

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-Second Session
April 12, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 9:09 a.m. on Wednesday, April 12, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Selena Torres, Chair
Assemblywoman Bea Duran, Vice Chair
Assemblyman Max Carter
Assemblyman Rich DeLong
Assemblyman Reuben D'Silva
Assemblyman Bert Gurr
Assemblyman Brian Hibbetts
Assemblyman Gregory Koenig
Assemblyman Richard McArthur
Assemblyman Duy Nguyen
Assemblywoman Angie Taylor
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

Assemblywoman Cecelia González (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Asher Killian, Committee Counsel
Sarah Delap, Committee Counsel
Judi Bishop, Committee Manager



Dylan Small, Committee Secretary
Lindsey Howell, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Vince Saavedra, Executive Secretary-Treasurer, Southern Nevada Building Trades Unions
Danny Thompson, representing International Union of Operating Engineers Local 3; and International Union of Operating Engineers Local 12
Rob Benner, Secretary-Treasurer, Building and Construction Trades Council of Northern Nevada
Greg Esposito, Director, Public Relations and Government Affairs, Plumbers, Pipefitters, and Service Technicians Local 525
Nick Vassiliadis, representing Southwest Mountain States Regional Council of Carpenters
Ronald Young, representing International Brotherhood of Electrical Workers Local 357
Bob Horton, Business Agent, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Basil Johnson, Executive Board Officer, International Union of Elevator Constructors Local 18
Aarón Ibarra, representing Southern Nevada Building Trades Unions
Joe Boswell, Business Agent/Financial Secretary, International Union of Elevator Constructors Local 18
Juan Orpineda, Business Agent, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 416
James Tessanne, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Jeffrey Perhach, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Joseph Tillema, International Union of Elevator Constructors Local 18
Leslie Patu, International Association of Heat and Frost Insulators and Allied Workers Local 135
Jimmy Schwarz, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Brandon Beardsley, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Anthony Sarabia, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Robert Diaz, International Association of Sheet Metal, Air, Rail and Transportation Workers Local 88
Brandi Glass, Southern Nevada Building Trades Unions
Kyle Halama, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433

Darren Smith, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433
Alfonso Lopez, International Association of Sheet Metal, Air, Rail and Transportation Workers Local 88
Alexis Motarex, Government Affairs Manager, Nevada Chapter, Associated General Contractors of America
Mary Walker, representing Douglas County; Lyon County; and Storey County
Leonardo Benavides, Government Affairs Manager, City of North Las Vegas
David Cherry, Government Affairs Manager, City of Henderson
Glenn Leavitt, Director, Government Affairs, Nevada Contractors Association
Warren B. Hardy II, representing Associated Builders and Contractors, Nevada Chapter

Chair Torres:

[Roll was taken and Committee protocol explained.] Welcome to the Assembly Committee on Government Affairs. Today we have a bill, as well as a work session. We are going to start today with the bill hearing. I will let members of the public know I will be pulling [Assembly Bill 173](#) and [Assembly Bill 333](#). I believe there are a couple more adjustments to the amendment or the work session documents we would like to make before we work session those. The intent is still for us to work session those documents, likely tomorrow morning.

[Assembly Bill 173](#): Revises provisions governing public works. (BDR 28-735)

[[Assembly Bill 173](#) was not heard.]

[Assembly Bill 333](#): Revises provisions governing housing authorities. (BDR 25-184)

[[Assembly Bill 333](#) was not heard.]

At this time, I will open the hearing on [Assembly Bill 391](#), which revises provisions governing public works. I will remind Committee members there was an amendment that has been posted on Nevada Electronic Legislation Information System for this bill [[Exhibit C](#)]. When you are ready, you may begin.

[Assembly Bill 391](#): Revises provisions governing public works. (BDR 28-1031)

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1:

As Nevada reopened for business following the pandemic, we learned—or at least I hope we learned—ways we could do business better and encourage new business growth in our state, while also doing all we can to provide training and employment opportunities for Nevada residents near where they live. We are here today before you to present [Assembly Bill 391](#), after working with the building trades of Nevada to develop a process to assist us in those goals.

To give you a little background history on the reason we are here today, back in 2011, the City of Henderson asked for a legal opinion from the Attorney General—at that time Catherine Cortez Masto—regarding the legality of project labor agreements, especially as it related to local hiring preference [\[Exhibit D\]](#). That conclusion with the opinion, and I quote, is as follows: "The City may not require a local preference for City residents for all public works projects in excess of \$100,000 since the City lacks legislative authority to do so."

Simply put, [A.B. 391](#) will provide that legislative authority for local hiring preference in public works projects, also known as community workforce agreements or priority hire policies. Providing for local hiring preferences creates access to careers. Using local government construction jobs makes for a more diverse workforce and can spur economic growth in economically distressed areas. As the Chair mentioned, there has been an amendment [\[Exhibit C\]](#) presented—it is a major amendment—to this Committee. With your permission, Madam Chair, I would like to go back to my committee where I am having a budget closing, and I will turn the presentation over to Mr. Saavedra and Mr. Thomas, who will walk you through the bill and the proposed amendment.

Vince Saavedra, Executive Secretary-Treasurer, Southern Nevada Building Trades Unions:

Our organization represents over 30,000 skilled craft trades workers across southern Nevada. Our affiliate unions sit on apprenticeship committees who train highly skilled construction workers who are needed to build southern Nevada's economy. As proposed to be amended, [A.B. 391](#) is an important step in building future projects with local government entities in Nevada, ensuring apprenticeship training is expanded across Nevada, and that local workforces and disadvantaged workforces are provided opportunities across our state.

In 2011, the Office of the Attorney General issued an opinion that provided local government could not enter into construction prehire agreements that prioritized the hiring of local residents [page 13, [Exhibit D](#)]. The Office of the Attorney General's opinion was that the Legislature must authorize in statute the ability of local government to enter into such agreements. As proposed to be amended, this is a much simpler bill than was drafted initially. Whereas the original draft bill sought provisions for bidding preference for local hire among contractors, which included compliance requirements, this bill is merely providing enabling language to allow local government to do what the Attorney General's prior opinion stated could not be done without legislative authority, which is allowing for preference for local hire based on geographical residence. As proposed to be amended, this bill simply provides enabling language to allow local governments to provide for local government resident hiring preferences and prehire construction agreements for public works within its jurisdiction.

These types of agreements have benefited several large areas over the past couple of decades. This includes agreements like those of the community workforce agreements for the Los Angeles County Unified School District. I look forward to working with local

governments across southern Nevada, whether in Clark County, Lincoln County, or Nye County, to continue to negotiate these types of agreements to expand workforce training for local residents, to ensure local residents are hired to perform the construction work on public works projects.

I have spoken with a few of you already. As you know, I am a big community guy, not just the union guy. I believe people from underserved communities should be building their communities. This will give people an opportunity to go to work in their community and create pathways into apprenticeship for people in underserved communities who have never had the opportunity to join an apprenticeship.

Danny Thompson, representing International Union of Operating Engineers Local 3; and International Union of Operating Engineers Local 12:

I served as the executive officer of the Nevada State AFL-CIO for 20-plus years. I do not remember the exact number, but it was a long time. In that capacity, it was my job to help. I represented everyone in the state, but specifically the building trades in the northern part of the state and southern part of the state. When they were working on these types of agreements, I was always a part of that. Oftentimes, in meeting with local governments that wanted to enter into one of these agreements, the question would come up, Can we do that? The answer was, No, because of this Attorney General's opinion, you lack the legislative authority. That is all this bill does. I do not have the proposed amendment [\[Exhibit C\]](#) in front of me. I was just trying to look for it. It is pretty lengthy. It basically guts the bill. That is basically all it does; it gives them the legislative authority to enter into an agreement if it makes sense for them. If it does not, they do not have to, but it would allow for the hiring of local residents to do local work.

Chair Torres:

Members, are there any additional questions?

Assemblyman Carter:

I am trying to get straight in my head what we are trying to do. I know in the workforce agreements that have been in place, both in southern and northern Nevada, on the building of utility scale solar projects, there have been requirements to have a plan for local hires, and then goals that must be met. Is that what this is trying to achieve? That program has been highly successful in creating entry points for marginalized communities into the construction world.

Vince Saavedra:

For private jobs, it is okay to do that. For public jobs, we are being told right now that it has to be done through this process. That is what we are trying to do.

Assemblyman DeLong:

This amendment really simplifies the bill. Someone with my simple mind can at least get through it. I appreciate that. Is this really just trying to address issues down in Clark County?

Vince Saavedra:

No. It is just because I represent Southern Nevada Building Trades. That is why I named those counties, but this would benefit the state. When I talk about things like this, you will hear me say "underserved community" as opposed to "minority communities" or other communities, because I feel that, in talking with other elected officials in the rural communities, they always feel like their communities do not get a fair shake to work on projects. I am hoping this will help the whole state of Nevada and provide opportunities for people in the rural communities as well. If we are building a solar project in Nye County, people from Pahrump will have an opportunity to work on the project that is in their backyard.

Assemblyman DeLong:

If we are talking about rural counties, let us just say White Pine, and there is a project happening near Currie, how does the area that gets covered by this get defined when you have highly dispersed populations? In the definitions, you talk about "within the jurisdiction of the local government," and that is usually a very small area. How are you trying to define them? What areas are covered? Which people would be eligible for the local hire or not?

Danny Thompson:

Yes, and I think that would be up to the local government to define. In their jurisdiction, they would decide, as the owner of the project, what they would put in the agreement and where it would apply to.

Assemblywoman Taylor:

I think I am supportive of just about anything we can do to help those in their local areas take advantage of the work opportunities they have in their area, especially as you look at something like the trades. Those are really good-paying jobs that can really make a difference for families. Thank you for bringing the bill forward. To clarify, is this permissive for local governments? This is not saying a local government has to enter into this type of an agreement. I just want to make sure that is clarified.

Danny Thompson:

That is exactly right. This does not require anything; this just allows them to do that if it makes sense for them to do that. I think the classic example is the agreement at the Southern Nevada Water Authority where we had a need in the early 1990s that was critical at the time. Ninety percent of the water in Clark County comes from Lake Mead, and we only had one way to get it out. The infrastructure was so lacking that they needed the job done immediately, and they needed it done without interruption, and so it made sense to do that. All this does is allow local governments in Nevada that same authority, but the authority has to come from you all. It does not require them to do anything.

Assemblyman Hibbetts:

Looking at the amendment, section 1, subsection 2, paragraph (b) says, "For each resident described in (a) through (c) of subsection 1 that the resident's driver's license or other government issued photo identification card demonstrates an address which qualifies them as

a resident of the described area." My question is, does this mean anyone who is working under this program for a public work would be required to have a government-issued photo identification?

Vince Saavedra:

I will follow up to make sure, but I would imagine it is just proof of residence. I know there have been discussions of providing proof of residence like we would through a school district or something, possibly with the power bill or some sort of bill. There are discussions about what other means we could use to prove residency.

Chair Torres:

I think I had that conversation with them yesterday as well, because I do think that driver's license, the way it is used here, is not proof of residence, it is driver's license. That would need to be amended into the language of the bill, just to be very clear, especially knowing certain communities are less likely to have access to licenses. Additionally, sometimes the change of address might take time for an individual to file.

Assemblywoman Duran:

I was wondering what brought on that opinion in 2011, if you can elaborate for the record.

Danny Thompson:

The opinion was requested by the City of Henderson when they were approached about one of these agreements and asked if they have the authority to do that. I do not know if you have the opinion. I can get you a copy of the opinion [[Exhibit D](#)]. Catherine Cortez Masto was the Attorney General at the time, and her opinion was that they did not have the legislative authority to enter into one of those agreements.

Asher Killian, Committee Counsel:

Just briefly running through the issues, Dillon's Rule is a legal principle that local governments only have the powers assigned to them by the state Legislature. Some other states have home rule. Nevada is a Dillon's Rule state. The core of the Attorney General's opinion from 2011 is that because the Legislature has not explicitly granted cities the power to do these kinds of labor agreements, the cities were without power unless the Legislature gave it to them.

Subsequent to that opinion, in 2015, the Legislature actually passed a modified version of Dillon's Rule that gives local governments control over matters of local concern. The definition of matters of local concern includes public works projects by local governments. Arguably, under that modification of Dillon's Rule in 2015, local governments would have this power, but what we have seen over the last several years is that local governments, and especially local government attorneys, are reluctant to rely upon that broad grant of authority to carry out expensive projects that could potentially be legally challenged. While local governments may arguably be able to do this now, because the modification of Dillon's Rule by the Legislature in 2015 superseded the Attorney General's opinion from 2011, they prefer

instead to have explicit authorizations for things like these kinds of labor agreements. This bill would make it crystal clear that, at least for this particular kind of agreement for public works, local governments would have the power.

Assemblywoman Duran:

Does that still require that the local governments would be able to review the bids, or is it just giving them authorization to pick who they would like to pick for public works?

Danny Thompson:

To repeat what you just said, that makes it crystal clear that they have the authority to do this. One of these types of agreements is up to the parties, right? You can agree to whatever you want. In this particular case, having local hires is important, especially in rural counties. When they were going to construct the Crescent Dunes Solar Energy Project in Tonopah, they wanted to use people from around Tonopah to do the project. It was a huge solar plant. Ultimately, I do not think it actually worked out. I do not know if it is still open or not.

Chair Torres:

Just one last piece of clarification. There is nothing in this language mandating that local governments do this, correct?

Danny Thompson:

This does not mandate local government to do anything. This just allows them to do something that would be in their best interest.

Chair Torres:

Perfect. I actually had a question that might be best for our committee counsel. I am looking at the amendment, section 1, subsection 2, paragraph (a), because it is stated in there, "Wages paid to workers that are at least as much as those under the requirements of NRS 338.020-338.090" [page 1, [Exhibit C](#)]. Is that necessary language? I know that this is also within *Nevada Revised Statutes* Chapter 338.

Asher Killian:

It is difficult to say with certainty whether that would be necessary or not. Effectively, that would be applying prevailing wage requirements to these agreements. If it is a public work, generally prevailing wage would apply. However, when we are getting into the realm of agreements that are separate from public works agreements, to the extent that there could be any sort of private party involved in this work instead of the local government, that is kind of the same as the public/private partnership issue. A creative lawyer may be able to work in something that makes it not a public work for prevailing wage purposes. Including that provision would make it explicit that work subject to these kinds of agreements would be subject to prevailing wage, regardless of whether there is a way they are determined not to be a public work.

Chair Torres:

I think that is helpful, because I had a couple of questions about that offline. I think that gives some clarity on why that might be an important part of this piece of legislation.

I think that is all our questions at this time. We will invite anyone wishing to testify in support of A.B. 391.

Rob Benner, Secretary-Treasurer, Building and Construction Trades Council of Northern Nevada:

We are in support of this bill. For many individuals, an apprenticeship program in the building trades is a pathway from poverty into the middle class, and a lot of times that only takes a couple of months. Any time we can allow the government to target these communities and create these pathways, it benefits that community as a whole and Nevada as a state.

Greg Esposito, Director, Public Relations and Government Affairs, Plumbers, Pipefitters, and Service Technicians, Local 525:

Hypothetical scenario: You are the city council of Fernley, for example, and you are building a new city hall. It is going to be an extensive project, probably one of the biggest the city has seen in a while. Chances are that the contractors winning that project are probably going to be out of Reno, because they have got their game together a little better. They have got the manpower a little tighter. For the entire length of that project, you, as the city council person, are watching your city hall get built, and everyone who is on that project is driving in from Reno every day or staying in some hotels. Your high school kids who wanted career opportunities and your current residents of the city would have loved those opportunities to work there. There is nothing you can do about it. There is no way for you to have put the people who you answer to on the project you approved.

This bill would fix that. This bill would make it to where those underserved communities, those rural communities that need these opportunities, have the chance, if they so choose, to work, to make sure there are people on those projects who will be best served by being on those projects. We urge your support of this bill.

Nick Vassiliadis, representing Southwest Mountain States Regional Council of Carpenters:

For the sake of brevity, and due to all the reasons you already heard, we also support this. The only thing I would like to point out is that the clarity we need at the local level cannot be understated. For all the reasons you have already heard and for that specific reason, the carpenters' union stands in support of this bill.

Ronald Young, representing International Brotherhood of Electrical Workers Local 357:

I want to lift up what everyone has already said.

Bob Horton, Business Agent, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

The Iron Workers fully support this bill, and local labor will take more pride in the job being done.

Basil Johnson, Executive Board Officer, International Union of Elevator Constructors Local 18:

I am in full support of this. I think it is kind of a no-brainer. We should keep our money in our local areas. It helps people take a sense of pride in their communities when they are able to work on a project that is close to them.

Aarón Ibarra, representing Southern Nevada Building Trades Unions:

I just want to urge your support on this bill. I think there is an opportunity to really create a generational change for a lot of community members who might not have had an opportunity to work on projects like this before. It puts your constituents to work. I think we should want the money that we spend on these projects to stay in state. I urge your support on this bill.

Joe Boswell, Business Agent/Financial Secretary, International Union of Elevator Constructors Local 18:

I would like to let the Committee know we are in full support of A.B. 391. We think it is a great thing for the state of Nevada, and we would like to see the money spent on these projects kept with the local workers in the state of Nevada.

Juan Orpineda, Business Agent, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 416:

We are in full support of A.B. 391.

James Tessanne, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

I am in full support.

Jeffrey Perhach, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

I support A.B. 391 and urge this Committee to do so as well.

Joseph Tillema, International Union of Elevator Constructors Local 18:

I support A.B. 391. In addition to the reasons already listed, this revision could be the difference in state funding between out-of-state individuals and in-state families. The wages earned by Nevadans would multiply when going to schools, grocery stores, restaurants, and all other retail stores.

Leslie Patu, International Association of Heat and Frost Insulators and Allied Workers Local 135:

We support this bill.

Jimmy Schwarz, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

We support this bill. We urge you to do the same.

Brandon Beardsley, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

I support this.

Anthony Sarabia, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

I support A.B. 391 and urge this Committee to do so as well.

Robert Diaz, International Association of Sheet Metal, Air, Rail and Transportation Workers Local 88:

We are in support of this bill.

Brandi Glass, Southern Nevada Building Trades Unions:

I am in support of A.B. 391.

Kyle Halama, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

I support A.B. 391 and urge this Committee to do so as well.

Darren Smith, International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local 433:

I support A.B. 391.

Alfonso Lopez, International Association of Sheet Metal, Air, Rail and Transportation Workers Local 88:

We are also in full support of A.B. 391. This bill would assure that tax dollars earned on prevailing wage jobs are earned by Nevadans and not the economies of Arizona and Utah. We strongly urge your full support on this bill.

Chair Torres:

At this time, I invite anyone wishing to testify in opposition to A.B. 391. [There was no one.] At this time, I will invite anyone wishing to testify in neutral to A.B. 391.

Alexis Motarex, Government Affairs Manager, Nevada Chapter, Associated General Contractors of America:

We appreciate the intent of this bill as amended, but we are neutral at this point. We just have concerns with section 1, subsection 1, paragraph (c). I think the language is a little vague and could be taken advantage of by giving broad discretion to awarding bodies to

direct work to specific contractors or subcontractors by designating a jurisdiction outside of their geographic boundaries. Again, we appreciate the intent, and we would love the opportunity to work with the sponsors of this bill to tighten that language and achieve the desired result.

Mary Walker, representing Douglas County; Lyon County; and Storey County:

We are neutral in regard to A.B. 391. With the amendment, we did have some concerns. We were actually opposed originally, mostly because a lot of the smaller jurisdictions have to cobble a lot of money together just to do one project. It is very difficult finding that type of revenue source for the rural counties. This would have increased our costs on these projects by 5 percent. By enabling this, we alleviate that concern and now we are neutral.

Leonardo Benavides, Government Affairs Manager, City of North Las Vegas:

I am here today in neutral. We appreciate the sponsors for bringing this amendment. We are still trying to wrap our heads around how some of these ideas work, but we appreciate the permissiveness language that is in there, and we appreciate the concept and the idea of making sure we can support more of a local community.

David Cherry, Government Affairs Manager, City of Henderson:

As the namesake municipality behind the Attorney General's opinion that is at the center of today's discussion on A.B. 391, I felt compelled to come forward and say the City of Henderson is neutral on this legislation, so long as it remains permissive. Also, I want to thank Mr. Killian for putting on the record that under the 2015 home rule law, we likely already have the authority to choose the mechanism this legislation provides, but always would appreciate the clarity something like this might provide in terms of also putting it into law.

Glen Leavitt, Director, Government Affairs, Nevada Contractors Association:

We represent over 450 of the largest and smallest contractors, subcontractors, and affiliated industry professionals in southern Nevada. Nevada Contractors Association appreciates the discussion with the bill proponents. We are neutral at this time and reviewing the amendment. We support local hiring. We are interested in how this could be applied to a series of projects. As stated in the amendment, how would that agreement work, since contractors are not typically awardees of multiple contracts at once? We look forward to discussing this further.

Warren B. Hardy II, representing Associated Builders and Contractors, Nevada Chapter:

We just saw this amendment this morning and would like an opportunity to review it and determine the implications. Like everyone who testified today, we are in support of local hires to the extent possible, but we need an opportunity to review this.

Chair Torres:

At this time, I will invite anyone else in neutral. [There was no one.] I will invite the sponsor for closing remarks.

Vince Saavedra:

We look forward to working with local government entities and keep on keeping on, honestly. Like I said before, Nevadans deserve to build Nevada.

Chair Torres:

At this time, I will close the hearing on A.B. 391. We will have a one-minute recess before the work session. [The meeting recessed at 9:51 a.m., and reconvened at 9:56 a.m.] We will go ahead and begin with the work session. At this time, I will go ahead and turn it over to our committee policy analyst with Assembly Bill 60.

Assembly Bill 60: Revises provisions governing local improvements. (BDR 22-372)

Jennifer Ruedy, Committee Policy Analyst:

[Read from Exhibit E.] I am going to walk you through the work session, starting with Assembly Bill 60, which revises the process for the governing body of a municipality to provide notice of the annual assessment roll for a neighborhood improvement project. There was one amendment, which is attached. It was provided by the City of Henderson to allow that notice to be given by electronic mail if requested in writing by the property owner.

Chair Torres:

Members, any questions? [There were none.] At this time, I will entertain a motion to amend and do pass A.B. 60.

ASSEMBLYMAN NGUYEN MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 60.

ASSEMBLYMAN GURR SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Nguyen. Next, we will go ahead and go to Assembly Bill 139.

Assembly Bill 139: Revises provisions governing certain demographic information collected by governmental agencies. (BDR 19-122)

Jennifer Ruedy, Committee Policy Analyst:

[Read from Exhibit F.] Assembly Bill 139 requires governmental agencies that collect demographic information on race or ethnicity to include a separate category for persons of Middle Eastern or North African descent. The only amendment is to add Assemblywoman Thomas as a cosponsor.

Chair Torres:

Members, are there any questions? [There were none.] At this time, I will entertain a motion to amend and do pass A.B. 139.

ASSEMBLYWOMAN DURAN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 139.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Miller. We will proceed with Assembly Bill 171.

Assembly Bill 171: Revises provisions governing public works. (BDR 28-179)

Jennifer Ruedy, Committee Policy Analyst:

[Read from Exhibit G.] Assembly Bill 171 authorizes the public body or its authorized representative to award a contract for public work for which the estimated cost exceeds \$100,000 to the responsive and responsible bidder offering the best value bid if, after notice in a public hearing, the public body or its authorized representative determines that the public work presents unique and complex construction challenges. The measure further sets forth the criteria for a public body or its authorized representative to consider in selecting the responsive and responsible bidder offering the best value bid. The attached amendment provided by the bill sponsor at the hearing proposes to amend section 1, subsection 6 and section 3, subsection 5 by replacing the criteria that a public body must use when selecting the responsive and responsible bidder offering the best value bid.

Chair Torres:

Any additional questions? [There were none.] I will entertain a motion to amend and do pass A.B. 171.

ASSEMBLYWOMAN THOMAS MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 171.

ASSEMBLYMAN NGUYEN SECONDED THE MOTION.

Chair Torres:

Is there any discussion?

Assemblywoman Duran:

We are still working on amendments with some of the stakeholders as well on this. We just want to make sure everyone is good with the amendment.

Chair Torres:

It is my understanding from my conversation with stakeholders that this is an ongoing conversation. Obviously, members, we recognize that there are two houses. There is still plenty of time for this bill to continue to have that dialogue. I think the intent of the bill is clear. As is the norm, as veteran legislators will remember, there are oftentimes amendments that will be made in one or the other house—or both houses—and then at that time, we will have the opportunity to concur or not concur after second house passage.

THE MOTION PASSED. (ASSEMBLYMEN DELONG, GURR, HIBBETTS, AND MCARTHUR VOTED NO. ASSEMBLYWOMAN GONZÁLEZ WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Duran. We will continue on with Assembly Bill 219.

Assembly Bill 219: Makes various changes to the Open Meeting Law. (BDR 19-781)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit H](#).] Assembly Bill 219 amends four areas of the Open Meeting Law: the public comment periods, public notice of meetings, public participation in meetings held exclusively with remote technology, and member attendance at a physical location. The bill provides that if a meeting is continued by a public body to another day, there must be an additional public comment period. If a public body continues the meeting to a day other than the day set forth on the agenda for the meeting, the public body is prohibited from considering any item that is not set forth on the original agenda unless the public body provides the same required written notice. The bill requires notice of a public meeting to be posted at the building in which the meeting is to be held, if the meeting has a physical location. Both of those last provisions are changed in the proposed amendment.

The agenda for a meeting that is held exclusively by a remote technology system must include clear and complete instructions for the public to be able to call into the meeting, to provide public comment, including, without limitation, a telephone number and any necessary identification number of the meeting or other access code. These instructions must be read verbally, verbatim, at the meeting before each public comment period.

Finally, notwithstanding the authority for a public body to conduct a meeting by means of a remote technology system, the bill requires each member of the public body to attend at least 25 percent of the meetings of the public body each year, in person, at a physical location designated for the meeting where members of the general public are permitted to attend and participate. There is an attached amendment to A.B. 219 in your work session document.

Chair Torres:

Are there any questions? [There were none.] At this time, I will entertain a motion to amend and do pass A.B. 219.

ASSEMBLYMAN NGUYEN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 219.

ASSEMBLYWOMAN TAYLOR SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Considine. We will carry on with Assembly Bill 222.

Assembly Bill 222: Makes changes to the computation of credit for service for certain members of the Public Employees' Retirement System. (BDR 23-752)

Jennifer Ruedy, Committee Policy Analyst:

[Read from Exhibit I.] Assembly Bill 222 provides for an employee of a school district who is a member of the Public Employees' Retirement System to receive a full year of service credit if the employee works on a scheduled basis, an on-call basis, or any combination thereof, for not less than eight months of the school year. As introduced, the proposed amendment has two changes, and that is changing it to a member who works 900 hours or more in a school year and also adding an effective date of July 1, 2023.

Chair Torres:

Members, any questions? [There were none.] At this time, I will entertain a motion to amend and do pass A.B. 222.

ASSEMBLYWOMAN TAYLOR MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 222.

ASSEMBLYWOMAN DURAN SECONDED THE MOTION.

I will note for the record, because I have been reached out to by the Nevada Classified School Employees and Public Workers Association, which represents the school employees, specifically classified school employees in rural Nevada—Churchill County, Lyon County, Mineral County, Lander County, Lincoln County, Storey County, and Douglas County bus drivers. They had reached out, as well as Elko County and Humboldt County support employees. They had reached out to express their support and apologize for not being able to attend, as they do work during the school day and are not often able to attend our open meetings. I just wanted to note that for the record at their request. Is there any additional discussion? [There was none.] At this time, I will go ahead and take the vote.

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Carter. At this time, we will continue on with Assembly Bill 225.

Assembly Bill 225: Revises provisions concerning the confidentiality of certain personal information of members of the military. (BDR 20-944)

Jennifer Ruedy, Committee Policy Analyst:

[Read from Exhibit J.] Assembly Bill 225, as introduced, authorizes any member of the Armed Forces of the United States, a reserve component thereof, or the National Guard; and the spouse, domestic partner, or minor child thereof, to request that certain personal information contained in the records of the county assessor, a county recorder, the Secretary of State, or a county or city clerk remain confidential.

This was one of several bills introduced this session with similar provisions but for different groups, and the bill sponsor has provided a conceptual amendment which is included. I will note the intent of this amendment, according to the bill's sponsor, is to strike certain language specifying members of the military and replace it with language that creates new sections in *Nevada Revised Statutes* Chapters 247, 250, and 293. The new sections allow a petition to be filed under seal and at no cost by any person who can demonstrate by a preponderance of evidence that a threat to themselves or their families exists and that the threat would be mitigated by an order that allows their personal information to be kept confidential. This amendment would leave in place the provisions currently in state law that allow public officials and certain nonprofit entities the ability to obtain an order upon request and keep that order in place indefinitely.

Then, there is also an addition on the second page of the amendment—the cleanup at the recorder's request—a request for eligible person uniformity across those three specific statutes, thus enabling consistency across the statutes and eliminating the need for multiple court order templates through the court system.

Chair Torres:

Members, any questions? [There were none.] At this time, I will entertain a motion to amend and do pass A.B. 225.

ASSEMBLYWOMAN TAYLOR MADE A MOTION TO AMEND AND
DO PASS ASSEMBLY BILL 225.

ASSEMBLYMAN NGUYEN SECONDED THE MOTION.

Members, is there any discussion? [There was none.] I, personally, would like to thank the bill sponsor for working with so many groups in order for us to come together with this one bill on confidentiality. As members of this body know, we have had so many bills on confidentiality, and I hope that this will help address the issues that currently exist in statute. At this time, we will take the vote.

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS ABSENT FOR THE VOTE.)

I will go ahead and assign the floor statement to Assemblywoman Newby. We will continue on with Assembly Bill 252.

Assembly Bill 252: Revises provisions relating to governmental administration. (BDR 33-150)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit K](#).] Assembly Bill 252 requires the Administrator of the Division of Museums and History of the Department of Tourism and Cultural Affairs to develop and maintain an Internet website related to the institutions of the Division and ensure that the Internet website is accessible to persons who are blind or visually impaired; and to consult with certain organizations regarding the accessibility of institutions of the Division to persons who are blind or visually impaired. The Administrator is further required to authorize or require a museum director of an institution of the Division to establish certain procedures that enable the accessibility of the exhibits in the institution for persons who are blind or visually impaired. The bill creates the Account for Improving Access for State Museums for Persons with Disabilities in the State General Fund, to be administered by the Administrator. Money in the Account must be expended only to improve access at institutions of the Division for persons with disabilities, including, without limitation, persons who are blind or visually impaired.

The bill revises the qualifications of the membership of the Board of Museums and History by requiring that one of the five members representing the general public be a person who has a disability, including, without limitation, a person who is blind or visually impaired, in addition to being knowledgeable about museums.

Finally, the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs is required to study, during the 2023-2024 Interim, any issues that exist which limit the ability of persons with disabilities, including, without limitation, persons who are blind or visually impaired, to access the institutions of the Division.

The conceptual amendment, provided by the bill sponsor, first is to establish on the record or amend, if necessary, section 2, subsection 2, paragraph (a) that allows a person with a disability to serve as the representative to the board, not only a person who is blind or visually impaired. The second and third portions of the amendment also add similar language, "a person with a disability, including, without limitation, a person who is blind or visually impaired," just to broaden the scope of the bill.

Chair Torres:

Members, are there any questions at this time? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 252.

ASSEMBLYMAN NGUYEN MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 252.

ASSEMBLYMAN DELONG SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Cohen, and we will continue on with
Assembly Bill 310.

Assembly Bill 310: Revises provisions governing affordable housing. (BDR 25-1032)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit L](#).] Assembly Bill 310, as introduced, requires the Housing Division of the Department of Business and Industry, subject to the availability of funds appropriated for such a purpose, to develop and implement a supportive housing grant program. The program must include a process for applying for a grant to procure and develop supportive housing and fund the operation of a supportive housing partnership. The Division must consult with the Nevada Interagency Advisory Council on Homelessness to Housing before approving any application for a grant to procure and develop supportive housing; adopt regulations to carry out the grant program, which must include the criteria for eligibility to receive money and procedures for the submission and review of applications; and submit an annual report containing certain information about the grant program to the Governor and the Director of the Legislative Counsel Bureau. The bill creates the Nevada Supportive Housing Development Fund in the State Treasury to be used to carry out the grant program and makes an appropriation from the State General Fund to the Housing Development Fund in the amount of \$32.2 million.

The attached amendment includes a small correction on line 10 of the bill's digest to change "homeless" to "homelessness" per the name established in *Nevada Revised Statutes*. The amendment proposes to amend section 2, subsection 1 to additionally require the supportive housing grant program to include a process for applying for a grant to "train and build the capacity of supportive housing partnerships" and "assess the progress of supportive housing in Nevada;" amend section 2, subsection 4 to add the Chair of the Nevada Interagency Advisory Council on Homelessness to Housing as a recipient for the mandatory reports submitted by the Housing Division; and amend section 2, subsection 6, paragraph (a) to further define "supportive housing."

Chair Torres:

Members, any questions? [There were none.] At this time, I will entertain a motion to amend and do pass Assembly Bill 310.

ASSEMBLYWOMAN THOMAS MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 310.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN DELONG, GURR,
HIBBETTS, KOENIG, AND MCARTHUR VOTED NO.
ASSEMBLYWOMAN GONZÁLEZ WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Monroe-Moreno. We will move on to
Assembly Bill 361.

**Assembly Bill 361: Revises provisions relating to state financial administration.
(BDR 31-995)**

Jennifer Ruedy, Committee Policy Analyst:

Assembly Bill 361 has the distinction of being the only bill without an amendment today.
[Read from Exhibit M.] Assembly Bill 361 provides that if a department, institution, or
agency of the Executive Branch of the State government is required to request the approval
of the Interim Finance Committee (IFC) to accept a grant from the federal government and
revise a work program to implement the grant, then the entity may, upon submission of the
application for the grant, request that the IFC grant provisional approval to accept the grant
and revise the work program. If the IFC grants such provisional approval, the department,
institution, or agency is not required to obtain additional approval from the IFC unless the
actual amount of the grant or change to the work program exceeds the greater of the amount
provisionally approved by the IFC, plus 10 percent, or the amount provisionally approved by
the IFC, plus \$75,000. The bill further authorizes the IFC to consider such requests during a
regular or special session of the Legislature. Again, there are no amendments.

Chair Torres:

At this time, I will entertain a motion to do pass Assembly Bill 361.

ASSEMBLYWOMAN DURAN MADE A MOTION TO DO PASS
ASSEMBLY BILL 361.

ASSEMBLYMAN DELONG SECONDED THE MOTION.

Was there any discussion? I do not believe there was.

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Monroe-Moreno, and we will go to our
final bill, Assembly Bill 378.

Assembly Bill 378: Revises provisions governing collective bargaining. (BDR 23-1050)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit N](#).] Assembly Bill 378 requires certain collective bargaining actions for certain groups of employees in the classified service of the Executive Branch to begin one month earlier. Specifically, the bill requires that negotiations between the exclusive representative of the bargaining unit and the representative of the Executive Branch begin on or before October 1, rather than November 1, of each even-numbered year, and a request for mediation to be made on or before January 1, rather than February 1, of an odd-numbered year.

If the representative of the Executive Branch and the exclusive representative of the bargaining unit do not reach a collective bargaining agreement through mediation within 21 days after the appointment of a mediator, mediation is required to cease and the parties are required to begin arbitration proceedings on or before February 1, rather than March 1, and the arbitrator is then required to render a decision on or before February 15, rather than March 15, of an odd-numbered year.

The amendment that was proposed by the bill sponsor is attached, and it is pretty straightforward. It addresses the concerns brought forward during the bill hearing, including the final provision on the conceptual amendment which sets up a process in the bill where the parties preselect both the mediator and the arbitrator so that those two are already in place should they become necessary.

Chair Torres:

Members, are there any additional questions? [There were none.] I will entertain a motion to amend and do pass A.B. 378.

ASSEMBLYMAN NGUYEN MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 378.

ASSEMBLYWOMAN TAYLOR SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN GONZÁLEZ WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Duran. This concludes our work session for today.

We will continue on with the last item on our agenda today, which is public comment. [There was no one for public comment.] At this time, the Committee is adjourned [at 10:20 a.m.].

RESPECTFULLY SUBMITTED:

Dylan Small
Committee Secretary

APPROVED BY:

Assemblywoman Selena Torres, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment to [Assembly Bill 391](#), dated April 11, 2023, submitted by Vince Saavedra, Executive Secretary-Treasurer, Southern Nevada Building Trades Unions.

[Exhibit D](#) is Opinion No. 2011-06 on Project Labor Agreements and Local Preference, from Attorney General Catherine Cortez Masto, dated May 31, 2011, submitted by Vince Saavedra, Executive Secretary-Treasurer, Southern Nevada Building Trades Unions.

[Exhibit E](#) is a Work Session Document for [Assembly Bill 60](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit F](#) is a Work Session Document for [Assembly Bill 139](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit G](#) is a Work Session Document for [Assembly Bill 171](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit H](#) is a Work Session Document for [Assembly Bill 219](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit I](#) is a Work Session Document for [Assembly Bill 222](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit J](#) is a Work Session Document for [Assembly Bill 225](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit K](#) is a Work Session Document for [Assembly Bill 252](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit L](#) is a Work Session Document for [Assembly Bill 310](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit M](#) is a Work Session Document for [Assembly Bill 361](#), presented by Jennifer Ruedy, Committee Policy Analyst.

[Exhibit N](#) is a Work Session Document for [Assembly Bill 378](#), presented by Jennifer Ruedy, Committee Policy Analyst.