the interim and could make recommendations on program adjustments that we might need to make to scholarships. Our goal is to find a permanent funding solution for these programs. Before we can do that, however, we need to make sure the scholarships programs are working properly to produce the outcomes we expect.

**Assemblywoman Benitez-Thompson:**

We ask NSHE to conduct studies and look at themselves because NSHE is the most sophisticated body with the most employees who perform this work, and the largest data bank. Why would we need to fund this study through another department instead of asking NSHE to conduct the study? I would not think we would have to dig deeply to find the data we need.

**Senator Denis:**

Having a different set of eyes looking at the data can be worthwhile. The data will have to be analyzed and consolidated into a report. While NSHE may do this type of work all the time, this would give us an opportunity to bring an outside entity in to look at the results.

**Chair Carlton:**

We have had problems in the past where studies were conducted, but we were not able to use the data and/or be able to quote from the report. This report will belong to the state and the Legislature. I remember the conversations about different waivers, scholarships, dual enrollments, and waiving fees, when everyone wanted to head in different directions. It would be helpful to have reliable data to make those decisions. Typically, we do not conduct



studies like this. We would ask the Education Committee to conduct the study, but that Committee will be very busy over the next interim.

**Assemblywoman Peters:**

Chair Carlton mentioned the tuition waiver programs, and we had talked about including those in this study so we could assess the efficacy of those programs as well. There is a lot of data for tuition waivers, especially strict waivers that do not include FAFSA [Free Application for Federal Student Aid] requirements that we could include. I am not sure if that would add too much to the scope of this study, but I wonder if that was considered.

**Senator Denis:**

There is the flexibility for the State Treasurer to add tasks to the scope of this study, in consultation with NSHE.

**Treasurer Conine:**

One of the reasons the expected cost ranges between \$75,000 and \$125,000 is because any good data study with an end goal will need to have the scope modified while the study is being conducted. If there is an opportunity to learn more, we need to take advantage of that opportunity.

**Assemblywoman Peters:**

I hope the study is completed with recommendations or suggestions on how to help students complete the FAFSA process because I know that is a stumbling block for many people.

**Senator Denis:**

We do have a bill specific to that need because the Nevada Promise Scholarship also requires FAFSA paperwork.

**Chair Carlton:**

We have asked NSHE to provide us with data as well. We will see how that goes. Seeing no other questions from Committee members, I will open the hearing for S.B. 128. Is there anyone who wishes to speak in support of S.B. 128?

**Erica Valdriz, Fundraising Coordinator, Vegas Chamber:**

The Vegas Chamber is in support of S.B. 128. The Chamber has been supportive, and will continue to support, scholarship and grant programs in the state of Nevada. We believe this bill will optimize financial assistance programs for students within higher education.

**Kent Ervin, Legislative Liaison, Nevada Faculty Alliance:**

The Nevada Faculty Alliance is in support of S.B. 128. There are two sides to this bill—the financial side and how to fund all the programs in the most efficient manner, and the student side. We have students who, no matter their personal identities, identify as cash-poor. If anything in those students' financial aid system, or the balance between family and work, goes wrong, there is often a cascade effect. Looking holistically at all state and federal

programs, including waivers, and how the programs fit together with different requirements, is important.

**Chair Carlton:**

Is there anyone else in support of, in opposition to, or neutral on, S.B. 128? [There was no one.] Are there any closing comments?

**Treasurer Conine:**

I wanted to thank Senator Denis, Assemblywoman Benitez-Thompson, and Chair Carlton for their work over the years to keep the Millennium Scholarship afloat. I have not prepared as hard for any meeting as I do when you will be there. Thank you.

**Chair Carlton:**

I will close the hearing on S.B. 128. Our next bill for discussion is Senate Bill 276.

**Senate Bill 276: Imposes a technology fee for the issuance or renewal of certain licenses, certificates, permits and registrations issued by the Real Estate Division of the Department of Business and Industry. (BDR 54-840)**

**Senator Moises (Mo) Denis, Senate District No 2:**

I will be presenting Senate Bill 276 today, and presenting with me is Sharath Chandra, Administrator, Real Estate Division, Department of Business and Industry, and Rocky Finseth, representing Nevada REALTORS. Every year, our state's information technology (IT) becomes outdated by the time state agencies come to the Legislature to request funding for IT modernization. We run into those issues of trying to find appropriate funds. The COVID-19 pandemic has raised demands for government work and services in many new, unexpected, and rapidly changing ways. For example, the rapid transition to remote work required more automated business processes so agencies can operate with minimal paper and in-office staff. It is also important that these remote capabilities do not compromise IT security or data privacy. It is quickly becoming clear that older enterprise systems and processes cannot keep pace with many emergency government needs. We know this because we have faced these issues in the Joint Subcommittees for Assembly Ways and Means and Senate Finance and all bills for IT upgrades because of COVID-19. As we look ahead to the postpandemic future, we need to acknowledge the revenue decline which makes it vital to identify every opportunity for cost control and operational efficiencies. In addition, we need a resilient technology platform to maintain service continuity during unforeseen conditions that stress or disrupt the business environment. The IT modernization needs vary between state agencies, but ultimately, it is necessary to leverage technology to meet expanding goals and to streamline services offered to our residents and consumers.

For these reasons, S.B. 276 imposes a fee specifically dedicated to improving the technology needs in the Real Estate Division of the Department of Business and Industry. This bill establishes a \$15 technology fee imposed to each applicant for the issuance or renewal of certain licenses, certificates, permits, and registrations issued by the Real Estate Division. In addition, the bill creates various technology accounts for *Nevada Revised Statutes* (NRS)

Chapter 645, Real Estate Brokers and Salespersons; NRS Chapter 645C, Appraisers of Real Estate and Appraisal Management Companies; NRS Chapter 645D, Inspectors of Structures and Energy Auditors; NRS Chapter 645H, Asset Management Companies and Asset Managers; and NRS Chapter 119A, Timeshares. These accounts would be in the State General Fund administered by the Real Estate Division. Any interest or income earned must be credited to the accounts and any remaining balance in the account does not revert to the State General Fund.

Finally, the bill requires that money collected from technology fees be deposited in the respective account governing certain professions or occupations and be accounted for and used for acquiring or improving the technology used by the Division for administering the respective professions. I would mention that I am a licensed realtor and for continuing education purposes, I must take classes. Currently, with the system used by the Real Estate Division, I, or any realtor, must keep a physical copy of the certificate when a class is completed. Then, when I submit paperwork for my license renewal, I have to have paper certificates from each class and if I am missing one, I have to go back and try to get another copy. The Real Estate Division does not have the ability to electronically capture and store class certificates.

As part of the budget, there is an upgrade for the Real Estate Division's computer system. The proposed fee in S.B. 276 would allow the Real Estate Division to continue to maintain the upgraded system. During the pandemic, more than 30,000 prospective realtors and real estate agents applied for licenses. That group approached me to say that a system upgrade was needed. They wanted updated technology to keep up with the demand, and as you know, real estate in the area is moving fast. We need to keep up, ensure fraud is not present, and provide services that are needed by customers as well as those that are in the industry. I urge your support, and we have staff from the Real Estate Division here to make comments.

[Assemblywoman Monroe-Moreno assumed the Chair.]

**Vice Chair Monroe-Moreno:**

Senator Denis, who would you prefer to speak next?

**Senator Denis:**

I would like Sharath Chandra, Administrator, Real Estate Division, Department of Business and Industry, to speak first.

**Sharath Chandra, Administrator, Real Estate Division, Department of Business and Industry:**

Technology is a priority for the Real Estate Division, and the pandemic has highlighted the lack of resources. I also want to mention that there is a two-year renewal cycle, so this fee would be due every two years.

[Assemblywoman Carlton reassumed the Chair.]

**Rocky Finseth, representing Nevada REALTORS:**

The Nevada REALTORS are in support of S.B. 276. As Senator Denis alluded, this fee will increase the cost of licensing for all licensees, but the technology needs of the Real Estate Division are critical enough that we support the increased licensing fees in this bill.

**Chair Carlton:**

I have a question. We have had a long history in this building together, and we have changed these fees several times. In fact, I think we tried moving the renewal fee to a two-year schedule and then had to backtrack and return to one-year fees. Why are we doing this, and is my memory correct?

**Rocky Finseth:**

We attempted to move the licensing fees from two years to four years, and you are correct that we had to backtrack to two-year renewals. This change deals with an increase in the technology fees only.

**Chair Carlton:**

As long as this is not the same change that we tried to make in past years, because that change was a ping pong.

**Rocky Finseth:**

This is not the same change.

**Chair Carlton:**

Are there any questions from Committee members? [There were none.] I will open the hearing on S.B. 276. Is there anyone who wishes to speak in support of, in opposition to, or neutral on, S.B. 276? [There was no one.] I do not see the need for any closing remarks. I will close the hearing on S.B. 276.

Committee members need to get to the Assembly Floor. The Ways and Means Committee will recess. There is a distinct possibility of a joint meeting of Assembly Ways and Means and Senate Finance meeting this afternoon. That will be a separate meeting, and then Ways and Means will meet again after that meeting because we cannot process anything when we are in a joint meeting. This meeting is recessed [at 1:30 p.m.].

The meeting is reconvened [at 10:13 p.m.]. The continuation of today's meeting will be a work session. There will be no hearings for any bills tonight, but we will move bills back to the house of origin. Tonight's work session will cover the following bills: Senate Bill 24 (2nd Reprint), Senate Bill 68 (1st Reprint), Senate Bill 128, Senate Bill 185, Senate Bill 212 (2nd Reprint), Senate Bill 276, Senate Bill 455 (1st Reprint), and Assembly Bill 495.

**Senate Bill 24 (2nd Reprint): Revises provisions relating to workforce development. (BDR 18-289)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 24 (2nd Reprint) revises various provisions governing the requirements and approval of the program of workforce development and the administration of the Workforce Innovations for a New Nevada (WINN) account by the Governor's Office of Economic Development (GOED). I would note that during the hearing today, there was discussion related to reversionary clauses for this bill, and there was discussion about back language that would allow for the WINN account to be balanced forward in the first year of the 2021-2023 biennium and then reverted in the second year of that biennium. There was parallel language in the bill, and there was discussion that funding would be reverted.

**Chair Carlton:**

Committee members may remember the conversation from earlier today about the parallel language in the Appropriations Act and the conversation about the unspent balance rolling forward through different biennia. We can move the funds from the first year to the second year, but after the second year, we need to see where the program stands and whether funding should be reverted to the State General Fund. I would prefer to see the reversion language back in the bill and have those dollars revert to the State General Fund, as other programs do. We can then have a conversation about how to move forward in the future. Are there any questions or comments on S.B. 24 (R2)? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND DO PASS SENATE BILL 24 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for this work session will be Senate Bill 68 (1st Reprint).

**Senate Bill 68 (1st Reprint): Revises provisions governing public investments. (BDR 31-399)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 68 (1st Reprint) revises various provisions governing the investment of certain monies held by the state. The bill eliminates the prohibition against investments for the state's general portfolio in a reverse purchase agreement. The measure increases the maximum amount of money from \$50 million to \$75 million that the State Treasurer is

authorized to transfer from the state's Permanent School Fund to an appropriation for public benefits to provide private equity funding to businesses engaged in certain industries that are located or seeking to locate in Nevada. This bill increases from \$40 million to \$60 million the maximum allowable amount of the state's Permanent School Fund that the State Treasurer is authorized to guarantee outstanding bonds issued by school districts. I would note that Zach Conine, State Treasurer, Office of the State Treasurer presented the bill and there are no amendments.

**Chair Carlton:**

Are there any questions or comments on S.B. 68 (R1)? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 68 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED. (ASSEMBLYMEN HAFEN, ROBERTS, AND  
TITUS VOTED NO.)

The next bill for this work session will be Senate Bill 128.

**Senate Bill 128: Directs the State Treasurer to conduct a study concerning publicly funded scholarship and grant programs in this State. (BDR S-535)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 128 requires the State Treasurer to contract with one or more qualified independent consultants to conduct a study concerning the effectiveness of publicly funded scholarships and grant programs in Nevada. The study must include a comprehensive review of student outcomes for scholarships and grant recipients, as well as a review of ways such programs are administered. Additionally, the study must evaluate the financial viability of these programs and the projected future costs of program administration. Finally, this bill provides that the cost of carrying out this study must be paid from the Endowment Account created by the State Treasurer. Regarding fiscal impact, the Office of the State Treasurer has estimated that the study will cost between \$75,000 and \$125,000 and has previously indicated that this amount will be funded with Endowment Account proceeds. There are no amendments to this bill, and Senator Moises (Mo) Denis and Treasurer Conine presented the bill.

**Chair Carlton:**

Are there any questions or comments on S.B. 128? [There were none.] I typically do not like to use the Endowment Account for this type of expense because there can be problems, but we need to know where we stand, and this analysis will help with that. I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 128.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for this work session will be Senate Bill 185.

**Senate Bill 185: Makes an appropriation to the Department of Veterans Services to provide financial assistance and support for the Adopt a Vet Dental Program. (BDR S-381)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 185 makes a State General Fund appropriation of \$250,000 in each year of the 2021-2023 biennium to the Department of Veterans Services to provide financial assistance and support for the Adopt A Vet Dental Program. Linda J. Haigh, from the Adopt a Vet Dental Program, presented the bill and there are no amendments.

**Chair Carlton:**

Are there any questions or comments on S.B. 185? [There were none.] We have been funding this program for several years, and it is good to hear that the program is expanding to southern Nevada. I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 185.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for this work session will be Senate Bill 212 (2nd Reprint).

**Senate Bill 212 (2nd Reprint): Revises provisions relating to the use of force by peace officers. (BDR 14-215)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 212 (2nd Reprint) revises provisions relating to the use of force by peace officers, requiring certain law enforcement agencies to adopt a written policy relating to the use of force and to submit to the Central Repository for Nevada Records of Criminal History certain information relating to the incidence involving the use of force by peace officers. In addition, this bill imposes certain restrictions and requirements regarding the use of restrictions, restriction chairs, and prohibits peace officers from using certain forms of force under certain circumstances. There were fiscal notes from the Nevada System of Higher Education (NSHE) as well as the Division of Records, Communication and Compliance; however, those fiscal impacts were addressed, and there are no other fiscal impacts to this bill as a result of the amendments.

**Chair Carlton:**

Are there any questions or comments on S.B. 212 (R2)? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS AS AMENDED SENATE BILL 212 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

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

The next bill for this work session will be Senate Bill 276.

**Senate Bill 276: Imposes a technology fee for the issuance or renewal of certain licenses, certificates, permits and registrations issued by the Real Estate Division of the Department of Business and Industry. (BDR 54-840)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 276 imposes a \$15 technology fee on applicants for the issuance or renewal of certain licenses, certifications, permits, and registrations that are issued by the Real Estate Division. The bill requires the money collected from the technology fee imposed on each type of profession or occupation to be deposited in a newly created technology account to be administered by the Administrator of the Real Estate Division. The bill further specifies that



money collected from the technology fee does not revert to the State General Fund at the end of a fiscal year and must only be used to acquire or improve the technology used by the Division.

The Real Estate Division identified the fiscal impact resulting from the additional revenue estimated at \$255,000 in each year of the 2021-2023 biennium and \$510,000 in future biennia. The Division's fiscal note identifies approximately 34,000 licensees that would incur the \$15 technology fee over the biennium and approximately 17,000 of those licensees are expected to renew in each fiscal year of the biennium because of the two-year renewal cycle. This bill does not have any amendments and was presented by Senator Moises (Mo) Denis.

**Chair Carlton:**

Are there any questions or comments on S.B. 276? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 276.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED. (ASSEMBLYWOMAN TITUS VOTED NO.)

The next bill for this work session will be Senate Bill 455 (1st Reprint).

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

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 455 (1st Reprint) requires a person certified in nuclear medicine technology, radiation therapy, or nuclear medicine to also receive training approved by the Division of Public and Behavioral Health. The bill authorizes a person licensed to engage in radiation therapy and radiologic imaging to perform computed tomography upon completion of training or if the person is credentialed under an approved program by the Division. Finally, the bill authorizes a person licensed to engage in radiation therapy and radiological imaging, and if certified in radiation therapy, to perform fluoroscopy if an individual is certified to practice in the field of radiography has completed approved training and holds the appropriate credentials. There are no amendments and this bill was presented by Senator Nicole Cannizzaro.

**Chair Carlton:**

Are there any questions or comments on S.B. 455 (R1)? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 455 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion?

**Assemblywoman Titus:**

I understand the intent of this bill and hopefully the effort continues for those that do fluoroscopy and other radiological studies. The problem is that in rural areas where it is hard to fill positions, this will decrease access to health care. I know two medical technicians now that will be harmed by this bill. When these professionals retire, we will not be able to replace them. This will limit our diagnostic abilities in rural areas and in other areas as well. I will be voting no on this bill.

**Chair Carlton:**

Are there any other questions from Committee members? [There were none.] I will call for a vote.

THE MOTION PASSED. (ASSEMBLYMEN HAFEN AND TITUS  
VOTED NO.)

The next bills for this work session will be Senate Bill 274 (2nd Reprint) and Senate Bill 390 (3rd Reprint).

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

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 274 (2nd Reprint) revises provisions relating to receiving centers which are secured facilities that operate 24 hours per day, 7 days a week, and provide specialized inpatient and outpatient services to commercially sexually exploited children. This bill postpones, from July 1, 2022 to July 1, 2023, the effective date of existing provisions that prohibit the adjudication of a child who is alleged to have violated certain provisions of the law related to prostitution as delinquent or in need of supervision or the detention of such child, if there is a reasonable cause to believe that child is commercially sexually exploited. Regarding the fiscal impact, the Division of Child and Family Services identified that \$86,944 in each year of the 2021-2023 biennium would be required; however, these are federal funds and there is no State General Fund requirement to support one contracted

position to meet the requirements of this bill. Senator Julia Ratti presented this bill, and there are no amendments.

**Chair Carlton:**

Are there any questions or comments on S.B. 274 (R2)? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 274 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for this work session will be Senate Bill 390 (3rd Reprint).

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

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 390 (3rd Reprint) requires the Division of Public and Behavioral Health, Department of Health and Human Services, to support the implementation of a hotline that may be accessed by dialing 9-8-8 for people considering suicide or otherwise in a behavioral health crisis. This bill, as amended, further creates the Fund for a Resilient Nevada to hold proceeds from certain litigations by the state concerning the manufacture, distribution, sale, and marketing of opioids, and to provide for the use of the money for statewide projects and distribution of grants to regional, local, and tribal governments and private sector organizations for projects that address the impact of opioid use disorder and other substance abuse disorders. Regarding the fiscal notes, there were several fiscal notes submitted by local governments; however, the Division of Public and Behavioral Health, Department of Health and Human Services, has identified no fiscal impact. There are no amendments and Senator Julia Ratti presented this bill.

**Chair Carlton:**

Are there any questions or comments on S.B. 390 (R3)? [There were none.] There were several different components to this bill. The components that interested me the most were the opioid work that is going to be done, the grants, how the settlement dollars will be used, and how we will be able to track settlement dollars. I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 390 (3RD REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bills for this work session will be Senate Bill 96 (2nd Reprint).

**Senate Bill 96 (2nd Reprint): Makes various changes relating to services provided to persons with autism spectrum disorders. (BDR 38-89)**

**Chair Carlton:**

Senate Bill 96 (2nd Reprint) was the autism bill that Senator James Ohrenschall worked with us on. As we worked through the hearing process, it was recognized that there was an additional appropriation that Senate Finance had not accounted for in the project. We know that it is difficult to add extra dollars to a bill now. If Committee members want to provide the services that equal the dollars, without the necessary additional funding from the Aging and Disabilities Service Division (ADSD), the Committee should consider reducing the hourly rate from \$62 per hour to a rate of \$52 per hour. The State General Fund appropriation for the 2021-2023 biennium would be \$2.97 million which would draw down \$3.63 million from the federal government. That would give us room in the budget to address the fiscal note that showed up on the Assembly side but was not on the Senate side. If I remember correctly, there is currently a rate of \$20 per hour, and different scenarios were run to address the fiscal note without exceeding the available funding. We do not want to go backwards, but we cannot take a full step forward because the dollar amount is prohibitive. Are there any questions from Committee members?

**Assemblywoman Benitez-Thompson:**

The rate that is currently paid by Medicaid and the Autism Treatment Assistance Program (ATAP) is \$31 per hour, and the commercial rate is \$62 per hour, so we are paying about half. The idea was that we could set a floor and say the rate shall not be less than \$52 per hour but still have language that would allow the Division to pay up to the market rate. The language about the study will stay in place, and then we will continue to talk about the comparable market rate. This will be a step forward. The \$52 per hour rate is not as much as we would like to see, but we have the flexibility to pay more if additional funding becomes available. We will monitor the usage of the allocated funds and see if funding is moving the way we thought it would with a higher rate.

**Chair Carlton:**

Receiving a fiscal note for approximately \$1.5 million after the bill was introduced and progressing through the houses was difficult. We had to figure out how to take that step forward within the original dollar amount. The \$52 per hour rate is not as much as we would

have liked, but it is better than the current rate. The new rate is not as much as commercial insurance pays, but we are closer to that rate now. We are trying to do everything we can to make this work. Senator Ohrenschall, do you have any comments?

**Senator James Ohrenschall, Senate District No. 21:**

I know that we cannot get to the point where I had originally hoped to be, but this is a great step for these children who are on Medicaid and in the ATAP program. I want to be clear that the floor rate of \$52 per hour rate for therapists applies to both the Medicaid children and the ATAP program children. Is this correct?

**Assemblywoman Benitez-Thompson:**

We can ask Fiscal Analysis Division staff to clarify, but I believe that the way the numbers worked used \$52 per hour to arrive at our budgeted total for both Medicaid and the ATAP program. If I am incorrect, please correct me.

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

The rates that were calculated were based on \$52 per hour, and that is comparable for both Medicaid and the ADSD ATAP program. The language sets that rate as the floor. We must complete the study, but if we had a surplus at the end of the 2021-2023 biennium, or a rollover after the first year of the biennium, we could come back to the Interim Finance Committee (IFC) and ask for an adjustment to that \$52 per hour rate to move the rate closer to the \$62 per hour rate. I would like to put on the record that this is a difficult discussion for Medicaid because we track different services, but we do not separate the funding for different services. There could be several different scenarios that affect other services, and if one service has an explosion, that may result in the need for a surplus to be used elsewhere. However, the floor rate of \$52 per hour is a guaranteed floor.

**Senator Ohrenschall:**

I think this will help a lot of kids, and it will reduce the wait times for kids on Medicaid and ATAP to be able to work with a therapist, and I appreciate the work that Committee members put into this. Many children on Medicaid and ATAP have not had the same opportunities as kids with private insurance have.

**Chair Carlton:**

All children should be treated the same. I want to be sure that Committee members are comfortable and understand where this is going. Are there any questions from Committee members?

**Assemblywoman Benitez-Thompson:**

I wanted to note for the record that, if I am remembering correctly, in the ADSD budget for the ATAP program, we held on to positions that were slated to be held vacant or eliminated in the Governor's Recommended Budget. We were able to keep those positions, and I believe that will help because an audit pointed out that staffing was a contributing factor to

the waitlist. Hopefully, by taking these steps, the outcome will be better than where we are now.

**Chair Carlton:**

Are there any other questions from Committee members? [There were none.] Knowing that we will have to amend the bill, I will accept a motion.

**Sarah Coffman, Assembly Fiscal Analyst:**

The amendment would reduce the rate from \$62 per hour to \$52 per hour. The amendment would then provide the ADSD with State General Fund appropriations of \$306,501 in fiscal year (FY) 2022 and \$613,002 in FY 2023. Regarding the Medicaid administration account, State General Fund appropriations of \$42,595 in FY 2022 and \$52,243 in FY 2023 would be needed with authorizations of \$46,596 in FY 2022 and \$52,243 in FY 2023. Finally, State General Fund appropriations would be made to the Medicaid account of \$327,476 in FY 2022 and \$1,626,586 in FY 2023 with authorizations of \$654,260 in FY 2022 and \$2,878,393 in FY 2023.

**Chair Carlton:**

You have heard the State General Fund side of the equation, and the authorization side is the federal funds that will be pulled in to match the State General Fund dollars. We are trying to make the best use of the dollars that we put into the funding equation, without exceeding our original available funding. Are there any other questions from Committee members? [There were no questions.] I will accept a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO AMEND AND  
DO PASS SENATE BILL 96 (2ND REPRINT).

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

Are there any questions or comments from Committee members on the motion? [There were none.] I will call for a vote.

THE MOTION PASSED.

**Senator Ohrenschall:**

I think you have done something tonight that will make a difference in the lives of many children; not just in improving outcomes, but in reducing the number of children who will end up in juvenile justice or getting arrested. Thank you.

**Chair Carlton:**

The next bill for this work session will be Assembly Bill 495.

**Assembly Bill 495: Revises provisions relating to governmental financial administration. (BDR 32-1034)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Assembly Bill 495 would create a new excise tax on gross proceeds of profitable gold or silver mining companies that report gross revenues greater than \$20 million annually. Revenues from this new mining tax will be temporarily deposited in the State General Fund and begin to be deposited in the state's Education Fund beginning in July 2023. The bill also provides \$200 million from the state's allocation of federal COVID-19 relief funds in the Nevada Department of Education for grants that could support programs to compensate for learning loss during the pandemic, and provides \$4.75 million for tax credits for the state's Opportunity Scholarship Program. This bill also provides \$50,895 in fiscal year (FY) 2022 and \$104,354 in FY 2023 for the Division of Health Care Financing and Policy for personal care services. Finally, this bill appropriates \$600,000 in each fiscal year to the Silver State Opportunity Grants. I would note that during the hearing, there was discussion related to an amendment that would provide for the Commission on School Funding to look at the composition of school boards to determine what the appropriate composition should be. I believe there was also discussion related to the effective date of July 1, 2022, but I do not have documentation related to those amendments.

**Chair Carlton:**

I believe there was a dollar change encapsulated in the bill. The bill had specified \$6 million per fiscal year, and the amount should have been \$600,000 per fiscal year. I do not believe there were any other changes to the bill. I will ask Assemblyman Frierson to clarify any other amendments.

**Assemblyman Frierson:**

In addition to the typographical error that added an extra zero to the \$600,000 amount for each fiscal year, there was talk of a conceptual amendment specifying that the composition of local school boards be added. After talking with stakeholders that had raised the concerns, the preferred route would be to refer this matter to the interim Committee on Education, instead of the Commission on School Funding. The next amendment was a reference to charter schools. I believe it was in section 59—there were two mentions of charter schools that should not have been included in this section. The first reference was in the bill itself, lines 16 and 17, and the second reference was on line 25. This amendment removes those references. Finally, the due date for the report has been changed from November 1 to November 15. I have since been notified of concerns with the date change. I need to resolve these concerns and I cannot propose the change without more information, so this change may end up as a Floor amendment.

**Chair Carlton:**

In summary, there were three matters. First, we will leave the date as November 1 until we hear more. There will not be a proposed amendment on the date at this time. Next, there will be a proposed amendment to section 59 for references to charter schools. Finally, regarding the composition of local school boards, that matter will be referred to the interim Committee

on Education, but the Committee could send a letter of intent to the future Committee on Education asking the Committee to look into the matter. This may not need to be an amendment unless Assemblyman Frierson is more comfortable with an amendment.

**Assemblyman Frierson:**

For this matter, I would prefer to see an amendment.

**Chair Carlton:**

The composition of local school boards will be tasked to the interim Committee on Education and will be added to the amendment that removes references to charter schools in section 59.

**Assemblyman Frierson:**

That is correct, and with respect to the date, I will investigate and resolve the matter quickly.

**Chair Carlton:**

Were all the other effective dates correct?

**Assemblyman Frierson:**

The dates in the bill are correct. I may have inadvertently mentioned a date that was not correct, but the dates in the bill are correct.

**Chair Carlton:**

Are there any questions from Committee members? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND  
DO PASS ASSEMBLY BILL 495.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any questions or comments from Committee members on the motion?

**Assemblyman Roberts:**

I appreciate the work that was done behind the scenes over the past few months, and we will continue discussions about the amendments that will be forthcoming, but I will be voting no until these matters are resolved.

**Chair Carlton:**

For the edification of the Committee and public, with time constraints, things cannot stop while matters are being discussed. Bills need to keep moving, parallel to conversations, so the bills are ready when matters are resolved, and it is time. Otherwise, we will run out of time. We are literally at 23 hours now.



**Assemblywoman Tolles:**

I appreciate the need to move things forward, and I appreciate the conversations on this bill, but I do not want to mislead anyone if the issues are not resolved. I hope to get to a point where I can vote yes on this bill on the Assembly Floor, but right now, I will be voting no.

**Chair Carlton:**

Are there any other questions or comments from Committee members? [There were none.] I will call for a vote.

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

Assembly Bill 495 will be reported to the Assembly Floor while conversations continue. The last bills that we will cover will be Senate Bill 5 (2nd Reprint), Senate Bill 290 (3rd Reprint), Senate Bill 40 (2nd Reprint), Senate Bill 154 (1st Reprint), and Senate Bill 380 (1st Reprint).

**Senate Bill 5 (2nd Reprint): Makes changes relating to telehealth. (BDR 40-416)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 5 (2nd Reprint) makes various changes to telehealth. This bill requires third party payers to cover health care services in the same amount as services provided in person or by other means. The bill requires the Department of Health and Human Services, to the extent money is available, to establish a data dashboard that allows for the analyses of data related to telehealth access. The Division of Public and Behavioral Health, on May 7, 2021, submitted a letter stating that in review of amendment No. 174, the fiscal impact could be removed, and as such, it does not appear that there any fiscal notes that need to be addressed at this time. There are no proposed amendments.

**Chair Carlton:**

This bill originated from the Patient Protection Commission and was meant to deal with telehealth matters. I know I would be more comfortable with this bill if there was a future sunset date included. I understand what they are trying to do, and I know Committee members will be able to access the data in the future. There were concerns from Committee members about CMS [Centers for Medicare and Medicaid Services] guidance. Are there any other questions from Committee members? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS AS AMENDED SENATE BILL 5 (2ND REPRINT).

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Are there any other questions or comments from Committee members? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for discussion will be Senate Bill 290 (3rd Reprint). As Committee members may remember, this bill was presented by Senator Roberta Lang and addressed step therapy and cancer.

**Senate Bill 290 (3rd Reprint): Enacts provisions relating to prescription drugs for the treatment of cancer. (BDR 57-973)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 290 (3rd Reprint) requires certain health insurers to allow an insured who has been diagnosed with stage 3 or stage 4 cancer, or an attending practitioner of the insured, to apply for an exemption from step therapy protocol if the insurer grants the exception. The bill requires the health insurer to provide coverage for the requested prescription drugs in accordance with the terms of applicable health insurance policy. Regarding the fiscal impact, I would note that there was discussion related to providing this coverage for Medicaid, and in that discussion, it was determined that an additional \$765,814 in fiscal year (FY) 2022 and \$753,976 in FY 2023 would be needed. With regard to insurance that is provided by the Public Employees Benefits Program (PEBP), there was discussion related to the cost associated with that program, and it was indicated that it would cost approximately \$713,000 in each year of the 2021-2023 biennium to provide this coverage. There was also discussion related to the ability for PEBP to cover this with its excess reserves as well as discussion related to potentially covering this cost with excess reserves for the first year and possibly putting \$713,000, for the second year in the Interim Finance Committee's (IFC) Contingency Fund account, so PEBP would come to IFC if that money was needed.

**Chair Carlton:**

Committee members may remember a conversation with DuAne L. Young, Deputy Administrator, Division of Health Care Financing and Policy, Department of Health and Human Services, and Senator Roberta Lang, where the numbers we were provided and the amount of federal dollars that would be pulled down, in relation to the State General Fund contribution, were substantial. The amount of the match was surprising. If we provide the State General Fund amount, we will bring in more federal dollars to the state. I have always believed that we should not treat a cancer patient any differently depending on the insurance. All cancer patients deserve the same level of treatment. The PEBP was included in the bill for a specified amount and we believe PEBP can absorb the amount for FY 2022, and the amount for the second year should be placed in the Contingency Fund. If PEBP needs the funds, they can make a request to IFC, but if the excess reserves are adequate, the second year can be funded from excess reserves. There is no reason to increase the PEBP reserves to more than the existing level. Are there any other questions from Committee members?

**Sarah Coffman:**

For the record, if the amounts that are recommended for Medicaid are approved, there are also corresponding federal amounts. For FY 2022, the federal amount would be \$4,716,155 and for FY 2023, the federal amount would be \$4,470,290. Those authorization amounts would need to be amended in the bill.

**Chair Carlton:**

We would add the appropriation and the authorization so Medicaid can use the federal dollars as needed. Are there any other questions? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND DO PASS AS AMENDED SENATE BILL 290 (3RD REPRINT), WITH DISCUSSION POINTS AS NOTED.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

Are there any other questions or comments from Committee members? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for discussion will be Senate Bill 40 (2nd Reprint).

**Senate Bill 40 (2nd Reprint): Provides for the collection of certain data relating to health care. (BDR 40-415)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 40 (2nd Reprint) authorizes the Department of Health and Human Services to establish an all-payer claims database for information related to health insurance claims resulting from medical, dental, and pharmacy benefits provided in Nevada to the extent federal funding is available. This bill appropriates State General Funds of \$24,970 in fiscal year (FY) 2022 and \$300,188 in FY 2023 to the Division of Health Care Financing and Policy for the costs associated with establishing the operating of the all-payer claims database. There are no proposed amendments for this bill.

**Chair Carlton:**

This bill was presented by Sara Chohhagian, Executive Director, Patient Protection Commission, and the bill was from the Patient Protection Commission dealing with the all-payer claims database. This is the way we will get data to make decisions in the future. Are there any questions from Committee members? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS SENATE BILL 40 (2ND REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

Are there any other questions or comments from Committee members? [There were none.] I will call for a vote.

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

The next bill for discussion will be Senate Bill 154 (1st Reprint).

**Senate Bill 154 (1st Reprint): Makes changes related to Medicaid coverage of certain treatments administered at institutions for mental diseases. (BDR 38-451)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 154 (1st Reprint) requires the Department of Health and Human Services to apply for a waiver from the federal government to receive federal funding to include an estate plan for Medicaid coverage for substance use disorder treatment for individuals in an institution for mental disease. Regarding fiscal impacts, there was an unsolicited fiscal note from the Division of Health Care Financing and Policy, Department of Health and Human Services, which indicated that there would be a fiscal impact of \$49,000 in fiscal year (FY) 2022 and a savings of \$140,411 in FY 2023. I would point out that section 90 of the Appropriations Act provides that savings incurred in the Medicaid account would cover the cost associated with the fiscal impact that had been identified for the Office of the Director, Department of Health and Human Services. There are no amendments required for this bill to adjust the fiscal impact.

**Chair Carlton:**

The first year of the 2021-2023 biennium will cost a little money, but we should recognize savings in the second year of the biennium. Are there any questions from Committee members? [There were none.] I will accept a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO DO PASS  
SENATE BILL 154 (1ST REPRINT).

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

Are there any other questions or comments from Committee members? [There were none.] I will call for a vote.

THE MOTION PASSED.

The next bill for discussion will be Senate Bill 380 (1st Reprint).

**Senate Bill 380 (1st Reprint): Revises provisions governing the reporting of data concerning the prices of prescription drugs. (BDR 40-445)**

**Sarah Coffman, Assembly Fiscal Analyst:**

Senate Bill 380 (1st Reprint) requires the Department of Health and Human Services to compile a list of prescription drugs with wholesale acquisition costs that exceed \$40 for a course of therapy and requires a wholesaler of prescription drugs to report to the Department

certain information concerning drugs on the list, in accordance with regulations adopted by the Department. The bill authorizes the imposition of an administrative penalty against wholesalers that fail to report the required information. Finally, S.B. 380 (R1) requires an insurer that offers or issues a policy for individual health insurance to publish on an internet website a list of prescription drugs with wholesale acquisition costs that exceed \$40 for a course of therapy. Regarding fiscal impacts, there was an indication that it would cost \$160,000 in fiscal year (FY) 2022 and \$180,000 in FY 2023 to transfer a SQL [Structured Query Language] database to Enterprise Information Technology Services (EITS), and for database maintenance. This is to staff the operations of the program. The Department indicates that contract staff would be required, however, there was discussion and it was indicated that account reserves could absorb this fiscal note. There are no amendments recommended.

**Chair Carlton:**

The contract staff will be included, and since it is contracted, we do not need to add positions. Is that correct?

**Sarah Coffman:**

That is correct.

**Chair Carlton:**

The goal is to get positions included. We cannot keep asking staff to do extra work without providing additional positions to help with the additional workload. There were no proposed amendments?

**Sarah Coffman:**

There were no proposed amendments.

**Chair Carlton:**

Are there any questions from Committee members? [There were none.] I will accept a motion.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS  
SENATE BILL 380 (1ST REPRINT).

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Are there any other questions or comments from Committee members? [There were none.] I will call for a vote.

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

That concludes the bills we needed to discuss tonight. We did pick up five additional bills earlier today, as well as bills which were not heard today that will roll to tomorrow morning, and any new bills. Assemblywoman Benitez-Thompson will continue to work on an amendment for Senate Bill 108 as well as another bill. We will handle those two bills first thing in the morning so there will be time to get amendments drafted before the bills go to the Assembly Floor.

**Senate Bill 341 (2nd Reprint): Revises provisions relating to health care. (BDR 40-62)**

**Senate Bill 366 (2nd Reprint): Revises provisions relating to juvenile competency. (BDR 5-498)**

**Senate Bill 377 (1st Reprint): Revises provisions relating to the adoption assistance program. (BDR 38-505)**

**Senate Concurrent Resolution 10 (1st Reprint): Directs the Legislative Committee on Energy to conduct an interim study concerning the development of hydrogen, vanadium and lithium as energy resources in this State. (BDR R-523)**

[Senate Bill 341 (2nd Reprint), Senate Bill 366 (2nd Reprint), Senate Bill 377 (1st Reprint) and Senate Concurrent Resolution 10 (1st Reprint) were agendized but not heard.]

I will now open the meeting for public comment. [There was none.] This meeting is adjourned [at 11:25 p.m.].

RESPECTFULLY SUBMITTED:

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Carmen M. Neveau  
Committee Secretary

APPROVED BY:

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Assemblywoman Maggie Carlton, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a collection of letters from local, elected officials in southern Nevada, writing in support of [Senate Bill 287, \(2nd Reprint\)](#), submitted by Sabra Smith Newby, Vice President, Government and Community Affairs, University of Nevada, Las Vegas.

[Exhibit D](#) is a mock-up of Proposed Amendment No. 3468 to [Senate Bill 347, \(2nd Reprint\)](#), prepared for Assemblywoman Selena Torres by the Legal Division, Legislative Counsel Bureau.