

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
May 17, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 3:44 p.m. on Monday, May 17, 2021, Online and in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Marilyn Dondero Loop, Vice Chair
Senator Roberta Lange
Senator Fabian Donate
Senator Joseph P. Hardy
Senator Scott Hammond
Senator Carrie A. Buck

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Ian Gahner, Committee Secretary

OTHERS PRESENT:

Jennifer Ouellette, Director, Nevada Western Interstate Commission for Higher Education
Steve Messinger, Nevada Primary Care Association
Chris Daly, Nevada State Education Association

CHAIR DENIS:

I will open the hearing on Senate Bill (S.B.) 446.

SENATE BILL 446: Revises provisions relating to the Western Regional Education Compact. (BDR 18-1072)

JENNIFER OUELLETTE (Director, Nevada Western Interstate Commission for Higher Education):

Senate Bill 446 is a budget implementation bill for the Western Interstate Commission for Higher Education (WICHE) budgets closed by the joint money committees on April 26. The Senate Committee on Finance and the Assembly Committee on Ways and Means approved the transfer of the WICHE Program and our budgets from the Office of the Governor to the Nevada System of Higher Education, resulting in General Fund savings totaling approximately \$85,000 over the 2021-2023 biennium. This bill repeals language that established WICHE in the Office of the Governor from *Nevada Revised Statutes* 223 and changes the appointing authority for the Director of the Program from the Governor to the three Nevada State Commissioners.

SENATOR HARDY:

I used to be on the WICHE Board. I was told I could not be on the Board anymore because I was a legislator even though other states have legislators on their boards. With this change, can legislators be on the WICHE Board again?

MS. OUELLETTE:

I do not know the answer to your question, but I would invite you to be a member of the legislative advisory council, which is something that WICHE in Denver, Colorado hosts. We are looking for two new members.

ASHER KILLIAN (Counsel):

Even with the change that S.B. 446 would make, WICHE is still in the Executive Branch of government and still exercises powers pertaining to the Executive Branch. With the interpretation of the separation of powers provision in the Nevada Constitution, a legislator would still not be able to serve as a Commissioner because they would be wielding power in two branches of government. However, membership on the legislative advisory body or any other sort of advisory body that does not wield the power of the Executive Branch would be permissible for a legislator.

STEVE MESSINGER (Nevada Primary Care Association):

The health provider shortage is no secret, and our health centers tell us it is the biggest barrier to expanding access to more underserved areas of population. The Western Interstate Commission for Higher Education has been an important partner in our work to develop a homegrown, healthcare workforce and we know that health outcomes are improved when providers come from the

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communities they serve and the programs to encourage this are needed. Senate Bill 446 recommitts the State to supporting these important programs that WICHE provides. Please pass S.B. 446.

SENATOR DONATE MOVED TO DO PASS S.B. 446.

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

I will close the hearing on S.B. 446 and open public comment.

CHRIS DALY (Nevada State Education Association):

I present public testimony ([Exhibit B](#)) from Elizabeth Cadigan.

ASSEMBLY JOINT RESOLUTION 1: Proposes to amend the Nevada Constitution to add and revise terms relating to persons with certain conditions for whose benefit certain public entities are supported by the State. (BDR C-477)

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CHAIR DENIS:

Seeing no further public comment, the meeting is adjourned at 3:56 p.m.

RESPECTFULLY SUBMITTED:

Ian Gahner,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
	B	1	Chris Daly / Nevada State Education Association	Elizabeth Cadigan Public Comment