

**MINUTES OF THE
SENATE COMMITTEE ON FINANCE**

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

The Senate Committee on Finance was called to order by Chair Chris Brooks at 9:22 a.m. on Saturday, May 29, 2021, Online and in Room 1214 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 Chris Brooks, Chair
Senator Moises Denis, Vice Chair
Senator Julia Ratti
Senator Nicole J. Cannizzaro
Senator Marilyn Dondero Loop
Senator Ben Kieckhefer
Senator Pete Goicoechea
Senator Scott Hammond
Senator Heidi Seevers Gansert

GUEST LEGISLATORS PRESENT:

Senator James Ohrenschall, Senatorial District No. 21
Assemblyman Jason Frierson, Assembly District No. 8
Assemblyman C.H. Miller, Assembly District No. 7
Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1
Assemblywoman Selena Torres, Assembly District No. 3
Assemblyman Steve Yeager, Assembly District No. 9

STAFF MEMBERS PRESENT:

Wayne Thorley, Senate Fiscal Analyst
Alex Haartz, Principal Deputy Fiscal Analyst
Brenda Erdoes, Director, Legislative Counsel Bureau
Barbara Williams, Committee Secretary

OTHERS PRESENT:

Scot Rutledge, Chamber of Cannabis
Tyler Klimas, Executive Director, Nevada Cannabis Compliance Board,
Department of Taxation
Chris Anderson, Parallel
Terri Upton, Deputy Director, Compliance, Department of Taxation
Annette Magnus, Executive Director, Battle Born Progress
Will Adler, Sierra Cannabis Coalition
Layke Martin, Executive Director, Nevada Dispensary Association
Bob Groesbeck, Co-Chief Executive Officer, Planet 13 Holdings
Briana Padilla, Director of Communication, Chamber of Cannabis
Marla McDade Williams, CPCM Holdings; National Vote at Home Coalition
Mark Wlaschin, Deputy for Elections, Office of the Secretary of State
Shane Piccinini, Nevada Center for Civic Engagement; Food Bank of Northern
Nevada
Emily Persaud-Zamora, Executive Director, Silver State Voices
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Jim Sullivan, Culinary Workers Union Local 226
Duy Nguyen, Chief Operating Officer, Asian Community Development Council;
One APIA Nevada
Ben Challinor, Faith in Action Nevada
Bailey Bortolin, Washoe Legal Services
Chris Daly, Nevada State Education Association
Jennifer Fleischmann, Make the Road Nevada
Alyssa Cortes, Silver State Equality
Jonnette Paddy, Native Voters Alliance Nevada
Cecia Alvarado, Executive Director, Mi Familia Vota
Ida Gaines, National Coalition of 100 Black Women Las Vegas Chapter
Aria Flores, Chispa Nevada
Leonard Jackson, Faith Organizing Alliance
Quentin Savvoir, Deputy Director, Make It Work Nevada
Holly Welborn, American Civil Liberties Union of Nevada
Paul Selberg, Executive Director, Nevada Conservation League
Bob Russo
Joe Gloria, Registrar of Voters, Clark County
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
Anwar Green
Guillermo Barahona, Chispa Nevada

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Kerry Durmick, Nevada State Director, All Voting is Local Nevada
Manuel Santamaria
Janine Hansen, State Chairman, Independent American Party of Nevada
Alida Benson, Political Director, Nevada Republican Party
Melissa Clement, Nevada Right to Life
John McCormick, Assistant Court Administrator, Administrative Office of the
Courts, Department of Sentencing Policy
Amanda Brazeau, Nevada HAND
Tess Opferman, Nevada Women's Lobby
Joanna Jacob, Clark County
Eric Jeng, Director of Outreach, Asian Community Development Council; One
APIA Nevada
Ross Armstrong, Administrator, Division of Child and Family Services,
Department of Health and Human Services
Jamie Rodriguez, Washoe County
DaShun Jackson, Director of Children's Safety and Welfare Policy, Children's
Advocacy Alliance
Sarah Adler, National Alliance on Mental Illness
Brigid Duffy, Deputy District Attorney, Juvenile Division, Clark County Office of
the District Attorney
Alex Ortiz, Clark County
Jagada Chambers, Silver State Voices
Nicole Williams
Denise Bolaños
Adrian Lowry
Jodi Hocking, Return Strong: Families United for Justice for the Incarcerated
Desiree Miller
Valerie O'Neill
Ayana Oglesby
Susie Miller, Deputy Administrator, Residential Services, Children's Mental
Health Services, Division of Child and Family Services, Department of
Health and Human Services
Zach Conine, State Treasurer
Miles Dickson, Program Director, NevadaGrant Lab
Paul Moradkhan, Vegas Chamber
Mark Fiorentino, Nye County; Nevada State Board of Pharmacy
Anthony Ruiz, Nevada State College
Amanda McDonal

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Margot Chappel, Deputy Administrator, Regulatory and Planning Services,
Division of Public and Behavioral Health, Department of Health and
Human Services

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

Cassia Lopez

Rebecca Wells

Romina Paulucci

Michael Kagan, Immigration Clinic, University of Nevada, Las Vegas

Sabra Newby, University of Nevada, Las Vegas

John Piro, Clark County Public Defender's Office

Gillian Block, Legal Aid Center of Southern Nevada

Kendra Bertschy, Washoe County Public Defender's Office

Melody Judilla, Silver State Voices

Michael Flores

Bethany Khan, Director of Communications and Digital Strategy, Culinary
Workers Union

Maria Nieto Orta, Nevada State Coordinator, Mi Familia Vota

Elisa Martinez Alvarado, Mi Familia Vota

Molly Willoughby

Cyrus Hojjaty

Lynn Chapman, Independent American Party of Nevada

Jan Jones Blackhurst, Chief Executive in Residence, International Gaming
Institute, University of Nevada, Las Vegas

Bo Bernhard, Executive Director, International Gaming Institute, University of
Nevada, Las Vegas

Chaunsey Chau-Duong, Principal Management Analyst, Las Vegas Valley Water
District

Regan Comis, Cleveland Clinic Lou Ruvo Center for Brain Health

CHAIR BROOKS:

I want to thank Senator Kieckhefer, who was the Chair of this Committee a few
years ago. This is his last session in the Nevada Senate, which will be a great
loss to this Committee and to the State. I am hoping he will chair this morning's
meeting.

SENATOR KIECKHEFER:

I appreciate those sentiments and will be happy to act as Chair this morning. I
will open the hearing on Assembly Bill (A.B.) 341.

ASSEMBLY BILL 341 (2nd Reprint): Provides for the licensure and regulation of cannabis consumption lounges. (BDR 56-583)

ASSEMBLYMAN STEVE YEAGER (Assembly District No. 9):

It is an honor to present Assembly Bill 341 in its second reprint. I also have provided a proposed amendment ([Exhibit B](#)) that makes some minor changes to the bill to more accurately reflect my intent.

Assembly Bill 341 takes on the somewhat vexing issue of public consumption of cannabis. Ever since Nevada voters approved adult use cannabis, we have struggled with the idea of public consumption. The voter initiative expressly outlawed public consumption. That might have made sense then, but it does not now. More than 40 million tourists visit Las Vegas every year. Millions more visit other parts of the State where dispensaries sell cannabis. Many of those visitors are interested in trying cannabis, but there are not many places where they can legally do so. They cannot bring it into their hotel rooms. They cannot consume in public. As a result, many of them end up breaking the law unless they happen to know somebody who lives in Nevada and can provide a private space for consumption.

It is not just tourists who face this problem. There are locals who have nowhere to consume. Perhaps they rent and are forbidden by their landlord from consuming. Perhaps they live in subsidized housing where federal restrictions apply. Perhaps they just do not want to consume in their home for personal reasons.

Where can they go? Nowhere. Assembly Bill 341 remedies this problem by providing for public consumption at well regulated venues, whether associated with an existing dispensary or a stand-alone establishment that will sell single-use cannabis products.

Assembly Bill 341 is an economic development measure that will result in additional revenue for the State. It will provide new and exciting business opportunities, especially for those who were shut out of the industry in the initial licensing of the industry, including those who have been adversely impacted by the war on drugs. Thus, social equity is a big driver for this bill and you will see language in A.B. 341 that spotlights the need to diversify Nevada's cannabis industry, a need that has become glaringly obvious over the past few years. With the advent of consumption lounges, we can expect Nevada to

become even more attractive for those who consume cannabis, and we can expect that lounges will continue to erode the black market, which means more revenue for the State.

Each lounge can be expected to employ approximately 25 people and perhaps more, depending on the concept. That does not even address the labor associated with the building and construction of these facilities.

SCOT RUTLEDGE (Chamber of Cannabis):

Assembly Bill 341 addresses the issue of where consumers, especially tourists, can consume cannabis in a safe and legal fashion. We envision two license types. One would allow existing retail stores to be connected to a lounge within or adjacent to the facility. With the other type, we wanted to provide some diversity to the industry in terms of ownership. The Cannabis Compliance Board (CCB) issued a demographic report earlier this year that highlighted the fact that we have a fairly homogenous cannabis industry in terms of ownership.

Fifty percent of the independent lounges will be provided to social equity applicants, meaning individuals who have been directly harmed by our failed policies on cannabis. The other 50 percent will go to independent, nonretail stores, meaning individuals new to the industry or with previous experience in a different aspect of the industry.

The CCB will be the regulatory body for the issuance and regulation of these lounges. The current version of A.B. 341 assumes we will have about 40 licenses Statewide. The bill stipulates that an owner may only own one cannabis consumption lounge. Companies that may own several retail establishments may not open a consumption lounge at each location. We expect about 20 retailers will want to open a lounge, so to create parity we expect to issue about 20 independent cannabis consumption lounge licenses.

The bill leaves most decision-making about land use to local jurisdictions. Legislation enacted in the Eightieth Session prohibits a cannabis establishment within 1,500 feet of the resort corridor or casino properties. That will not change.

Essentially, A.B. 341 creates a well-regulated State licensing system while allowing local jurisdictions to maintain control.

SENATOR DONDERO LOOP:

Can you walk me through how this might look in practice? Will there be food, alcohol or gaming? Can the lounge be in strip malls?

ASSEMBLYMAN YEAGER:

There will be no gaming or alcohol allowed. We tend to imagine that a consumption lounge will look something like the smoking lounge at an airport. It could look like that, but I do not know if such a concept would be particularly profitable.

With the creativity of Nevada entrepreneurs, a consumption lounge could be a comedy club that serves cannabis or a painting studio that serves cannabis. There is a market for eating establishments to serve high-end food infused with cannabis. In the Assembly hearing, we heard from a disabled veteran with an idea for a yoga wellness studio that serves cannabis. There is no limit to how it can look. The more creative ones will likely be the ones that draw more customers.

It will be up to local jurisdictions to decide to approve the location of an establishment. They certainly can approve one in a strip mall, but do not necessarily have to.

With the retail establishment lounges, the existing location has to have the ability to incorporate a lounge within the location or have available space adjacent. Those lounges may look more traditional in terms of what we imagine.

SENATOR GOICOECHEA:

It sounds like purchasing an edible from a consumption lounge will be similar to buying a beer. Does it have to be consumed on the premises? Would the cost be the cost of a joint or brownie?

ASSEMBLYMAN YEAGER:

It will resemble buying a beer in a bar. It will have to be consumed on the premises. Any enterprise will have to be approved by the CCB. For a business to make a profit, it must either do high volume or charge for something else. An entertainment venue might have an admission fee. That will be up to each business to decide what model works for profitability and sustainability.

In the Assembly hearing, we were asked how we can ensure the consumption lounge stays in business. The truth is, we cannot. Restaurants and entertainment venues go out of business all the time. It is competitive. Not all businesses will succeed. As we find our way in this industry, we may find that tourists want something exciting and creative. For locals, maybe it looks different. They may just be looking for a quiet place to consume.

SENATOR DENIS:

Will enforcement create a workforce issue for the CCB?

ASSEMBLYMAN YEAGER:

The CCB, Attorney General (AG) and the Department of Taxation have expressed the need for additional staffing. None of the funding for additional staffing will come from the General Fund. Licensing fees will be used for the funding.

The application fee for an existing retail dispensary is \$100,000. The independent establishments have a lower fee, and it can be even lower for social equity applicants.

TYLER KLIMAS (Executive Director, Nevada Cannabis Compliance Board, Department of Taxation):

Enforcement will be necessary for this new offshoot of the global cannabis industry. Our fiscal note includes compliance enforcement investigators. We have four now and are requesting an additional four.

SENATOR DENIS:

You spoke of diversifying cannabis business owners. Do you anticipate that a license holder must keep his or her license for a required period of time?

ASSEMBLYMAN YEAGER:

The bill does provide that social equity applicants cannot sell their license to someone who is not a social equity applicant. The CCB will have regulations governing who is a social equity applicant. That person must have majority ownership.

MR. RUTLEDGE:

Section 16.5 of A.B. 341 references the transfers of licenses.

CHAIR BROOKS:

Is there anything in your proposed amendment, [Exhibit B](#), that changes the role and responsibility of the CCB, the AG or the Department of Taxation?

CHRIS ANDERSON (Parallel):

The amendment makes minimal changes to the responsibilities of the CCB, mainly providing for notification of conditional eligibility to retail licensees.

CHAIR BROOKS:

Can the CCB confirm that and tell us if there is any impact to the fiscal note it submitted?

MR. KLIMAS:

I can confirm the amendment has no effect on our fiscal note.

CHAIR BROOKS:

I am pleased to see you have addressed the social equity issue in a practical and thoughtful way.

ASSEMBLYMAN YEAGER:

Some years ago I visited consumption lounges in San Francisco with other legislators to see how it was done. There, the retail dispensaries could open consumption lounges. So those who already had, got more. That is why the social equity piece is important.

I am proud of the cannabis industry here, but it is very homogenous. That is because it requires so much capital to get started. We did it that way because we wanted to get it right. Now the industry has stood up, and we need to look at what comes next. How do we get other people into the industry? It is the right thing to do.

SENATOR SEEVERS GANSERT:

I am looking at the sections of the bill that address the social equity piece. Section 9 says the social equity applicant can be an officer of the company, but in section 11, subsection 2, it instructs the CCB to establish the minimum percentage ownership a social equity applicant can have. Is this a contradiction?

MR. RUTLEDGE:

We wanted to defer the decision as to what the right percentage of ownership is to the regulatory process at the CCB. The idea is that it should be a substantial ownership percentage, perhaps 25 percent or even a majority ownership interest. We removed board members from the language, as board members may have no financial interest in the business. When we talk about officers, the intent is a chief executive officer or chief financial officer—someone with an active role and financial interest in the business.

By limiting the number of licenses, at least initially, every one of those licenses has a higher value. In the cannabis industry, an applicant cannot use a traditional bank to access capital.

When we workshop with the CCB over the summer, we will come up with a number that satisfies what we are trying to accomplish, which is true interest in the business for a social equity applicant.

Assembly Bill 341 also uses diversity language in the establishment of the independent lounges. It is important that the independent lounges do not look just like the retail-owned lounges. We will continue to explore ways to expand on the diversity component of those independent lounges.

SENATOR SEEVERS GANSERT:

Because the discount on a license for a social equity applicant is 75 percent, I am concerned that a group of people may have one token social equity applicant in order to secure the discounted license, and that individual may not benefit appropriately from the business.

If you receive a license as a social equity applicant, must it always remain a social equity license?

MR. RUTLEDGE:

Two years after a social equity license is issued, that owner may sell the license to anyone. It is the intent of this legislation to allow the CCB to continue to add new licenses for social equity applicants in the future. We did not want to limit a social equity applicant from benefitting from their hard work. If they have built an amazing business and want to sell it after two years, we wanted to allow them to have access to that market. At the same time, we want to continue to see new social equity applicants apply and continue to diversify the industry.

SENATOR SEEVERS GANSERT:

The original legislation enabling cannabis dispensaries had lengthy, detailed criteria for license applicants. This does not appear to be the case in the independent consumption lounge license. How will the CCB handle that?

MR. RUTLEDGE:

The old licensing system did not work to encourage diversity. There are many obstacles for a social equity applicant to obtain capital. We wanted to give the CCB the opportunity to develop the regulations and requirements for that criteria, and to do so with public input.

Starting up any business requires capital, but we wanted to provide as much flexibility as possible to the CCB to ensure strong criteria and merit-based decisions in how these licenses are scored. This is not a ranked preference scoring system, which has led to many challenges in the past. Applicants will get a pass or fail based on the criteria.

There is an application process and a licensing process. In between those processes, the CCB will look at suitability and work with applicants to address deficiencies.

SENATOR HAMMOND:

If a social equity applicant must sell in the first two years of the license, must they sell to another social equity applicant?

MR. RUTLEDGE:

If a license holder cannot keep the business open in the first two years, they must rescind the license to the CCB, which will award it to another social equity applicant.

SENATOR KIECKHEFER:

I would like to hear from the CCB on its fiscal note.

MR. KLIMAS:

Our fiscal note deals with staffing. The original bill envisioned more lounges, but that number has shrunk. Our fiscal notes are not General Fund appropriations, but we need authorization to utilize wholesale marijuana tax money before it is swept to the Distributive School Account (DSA).

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Depending on how many licenses are eventually issued, we would scale our fiscal note up or down to match it. We realize that there is a ramp-up period for the program, and that is reflected in the dollar amounts for each year of the 2021-2023 biennium. The CCB is self-sufficient, so we bill for time and effort. We bill licensees for our regulatory duties.

The AG's Office is not here, but we work closely with it in regulating the industry. The AG fiscal note contemplates two positions for the cannabis consumption lounges.

SENATOR KIECKHEFER:

I would like to check with the Department of Taxation. It submitted a fiscal note in April which had an impact and another in May which did not. Does the May 24 fiscal note still stand or have there been changes?

TERRI UPTON (Deputy Director, Compliance, Department of Taxation):

Because of previous amendments to the bill limiting the number of licenses that can be issued, the Department can now absorb the workload and has removed the fiscal note.

ANNETTE MAGNUS (Executive Director, Battle Born Progress):

Battle Born Progress supports A.B. 341. The bill just makes sense.

Marijuana is legal in our State. We need to move forward with allowing public consumption in a safe and legal way. This is good policy for Nevada financially. This bill goes further to prioritize equity in the license application process, creating diversity in the ownership of these lounges.

We should allow for legal, regulated consumption of cannabis just as we do for alcohol. Please pass this important bill.

WILL ADLER (Sierra Cannabis Coalition):

Assembly Bill 341 is a step in the right direction toward social use of cannabis. Nevada runs on a tourism-based economy, and tourists have no options in terms of cannabis use.

The bill establishes a framework for the CCB to grow the industry. This is the beginning and not the end of this conversation.

LAYKE MARTIN (Executive Director, Nevada Dispensary Association):

The Nevada Dispensary Association (NDA) is the State's largest cannabis industry association representing dispensaries, cultivators, production facilities and distributors.

Assembly Bill 341 aims to solve the issue of Nevada's prohibition of public cannabis consumption by creating cannabis lounges and the licensing and regulatory structure that will govern them. In addition, this bill provides increased opportunity for diversity and entrepreneurship in the cannabis industry.

The NDA supports the consumption lounge concept and acknowledges that with respect to technical aspects of the bill, individual NDA members may have differing views. We want to thank Assemblyman Yeager for his work on this complicated bill and for his continued willingness to work with the NDA as this concept and the bill have evolved. We look forward as well to working with the CCB, local governments, and stakeholders to establish the regulations that will govern this new market.

BOB GROESBECK (Co-Chief Executive Officer, Planet 13 Holdings):

Planet 13 Holdings is a Nevada-based vertically integrated cannabis company. We strongly support the concept of consumption lounges and A.B. 341.

BRIANA PADILLA (Director of Communication, Chamber of Cannabis):

While the cannabis industry and its customers have happily filled our State coffers through tax revenue, the truth remains that the business of cannabis is rife with steep barriers to entry that have had a detrimental effect on representation and access to ownership, especially for black and brown people and women in our community. While we all understand cannabis is and should be a privileged industry, it should not be so privileged that our citizens cannot participate in an industry they fought for and continue to fight for.

Assembly Bill 341 is the only consumption bill being considered this Session that gives locals and equity applicants a chance to participate and succeed in the cannabis industry. It creates parameters that are acceptable and workable for all stakeholders, not just those already in the cannabis industry or those who want to be in the cannabis industry as a means of making a quick dollar at the expense of local communities.

Lastly, in addition to contributing to State revenue, the Nevada cannabis industry provides tens of thousands of jobs for our citizens, with the number of registered agent card holders increasing every year. Assembly Bill 341 would give the industry the ability to continue providing jobs and security to Nevadans, an opportunity which, as we all learned in the past year, is incredibly precious. In short, A.B. 341 is an important first step in righting the ship and ensuring that Nevada is truly the gold standard for all things, including safe cannabis consumption.

MARLA MCDADE WILLIAMS (CPCM Holdings):

CPCM Holdings has some areas of concern we would like the Committee to consider as A.B. 341 moves forward. One notable fact is that the bill is not sponsored by the CCB. In the Eightieth Session, the Legislature directed the CCB to conduct a study on social lounges, now known as cannabis consumption lounges.

The staff study recommended that the CCB, and the Cannabis Advisory Commission under direction of the CCB, workshop the creation of such licenses and decide if there needs to be a limit of such licenses. The CCB would support the granting of consumption lounge licenses be prioritized towards those that have been disproportionately affected by the war on drugs.

The staff study also noted that the CCB would recommend an initial license fee and renewal fee structure similar to those imposed for cannabis sales facilities. Initial license fees should be set between \$10,000 and \$30,000, with renewal fees between \$3,300 and \$10,000, solely dependent on the type of consumption lounge that is authorized.

While the question of whether there needs to be a limit of licenses was not resolved by this study, it appears that question has been settled in A.B. 341. Additionally, this bill envisions some form of an early start, consistent with when adult-use cannabis was implemented. As such, existing licensees who

have already been vetted by the CCB would have an opportunity to secure a license as soon as possible.

The question is, with some establishments still in the process of perfecting their licenses due to the lawsuits of unsuccessful applicants, whether those applicants are eligible to apply and bring their retail store and their cannabis consumption lounge online at the same time. We believe the term "operational" as proposed in the amendment, [Exhibit B](#), in section 10, subsection 1, paragraph (a) unnecessarily confuses this issue. Section 10 also includes new language related to an early start concept that needs to ensure all those who have been authorized to secure a license can apply under the early start provisions.

New language has come forward in section 12.5, subsection 4, that references a lottery system for both the retail consumption lounges and the independent lounges. It is our understanding the intent was that retail cannabis establishments would be issued a license after paying the fee. The industry agreed to a fee of \$100,000 to apply. That is an onerous fee if you do not know you are going to get a license. As members of the Finance Committee, you know that fee will help subsidize the CCB and independent lounges by providing funding for staffing for this new license category. The lottery concept should be deleted from the bill for retail consumption lounges.

We asked for consideration of one owner having two licenses if one of those was in a rural county, but that was not supported. [Assembly Bill 341](#) was marketed as providing an economic development opportunity for the State, and we could be limiting potential revenue by forcing only one license per ownership group without consideration for rural or border communities.

The amendment also adds a phrase "as otherwise authorized by regulation of the Board..." to sections 30.6, 30.7 and 30.9. It is not clear what that language is intended to do. It should be clear that consuming cannabis can only be done in a licensed lounge.

SENATOR KIECKHEFER:

I will close the hearing on [A.B. 341](#) and open the hearing on [A.B. 126](#).

[ASSEMBLY BILL 126 \(2nd Reprint\)](#): Revises provisions relating to elections.
(BDR 24-99)

ASSEMBLYMAN JASON FRIERSON (Assembly District No. 8):

Assembly Bill 126 will make Nevada the first State in the Nation to hold a presidential primary nominating process and changes our current presidential nominating caucus system to a primary.

Why should Nevada go first? As Nevadans, we know how unique our State is. Our diverse population better represents that of the rest of the Country, yet our State is small enough for more of our voices to be heard by those vying for the highest elected office in the land. The issues that are shaping our Country's future have been big issues in Nevada for years. Nevada helped put climate change, public lands, health care and tourism on the map.

I have worked my entire legislative career to make voting and elections more accessible to eligible Nevadans. Assembly Bill 126 is another step in that direction. Nevada made great strides to make caucuses more accessible, but the nature of a caucus limits the ability to make it as inclusive as can be. By moving from a caucus to a primary, more Nevadans will be able to have a say in who should ultimately lead our Country.

The majority of the bill makes conforming changes to include the presidential primary in statute and lays out policies and procedures for administering an election.

Section 43 was amended by the Assembly to make the presidential primary date the first Tuesday of February. This aligns with the historical practices of the Democratic and Republican National Committees that organize the presidential nominating process at a national level. We will also continue to work with the national committees on the primary calendar to ensure through the 2023 Legislative Session that Nevada remains in compliance.

The amendment also removed references to other western states scheduling a primary ahead of Nevada. To be crystal clear, the purpose of this bill is to set Nevada up to be the first presidential nominating state in the Nation, not just the west.

Section 44 of the bill was amended to change the presidential candidate filing period to October 1 through October 15. This change is needed for county clerks and registrars to carry out pre-election processes in time for the primary to be held on the first Tuesday in February.

There are no fiscal notes on this bill for the 2021-2023 biennium as there is no action to be taken this biennium. The next presidential primary will be in 2024.

Nevada has consistently punched above our weight when it comes to elevating the issues we experience every day to national importance; from addressing racial justice to climate change to staunchly working to expand voting rights. Our voices are diverse and better reflect the rest of the Country than the current nominating structure, and it is time for Nevada to take its rightful place as not just first in the west, but first in the Nation.

Candidates who are vying to be president should make their case and test their message with the kind of audience that will be selecting our next president. Nevada fits that bill in both the diversity of our citizens and the diversity of our issues.

SENATOR DONDERO LOOP:

Is the fiscal note from the Secretary of State (SOS) removed?

ASSEMBLYMAN FRIERSON:

The SOS fiscal note is zero for the 2021-2023 biennium. There will be a fiscal impact for future biennia.

SENATOR SEEVERS GANSERT:

Does early voting start 10 days before the election date instead of the 17 days we use in the general election? Is there any mail ballot process?

ASSEMBLYMAN FRIERSON:

Early voting is abbreviated. There is another bill I will be introducing to deal with the mail-in ballot issue. Assembly Bill 126 deals solely with moving from a caucus to a primary.

SENATOR KIECKHEFER:

Could that change if the next bill we hear is adopted?

ASSEMBLYMAN FRIERSON:

That could change.

MARK WLASCHIN (Deputy for Elections, Office of the Secretary of State):

There is no fiscal impact in the 2021-2023 biennium. The intent of the fiscal note we submitted was to be completely transparent for future biennia, where the cost will be very similar to a routine presidential election.

SHANE PICCININI (Nevada Center for Civic Engagement):

I support A.B. 126. I was the Chair of the Democratic Party in Washoe County in the 1990s when Nevada was used as a punchline for late-night comedy shows. Because of the leadership in the State, Nevada has gotten past that. Moving away from the caucus system is the smartest, most inclusive thing we can do as a State. I cannot tell you the number of times in the late 1990s when I received calls from people in Incline Village or more remote areas who were upset about being unable to participate in the caucus system. We have outgrown the caucus system. This is the right time to move away from it.

EMILY PERSAUD-ZAMORA (Executive Director, Silver State Voices):

I support A.B. 126 because it would make participation in our presidential preference elections much more accessible to the everyday Nevadan.

The caucus system is simply inaccessible. Working-class Nevadans may not have several hours to attend their precinct's caucus. It is a long, complicated process that can discourage many from participating, including first-time voters and voters from communities of color. Assembly Bill 126 would provide more oversight and transparency as the election departments would be responsible for conducting the primaries.

Ms. MAGNUS:

We support A.B. 126 and urge your support because it will make for a more fair and equitable presidential primary election process in Nevada. We believe we should be first in the Nation, and it is worth the cost.

It is time to make this process more accessible to our growing electorate on all sides of the aisle. Moving to a presidential preference primary system proposed by this bill to give oversight of the presidential primary process to the SOS and county clerks is wise. This provides assurance to voters that their votes will be tabulated by an unbiased, public third party, increasing confidence in the primary system.

The simplicity and efficiency of a presidential preference primary avoids the confusion sometimes created by the caucus process, which can be hard for voters who are not knowledgeable about the rules or counting procedures. More confidence and an easier process means greater participation, which is good for our democracy.

Assembly Bill 126 also sets rules for polling locations during the presidential preference primary to include at least ten days of early voting and long hours of operation to ensure as many eligible voters as possible have a chance to participate. All of this makes for more secure and accessible primary elections for Nevada voters.

CHRISTINE SAUNDERS (Policy Director, Progressive Leadership Alliance of Nevada):
The Progressive Leadership Alliance of Nevada (PLAN) supports A.B. 126. Transitioning from a presidential caucus to presidential primary system will remove barriers many Nevadans face in having their voices heard in the process.

The caucus process is cumbersome and time consuming. Caucuses require a lot of prior knowledge to understand how to participate and how the end results are calculated. They are also typically held on one day a year, either a weeknight or weekend day, meaning those who have nontraditional work hours or caregiving responsibilities are left out unless they make special arrangements. In some cases, the lost wages or cost of childcare needed to participate can be a financial burden.

Moving to a State-run presidential primary is an investment in our democracy to better support working families. A primary election will allow all eligible Nevadans to take advantage of the various ways to vote the State offers, like early voting and absentee ballots. We urge your support of this legislation.

JIM SULLIVAN (Culinary Workers Union Local 226):
The Culinary Workers Union supports A.B. 126, which establishes a primary election in lieu of a State caucus.

In the 2020 Democratic presidential primary season, the majority of caucus participants chose to vote early rather than participate on caucus day. The Culinary Workers Union hosted an early voting site for the first time in 85 years for union and community members to participate in this democratic process. The Culinary Workers Union mobilized members and their families to vote early.

We are proud that over 2,500 cast their ballot in four days at the early voting site.

Several Las Vegas strip casinos hosted 24-hour voting sites which gave workers the option to vote during their shifts. Assembly Bill 126 promotes voting accessibility, encourages voters to participate and simplifies the process for all voters.

DUY NGUYEN (Chief Operating Officer, Asian Community Development Council; One APIA Nevada):

We support A.B. 126. Nevada is home to over 300,000 Asian Pacific Island Americans (APIA), comprising around 10 percent of the total population. In 2020, we saw unprecedented voter turnout in the APIA community, both in Nevada and nationwide. From 2010 to 2016, the number of APIA voters in Nevada grew 35 percent compared to 13 percent statewide. Providing more options for Nevadans to access the polls was critical to this turnout.

Although this increase in voter participation amongst the APIA community is promising, we must do more to invest in greater access to the ballot. In Nevada, our workforce and economy operate 24 hours a day, and the caucus is not accessible to many working Nevadans. By switching to a primary system, more Nevadans will be able to make their voices heard. That is why our communities need this investment. We urge you to support A.B. 126.

BEN CHALLINOR (Faith in Action Nevada):

Faith in Action Nevada is a nonpartisan, multifaith organization that organizes and advocates for social, racial and economic justice and an inclusive democracy in both southern and northern Nevada. We support A.B. 126.

This bill is about an inclusive democracy. By making sure we move from a caucus to a presidential preference primary is a way to make sure that more eligible Nevadans are able to participate. By having ten days of early voting and absentee voting, we ensure that our communities of color do not have to take time off from work or find child care in order to participate.

BAILEY BORTOLIN:

I support A.B. 126. For the last couple of election cycles, I have had to vote as an absentee military voter while my husband was stationed out-of-state. The caucus was the only thing I was unable to participate in. There was no option

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for absentee voting. I look forward to the change so that military families are able to participate in the primary.

CHRIS DALY (Nevada State Education Association):
The Nevada State Education Association (NSEA) supports A.B. 126.

Educators ask students to use their voice and build their own agency. We believe our politics and electoral system should strive for greater enfranchisement. The NSEA takes pride in promoting the democratic process, including engaging our members to participate in elections. Last year, NSEA hosted an early vote location in the Democratic presidential caucus with over 5,000 people participating. While we were happy to participate to help make this caucus run smoothly, it is time to move on from the outdated caucus system to a presidential preference primary election.

The presidential preference primary will be more accessible for voters and will increase participation and engagement in this most important election.

JENNIFER FLEISCHMANN (Make the Road Nevada):
Make the Road Nevada supports A.B. 126, because transitioning back to a direct primary system would make our presidential selection process more accessible to Latinx and working class communities across Nevada. Throughout the year, we consistently engage with our members to ensure that they have the proper resources and are well-prepared to advocate for themselves and to participate civically. Although we make it a priority to help educate them on several different civic topics and processes, we found the entire caucus system to be quite a challenge.

As we learned throughout our caucus trainings, the process was extremely intimidating for many of our members. Beyond the confusing system, it requires people to be able to spend an indeterminate amount of hours on what is often a work day for service employees, meaning lost wages for many working families desperate to stay within budget.

Investing in a direct primary system would make participation in the presidential selection process far more accessible to new voters, especially Latinx and working class Nevadans. We urge you to support A.B. 126 and invest in our democracy.

ALYSSA CORTES (Silver State Equality):

Silver State Equality supports A.B. 126, because it will help provide better access to new voters. The confusion and disengagement caused by the caucus system would be eliminated. The primary preference would be handled by the SOS and the county clerks who have ample experience conducting elections. By investing in A.B. 126, you can ensure more trust in our democratic process.

JONNETTE PADDY (Native Voters Alliance Nevada):

The Native Voters Alliance Nevada fully supports A.B. 126, as it sets up a more inclusive process for all Nevadans, but particularly for Native Americans. The bill will create an equitable system that all communities can easily participate in. It will also allow tribal governments to request their own polling locations, providing convenience and accessibility for Native Americans.

CECIA ALVARADO (Executive Director, Mi Familia Vota):

Mi Familia Vota Nevada fully supports A.B. 126 because primaries would make it easier for new citizens to participate in our electoral process. The caucus system is confusing and difficult to maneuver through, especially for first time voters who have not experienced caucuses before.

For an organization that works closely with your Latino constituencies, A.B. 126 would benefit eligible permanent residents who become new citizens. The caucus system is not necessarily accessible for working class communities who do not have the time needed to participate since they often work two or three jobs to make ends meet.

Assembly Bill 126 is an investment in a more inclusive democracy.

IDA GAINES (National Coalition of 100 Black Women Las Vegas Chapter):

We support A.B. 126, which would make it more equitable for all citizens of Nevada to participate in a primary rather than a caucus.

ARIA FLORES (Chispa Nevada):

Chispa Nevada supports A.B. 126 because caucuses are difficult to maneuver through, especially for new voters who have not experienced one. I saw this firsthand in 2016 when my father participated for the first time. I remember seeing how confused he was, but luckily, I was able to explain the process to him.

Investing in A.B. 126 would make it easier for folks who have a language barrier to engage in our electoral process. Primaries are far more accessible for working Latino voters who need the flexibility of choosing the best day and time to cast their ballots. Vote yes on A.B. 126.

LEONARD JACKSON (Faith Organizing Alliance):

Faith Organizing Alliance supports A.B. 126. Assembly Bill 126 ensures that the Nevada presidential primary is held on the first Tuesday of February of each presidential election year. As a diverse State full of working people, we deserve to cast our votes among the first states in the cycle. Assembly Bill 126 protects that and even puts Nevada in contention to be the first in the Nation. I urge this Committee to pass this bill.

QUENTIN SAVVOIR (Deputy Director, Make It Work Nevada):

Make It Work Nevada fully supports A.B. 126. It is important that we update the antiquated system of caucuses. It was particularly hard last year providing public education to our community about the caucus process—what did elimination mean? What did being viable mean?

In adopting this measure, people will be able to vote much the same way they are accustomed to voting in November. It will be more straightforward and easier for our community members to understand why their voices should be first in the Nation. We urge bipartisan support for this measure.

HOLLY WELBORN (American Civil Liberties Union of Nevada):

I echo my colleagues' statements about the outdated caucus system and encourage the Committee's support of A.B. 126.

PAUL SELBERG (Executive Director, Nevada Conservation League):

I am the former Nevada State Director for the 2020 presidential primary campaign, the current Executive Director of the Nevada Conservation League and someone who was born, raised and started their political career in Iowa, home to the first in the Nation presidential caucuses.

It is time to move away from presidential caucuses, and A.B. 126 should kickstart that effort.

BOB RUSSO:

I am opposed to A.B. 126. Maintaining the caucus encourages more political involvement by Nevadans. Our republic was founded on the principles of active political involvement by the electorate. A more educated and informed electorate results in more qualified people to fill political positions.

Changing to a primary process will be costly and take money out of the pockets of Nevada taxpayers. Presidential primary elections were tried in Nevada in the past, only to be repealed by lawmakers in favor of the caucus system in 1981. Low turnout was a factor in repealing it.

I am also concerned about how this may affect third parties in Nevada. Please vote no on A.B. 126.

SENATOR KIECKHEFER:

I will close the hearing on A.B. 126 and open the hearing on A.B. 321.

ASSEMBLY BILL 321 (2nd Reprint): Revises provisions relating to elections.
(BDR 24-927)

ASSEMBLYMAN JASON FRIERSON (Assembly District No. 8):

Assembly Bill 321 continues what we accomplished with A.B. No. 4 of the 32nd Special Session. We have worked with county elections officials and the SOS to build upon the successes of 2020 to develop a system that continues to expand the freedom of Nevadans to vote. Briefly, A.B. 321 provides for mail ballots in all elections while strengthening elections processes and aligning other election-related deadlines and requirements. I realize that most of the focus today will be on the vote-by-mail provisions, so I would like to provide the Committee with some context and background about this topic.

When, where, and how Americans vote has evolved over the course of the last 250 years. When the United States first came into being, voters would voice their choices on courthouse steps, out loud and very much not in secret. By the end of the 19th century, a paper ballot became common and was increasingly cast in private at a neighborhood polling place. Times are changing again. The majority of states now permit voters to cast ballots before Election Day, either in person at designated early voting sites or via a ballot that has been mailed to the voter's home. In all states, voting now takes place not just on one day during a fixed time period, but over a series of days and weeks before an

election. In the last election, nearly half the Nation voted by mail or absentee ballot. Nevada responded to the Covid-19 pandemic and made sure all active, eligible voters received a ballot in the mail so they did not have to choose between their health and their voice in our electoral process. Nevadans responded with record voter turnout.

Voting by mail increases voter convenience and satisfaction. Citizens can review their ballots at home and take all the time they need to study the issues. Voters often express enthusiasm for this option. I heard from many voters across the State, including some colleagues in this body, who expressed how much they enjoyed filling out their ballot at home and returning it by mail or at a ballot drop box. In addition, reports indicate that because of convenience, voter turnout increases.

I understand the desire of those who wish to engage in the civic tradition of voting with neighbors at traditional polling places, and A.B. 321 provides for that option. There are still in-person polling locations during early voting and on Election Day. If a voter knows they want to vote in person and not receive a ballot in the mail, they can simply opt-out.

Sections 2 through 17 and 51 through 63 of A.B. 321 remove existing law concerning ballots for absentee voters, mailing precincts and mail ballots. The new provisions require county and city clerks to send each active registered voter a mail ballot for all elections. The existing processes for preparing and distributing the ballots are essentially maintained with a few changes. In a similar manner, the processes are maintained with minimal changes for voting as well as for the return, verification and counting of the mail ballots.

Sections 3 and 51 provide an opt-out provision for active voters who prefer to not use the mail ballot. As I mentioned earlier, if voters do not want to receive a ballot by mail, they can opt out.

Sections 8 and 56 alter the deadline for a city or county clerk to receive a ballot, reducing it from the existing seven days following the election to four days and also require clerks to establish ballot drop boxes at every polling location. Section 45 makes it a Category E felony for a person other than a county clerk or registrar to establish a ballot drop box.

Sections 11 and 59 of A.B. 321 authorize the county and city clerks to review the signature of a voter manually or by electronic means and establish requirements for an electronic device to verify the signature of a voter. These sections also establish methods by which the county or city clerk may verify the identity of a voter for whom there is a reasonable question of fact as to whether the signature used on his or her mailing ballot matches the voter's signature. These sections also revise the deadline by which a voter can either provide or confirm a missing or questionable signature. The deadline is reduced from the current nine days to the six days following the election.

Under sections 16 and 64, each county or city clerk and their election staff is required to complete a class on forensic signature verification every year.

Our confidential information statutes were enacted to protect the privacy and ensure the safety of certain persons involved in our legal and judicial system at their request. Sections 46, 87, 88 and 89 extend these protections to county clerks, city clerks, certain registrars of voters, and any deputy in a city or county election division. These confidentiality sections apply to information available in public records that are kept by city or county clerks, county recorders, county assessors and the SOS. Such information may include a person's home address, telephone number and email address. Upon request, this information can be kept confidential. In addition, these individuals can request that their driver's license or state identification card contain a substitute address to use in place of their physical address. We have some of the best election officials in the Country, and they do their job in a nonpartisan way. They deserve the same protections that other officials have.

Section 25 clarifies the motor voter statutes by specifying that a voter who has been registered to vote by the Department of Motor Vehicles, and who has produced the required documents at that time, will not be required to show proof of identity or residency when voting for the first time in a federal election.

Sections 26, 28, 70, and 74 extend the deadlines for requesting polling places at Indian reservations or Indian colonies. The revised dates are April 1 for primary elections and September 1 for general elections.

Finally, to maintain an accurate voter registration list, the SOS and the State Registrar of Vital Statistics are required under section 44 to enter into a cooperative agreement to do monthly comparisons of the Statewide voter

registration list with records concerning the death of residents. This is designed for election officials to clean up voter rolls more frequently.

Section 89.5 makes an allocation to the SOS for \$6,286,844 for fiscal year (FY) 2021-2022 and \$5,998,138 for FY 2022-2023. Any funds not used for ballot stock, postage, and postcard notifications must be returned to the General Fund.

I will go over some of the changes that were made by amendment to A.B. 321. We added a minimum number of polling locations to ensure voters do not have to wait in line for hours and hours. The bill ensures drop boxes will be available at every polling location. The bill allows for online voter registration between the final Thursday of early voting and Election Day.

The bill is intended to capture the independent spirit of Nevadans and the freedoms we enjoy by allowing as many options as possible. Signature verification was encapsulated in statute because I do not discount the importance of voter confidence.

This worked in Nevada in 2020. It was a reaction to the pandemic, but it was also an effort to expand options moving forward.

On a personal note, I enjoyed the experience of sitting at my kitchen table and taking my time to mark my mail-in ballot, and I have heard that I am not alone in that feeling. My kids saw me voting and, even though there are many more years before they will be old enough to vote, I know they will remember seeing my wife and me taking the time to vote.

SENATOR KIECKHEFER:

Are there any restrictions on who can collect other voter's ballots and turn them in? What does the process look like?

ASSEMBLYMAN FRIERSON:

I know this has been a concern for many. The ballot assistance allows for any individual to transport a ballot in a sealed envelope for a voter. Voting is a constitutional right, but voters have a responsibility to make sure they are being careful with their ballot.

We recognize that many Nevadans live in remote communities. They can mail in their ballot, but some do not trust the postal service. Some may have no relative who can transport their ballot. The drop box option was added, as has been done in many other states. There is no limitation. We have a robust signature verification process in statute, which gives me confidence.

SENATOR KIECKHEFER:

Some of the signature verification measures looked a lot like what is being done in Colorado, which is generally regarded as one of the leaders on that front.

Is there anything that impacts organizations or third parties? Are they required to report what they collect or turn in?

ASSEMBLYMAN FRIERSON:

It is already a crime to fraudulently collect ballots on a mass basis, and the bill increases it to a felony. There is the perception on the part of some that this is a partisan effort. Championing this practice, the Democrats lost three seats in the Assembly. We are not trying to walk it back just because it did not benefit us. We believe it expands access and opportunity for civic engagement as safely as possible.

CHAIR BROOKS:

Are the funds appropriated in section 89.5 of A.B. 321 all-inclusive?

ASSEMBLYMAN FRIERSON:

I believe the opt-out provision will result in some savings from those figures.

MR. WLASCHIN:

The costs in the amended bill covers not only the printing of the ballots, but also the mailing costs. It is all-inclusive. Since more states are leaning toward mail ballots, we expect costs may trend down. In that case, there may be savings.

SENATOR KIECKHEFER:

Based on the bill as it stands and the appropriation, have you evaluated this for fiscal impact to Clark County?

JOE GLORIA (Registrar of Voters, Clark County):

The appropriation covers the costs of ballot stock, printing and delivery.

SENATOR KIECKHEFER:

I saw some reporting regarding space constraints you may face when processing ballots. Can you address that?

MR. GLORIA:

We cannot continue to function as we did during the 2020 cycle due to space constraints. Clark County will have to make accommodations and ensure we have the resources and the staff to process mailed ballots.

SENATOR SEEVERS GANSERT:

In my neighborhood, it looked like there was someone certifying or counting ballots as they were placed in a drop box. Will that happen in the next election cycle?

MR. GLORIA:

We will provide drop boxes, as we did in 2020, at all of our polling sites for early voting and on Election Day. Staff will be there to make sure the voter was not trying to surrender the ballot before voting in person and also make sure the ballot is signed.

MS. MCDADE WILLIAMS (National Vote at Home Coalition):

The National Vote at Home Coalition supports A.B. 321.

MS. SAUNDERS:

The Progressive Leadership Alliance of Nevada supports A.B. 321. If you ask any of my colleagues here testifying today, they will confirm that I am a big fan of voting by mail. Prior to moving to Nevada in 2017, I had gone a decade without ever voting in person. I grew up in Oregon, a state that has been voting by mail since 1987, and went to graduate school in Colorado, where they have been sending ballots to all registered voters since 2013. Nevada's record voter turnout in 2020, despite a pandemic, is in line with what these states have shown time and time again: vote by mail increases turnout.

This past election highlighted many of the benefits of voting by mail. First, the convenience of voting from home makes voting much more accessible. Voters do not have to take time off work or find childcare to wait in line. Prepaid postage allows a voter to turn their mailbox into a ballot box and drop boxes along with ballot collection increase access to the ballot for both busy urban workers as well as our rural and tribal communities where physical distance can

be a challenge to participation. In Oregon, I used to get off the bus and drop off my ballot in a secure box right in the middle of downtown on my way to my college classes, without having to make any change to my daily schedule.

Vote by mail helps people be more informed about their decisions. As a young adult, I remember completing my ballot alongside my mother, where I could ask her questions about the process. We could even debate the issues. With a mail ballot, I had the opportunity to do my research and make an informed decision.

Assembly Bill 321 will ensure that all Nevadans are able to participate in our democratic system and have their voices heard at the ballot box. We urge your support.

MS. MAGNUS:

Battle Born Progress supports A.B. 321 and believes that increasing access to voting for Nevadans is one of the best investments this Committee can make.

Last year, as the pandemic created so much uncertainty around how our election would operate, the Legislature rose to the occasion to pass A.B. No. 4 of the 32nd Special Session, a bill which gave voters options for how to cast their ballot. Assembly Bill 321 would allow Nevadans to enjoy the convenience and ease of participation they had in 2020 for every election going forward, with some additional improvements.

Assembly Bill 321 also contains provisions to increase confidence in the process, while safeguarding the right to vote. It standardizes the rigorous signature verification process used for mail ballots and requires election staff to be trained annually on signature verification. It also requires that the verification process be overseen by a panel of voters appointed by the county clerks. The SOS will be required to compare the Statewide voter registration list every month to check for deaths of State residents. With these upgrades, State and local election officials will have the necessary tools to continue administering some of the best elections in the Country. Anytime we can invest in accurate voting systems, it is worth every penny we spend.

While other states are going backwards on this issue, we must continue to be a leader. We look forward to this Committee's support for this measure.

MR. SULLIVAN:

The Culinary Workers Union supports A.B. 321. Nevadans should be able to exercise their right to vote, and this bill makes voting accessible and gives choice to voters on how to cast their ballots. This is especially important to the 60,000 shift workers that the Culinary Workers Union represents who are employed in a 24-hour economy.

It is important not to undermine the significance of early voting sites and elections centers. Voters still need access to in-person voting. Voting is vital to our democracy, and A.B. 321 expands voting rights and removes barriers to registered voters. Invest in our democracy and pass this bill.

MR. PICCININI:

For all of the reasons that have been stated, please invest in our democracy and support A.B. 321.

MS. PERSAUD-ZAMORA:

I strongly support A.B. 321 because it is imperative that every Nevadan is able to cast their ballot in the way that is most convenient for them for all elections to come, whether in-person, by mail or by dropping their ballot at a drop box.

In 2020, we ran get-out-the-vote and nonpartisan election protection programs, assisting Nevadans from the time they registered to vote to answering their questions before and after they cast their ballot. For two and a half weeks leading up to the election, over 1,000 Nevadans called in to ask questions or experienced an issue at the polls. Thankfully, because of A.B. No. 4 of the 32nd Special Session, we were able to assist with these issues.

This conversation about passing A.B. 321 should not be about political party beliefs, but about making the electoral system in Nevada the most accessible. Democracy is worth the investment, and I urge you to support this bill.

MR. CHALLINOR:

We strongly support A.B. 321. Mailing a ballot to all active voters is a great way to allow all eligible Nevadans to cast their vote. Once a voter has received their ballot, it is as simple as filling out the ballot, signing it and mailing it back.

As many have said before me, in a time where Georgia, Texas and other states are seeking to make it harder for voters to cast their ballot, it is very

encouraging to see our State expanding options. With A.B. 321, even more Nevadan voters will have their choice in how they can vote, where they can vote and when they can vote.

I urge you to invest in our democracy by supporting A.B. 321.

MR. NGUYEN:

The Asian Community Development Council (ACDC) and One APIA Nevada support A.B. 321. At ACDC, we amplify the diverse stories and voices of the APIA community and focus on the issues that affect our lives. As the fastest growing community in Nevada, we are aware that the infrastructure to support the community in tangible ways is lagging. This includes a voting infrastructure that may not always be accessible to all. In 2020, however, we saw unprecedented voter turnout for the APIA community in Nevada and Nationwide. Based on TargetSmart data, we saw a 127 percent increase in APIA voters using early and mail-in ballots compared to 2016. By continuing to invest in safe and accessible elections for all Nevadans, we are able to allow more Nevadans to participate and make their voices heard. It is critical this bill passes and protects access to democracy for everyone. We ask that you support A.B. 321.

CHRISTI CABRERA (Policy and Advocacy Director, Nevada Conservation League):

The Nevada Conservation League believes that the long-term health of our planet is linked with the health of our democracy. Passing strong laws to protect our environment depends on open, fair and secure elections and A.B. 321 will help ensure that every Nevadan's voice is heard on Election Day.

It is time for our State to embrace vote by mail as an option for Nevadans who want to cast their vote from home while ensuring election integrity. Investing in A.B. 321 means improving our elections by making them more secure and accessible to Nevadans. Every vote counts, and we ask you to invest in our democracy.

MR. DALY:

The NSEA supports A.B. 321 which is critical voting rights legislation for Nevada. The bill adopts the best practices of vote-by-mail, ensures in-person voting options and addresses concerns about election integrity and security.

As a member of the National Education Association (NEA), I am proud of my organization's long and rich history supporting greater democracy. In 1920, educator Charl Ormond Williams led the effort to get Tennessee to ratify the 19th Amendment, which was the deciding state to ratify and ensure women's right to vote. Ormond Williams assumed the office of NEA president the following year. Students affiliated with the California Teachers Association started the campaign to extend the vote to 18 year olds in 1967. The struggle for voting rights continues.

With voting reforms passed in the Thirty-second Special Session, the 2020 Nevada general election was one of the smoothest we have seen, with high turnout even during a global pandemic. Assembly Bill 321 is the next logical step and fits well in the historic efforts for greater democracy and participation.

MS. FLEISCHMANN:

Make the Road Nevada supports A.B. 321 because it would work to build trust in our voting processes by making sure every vote is counted. In 2020, Make the Road Nevada spoke to thousands of voters in Clark County who expressed confusion around how to ensure their mail-in votes were counted. Assembly Bill 321 would address those concerns by requiring that election officials reach out to a voter via phone, email or mail in cases where a voter sent in a mail ballot with a missing or mismatched signature. As a State, we should make it a priority to invest in the security and veracity of our election. Passing this bill is a step in that direction.

ANWAR GREEN:

I support A.B. 321. As someone who has served in our military, voting by mail is nothing new. Voting by mail has enabled those serving our Country to make their voices heard, and I cannot see how making this available to all Nevadans would do anything other than help them to be active participants in our democracy. Democracy works better when every voice is heard. We saw the effectiveness of mail-in voting in the 2020 election as we were hit by the Covid-19 pandemic. As Congressman Steven Horsford stated just a couple days ago, while other states have worked to restrict access to voting, Nevada has worked to make it easier for every Nevadan to participate in our democracy. We should continue doing just that, and I urge you to pass this bill.

MS. WELBORN:

The American Civil Liberties Union (ACLU) supports A.B. 321. The bill protects and enhances the fundamental right to vote, especially when there are disturbing and blatantly unconstitutional efforts to suppress the vote in other states.

Nevada was making the best of a bad situation when it turned to mail ballots and drop boxes as a way to keep voters safe during the pandemic. The record turnout we saw in November showed that Nevada voters appreciated having multiple options. Long lines at polling locations is not a symbol of pride—it is a sign we are failing to protect our most fundamental right.

We are making democracy stronger by refining our election processes and finding ways to make it easier for eligible voters to participate in safe and secure elections.

MS. ALVARADO:

I support A.B. 321 because I believe it would work to improve access to the ballot for Latinos and working families throughout Nevada. Assembly Bill 321 allows our community to choose their preferred method of voting, whether in-person, by mail, or by dropping their ballot off at a secure election drop box. By having a mail ballot with prepaid postage sent to every active, registered voter in Nevada, this bill would prioritize convenience for our working families who may not have the time, outside of work, to cast their ballot in person. This bill makes voting more accessible and safe, not just during pandemics, but permanently. That is how voting should be—easily accessible, safe and secure.

Mi Familia Vota is committed to increasing access to the polls for Latino voters and protecting the voting rights of all Nevadans. Assembly Bill 321 would work to do just that. At a time when voting rights are being threatened in states like Arizona, Michigan and Georgia, this body has the opportunity to do what is right for Nevadans. I urge you to invest in our democracy and support A.B. 321.

MS. CORTES:

Silver State Equality fully supports A.B. 321 because it would expand access to the ballot box while ensuring election security. In 2020, I observed our dedicated election workers as they counted mail-in ballots and verified signatures. Our election heroes did a great job then, and they will do a great job in the next election when A.B. 321 is in place.

MS. PADDY:

The Native Voters Alliance Nevada supports A.B. 321 because it strengthens voting access for Native Americans across the State while still respecting tribal sovereignty. Giving tribes an extended deadline to request a polling location relieves some of the burden placed on tribes each election cycle. The needs of every tribal community are different, and this bill not only recognizes that but empowers each tribal nation to make decisions that are appropriate for its community. Please vote to invest in the voting rights of Native Americans and help right the wrongs of past voter suppression. Please support A.B. 321.

GUILLERMO BARAHONA (Chispa Nevada):

Chispa Nevada supports A.B. 321 because we need to make sure that all Nevadans have an accessible way to cast their ballots in an election.

Accessibility is the most crucial element in our electoral system. As elected officials, it is your responsibility to ensure that every Nevadan can confidently send their ballot knowing that it will be counted, whether it was delivered by mail, relative or fellow neighbor. I urge you to invest in our democracy by voting yes on A.B. 321.

MR. JACKSON:

I strongly support A.B. 321 because it would continue to enfranchise the communities we work with every day. Throughout the last year, we have seen our communities struggle, and we have disproportionately seen communities of color, especially the Black community, be impacted by the Covid-19 pandemic. The pandemic also impacted the way that we vote. Assembly Bill 321 is our opportunity to make things right for all Nevadan voters by investing our resources in more equitable forms of participation in the election process. We can show the rest of the Country what it must do to ensure all eligible voters exercise their God-given right to vote. We are planting the seed now for future generations to follow. Please support A.B. 321. It is the right thing to do.

KERRY DURMICK (Nevada State Director, All Voting is Local Nevada):

All Voting is Local fully supports A.B. 321. Nevada voters prefer to have multiple mechanisms to participate in voting while ensuring the process is safe and secure. That is exactly what A.B. 321 does.

In 2020, voting by mail was the most popular method of casting a ballot. According to the SOS, 48 percent of Nevada voters cast their ballot by mail, up

from roughly 7 percent in 2016. Another 40 percent voted early in person, and 11 percent voted in person on Election Day. Let us invest in elections and give our voters more options. Please support A.B. 321.

MANUEL SANTAMARIA:

I am a resident of Clark County and a veteran. I served in the U.S. Army as a combat medic, and I support A.B. 321. It is Memorial Day weekend. The ability to vote and easily exercise our democratic right is the very foundation of honoring those who gave all so that you, our Legislators, can have the privilege of doing your job.

The SOS has an "I Vote to Honor a Service Member" program that allows Nevadans to honor those fighting abroad while we vote here, free to express our opinions. There is no better way to memorialize those who died for us than to invest in A.B. 321 this weekend. If you believe you owe your freedom to a veteran, then feel the weight of the meaning of Memorial Day. Remember the sacrifice of the people who answered the call to ensure and perpetuate American democracy. Invest in expanding voting rights; the debt has already been paid for you.

JANINE HANSEN (State Chairman, Independent American Party of Nevada):

We oppose A.B. 321. The fiscal note from the SOS is millions of dollars, but the cost will be much greater. The United States was founded as a republic with principles of democracy demonstrated through our elections.

We also oppose unfunded mandates. What we have seen witnessed around the world in many other countries is that when people lose confidence in the integrity of their elections, a breakdown of the peaceful democratic process gives way to violence. This is born of deep frustration because people believe that their vote does not count, and there is no peaceful recourse.

Just because the Democrats have a majority in both houses of the Legislature and the Governor is a Democrat, does not mean it is wise to change the time honored election process in Nevada into one which mirrors California's. Almost half of the voting population in Nevada does not believe we had an honest election in 2020.

When you choose to implement all mail-in voting and ballot harvesting, you simply perpetuate and exacerbate the feelings of distrust in the election process.

One problem in our law that creates distrust is the fact that driver's authorization cards are numbered from the same sequence of numbers as a driver's license, so there is no way to distinguish a driver's license of a citizen from a driver's authorization card of a possible noncitizen. This means that the SOS and any local election official has no way of determining by checking the number on a driver's authorization card or driver's license if the person registering to vote may not be a citizen. This is by legislative design and handicaps the SOS and local election officials in checking and possibly removing noncitizens from our voter registration rolls.

Assembly Bill 321 enshrines in our law that people registering to vote at the Department of Motor Vehicles do not have to show proof of identity or residency the first time they vote for federal elections.

Please do not squander any trust left in our election process. Vote no on A.B. 321.

MR. RUSSO:

I strongly oppose A.B. 321. One of the most devastating effects of the November election is that it left a considerable portion of the electorate distrusting the election process and a huge scar on our Nation including the State of Nevada. This is not a Democrat versus Republican issue. It is an election integrity issue.

According to a Rasmussen poll from November of last year, 20 percent to 30 percent of Democrats believed that fraud was an issue in the last presidential election. Unfortunately, this bill does nothing to restore election integrity. It would ensure that the voting irregularities we observed in the last election under A.B. No. 4 of the 32nd Special Session continue indefinitely.

Mail-in ballots are costly and ripe for misuse, especially when the option to request an absentee ballot is easily available. Ballot harvesting just adds to the chance for abuse.

It should be in the interest of both parties to initiate practical election reform that includes cleaning up the voter rolls, so that we are assured that our votes will count and not be cancelled out by someone trying to cheat the system. I prefer paper ballots accompanied by voter IDs. It is simple and straight forward.

The measures in this bill will not restore integrity and trust in our election process. They will open the door to potential election fraud and further weaken and divide our State in the process. Please oppose A.B. 321.

ALIDA BENSON (Political Director, Nevada Republican Party):

On behalf of Republicans in the great State of Nevada, we strongly oppose A.B. 321. We ask every legislator a question: How many fraudulent votes are acceptable? If your answer is anything other than zero, you deserve to have a different level of scrutiny applied to your campaign.

The 2020 election in Nevada was notable. The dead rose from the grave to cast mail-in ballots, 3,987 noncitizens voted and people were paid for votes in every single county in Nevada. Not a single person has gone to prison for these crimes. We have done extensive canvassing of fraudulent votes throughout the State and invited legislators to investigate them. The invitation is still open. We would like you to investigate how voters cast ballots from a storage unit on 2525 Windmill Parkway in Henderson. We would like you to investigate how voters with no last name and no first name other than resident are legitimate. This bill seeks to codify into law voter intimidation and suppression at every level. This bill allows legalized ballot harvesting while criminalizing picking up loose ballots that were scattered on the ground. Our State, which already has low standards for meaningful observation of polling places, will have none as election workers are deputized to arrest anyone who interferes.

Rather than be champions for transparency, the sponsoring members are champions for voter suppression. There are no penalties for registrars who fail to properly secure ballots, but it does make it harder to contest an election. Assembly Bill 321 is the enemy of clean elections, clean government and transparency. Our elections should have security as stringent as a casino where you have to show identification to get a player's card and everything is recorded on camera. End the double standard and vote no on A.B. 321.

MELISSA CLEMENT (Nevada Right to Life):

Nevada Right to Life opposes A.B. 321. Our concern today is the insufficient resource allocation to ensure that the changes proposed in the bill would result in safe, secure elections that would give the Nevada public confidence in the integrity of future elections. Unsecured and unrequested ballots going out to everyone, without a chain of custody through the mail ballot process is inherently problematic. There are no fiscal notes for resources devoted to ballot security, election fraud investigation and election fraud prosecution. In the 2020 election, there were numerous complaints of possible election fraud. Nevadans were told that there were insufficient resources devoted to investigation, so investigations were incomplete or did not happen. There is not a fiscal note for the AG's Office or any of the district attorneys who would presumably investigate and prosecute any issues. Additionally there are no fiscal notes for counties who will have to change their election practices entirely. Election security is a bipartisan issue that will affect both parties for the future. Please vote no on A.B. 321.

ASSEMBLYMAN FRIERSON:

Our election officials are the best in the Country and have given us perspectives that significantly improve what was a good start. We have taken measures to address the concerns. No level of fraud is acceptable. Assembly Bill 321 makes that clear by increasing it to a felony.

We have to deal with facts. The facts are there was no fraud here in Nevada. We will go after it if it happens. We have to continue to educate the public on what is true versus what is not true. We are committed to continuing to educate the public.

SENATOR KIECKHEFER:

I will close the hearing on A.B. 321 and open the hearing on A.B. 486. We heard this bill in a previous meeting relating to homeowner's assistance. It was amended in the Assembly.

ASSEMBLY BILL 486 (1st Reprint): Establishes provisions relating to property.
(BDR S-1041)

ASSEMBLYMAN STEVE YEAGER (Assembly District No. 9):

Assembly Bill 486 deals with tenants, landlords and evictions. I will go over some of the amendments we made since the previous hearing.

Section 2, subsection 2, paragraph (b) makes clear that a landlord may file a motion to rebut the affirmative defense asserted by the tenant. If a tenant says he or she has applied for rental assistance but in fact they have not, the landlord has an entryway to court to challenge that.

The bill now provides an exception to this procedure if a landlord is facing the threat of foreclosure based on inability to pay. The landlord can now use that argument to the court.

Section 3.5 creates a new cause of action. If a landlord accepts rental assistance money and then evicts the tenant, the local government entity has a claim to recoup the rental assistance money.

Section 6, subsection 7, paragraph (a) provides that, in exchange for agreeing not to evict a tenant for a period of 90 days, the landlord will be made whole for the period of rental delinquency.

In section 7 of A.B. 486 we cleaned up some of the language about the appropriation. I have made the commitment that if the \$5 million appropriation is inadequate to meet the need, I will try to find additional funding to make sure tenants stay housed and landlords are made whole.

Section 8.5 repeals the eviction mediation program that was enacted in the Thirty-second Special Session because the bill itself reestablishes the program and opens it further.

Today, there is an additional proposed amendment ([Exhibit C](#)) that is largely technical changes. The amendment makes it clear that the bill does not apply to commercial properties, and it does not apply to nuisance cases.

There was some concern about what a landlord could do if a tenant claimed they had applied for rental assistance when all they did was file an account but not follow through proactively. In [Exhibit C](#), the language of section 2, subsection 7 provides a definition of pending application for rental assistance to include that it is submitted in good faith and is being actively pursued. That provides some comfort that in the rare case a tenant may be abusing the provisions, that landlord has recourse.

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CHAIR BROOKS:

Does anything in the new proposed amendment, [Exhibit C](#), change the fiscal impact?

ASSEMBLYMAN YEAGER:

No.

SENATOR KIECKHEFER:

Do the amendments adopted by the Assembly address the fiscal notes on the bill?

ASSEMBLYMAN YEAGER:

The Administrative Office of the Courts (AOC) and the Department of Business and Industry were concerned with exhausting the funding. The funds currently being used expire at the end of calendar year 2021. The protections in A.B. 486 expire on June 5, 2023 or when there are not sufficient funds to administer the program.

The bill itself would continue to exist, but the mediation program would expire if funds are exhausted. There is reason to expect additional federal funding for this program.

SENATOR SEEVERS GANSERT:

Is that expiration language broad enough to include a variety of federal funding?

ASSEMBLYMAN YEAGER:

Yes, it is.

JOHN MCCORMICK (Assistant Court Administrator, Administrative Office of the Courts, Department of Sentencing Policy):

With the added language in the first reprint, we have removed our fiscal note.

MS. SAUNDERS:

The PLAN supports A.B. 486. With only days until the State's eviction moratorium ends, we must pass this bill to protect Nevada Families.

MR. CHALLINOR:

Faith in Action Nevada strongly supports A.B. 486. This bill will provide much needed assistance to those who need it the most and most importantly, keep Nevadans in their homes. We urge your support.

AMANDA BRAZEAU (Nevada HAND):

Nevada HAND is the State's largest nonprofit developer of affordable housing. Assembly Bill 486 will provide some relief to local governments by creating greater flexibility with the application processes through which affordable housing communities such as Nevada HAND can provide more direct assistance to residents.

TESS OPFERMAN (Nevada Women's Lobby):

It is the priority of the Nevada Women's Lobby to support affordable and stable housing especially after this last year of job insecurity and a high rate of unemployment. Unemployment has disproportionately affected women and people of color. We support A.B. 486.

MR. PICCININI (Food Bank of Northern Nevada):

Since this is the money committee, I would note the high cost of doing nothing. The Food Bank of Northern Nevada has distributed approximately \$30 million worth of food. There was already a housing crisis before the pandemic, and great work was done in the Eightieth Session to address some of those issues. Nevada has never fully recovered from the housing crisis of 2008. In 2019, the Food Bank was serving about 90,000 people each month; now, we are serving about 120,000 people each month.

The fiscal impact of not solving this problem will be even bigger as people lose their homes with absolutely no place for them to go. The two food banks in the State are the first place people go to get resources. Quite frankly, I am not sure that is a demand we would be able to meet on our own. I urge your support for A.B. 486.

JOANNA JACOB (Clark County):

We support A.B. 486.

MR. SULLIVAN:

The Culinary Workers Union supports A.B. 486 for all the reasons you have already heard. It will do a lot to help our members who have struggled with housing insecurity throughout the pandemic, and we urge your passage.

MS. MAGNUS:

Battle Born Progress strongly supports A.B. 486. For the past year, our organization has had many of our own members suffer from the economic impacts of the Covid-19 pandemic and were threatened with eviction for their inability to pay. I have personally stepped in on numerous occasions to try to assist Nevadans in need. Nevada is once again facing a housing and evictions crisis. The situation is dire, and we must act now. Nevadans are counting on you to help them through this crisis. Of all the things you have worked on this session, pandemic relief is the number one issue we must address.

This funding will be well spent, and Nevadans are desperate for this aid. If there is no action, we will see this crisis grow in exponential ways. Please support A.B. 486.

ERIC JENG (Director of Outreach, Asian Community Development Council; One APIA Nevada):

We support A.B. 486 for all the excellent reasons you have already heard.

MS. BORTOLIN:

Eviction relief has been a journey since the pandemic began. It has been an inspiring joint venture by many stakeholders, and A.B. 486 is the very well-thought out product of many hours of hard work. I am optimistic and appreciative.

SENATOR KIECKHEFER:

I will close the hearing on A.B. 486.

CHAIR BROOKS:

I will open the hearing on Senate Bill (S.B.) 397.

SENATE BILL 397 (1st Reprint): Revises provisions relating to certain persons who remain in foster care beyond the age of 18 years. (BDR 38-502)

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SENATOR JAMES OHRENSCHALL (Senatorial District No. 21):

In my day job, I am a deputy public defender, and I work with many kids. Assembly Bill No. 350 of the 76th Session provided support to help kids who grow up in the foster care system and then turn 18 in the form of a monthly stipend to help them land on their feet. Senate Bill 397 tries to build on the program to keep it going and make it eligible for Title IV-E Foster Care federal fund reimbursement.

I have proposed a conceptual amendment ([Exhibit D](#)) that should remove the fiscal note yet leave the statutory language in place.

SENATOR HAMMOND:

This is a great idea. Does the proposed amendment change the implementation date?

SENATOR OHRENSCHALL:

After conversations with the Department of Health and Human Services' (DHHS) Division of Child and Family Services (DCFS), Legal Aid and the counties, the amendment delays the effective date to January 1, 2024.

SENATOR HAMMOND:

Did we do a study during the last Interim on ways to draw the Title IV-E funding? I was anticipating implementing this soon.

SENATOR OHRENSCHALL:

We did.

ROSS ARMSTRONG (Administrator, Division of Child and Family Services, Department of Health and Human Services):

Title IV-E funding requires a General Fund match, which varies depending on program. Extended foster care, unlike some of the other title IV-E programs, is extremely flexible. We intend to use the upcoming budget building process to figure out what our extended foster care program will look like. The amount of the General Fund contribution will depend on what age we extend to.

This has been a difficult Session in terms of substantial General Fund requests, especially if we extend to age 21. The delay allows us to build some robust decision units for a thorough vetting in the 2023 Session. We will also have to

submit our plan to the federal government for approval before we can start offering those services.

SENATOR HAMMOND:

My disappointment comes from thinking you had two years already to figure this out. There are a lot of youths out there who could benefit now from a program such as this.

SENATOR OHRENSCHALL:

It was a privilege working with Senator Hammond on the Interim Committee for Child Welfare and Juvenile Justice. Senate Bill 397 makes the statutory changes that would be needed for the Title IV-E federal reimbursements. It is not outside the realm of possibility that those funds could be drawn down during the Interim.

SENATOR RATTI:

There were many difficult funding decisions to be made this Session. I do not want anyone to be under the impression that DCFS did not do what they were supposed to do. We have come to understand that making the statutory changes in advance of standing up the extended foster care program has advantages.

SENATOR SEEVERS GANSERT:

I am sure this is a priority for many people. I know the work was done on the fiscal note and the budget is tight. State plans do not happen overnight. I wonder if we can use American Rescue Plan (ARP) Act of 2021 dollars, even if it is not right away.

CHAIR BROOKS:

Because of the matching requirements, would the extended foster care program have a fiscal impact on future biennia?

MR. ARMSTRONG:

Correct. I would also note that ARP funds cannot be used to provide a federal match. Foster care children and those transitioning were addressed in the ARP guidance. It would certainly be great to get some additional resources for this population from ARP funds, even if it is not directly for the extended foster care program.

MS. JACOB:

Clark County supports S.B. 397. We had a fiscal note on the bill, but delaying the effective date removes the fiscal note for the 2021-2023 biennium.

The statutory changes are important in taking a program we already have in Clark County and making it Title IV-E eligible. Some federal funding through the Chafee Foster Care Independent Living Program was made available during the pandemic. The sentiment was that youth should stay in foster care during the pandemic and avoid disruption to their lives.

JAMIE RODRIGUEZ (Washoe County):

Washoe County appreciates all the work that went into this bill and supports S.B. 397.

DASHUN JACKSON (Director of Children's Safety and Welfare Policy, Children's Advocacy Alliance):

I am an alumni of Nevada's foster care system. The Children's Advocacy Alliance supports S.B. 397. This bill provides extended support and resources to youth transitioning out of foster care, ensuring they have every available resource, support and tool to become successful. Rita Pierson said it best, "Every child deserves a champion—an adult who will never give up on them, who understands the power of connection and insists that they become the best they can possibly be."

CHAIR BROOKS:

I will close the hearing on S.B. 397 and open a work session.

WAYNE THORLEY (Senate Fiscal Analyst):

With the conceptual amendment, [Exhibit D](#), there is no longer a fiscal impact to S.B. 397 for the 2021-2023 biennium.

SENATOR DENIS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 397.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CANNIZZARO WAS EXCUSED FOR THE VOTE.)

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MR. THORLEY:

The Committee may wish to introduce Bill Draft Request (BDR) S-1181.

BILL DRAFT REQUEST S-1181: Makes an appropriation to the Department of Education for allocation to certain charter schools. (Later introduced as S.B. 463.)

Under the approved funding model, certain charter schools would receive less funding than their hold harmless level and require additional appropriation. There are 12 charter schools in FY 2021-2022 and 9 charter schools in FY 2022-2023 in the BDR.

CHAIR BROOKS:

We will hear this bill in a Committee meeting. I will accept a motion to introduce this BDR on the Senate Floor.

SENATOR RATTI MOVED TO INTRODUCE BDR S-1181 ON THE SENATE FLOOR.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR BROOKS:

I will open the hearing on S.B. 461.

SENATE BILL 461: Revises provisions relating to state financial administration. (BDR S-1177)

MR. THORLEY:

I walked the Committee through BDR S-1177 for S.B. 461 yesterday. There have been some changes since then. The bill sets forth allocation priorities for

Coronavirus State and Local Fiscal Recovery Funds which is the direct aid to states' portion of the ARP.

Section 1, subsection 1, instructs the Chief of the Budget Division of the Office of Finance in the Office of the Governor in consultation with the Senate and Assembly fiscal analysts of the Legislative Counsel Bureau (LCB) Fiscal Analysis Division to calculate, as soon as possible upon receipt of the \$2.7 billion in federal funds, the lost reduction in general revenue pursuant to the formula set forth by the U.S. Department of the Treasury. It further instructs that, after the calculation is done, the amount determined to be lost revenue be transferred to the General Fund.

Section 1, subsection 2 sets forth in order of priority other disbursements that should be made using the ARP funds. The first priority is disbursement of \$335 million to repay loans to the Unemployment Compensation Fund under Title XII of the Social Security Act. The second is \$20.9 million for the public health emergency related to the Covid-19 pandemic. When we discussed this yesterday, the Committee asked Fiscal staff for details, and the Committee has been provided this information. The third priority is \$7.6 million to address food insecurity.

Last, are disbursements for any other purpose authorized. The bill details six categories. Those categories mirror the Governor Steve Sisolak's Every Nevadan Recovery Framework.

SENATOR KIECKHEFER:

Section 1, subsection 2, paragraph (d) details authorized uses within categories. Do these expenditures still have to go through the State budget and be approved by the Interim Finance Committee (IFC)?

MR. THORLEY:

That is correct. The entire \$2.7 billion was included in the Authorizations Act working its way through the Legislature now. That funding will be placed in the newly created Covid-19 Relief Programs budget account 101-1327 and subject to the State Budget Act. Any allocations from that account will go through the normal work program IFC process.

SENATOR KIECKHEFER:

Will these funds will be transferred out of that account into the General Fund?

MR. THORLEY:

Section 1, subsection 1 stipulates that anything identified as lost revenue will be transferred to the General Fund. Everything in subsection 2 is separate from lost revenue.

MR. PICCININI:

The Food Bank of Northern Nevada is extremely grateful that food insecurity was addressed in the bill. This past year has shown us that food distribution can be reinvented. I appreciate all the cooperation we have received from the Department of Agriculture and the DWSS. The food banks in the State have no standing funding from the State budget, so this will make a big difference.

MR. CHALLINOR:

Faith in Action Nevada supports S.B. 461 because it will help make our communities whole again.

MR. DALY:

The NSEA supports S.B. 461 and has submitted a letter of support ([Exhibit E](#)).

SARAH ADLER (National Alliance on Mental Illness Nevada):

The National Alliance on Mental Illness Nevada supports S.B. 461. We are excited about the opportunity to apply these funds in important ways. Emergency and transitional supportive housing for individuals affected by the pandemic would fit within this framework.

CHAIR BROOKS:

I will close the hearing on S.B. 461 and open a work session.

SENATOR RATTI MOVED TO DO PASS S.B. 461.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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MR. THORLEY:

Assembly Bill 126 was presented by Assemblyman Frierson earlier today. The bill would change the presidential candidate nominating contest from a caucus process to a presidential preference primary and move the date of the presidential preference primary to the first in the Nation. The bill has no fiscal impact in the 2021-2023 biennium since the next presidential nominating contest will not occur until 2024. Deputy Secretary of State for Elections Mark Wlaschin confirmed the bill has no impact for the 2021-2023 biennium but did indicate there would be a fiscal impact in FY 2023-2024. There were no amendments presented. There was numerous testimony in support of the bill. One individual provided testimony in opposition. There was no neutral testimony.

SENATOR DENIS MOVED TO DO PASS A.B. 126.

SENATOR RATTI SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SEEVERS GANSERT WAS EXCUSED FOR THE VOTE.)

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ALEX HAARTZ (Principal Deputy Fiscal Analyst):

Assembly Bill 341 was presented by Assemblyman Yeager this morning, who offered a proposed amendment Exhibit B. The bill addresses issues of public consumption of cannabis for those who have nowhere to legally consume. Many individuals testified in support and several in opposition. There was no neutral testimony.

The CCB had submitted a fiscal note, and they testified that the note was based on a large number of licenses issued. The amendment reduced the number of licensees to 40, and the CCB testified the cost of the fiscal note would be reduced consistent with the reduction in the number of licensees. The CCB activities are funded through fees paid by the licensees so there is no impact to the General Fund.

The AG's Office also had a fiscal note. Consistent with the budget approved by the Senate Committee on Finance and the Assembly Committee on Ways and Means as well as previously approved by IFC, the CCB pays for AG staff time

directly. Any additional AG staff and time resulting from the cannabis consumption lounges will be directly charged to the CCB and not affect the General Fund. Because the additional cannabis revenue goes to the DSA, there could be a downstream impact at a later date.

If the Committee wishes to pass this bill, the motion would be to amend and do pass as amended, incorporating the amendment [Exhibit B](#) proffered by Assemblyman Yeager this morning.

SENATOR DENIS MOVED TO AMEND AND DO PASS AS AMENDED
[A.B. 341](#).

SENATOR RATTI SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. THORLEY:

[Assembly Bill 486](#) was heard on May 24 and again today. The bill was presented by Assemblyman Yeager, who focused on the amendment that was adopted by the Assembly. There was a proposed amendment, [Exhibit C](#), presented today.

Assemblyman Yeager testified that nothing in the proposed amendment creates a fiscal impact. The amendment delineates that the eviction mediation program will expire on June 5, 2023, or when federal funds run out. John McCormick of the AOC confirmed that the Court's fiscal note has been eliminated with the change to the ending date of the program relative to the federal funding.

Numerous individuals testified in support. There was no testimony in opposition or neutral. If the Committee wishes to move forward, it would incorporate the amendment, [Exhibit C](#).

SENATOR DENIS MOVED TO AMEND AND DO PASS AS AMENDED
[A.B. 486](#).

SENATOR DONDERO LOOP SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR HAMMOND VOTED NO.)

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CHAIR BROOKS:

I will open the hearing on A.B. 230.

ASSEMBLY BILL 230 (2nd Reprint): Revises provisions relating to juvenile justice. (BDR 5-791)

ASSEMBLYMAN C.H. MILLER (Assembly District No. 7):

Assembly Bill 230 aims to eliminate direct filing provisions in statute that require youth to be tried in adult criminal court when charged with certain offenses. The intent of A.B. 230 is to do one thing: let our children remain children, even when they have not made the best decisions.

The bill extends the jurisdiction of the juvenile court to cover certain youth who are alleged to have committed certain crimes that under existing law would require they be automatically certified as adults and transferred to the adult criminal justice system. The process is called automatic certification or direct filing.

Assembly Bill 230 gives these youths an additional step of due process by requiring a hearing before a juvenile judge who will then make the decision on whether the child will be transferred to the adult system.

The Department of Corrections (NDOC) sees this bill as a savings. There is a fiscal note on the bill from Clark County. Clark County is the only county in the State doing direct files currently. Its fiscal note is for \$3 million to add an additional high-security housing unit.

Based on historical numbers, the bill as written in its second reprint affects approximately 25 to 30 kids per year, or 2 to 3 additional kids per month. There are options that do not require housing, such as GPS monitoring release. When youth are sent to the adult court, the judges often use GPS monitoring release because they do not want to put the children in an adult prison. There are options that do not necessarily increase the population that is being housed.

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The bill was passed unanimously by the Assembly. There was tremendous bipartisan support. Thirty members signed on to A.B. 230. It is good policy and I would love to have this Committee's support.

BRIGID DUFFY (Deputy District Attorney, Juvenile Division, Clark County Office of the District Attorney):
I support A.B. 230.

I am by profession a prosecutor. I am very proud to be a prosecutor. I went into my public service profession because I wanted to help my community and keep my community safe, and I take my oath and my responsibility seriously. Keeping our community safe is my number one priority, and A.B. 230 is an opportunity to improve community safety by allowing those children who commit terrible acts a chance at rehabilitation and services in the juvenile system. A treated, rehabilitated child—a child who receives an education, job training and counseling—becomes an adult that can live a good life and not victimize our community. The juvenile prosecutors across our State hope that children will embrace the opportunity provided by the passage of this bill to change their trajectory.

SENATOR CANNIZZARO:

Are we removing certain provisions that would require automatic certification for certain offenses? Does the discretion remain with the court if there was a request to certify in a particular case?

MS. DUFFY:

Yes, that is what the bill does. It removes certain offenses from direct filing into the adult system; however, prosecutors across the State will still have the discretion to file motions to certify a child to the adult system. It then becomes the judge's discretion whether or not to send the child to the adult system based on prior offenses or prior attempts at rehabilitation. The offenses are ones in which we felt we can keep the discretion in place because we can serve those children in the juvenile system.

CHAIR BROOKS:

In the process of amending the bill and getting to the second reprint that we have in front of us, what has changed regarding the fiscal notes?

ASSEMBLYMAN MILLER:

Other than the one from Clark County, the fiscal notes on the original bill have been removed.

ALEX ORTIZ (Clark County):

Clark County reduced its original fiscal note of approximately \$12 million over the 2021-2023 biennium to approximately \$7 million. We would have to house these youths in a separate, high-security housing unit because of the nature of these crimes. We have to staff that housing unit. We did not submit an unsolicited fiscal note, but can do so if the Committee wishes.

CHAIR BROOKS:

We will need that.

SENATOR DONDERO LOOP:

What about the costs of feeding and educating these youths?

MR. ORTIZ:

The revised fiscal note does account for some of those costs as well as health and mental health care. This population cannot intermingle with the other youths, so we would have to have a separate, high-security facility with individual rooms.

SENATOR DONDERO LOOP:

Has the existing youth facility been updated in the last 15 years?

MR. ORTIZ:

I do not know the answer to that.

CHAIR BROOKS:

Did the amendments already adopted change any of the other fiscal notes?

ASSEMBLYMAN MILLER:

The Humboldt County fiscal note has been removed, and NDOC expected to see a savings. Both agencies called in to verify that when the bill was heard in the Assembly Committee on Ways and Means.

MS. WELBORN:

The ACLU has been working on juvenile justice reform for a long time. Assembly Bill 230 is a step in the right direction. Data from 2017 shows that 41 Nevada youths were direct filed to the adult criminal justice system. Every single one was a child of color, and 27 of those were Black boys. This is a failure. We have very clear evidence that children are both psychologically and constitutionally different than adults. The public policy of the State should be to move away from the direct file system, and there are exponential cost savings when we start to retain youth in juvenile institutions.

JAGADA CHAMBERS (Silver State Voices):

Since 2012, there have been 219 direct files, of which 137 were Black, 62 were Latino and 17 were White. This bill is instrumental in changing what some have dubbed the school to prison pipeline, because it would force our jurisdictions to see kids as kids. When a 14-year-old does something heinous and is thrust into the adult criminal justice system, it creates a problem. Every child is redeemable with time and energy. Once they are transferred to adult court, that opportunity is lost. I urge your support of A.B. 230.

MS. SAUNDERS:

I echo the previous speakers' comments and say that PLAN supports A.B. 230. I have been asked to convey the support of Kendra Bertschy, representing the Washoe County Public Defender's Office, John Piro representing the Clark County Public Defender's Office and Ben Challinor of Faith in Action Nevada. All these individuals are in conflicting bill hearings at the moment.

NICOLE WILLIAMS:

I agree with previous testimony and support A.B. 230.

DENISE BOLAÑOS:

I am a member of Return Strong Nevada and support A.B. 230.

ADRIAN LOWRY:

I echo previous comments and support A.B. 230.

JODI HOCKING (Return Strong: Families United for Justice for the Incarcerated):

I support A.B. 230. When this bill came up this Session, I surveyed approximately 500 incarcerated individuals about their experience with the juvenile justice system. We received many letters from Black and Latino people

who were direct filed into the adult system and the impact that has had on them.

One man wrote a very heartfelt letter from Ely State Prison. He has been incarcerated since age 17 and will soon be paroled at age 27. He wrote about being terrified at being thrust into the adult system back then, and he feels the same terror now about being thrust into society with no idea how to function in it.

DESIREE MILLER:
I support A.B. 230.

VALERIE O'NEILL:
I support A.B. 230.

AYANA OGLESBY:
I support A.B. 230. It is the right thing to do.

SUSIE MILLER (Deputy Administrator, Residential Services, Children's Mental Health Services, Division of Child and Family Services, Department of Health and Human Services):

The fiscal note from DCFS remains uncertain because we are not sure how many of the youth that would have been automatically certified will still be certified versus kept in the juvenile system.

MR. HAARTZ:
The DCFS testimony is consistent with the original fiscal note, saying it could not identify the cost because it is dependent on the number of youth who are not automatically certified.

The fiscal note submitted by NDOC does indicate it anticipates savings in inmate-driven expenses as a result of certain youth who otherwise would be committed to one of its facilities not being committed to its facilities.

CHAIR BROOKS:
I will close the hearing on A.B. 230 and open the hearing on A.B. 445.

ASSEMBLY BILL 445 (2nd Reprint): Revises provisions relating to financial administration. (BDR 18-862)

ASSEMBLYWOMAN DANIELE MONROE-MORENO (Assembly District No. 1):
Assembly Bill 445 revises the Office of Grant Procurement, Coordination and Management (GPCM).

Nevada has long struggled to access federal funding on a level competitive with other states. We pay more than we get back. Recognizing the need to develop a more coordinated State effort, S.B. No. 233 of the 76th Session created the GPCM. The Office was originally granted the authority to research and identify available federal grants, work with State agencies to write federal grants and coordinate efforts with Nevada's congressional delegation relating to the availability and management of federal grants. In 2017, the Office was revised to allow the administrator to hire the necessary number of classified and unclassified employees within the limits of money appropriated or authorized.

Assembly Bill No. 489 of the 80th Session created the grant matching fund as part of a pilot program to allow State agencies, local governments, tribal governments and nonprofit organizations to request grants for the fund for the purpose of satisfying the matching requirement for a grant from a federal or nongovernmental organization. The program made one award—to the North Las Vegas Police Department for \$45,129, which secured a \$451,292 grant from the U.S. Department of Homeland Security. That was a \$10 federal return for every \$1 we invested.

Due to the unforeseen impact of the Covid-19 pandemic on the State budget, the program stopped accepting applications in April 2020. The operational funding and uncommitted program funds reverted to the General Fund.

As a result of the Coronavirus Aid, Relief and Economic Security Act of 2020, in just a few weeks, Nevada went from struggling to access federal grants to being overwhelmed by the administrative tasks associated with them. We do not have a system in place to secure grants when we need them in ordinary times or administer them when we get them in a crisis. Neither one of those scenarios works for Nevadans.

We recognize the need for a well-organized federal grants office and strategy. Assembly Bill 445 makes four major improvements. It transfers the GPCM from the Department of Administration to the Office of the Governor and renames it the Office of Federal Assistance. In this new elevated position, the Office can more proactively and collaboratively work with State agencies, local

governments, nonprofits and members of Nevada's federal delegation to identify and compete for federal grants.

The new Office will not take responsibility for existing agencies to write applications and administer grant programs. Instead, this Office will help coordinate and supercharge agencies' efforts.

Second, A.B. 445 calls for the creation and implementation of a State Plan to maximize federal resources. This will be the first time we have focused on getting Nevadans the most benefit from their federal tax dollars. Specifically, the Plan will address how the State can increase its federal grant awards, streamline grant administration and improve postaward compliance.

Third, it expands the Nevada Grants Council, created by the Legislature in 2015, to include two additional members representing nonprofits, tribes or local governments. It also includes the State Controller and the State Treasurer or their designee, who each play an important role in the flow of federal grants. It also revises the duties of the Council to advise and assist the director in developing and carrying out the State Plan.

Finally, A.B. 445 makes the successful 2019 pilot program permanent and funds it with \$1 million each year. The new permanent program will not provide funds for the purpose of satisfying any matching requirements for nongovernmental grants.

During the bill hearing in the Assembly Committee on Government Affairs, we heard from dozens of businesses, local governments, tribal communities and nonprofit stakeholders in support of this legislation. Since that hearing, I have spoken with the Governor's Office of Finance, the Department of Administration and the Controller's Office to understand and clarify their fiscal notes. These improvements to our State's grant procurement process require an investment. Case studies from other states show us that investments in federal grant acquisition and administration pays off many times over.

ZACH CONINE (State Treasurer):

In his January 2021 State of the State address, Governor Steve Sisolak mentioned an ambitious but achievable goal: getting \$100 million of new grant federal funding to the State over the 2021-2023 biennium and \$500 million per year by the middle of this decade.

This can be done with an investment. As the State's chief investment officer, there is not a lot out there to invest in that is quite as good as federal grants. Federal grants do two things. They help us provide the services we need to Nevadans, and they provide jobs, jobs, jobs. Every time a house is weatherized, every time we build an affordable house, every time we provide food service, every time we provide medical care—someone is providing the service. Those are good, high-paying jobs for Nevadans.

MILES DICKSON (Program Director, Nevada GrantLab):

I have provided you with a document titled "Modernizing Nevada's Federal Grant System and Strategy" ([Exhibit F](#)). Every single year the federal government distributes approximately \$800 billion in federal grants to state and local governments, tribes and nonprofits for the purpose of paying for a wide range of projects, services and programs. Whether it is affordable housing, workforce development, community revitalization, the arts or the environment, you cannot pick an issue the federal government does not invest in.

Those dollars pay for personnel, jobs, goods and services. These are real dollars that go directly to the bottom line of issues that really matter to people. Federal funds play a critical role in balancing and leveraging local resources. When federal dollars are missing, we miss a lot of other dollars.

Historically, Nevada has underperformed in getting what we refer to as our fair share of federal dollars. Nevadans receive \$800 less per person per year when compared to the national average. The Kenny Guinn Center for Policy Priorities placed Nevada 45th in the Nation in terms of per capita federal funding. If you exclude Medicaid, Nevada drops to 50th. The anomaly is that most federal funding is designed to reach opportunity and need, which Nevada leads the Country in. We are missing the boat.

Nevada has a lot to gain in getting its fair share. The estimates range upwards of \$500 million per year in additional revenue. That is funding for the critical needs of Nevadans. It also provides for most administrative costs. Embedded within most federal grants is the ability to use 10 percent of the funds to administer programs. Over time, it should be a self-sustaining endeavor. Assembly Bill 445 is about getting it up and running and using grants in an effective way to pay for the administration.

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CHAIR BROOKS:

Please address the fiscal notes that were submitted.

ASSEMBLYWOMAN MONROE-MORENO:

The fiscal notes were from the Controller's Office and the GPCM. The Controller's Office fiscal note seems reasonable, and the GPCM fiscal note was adjusted by the amendments adopted by the Assembly.

MR. THORLEY:

Assembly Bill 445 in its second reprint contains several General Fund appropriations in response to fiscal notes submitted by various Executive Branch agencies.

Section 29.6 contains a General Fund appropriation of \$279,979 in FY 2021-2022 to GPCM for personnel and operating costs and the costs of upgrades to the grant management system. Section 29.63 contains a General Fund appropriation of \$1,091,010 in FY 2022-2023 to the newly created Office of Federal Assistance for personnel, operating and system upgrades. Section 29.67 appropriates \$89,537 in FY 2021-2022 and \$115,772 in FY 2022-2023 to the Office of the State Controller for personnel costs.

Lastly, section 29.7 transfers \$1 million from the balance of the Abandoned Property Trust Account.

CHAIR BROOKS:

Are all the fiscal notes addressed by these appropriations?

MR. THORLEY:

Yes, they are.

SENATOR KIECKHEFER:

Is the appropriation from the Abandoned Property Trust Account done after the \$7.6 million that goes to the Millennium Scholarship Fund?

MR. DICKSON:

The \$1 million per year transfer will continue as long as the legislation stands. If we achieve scale for federal funding at \$500 million, under federal guidance, 10 percent can be used for administration, yielding \$50 million to be shared across all grant administration.

The State Treasurer proposed using the Abandoned Property Trust Account as the seed transfer. The stream created from that account goes first to the Millennium Scholarship Fund in the amount of \$7.6 million, then the \$1 million to the newly created Office of Federal Assistance for grant matching and the balance to the General Fund.

PAUL MORADKHAN (Vegas Chamber):

The Chamber supports A.B. 445. The City of Las Vegas also asked us to put its support of the bill on the record.

MARK FIORENTINO (Nye County):

My firm has multiple clients who support A.B. 445 including John Ritter, Chair of the Nevada Advisory Council on Federal Assistance, the Ritter Charitable Trust, the Council for a Better Nevada and Nye County.

ANTHONY RUIZ (Nevada State College):

Nevada State College supports A.B. 445. Grants management is a focus for us as it is throughout the Nevada System of Higher Education.

CHAIR BROOKS:

I will close the hearing on A.B. 445 and open the hearing on A.B. 387.

ASSEMBLY BILL 387 (2nd Reprint): Revises provisions relating to midwives.
(BDR 54-225)

ASSEMBLYWOMAN DANIELE MONROE-MORENO (Assembly District No. 1):

Assembly Bill 387 establishes the Board of Licensed Certified Professional Midwives.

As introduced, A.B. 387 elicited multiple fiscal notes. The DHHS' Division of Public and Behavioral Health (DPBH) submitted a fiscal note for \$184,051 for FY 2021-2022, \$224,875 for FY 2022-2023 and \$449,750 for future biennia.

The DHHS Division of Health Care Financing and Policy (DHCFP) submitted a fiscal note showing a savings of \$89,063 in FY 2021-2022, \$320,767 in FY 2022-2023 and \$641,534 in future biennia. There were seven other fiscal notes submitted from various State agencies showing no fiscal impact. The bill is now in its second reprint.

Midwifery has been practiced in the United States for hundreds of years. Midwives provide care throughout the prenatal, delivery and postnatal stages of childbearing to healthy women experiencing normal pregnancies. A midwife monitors the physical, psychological and social wellbeing of a birthing parent. When needed, a midwife identifies and refers the few women who need more attention to doctors.

Midwives who attend births at home and birthing centers have excellent outcomes and cost approximately 34 percent less than hospital deliveries. Hospital deliveries cost over \$110 billion per year in the United States.

The advantages of care from midwives include excellent outcomes, lower cost, healthier babies and Medicaid savings. A pregnant woman on Medicaid who chooses an out-of-hospital birth with a midwife can help lower Medicaid costs. According to analysis by the Washington State Department of Health, its Medicaid program saved almost \$500,000 in caesarean section reductions over a two year budget cycle.

When I was pregnant with my eldest, I wound up delivering in a strange hospital because I went into labor while traveling. I did not receive the care that I needed and I almost died giving birth.

When my oldest daughter was pregnant with her first-born, she made the decision not to give birth in a hospital. I felt I failed as a mother; however, being with her and her family as she gave birth to my granddaughter was the most holistic, relaxing birth I have ever experienced.

I realized then that parents need options. A constituent who also nearly died giving birth asked me to do a couple of things. She asked me to sponsor a bill for birthing centers, and she wanted me to ensure the Maternal Mortality Review Committee started. She was a Black woman who was healthy but experienced some problems during her pregnancy that her doctor just did not listen to.

She was able to give birth to a healthy child, but she could not work and her husband worked two jobs so he could not spend the time he needed with her. She needed options. Parents need healthy options.

I also got a call from a constituent who thought she had hired a licensed midwife, not knowing that Nevada has no licensure for midwives. She had a negative outcome and lost her twins. She emotionally begged me to sponsor A.B. 387.

There has been a lot of negative feedback that has not been honest about this bill. I understand and respect the profession. I made a promise at a stakeholder meeting with a large group of midwives that I would not make this licensure mandatory. There are women who do not want a regulated midwife, and I do not have the right to take that option away from them.

There are parents who do want the option of regulated, licensed midwives, and I want them to have that option. A Powerpoint presentation ([Exhibit G](#)) was shown during the bill hearing in the Assembly.

There is an additional conceptual amendment ([Exhibit H](#)) for your consideration today. The amendment removes a conflict in the definitions found in A.B. 387 and A.B. 287.

ASSEMBLY BILL 287 (3rd Reprint): Revises provisions relating to childbirth.
(BDR 40-799)

SENATOR CANNIZZARO:

Being pregnant, I certainly feel that options and choices around childbirth are important.

SENATOR DENIS:

Do midwives have any kind of national certification? Please talk about the licensure process.

AMANDA McDONAL:

In Nevada, anyone can call themselves a midwife. There is no program or standard of education. Many of us are Certified Professional Midwives (CPM) who have met the standards for certification set by the North American Registry of Midwives. Others in Nevada have simply learned by information being passed down through generations. Lastly, there are nurse-midwives who usually work in a hospital setting and have national certification and State licensure.

SENATOR DENIS:

How many midwives are there in Nevada?

Ms. McDONAL:

There are approximately 20 CPMs in the State. Some online midwife groups claim there are between 30 and 60, depending on who you ask. We do not know the answer since there is no State oversight. There is no way to look up how long someone has been practicing or whether there have been complaints against them.

SENATOR DENIS:

How many nurse-midwives are there in Nevada?

Ms. McDONAL:

I do not know. They are completely separate from home-birth midwives.

SENATOR DENIS:

Since the number of midwives is so small, how will the proposed Board be sustained?

MARGOT CHAPPEL (Deputy Administrator, Regulatory and Planning Services, Division of Public and Behavioral Health, Department of Health and Human Services):

We were able to reduce the fiscal note when we discovered how few midwives would be certified through the new Board. It is now for \$92,877 in FY 2021-2022. That would cover the work of a health program specialist II who would oversee the program. In FY 2022-2023, we anticipate costs of \$117,725.

SENATOR DENIS:

How often would the license be renewed, and what would it cost?

Ms. CHAPPEL:

We will establish that in regulations. We are anticipating renewal every two years and no more than \$1,000 fee per year.

ASSEMBLYWOMAN MONROE-MORENO:

The DPBH would be authorized to accept gifts and donations, and it can apply for grants for the program.

DUANE YOUNG (Deputy Administrator, Division of Health Care Financing and Policy, Department of Health and Human Services):

We estimate a savings of approximately \$89,000 in FY 2021-2022 and \$320,000 in FY 2022-2023. We based our estimates on births happening in a birthing center. We know many of them will happen at home, yielding greater savings.

MR. HAARTZ:

The fiscal note from the DHCFP has not changed. The fiscal note from the DPBH, which will incur the administrative costs, has been reduced by approximately 50 percent. The larger concern is that the expected revenue could range from \$6,000 to \$20,000, whereas DPBH just testified that its cost in the first year would be nearly \$93,000.

CASSIA LOPEZ:

I am a mother in southern Nevada. There are hundreds of families opposed to A.B. 387 and who have voiced their opposition. We do not want this bill.

REBECCA WELLS:

I am a Nevada midwife of 11 years, and I oppose A.B. 387. This bill does not have the support of the majority of Nevada midwives. Only approximately six plan to pursue licensure under this bill. I also represent the Nevada Midwives Association (NMA), which is an inclusive organization for midwives formed in the 1980s. We informally polled our members and as many midwives in the State as we could find, which was about 60. The majority are opposed to this bill. Of all Nevada midwives, only three took the educational path that the bill would require after 2025. This will reduce the number of midwives that can license in the State in the future and will disproportionately affect rural and minority midwife prospects. Many of NMA midwives are in favor of licensure but do not support this bill because it eliminates the most common educational pathway for midwives in the State.

In addition, the fiscal notes for this bill indicate a savings for the State due to an estimated 4 percent of Medicaid births out of hospital. There is questionable justification for this number. There is no place in the U.S. where that many births take place as planned out-of-hospital births. The average is 1 percent to 2 percent of all births. Medicaid births are, on average, higher risk and would not lead to an increase in the percentage happening outside of a hospital.

There are many other problems with A.B. 387, and the vast majority of Nevada midwives oppose it.

MR. FIORENTINO (Nevada State Board of Pharmacy):

The Nevada State Board of Pharmacy wanted to ensure that, to the extent the bill contemplated allowing licensed midwives to possess and administer certain medicines, the midwives could obtain the appropriate approvals to do so. We understand that LCB Legal Division expressed an opinion that an amendment was not necessary.

ROMINA PAULUCCI:

I commend the work and compassion that the supporters of A.B. 387 show; however, I oppose the bill. Before regulating and placing restrictions, there was no attempt to reach out and understand the concerns and values of the midwives and families opposed to the bill.

Just as tribes have been colonized in the past, midwifery and sacred wisdom has been lost. I keep hearing about fiscal savings, but we are losing sacred wisdom. Please remember that. Not enough midwives and families have been invited to the conversation.

ASSEMBLYWOMAN MONROE-MORENO:

I started holding stakeholder meetings over a year ago, with 20 to 40 midwives in attendance. Once the Session started, I could no longer attend those meetings, but midwives Tiffany Hoffman and Amanda McDonal did, along with representatives from Make It Work Nevada. They held town halls and meetings with representatives from diverse organizations to make sure people had their voices heard.

Assembly Bill 387 does not impact anyone's license, because we do not have midwife licensure in the State. If we pass this bill, we will have an option for Nevada midwives who choose to get a State license. Those who choose not to get it will still be able to practice traditional midwifery.

CHAIR BROOKS:

I will close the hearing on A.B. 387 and open the hearing on A.B. 376.

ASSEMBLY BILL 376 (2nd Reprint): Enacts the Keep Nevada Working Act and makes various other changes relating to immigration. (BDR 18-737)

ASSEMBLYWOMAN SELENA TORRES (Assembly District No. 3):

Assembly Bill 376 establishes the Keep Nevada Working Act. Sections 16 through 19 create the Keep Nevada Working Task Force in the Office of the Lieutenant Governor. The intent of the Task Force is to develop strategies for private sector businesses, labor organizations and immigrant advocacy groups to support the future industries of the State, and to understand the economic role and impact of immigrants in our State and policies that might be barriers to economic opportunity and success.

The Task Force will support the efforts of business leadership, civic groups, government and immigrant advocacy groups to provide predictability and stability to the workforce. Over 20 percent of Nevadans are immigrants. Immigrants play a vital role in our economy and our communities. It is essential we have policies and regulations that empower them as stakeholders within our community.

Sections 20.6 and 20.9 require that the AG create model policies regarding how federal immigration is working with the public sector including local law enforcement agencies and schools. This is an opt-in feature, so local law enforcement agencies would not be required to implement the policies created by the AG.

Throughout the last year, many law enforcement agencies have expressed that advocacy groups are upset with the policies currently in place, but the agencies have no model policies implemented or required by the State. Assembly Bill 376 calls for model policies to be created to help guide local law enforcement agencies.

Section 26.5 contains a General Fund appropriation of \$500,000 for the purpose of providing pro bono legal services relating to immigration law. The University of Nevada, Las Vegas (UNLV) Immigration Clinic plays a key role in our community by ensuring representation for unaccompanied children and deportation defense. The funding would allow for new direct service positions so UNLV can expand services in the community.

All too often, immigrant children are without representation and UNLV cannot represent everyone with its current funding. This will allow the Immigration Clinic to expand services and provide representation to more children and families, working in partnership with Immigrant Justice Corps (IJC).

MICHAEL KAGAN (Immigration Clinic, University of Nevada, Las Vegas):

The Immigration clinic at UNLV is like a teaching hospital for law students, but we also provide free legal services to the community. The appropriation in A.B. 376 would not go to faculty salaries but simply to direct services to the community.

The Immigration Clinic is unique in its focus on deportation defense. We are often witnesses to what happens to a child or a family when they or a family member is threatened with deportation. Our largest group of clients are unaccompanied minors. Although we have had clients under age 5, most of them are middle school or high school age. They are often the victims of unspeakable violence, abuse or neglect.

We also work with detained adults, and in our work with IJC we have the first lawyer in Nevada to work on detainee cases full time pro bono. In many other cities the size of Las Vegas there are multiple lawyers doing this kind of work; in Nevada we have just one.

Going back to 2001, four out of five people in deportation proceedings at the Las Vegas Immigration Court managed to avoid an order of deportation if they had a lawyer. Without a lawyer, four times out of five they were deported. What that indicates is people in the community are being ordered deported who do not need to be. When we are successful in a case, we are able to get people legal authorization to work and often established as legally present in the United States.

When people are deported, the cost to the State is immense. We represent unaccompanied children whose welfare is the State's responsibility. For the adults we represent, there are costs as well. If a parent is deported, you have a family that was previously financially independent becoming dependent on social services. You risk that children will have to be placed in foster care and increase the burden on the school system.

The General Fund appropriations will not meet every need in the State. But it will be a transformative foundation for something bigger we can build to fill a gap that exists in our community now. With a \$500,000 appropriation, we will open a new community advocacy office and hire two new staff positions to deliver direct services. We would turn those into more positions.

The IJC works something like Teach for America for immigration lawyers. I will be asking them to lend us fellows to provide even more direct service to the immigrant community. That should turn the \$500,000 investment into something closer to \$900,000 of services. I see that as only the beginning.

This bill is about making sure that everyone in our State is treated fairly. We want to make sure that when families in our community are threatened, they do not stand alone.

CHAIR BROOKS:

Have you had any commitments from nongovernmental organizations or private donors to match the State appropriation?

MR. KAGAN:

I have been in conversation with IJC. It has not made a firm commitment to provide us additional fellows, but it has indicated it would be happy to be asked. The Vera Institute of Justice sometimes provides matches to states or localities for doing universal representation of people in deportation proceedings. I do not believe it has been contacted in relation to this bill, but it could be fruitful to look into the possibility.

ASSEMBLYWOMAN TORRES:

We are one of a handful of states trying to ensure that immigrants have representation in deportation proceedings. We will pave the way and be a model to our neighboring states of what true representation looks like.

SABRA NEWBY (University of Nevada, Las Vegas):

I have had discussions with local governments regarding the possible location of the office that the Immigration clinic hopes to open. Opening an office, however, is predicated on the ability to expand services.

SENATOR DONDERO LOOP:

Is the law school going to offer services pro bono?

ASSEMBLYWOMAN TORRES:

The UNLV Immigration Clinic already provides pro bono legal services to immigrants in our community, but is hampered by a lack of funding. Deportation proceedings are long and require quite a bit of an attorney's time. The passage

of A.B. 376 will allow the Immigration Clinic to increase the amount of attorneys so it can expand services.

SENATOR DONDERO LOOP:

Could this be a partnership with Legal Aid Center of Southern Nevada?

MR. KAGAN:

We work closely with Legal Aid. It has expertise in areas we do not and provides services we do not focus on. Particularly with minors, we often rely on it for the family court portion for kids who are fleeing from abuse and neglect. The UNLV Law School has a long partnership with Legal Aid Center of Southern Nevada, but deportation defense proceedings were a need that was not being met. The Immigration Clinic has been filling that need, but without the resources it needs or the location within the community. I hope building a community advocacy office will be transformative.

ASSEMBLYWOMAN TORRES:

I know that Legal Aid is in support of A.B. 376 for that very reason: to expand services in the community.

CHAIR BROOKS:

Section 20, subsection 1, paragraph (e) says the Task Force may enter into a contract with a consultant to perform research. Is that something that would be paid for out of the General Fund appropriation?

ASSEMBLYWOMAN TORRES:

Section 20, subsection 3 gives the Lieutenant Governor the ability to accept gifts, grants and donations. The Lieutenant Governor's Office did not submit a fiscal note to the legislation and will be seeking outside funding to carry out those provisions of the bill.

SENATOR KIECKHEFER:

Section 20, subsection 4 lists duties the Lieutenant Governor's Office will do, without stipulating that it is contingent on gifts or grants. If it is not successful in raising the money, the mandate still exists.

ASSEMBLYWOMAN TORRES:

Section 20, subsection 1 is all permissive language saying what the Lieutenant Governor's Office may do.

MS. SAUNDERS:

The PLAN is in support of A.B. 376. Immigrants are an integral part of our community, our State's workforce and our State's small business owners. The bill will create the Keep Nevada Working Task Force and support access to deportation defense legal resources.

MS. WELBORN:

I echo the previous comments. Fund the UNLV Immigration Clinic.

MR. CHALLINOR:

I echo the previous comments and add that we hope to see a Statewide program in the future.

JOHN PIRO (Clark County Public Defender's Office):

The Clark County Public Defender's Office supports A.B. 376. It is essential that deportation defense is provided, and it is currently lacking in the system. I cannot imagine the emotions of someone standing before a judge and being threatened with leaving the only country they have ever known without a lawyer to defend their rights. We need to remedy this.

GILLIAN BLOCK (Legal Aid Center of Southern Nevada):

The Legal Aid Center works closely with the UNLV Boyd School of Law and supports A.B. 376.

MR. JENG:

The ACDC supports A.B. 376. Nevada is home to more than 330,000 Asian and Pacific Islanders. One in five Nevadans are foreign-born. One in three are from Asia. Through the pandemic we heard too many stories of vulnerable APIA families afraid to ask for assistance, underreporting anti-Asian hate crime and fearing law enforcement due to their status. This bill addresses many of those fears. It is a cost-efficient and effective way to protect our immigrant families, repair and rebuild trust, and invest in the future of all Nevadans.

KENDRA BERTSCHY (Washoe County Public Defender's Office):

Immigration law is a complicated field, and I cannot imagine being a child or an adult and having to represent myself in such proceedings. We urge your support of this legislation and hope the program can be expanded into northern Nevada.

MELODY JUDILLA (Silver State Voices):

We strongly support A.B. 376, and we support the appropriation to the UNLV Immigration Clinic. We ask for your support in giving dignity and assistance to the most vulnerable among us.

MICHAEL FLORES:

I strongly support A.B. 376. I have seen the great work that Professor Kagan has done throughout the State.

Ms. BOLAÑOS:

Being the daughter of immigrants, this bill hits home. Working as the community liaison in the school system, I have seen the effect that deportations have on our community, especially on children who are already living in low-income, low-resource environments. There is often a language barrier as well. It is nice to see a bill like this that could make a world of difference to people facing these incredibly hard situations.

BETHANY KHAN (Director of Communications and Digital Strategy, Culinary Workers Union):

I am the proud daughter of immigrants whose father was deported twice. I know the deep impacts of deportation and the scars it leaves. I am calling on behalf of the 60,000 hospitality workers and 145,000 Nevadans who are part of the Culinary Workers Union family, with members from 178 countries who speak over 40 languages. We urge you to pass A.B. 376.

MR. LOWRY:

I support A.B. 376 and echo all the comments you have already heard.

Ms. HOCKING:

I support A.B. 376. As a parent with children whose father, prior to passing away, was undocumented, this legislation is important.

MS. MILLER:

I support A.B. 376 and agree with everyone who has already spoken.

MS. ALVARADO:

Mi Familia Vota strongly supports A.B. 376. As someone who does a lot of fundraising for nonprofits, I can assure you that this investment will bring more

investments to the Immigration Clinic. Most donors and foundations want to see something that is working.

I have seen many families held together, thanks to the work of the Immigration Clinic. The mentorship and training it provides to new attorneys is impressive. Please invest in this bill.

Ms. O'NEILL:

I support A.B. 376.

MARIA NIETO ORTA (Nevada State Coordinator, Mi Familia Vota):

I am the cochair of the UndocuCouncil, a subcommittee of the Nevada Immigrant Coalition, and we are in full support of A.B. 376.

This bill provides funding for pro bono work to ensure immigrants are being adequately represented. This will reduce family separation within the State and minimize the prison to deportation pipeline. I cannot stress enough the need for funding to the Immigration Clinic.

The Immigration Clinic provides deportation defense to students and their families. As someone who has been directly impacted by the financial burden of the long deportation defense proceedings, I urge support of A.B. 376.

ELISA MARTINEZ ALVARADO (Mi Familia Vota):

I support A.B. 376. It is an investment in protecting our community.

MOLLY WILLOUGHBY:

I support A.B. 376 and second everything that has been said. I would also like to see it expanded to northern Nevada.

CYRUS HOJJATY:

I oppose A.B. 376. This is taxpayer support for individuals who fail to follow our immigration laws. This is unfair to my relatives who spent a lot of time and energy following immigration law. This is an incentive for breaking the law and is not efficient at a time of surging numbers of immigrants at the border.

Deportation can be harsh, but we should be finding and auditing employers to make sure we reduce the incentive for people who do not follow immigration

law to continue. Birthright citizenship is a problem, which is why families are being separated. Harry Reid was against it in 1993.

As a resident of California for 25 years, I can tell you the state was too generous to its immigrants, resulting in an increase of taxpayer funded benefits. This is one of the reasons why California has among the highest taxes and a worsening business climate. As a result, companies are leaving by the hundreds, and for the first time California reported negative population growth. Nevada is following this path.

What upsets me most is politicians throwing American citizens under the bus and putting the needs of noncitizens over the American people. I urge you to vote no on A.B. 376 and put American citizens first.

Ms. HANSEN:

Although the fiscal notes on A.B. 376 are not large, it does include an appropriation for \$500,000 to the UNLV Immigration Clinic to pay legal fees for illegal aliens to be paid for by taxpayers, which we oppose.

Nevada taxpayers already pay exorbitant taxes supporting illegal aliens. Fairness and Accuracy in Reporting estimates that the annual fiscal burden on Nevada taxpayers associated with illegal immigration was about \$630 million in 2008. This equates to an annual average cost of about \$763 per native-born headed household in the State. In addition, there is a cost to the State's economy resulting from remittances sent abroad that amounted to \$618 million in 2006. According to the Center for Immigration Studies, 62 percent of households headed by illegal immigrants use one or more welfare programs.

Originally, A.B. 376 contained honest language restricting law enforcement from cooperation with federal immigration. Although that portion of the bill was amended out, the current bill will do the same thing but behind the backs of Nevadans by having the Attorney General "publish model policies for limiting, to the fullest extent possible...immigration enforcement." This is nothing but a stealth sanctuary state bill protecting illegal aliens and jeopardizing the safety of Nevadans.

The bill creates a deceptively named Keep Nevada Working Task Force. What about legal citizens of Nevada who are out of work and have lost their jobs or

businesses during this emergency? Who will represent the interests of the taxpayers and other working Nevadans?

Please vote no on A.B. 376. Thank you.

LYNN CHAPMAN (Independent American Party of Nevada):

We should be using our State's resources and tax dollars for Nevada citizens, especially with the pandemic problems we have had for over a year. Americans have lost their jobs, businesses and sometimes even their homes.

You want us to pay for a task force program to Keep Nevada Working which does not include Americans, but only includes people from other countries in our Country illegally. You want us to pay to strengthen career pathways, more programs for education, housing and health care and now, \$500,000 for their defense for breaking our laws?

This is offensive, especially to all Nevadans who are struggling after the year we have had. How much more money in the future will be needed for this and other programs that are set up for everyone but Americans? It sounds like the only people being helped are people who are here illegally. It sounds like the taxpayers are getting the short end of every stick. This is not a good bill for taxpayers or Nevadans. Please oppose A.B. 376.

ASSEMBLYWOMAN TORRES:

Immigrants like my father are hard-working Nevadans, hard-working taxpayers and hard-working citizens. My dad is a constituent in my district, born in El Salvador. I know we have many other hard-working immigrants in our community that deserve economic opportunities and liberties in this State. The Keep Nevada Working Task Force supports that.

I will always support due process and representation. I am excited to see collaboration between the State and the UNLV Immigration Clinic. It will help ensure representation in immigration cases for our most vulnerable, especially children.

CHAIR BROOKS:

I will close the hearing on A.B. 376 and open the hearing on A.B. 355. Section 1 is a General Fund appropriation for \$750,000 to the International Gaming Institute at UNLV.

ASSEMBLY BILL 355 (1st Reprint): Makes appropriations for various purposes relating to health and education. (BDR S-976)

JAN JONES BLACKHURST (Chief Executive in Residence, International Gaming Institute, University of Nevada, Las Vegas):

The International Gaming Institute at UNLV began the "Expanding the Leaderverse" program two years ago to make sure our community leaders represented what our community looks like. We have gone into underserved schools and brought in young leaders to offer opportunity and show them a pathway to leadership. Now we are looking at programs through Blackfire Innovation, the UNLV economic development arm.

We have had matching grants that continue into the 2021-2023 biennium and are asking for the funds to continue programs that have been successful over the last two years.

BO BERNHARD (Executive Director, International Gaming Institute, University of Nevada, Las Vegas):

I proudly support expanding the Leaderverse program. Here is some data from the first two years of the program: 100 percent of the attendees are from Title I schools, 100 percent would be the first in their families to go to college and 84 percent speak English as a second language. Now we have results from the pilot project: 100 percent graduated from high school and 100 percent of the graduates are now enrolled in college.

This has clearly been a successful program. We have enjoyed a very generous and fully matching grant from Wynn Resorts. I am proud of this program as an educator and grateful to this Legislature for its support.

CHAUNSEY CHAU-DUONG (Principal Management Analyst, Las Vegas Valley Water District):

I support A.B. 355. Section 7 appropriates \$2 million to the Springs Preserve Foundation. The Las Vegas Valley Water District manages the Springs Preserve.

This bill will assist us in constructing an ethnobotanical garden at the Springs Preserve. This is a community-assisted effort to develop an interpretive experience for Springs Preserve guests that introduces them to the cultural uses of desert flora as it relates to the indigenous peoples of Nevada and will rely

heavily on the development of community partnerships with local southern Nevada tribes to help guide the implementation of this garden.

We believe that by educating the community on local ecology, planting and gardening strategies, and the spiritual relationship between indigenous peoples and the environment, we can help increase our connection and involvement in conservation efforts in southern Nevada.

We thank the Committee on behalf of the 300,000 visitors and 30,000 school children who visit the Preserve on an annual basis.

SENATOR KIECKHEFER:

I am interested in knowing why the funding in A.B. 355 is split between FY 2021-2022 and the 2021-2023 biennium. I would like Fiscal staff to follow up after the meeting.

REGAN COMIS (Cleveland Clinic Lou Ruvo Center for Brain Health):

I am in support of A.B. 355, sections 3 through 5. The Lou Ruvo Center for Brain Health opened May 21, 2010, in Las Vegas. Since then, we have been dedicated solely to the pursuit of more effective treatments for brain diseases and care for patients and families affected by these diseases. We service patients in both northern and southern Nevada. This appropriation has an incredible impact on the care and services we are able to provide. For example, S.B. No. 528 of the 80th Session allowed us to provide over 2,000 support group visits, over 3,500 music therapy encounters and supported our clinical research on Alzheimer's disease. This funding will enable us to continue this vital work in our State.

CHAIR BROOKS:

I will close the hearing on A.B. 355 and open the hearing on A.B. 489.

ASSEMBLY BILL 489: Makes appropriations to the Legislative Fund for capital improvement projects, one-time building maintenance, information technology purchases and dues for national and regional organizations.
(BDR S-1066)

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BRENDA ERDOES (Director, Legislative Counsel Bureau):

Assembly Bill 489 is an appropriation for capital improvement projects and equipment upgrades around the Legislative Building. Our one-shot presentation ([Exhibit I](#)) has descriptions and supporting photographs of the work required.

A lot of the upgrades are due to the Covid-19 pandemic and the need for virtual meetings, increased connectivity and security. For the most part, the capital improvements are due to the age of the building and the lack of maintenance. The west half of the building was built in 1969 and the east half was added in 1996.

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CHAIR BROOKS:

I will close the hearing on A.B. 489. Due to the late hour, I will reschedule the bill hearings for A.B. 241 and A.B. 432 for tomorrow.

ASSEMBLY BILL 241 (2nd Reprint): Establishes provisions governing credits on terms of imprisonment during certain declarations of emergency.
(BDR 16-982)

ASSEMBLY BILL 432 (2nd Reprint): Revises provisions relating to elections.
(BDR 24-1039)

Seeing no further testimony, this meeting is adjourned at 9:55 p.m.

RESPECTFULLY SUBMITTED:

Barbara Williams,
Committee Secretary

APPROVED BY:

Senator Chris Brooks, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
A.B. 341	B	1	Assemblyman Steve Yeager	Proposed Amendment
A.B. 486	C	1	Assemblyman Steve Yeager	Proposed Amendment
S.B. 397	D	1	Senator James Ohrenschall	Proposed Amendment
S.B. 461	E	1	Chris Daly / NSEA	Letter of Support
A.B. 445	F	1	Miles Dickson / Grantlab	Modernizing Nevada's Federal Grant System and Strategy
A.B. 387	G	1	Assemblywoman Monroe-Moreno	Powerpoint
A.B. 387	H	1	Assemblywoman Monroe-Moreno	Proposed Amendment
A.B. 489	I	1	Brenda Erdoes / LCB	One Shot Appropriation