

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

**Eighty-Second Session
April 3, 2023**

The Committee on Ways and Means was called to order by Vice Chair Shea Backus at 8:05 a.m. on Monday, April 3, 2023, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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 Shea Backus, Vice Chair
Assemblywoman Natha C. Anderson
Assemblywoman Tracy Brown-May
Assemblywoman Jill Dickman
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Heidi Kasama
Assemblyman Cameron (C.H.) Miller
Assemblyman P.K. O'Neill
Assemblyman Howard Watts
Assemblyman Steve Yeager

COMMITTEE MEMBERS ABSENT:

Assemblywoman Daniele Monroe-Moreno, Chair
Assemblywoman Sandra Jauregui
Assemblywoman Sarah Peters

GUEST LEGISLATORS PRESENT:

Assemblywoman Clara (Claire) Thomas, Assembly District No. 17



STAFF MEMBERS PRESENT:

Sarah Coffman, Assembly Fiscal Analyst
Brody Leiser, Assembly Chief Principal Deputy Fiscal Analyst
Tyler Boyce, Committee Secretary
Janet Osalvo, Committee Assistant

OTHERS PRESENT:

Ali Caliendo, Founder and Executive Director, Foster Kinship
Joanna Jacob, Manager, Government Affairs, Clark County
Marina Dalia-Hunt, Attorney, Legal Aid Center of Southern Nevada
Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers
Holly Welborn, Executive Director, Children's Advocacy Alliance of Nevada
Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women
Patricia Farley, President, Children's Advocacy Alliance of Nevada
Kamilah Bywaters, President, Las Vegas Alliance of Black School Educators
Michelle Maese, President, Service Employees International Union Local 1107
Dora Martinez, Private Citizen, Reno, Nevada
Stacey Montooth, Executive Director, Nevada Indian Commission
Sara Evans, Family Services Supervisor, Clark County Department of Family Services
Michael Kagan, Director, UNLV Immigration Clinic, University of Nevada, Las Vegas
Paula Luna, Operations Manager, Battle Born Progress
Alejandro Rodriguez, Director, Government Relations, Nevada System of Higher Education
Lisa Lynn Chapman, Private Citizen, Henderson, Nevada
Paul Catha, Political Director, Culinary Workers Union Local 226
Eric Jeng, Acting Executive Director, One APIA Nevada
Kent M. Ervin, Ph.D., State President, Nevada Faculty Alliance
Tony Ramirez, Government Affairs Manager, Make the Road Nevada
Maria Prentice, Private Citizen, Las Vegas, Nevada
Deanna Hua Tran, Coalition Coordinator, Nevada Immigrant Coalition
Constance J. Brooks, Vice President, Office of Government and Community Engagement, University of Nevada, Las Vegas
Nayelli Rico Lopez, Private Citizen, Las Vegas, Nevada
Malena DiMaggio, Program Manager-Immigrant Rights, Progressive Leadership Alliance of Nevada
Alissa Cooley, Adjunct Professor, Managing Attorney, UNLV Immigration Clinic, William S. Boyd School of Law, University of Nevada, Las Vegas
Yvette Machado-Tuinier, President and Legislative Committee Chair, Associated Students of College of Southern Nevada

Holly Welborn, Executive Director, Children's Advocacy Alliance of Nevada
Esther Pla-Cazares, Private Citizen, Las Vegas, Nevada
Janine Hansen, State President, Nevada Families for Freedom
Lisa Partee, Private Citizen, Carson City, Nevada
Lynn Chapman, Treasurer, Independent American Party of Nevada
Casey Rodgers, Private Citizen, Minden, Nevada
Tracey Hilton-Thomas, Vice Chair, Washoe County Republican Party
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada
Lorena Cardenas, Private Citizen, Las Vegas, Nevada
Susan Proffitt, Director at Large, Nevada Republican Club
Daniel Marlow, Administrator, Administrative Services Division, Department of Administration
Carter Bundy, representing American Federation of State, County and Municipal Employees
Richard P. McCann, Executive Director Ex Officio, Nevada Association of Public Safety Officers, and Nevada Law Enforcement Coalition
Mendy K. Elliott, representing Nevada Rural Housing Authority
Mary Dungan, Private Citizen, Las Vegas, Nevada

Vice Chair Backus:

[Roll was called and rules and Committee protocol were explained.] Today, we have a bill draft request (BDR). Please remember that a vote to introduce a BDR does not mean you are supporting the BDR; rather, a yes vote is so we can introduce a bill.

BDR 16-1073—Revises provisions governing the State Board of Parole Commissioners. (Later introduced as [Assembly Bill 462](#).)

Vice Chair Backus:

Bill Draft Request 16-1073 is an act relating to the State Board of Parole Commissioners requiring the Chair of the Board to appoint an Executive Director of the Board, requiring the Chair to delegate certain powers and duties to the Executive Director, revising provisions relating to the Executive Secretary of the Board, and providing other matters properly related thereto. Do I have a motion?

ASSEMBLYWOMAN DICKMAN MOVED TO INTRODUCE BILL DRAFT REQUEST 16-1073.

ASSEMBLYMAN WATTS SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYWOMEN JAUREGUI, MONROE-MORENO, AND PETERS WERE ABSENT FOR THE VOTE.)

We will move to the first bill on our agenda.

Assembly Bill 166: Makes an appropriation to the nonprofit organization Foster Kinship for its programs dedicated to kinship care. (BDR S-789)

Vice Chair Backus: We will start with Assembly Bill 166 which makes an appropriation to the nonprofit organization, Foster Kinship, for its programs dedicated to kinship care. Assemblywoman Thomas, please feel free to start.

Assemblywoman Clara (Claire) Thomas, Assembly District No. 17:

I would like to introduce Assembly Bill 166, and the proposed amendment [[Exhibit C](#)] which appropriates \$1.5 million to Foster Kinship, a nonprofit statewide program that provides essential services aligned with the Family First Prevention Services Act to families that are raising children in nonparental care. As many of you may be aware, there are about 4,500 children in our formal foster care system in Nevada. However, you may not be aware that there are nearly 30,000 children in some kind of nonparental care arrangement in Nevada. Out of this number, around 25,500 children are being raised by family members or friends who are not their biological parents. This includes informal kinship care, guardianship, and other types of nonparental arrangements.

Every one of us knows someone who is raising or was raised by kin—grandmothers and aunts who take in children when tragedy occurs, and teachers and coaches who step up for children whose parents are grappling with substance abuse and have no safe place to go. Kinship care is a vital support system for vulnerable children who cannot live in their homes due to abuse, neglect, or tragic circumstances like COVID-19 and opiate overdoses. Yet kinship caregivers often face significant challenges and barriers including financial strains and a lack of access to necessary resources and services.

This is where Foster Kinship comes in. This program provides critical services and support to kinship caregivers and the children in their care. Through this appropriation, we can ensure that more kinship caregivers have access to resources and support needed to provide stable and loving homes for children in their care. This \$1.5 million investment will not only benefit children in nonparental care but will also benefit the state as a whole by reducing the number of children in the formal foster care system, and preventing children from entering the formal system. This will give Nevada an opportunity to access a federal match. With your permission, I would like to invite Ali Caliendo, founder of Foster Kinship, to speak about the impact of their program and how Foster Kinship ensures that kinship caregivers have the support needed to provide safe and nurturing homes for Nevada's most vulnerable children.

Ali Caliendo, Founder and Executive Director, Foster Kinship:

In the fall of 2010, while I was pacing around a Starbucks parking lot, I was on the phone for hours, raising \$800 to pay for a great aunt and four children to stay together after the child welfare system refused to help. I had been working with these children for about six months after the great aunt picked them up from the Childhaven shelter. She had received a call in the middle of the night after the children witnessed the horrific murder of their mother. Without hesitation, the great aunt selflessly became the primary caregiver for these

traumatized children. Over six months, I watched as the children began to heal, living together and with their family; they needed each other. It was clear that the love offered by a family member was a crucial piece of the healing process for these children. I could not imagine what would have happened if they were living away from each other after all they had lost. I also watched how the aunt struggled alone with no training and no financial help. After six months and after draining her savings, the great aunt contacted the child welfare system for support. The system responded that if she was asking for help, she could not do this, and they would have to place the children in foster care.

Foster care implies strangers and I knew the chances of a traditional foster parent taking four children together would be slim. It was that threat that spurred me to raise money in that Starbucks parking lot, working to ensure that the family could access support so the kids could stay together and not have to live with strangers. That same afternoon in the same Starbucks parking lot, I also had the idea to start a nonprofit to help other kinship families in Nevada.

Kinship care prevents the need for more costly foster care. For every child in foster care in Nevada, there are 15 children in kinship care outside the foster care system. Studies have found that compared to kinship care, the traditional foster care system is 6 to 12 times more expensive, and residential treatment is 21 times more expensive. Without support, children and kinship families are at risk of entry into the foster care system and of multiple adverse short- and long-term outcomes.

I founded Foster Kinship with the sole mission of supporting kinship families so children who have already experienced much pain can heal, grow, and break generational cycles of trauma. Since then, we have served over 16,000 children and their families in Nevada, and in every Nevada county. Through our evidence-based model, Foster Kinship provides practical and necessary resources to kinship families in Nevada including information, referrals, support, case management, childcare, caregiver training, respite care, support groups, direct financial assistance, and help with basic needs like diapers and car seats. Through partnerships, we offer onsite welfare and mental health services, and we collaborate with all three child welfare jurisdictions and dozens of community agencies across Nevada to ensure caregivers have access to necessary help, including links to mental health and disability resources.

The Foster Kinship outcomes are clear. Depending on the resource measured, families are two to four times more likely to access financial support and three times less likely to have children who enter our traditional foster care system. Therefore, investing in kinship care services not only saves Nevada from more expensive foster care services in the short term, but the intervention support provided by Foster Kinship has proven to reduce long-term harm children may experience from parental separation, trauma, abuse, and neglect.

Under the Family First Prevention Services Act, jurisdictions can receive ongoing federal reimbursement for up to 50 percent of their expenditures to provide kinship navigator programs that the Title IV-E Prevention Services Clearinghouse has reviewed. In 2019, the

state of Nevada hired an external professional to evaluate Foster Kinship's program. The state submitted positive and significant results to the IV-E Clearinghouse in late 2021. In the fall of 2022, the Clearinghouse reviewed the results and a few weeks ago, the Clearinghouse contacted me regarding the program information that would be posted publicly on their website. We expect the results any day now.

However, Nevada has yet to invest any dollars in Foster Kinship's navigator program. Even when our program is rated in the IV-E Clearinghouse, a federal match would be challenging to access. Instead, we are funded with private support, foundations, local contracts, and federal pass-through dollars.

The missed opportunity to further support kinship families would add to what Nevada has already missed. For example, the evidence-based requirements for kinship navigator programs were waived through September 30, 2021, during the COVID-19 pandemic through the Consolidated Appropriations Act of 2021. This allowed states to drawdown federal funding to continue serving kinship families and evaluating their programs. Because Nevada did not pay state dollars to Foster Kinship's statewide navigator program, Nevada could not draw down a federal match during this period of opportunity. States who had funded a kinship navigator program were able to take advantage, allowing those jurisdictions to serve kinship children more adequately.

Foster Kinship currently serves around 5,000 individuals statewide every year. These funds will allow us to double the number of individuals served and to focus on supporting kinship children and families not in the foster care system, also known as informal kinship care. Additional focus will expand services for families in rural locations across the state. We will provide direct financial assistance to families currently ineligible for financial support because the children are not in foster care.

Based on the timeline for federal approval of Foster Kinship in the IV-E Clearinghouse and Nevada's Family First plan approval, these funds will also enable Nevada to drawdown federal matching dollars, up to 50 percent. In addition, as stated in the proposed amendment [\[Exhibit C\]](#), we will continue building on our external evaluation results to secure longer term sustainable funding by increasing our outcomes and ensuring Nevada can maximize the federal matching opportunities for kinship navigation.

Vice Chair Backus:

Are there any questions from Committee members?

Assemblyman Yeager:

Regarding the amendment [\[Exhibit C\]](#), it looks like the amendment changes the request to \$750,000 in each year of the biennium. Can you confirm that? Then my second question concerns a notation in the amendment that federal matching funds might not be in place for the first year of the biennium. Can you provide more information about why the matching funds may not be available in that first year, and whether federal matching funds will be available the second year of the biennium?

Ali Caliendo:

There are two things that need to happen for Nevada to draw down federal matching funds. The first is that Foster Kinship's navigator program has to be rated and reviewed in the IV-E Prevention Services Clearinghouse. We believe we will have that rating any day, maybe even today. We also need to make sure that Nevada's Family First plan is approved; when the plan will be submitted and when the federal government will approve that plan is a question for the Nevada Division of Child and Family Services (DCFS). When both things happen, we will work with DCFS to ensure we can access the matching funds. For the timeline, I am not sure about the Nevada Family First plan approval, so that is why we extended it two years. We want to make sure we can help Nevada maximize those available matching funds when everything is in place.

Vice Chair Backus:

Are there any other questions from Committee members?

Assemblyman O'Neill:

Is this funding a one-time recommendation for the 2023-2025 biennium?

Ali Caliendo:

Yes, this is a one-time recommendation so we can access matching funds and have more sustainable long-term funding in place. Once Title IV-E dollars are available, the door is open for us to draw down federal matching funds for our services.

Vice Chair Backus:

Do Committee members have any further questions on this bill? [There were none.] Is there anyone in Carson City who wishes to testify in support of Assembly Bill 166?

Joanna Jacob, Manager, Government Affairs, Clark County:

We support A.B. 166. We work closely with Dr. Caliendo and Foster Kinship in southern Nevada. This bill is important to Clark County because, on average, over 38 percent of the kids we serve are in some sort of family placement. That is a large percentage for child welfare agencies nationwide. Without support for families who take care of the kids in our community, we would not be where we are. We also support moving forward with trying to pursue matching funds for the implementation of Family First. We have been working on this issue across several bills this legislative session. Clark County supports A.B. 166.

Marina Dalia-Hunt, Attorney, Legal Aid Center of Southern Nevada:

I am the team lead for the minor guardianship advocacy program at the Legal Aid Center of Southern Nevada. We provide direct legal representation for children in the minor guardianship system in Clark County. We work closely with Foster Kinship—the only organization that supports family members outside the formal guardianship system. What families often do not know when they enter the informal guardianship system, is that under *Nevada Revised Statutes* (NRS) Chapter 159A, there are no financial resources available. These adults who step up to take in children or family friends are often on their own. There

are no additional financial resources, and there is no help to navigate the system. Foster Kinship is there to serve as a support to stabilize the family. Their work keeps children out of foster care. I strongly support A.B. 166.

Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

I will echo my colleague's statement. We think the Foster Kinship program is a vital partner in keeping kids from entering the system, and then in supporting those families so they do not reach a point where they cannot support the child.

Vice Chair Backus:

Is there anyone else in Carson City wishing to provide testimony in support of A.B. 166? [There was no one.] Is there anyone in Las Vegas wishing to provide testimony in support of this bill? [There was no one.] Is there anyone on the phone lines wishing to provide testimony in support of A.B. 166?

Holly Welborn, Executive Director, Children's Advocacy Alliance of Nevada:

I am testifying in support of A.B. 166. Research shows that when a child is removed from their home or loses a parent but lives with relatives, it is better for the child and in their best interest. Not only does it preserve the child's cultural identity and relationship to the community, but kinship care also increases the permanency for children and improved behavioral and mental health outcomes. Foster Kinship provides a crucial service for Nevada's foster children. Investing in this program will save dollars in the long term and is a wise investment for Nevada families. We encourage your support of A.B. 166.

Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women:

I am calling in support of A.B. 166. With so many Nevada children in nonparental care, it is essential that we include these caregivers in our foster care resources. The story about children being cared for by people who know them is inspiring, but also heartbreaking, and we need to find ways to support them.

Patricia Farley, President, Children's Advocacy Alliance of Nevada:

I am in support of A.B. 166. I am a mother of four, a former Foster Kinship parent, now an adoptive mother of two of my four children, a business owner, and a former state senator who proudly represented Senate District No. 8 from 2014 to 2017. I am the vice chair of the Children's Advocacy Alliance, a board member of Foster Kinship, and board president of the Girls' Empowerment Middle School. As a client of Foster Kinship, they helped me in many ways from obtaining my foster license to helping me secure mental health services for the children in my care, to supporting me through the entire overwhelming system. I do not think I could have made it without Foster Kinship's assistance.

I attended Foster Kinship classes in 2017. There were approximately 20-plus other families in my class who had fictive or foster arrangements. Classmates ranged from grandparents on fixed incomes, to aunts and uncles who already had kids, to family members who stepped in

to help fictive family members. These Nevadans represent the most important and underserved resources in our foster care system. These are adults who selflessly stood up to assist the child.

As Assemblywoman Thomas shared, there are about 4,500 children in our formal foster care system in Nevada. However, you may not be aware that nearly 30,000 children in Nevada are in some sort of nonparental care arrangements. Of this number, 25,000 children are being raised by family members or friends who are not the biological parents. This includes informal kinship care, guardian care, and other types of nonparental care. I stand in support of A.B. 166, not only being a member of the community raising other family members' children, but also in support of all foster children who need both financial and mental health support. I encourage you to support and pass this bill.

Kamilah Bywaters, President, Las Vegas Alliance of Black School Educators:

I am calling in support of A.B. 166. I think this is an excellent opportunity to provide additional resources to support children, and this is the way to go.

Michelle Maese, President, Service Employees International Union Local 1107:

Prior to my Service Employees International Union Local 1107 presidency, I was a supervisor for Child Protective Services in the child fatalities and sex abuse units for the last 15 years. Currently, there are 3,274 children in foster care. Of that number, 542 of those children are in regular foster homes, 409 children are in a relative's licensed home, and 841 children are in a relative's unlicensed home. Our first and primary goal as an agency with the Department of Family Services is to keep children home with their families whenever possible. This bill will allow us to do so. We absolutely want kids to stay home with relatives, aunts and uncles, and grandparents, and see how much of an impact that has on them as opposed to coming into the foster care system and living in foster homes. We support A.B. 166.

Dora Martinez, Private Citizen, Reno, Nevada:

I support A.B. 166. Keep in mind that some foster children have a disability and they may need, for example, ramps, handlebars for bathrooms, or accessible tables to lower or raise depending on the height of their wheelchair. This is a commonsense bill.

Stacey Montooth, Executive Director, Nevada Indian Commission:

I am a citizen of the Walker River Paiute Nation and the executive director of the Nevada Indian Commission. Support of A.B. 166 would address issues especially needed for our Native American communities. When it comes to foster care, we should always have someone representing the unique needs of American Indian children. Foster Kinship is important because it keeps our children with people who are familiar to children—if they are not family members—to take care of children while their parents work on reunification. This arrangement is crucial for tribal nations. We support A.B. 166 as it definitely has the capacity we need to build native families.

Sara Evans, Family Services Supervisor, Clark County Department of Family Services:
I am in support of A.B. 166. I have worked with the Department of Family Services for the last 15 years. This bill would be instrumental in our being able to help families get what we need, and make sure kids get sent home in a timely fashion.

Vice Chair Backus:

Is there anyone else wishing to testify in support to A.B. 166? [There was no one.] Do we have anyone else on the phone line wishing to give testimony in opposition to A.B. 166? [There was no one.] Is there anyone wishing to provide testimony in neutral on A.B. 166?

Vice Chair Backus:

Do we have any closing remarks from Assemblywoman Thomas and Dr. Caliendo?

Ali Caliendo:

Thank you to the Committee for hearing this bill about the needs of kinship families across our state. We encourage this investment so we can help every child who is not able to live with their parents find a safe, stable nurturing home with family members.

Assemblywoman Thomas:

In closing, I would like to thank Vice Chair Backus and Committee members for hearing this bill. I urge your support for A.B. 166.

Vice Chair Backus:

I will close the hearing on A.B. 166, and open the hearing for our next bill.

[[Exhibit D](#), [Exhibit E](#), [Exhibit F](#), [Exhibit G](#), [Exhibit H](#), were submitted, but not presented, and will become part of the record.]

Assembly Bill 328: Makes an appropriation to the Immigration Clinic at the William S. Boyd School of Law of the University of Nevada, Las Vegas. (BDR S-1058)

Vice Chair Backus:

Assembly Bill 328 makes an appropriation to the Immigration Clinic at the William S. Boyd School of Law at the University of Nevada, Las Vegas (UNLV).

Assemblyman Howard Watts, Assembly District No. 15:

I represent Assembly District No. 15 in Clark County, which is home to both the main UNLV campus and the Boyd School of Law, as well as the Community Advocacy Office operated in the downtown arts district. This Office provides support to our community. Assembly Bill 328 provides a \$500,000 appropriation to the Immigration Clinic in each fiscal year of the 2023-2025 biennium to support the ongoing work of providing representation to members of our community in immigration proceedings. Today, I am joined by Michael Kagan, Immigration Clinic, Boyd School of Law. I will turn the presentation over to Mr. Kagan for a discussion of the impact of our previous appropriation which secured additional funds both from local governments and private support.

I will reiterate at a high level that immigration proceedings can have major consequences for members of our community. Unlike criminal law, many people have to go through that process without legal representation to help them navigate the system and try to get the best outcome. When community members do have legal representation, the outcomes of those cases are significantly different.

This Office is one of the few resources in the community that provides legal assistance to those in that system at no cost. This assistance helps people navigate the system, particularly as it applies to children.

I had the pleasure of attending the opening of the Community Advocacy Office. Every child that was assisted by the Office has left a handprint to commemorate the impact made by the Office. I would encourage my colleagues to visit the Office to see the handprints and the incredible work that is being done for the benefit of our community. I will turn the presentation over to Mr. Kagan to provide additional remarks.

Michael Kagan, Director, UNLV Immigration Clinic, University of Nevada, Las Vegas:

I am the Joyce Mack Professor of Law at the William S. Boyd School of Law and the director of the UNLV Immigration Clinic. We are proud of the work we started beginning with Assembly Bill 376 of the 81st Session, and we are looking to continue that work.

We are trying to build sustainable legal services for immigrants in our community, and we provide an essential service. Many families and many children are stuck in that system. There is extensive data showing that with an attorney, many people facing deportation can achieve legal status and avoid deportation. Without an attorney, people have nearly no chance to avoid deportation.

We focus our services on two of the most acute types of cases. Unaccompanied children, first and foremost, are the majority of our clients, followed by people in immigration detention. After receiving initial funds during the last legislative session, we opened the Community Advocacy Office in March 2022.

We have worked to be cost effective with these funds. Let me provide some numbers on what we were able to achieve during this time. Because it takes time to hire, we did not have all our attorney positions filled until last fall. Still in 2022, we represented 204 people facing deportation and assisted 67 people renewing their Deferred Action for Childhood Arrivals (DACA) permits. For those facing deportation we focus on people in detention and unaccompanied children—three-quarters of our deportation defense clients are children, the youngest client we served last year was three years old. The children we represent enter the United States alone and almost all have had terrifying encounters and threats—usually from gangs in Central America. Many of these children have been abused, neglected, or abandoned by at least one parent. A good deal of our work is not with the federal immigration system, but with Nevada family courts where we help those children and their caregivers navigate bipartisan bills passed by this Legislature to ensure our family courts are attuned to the unique needs of unaccompanied kids in the system.

I want to note that because we are part of the law school, the program we run could be operated by a nonprofit organization. There is an added benefit from the law school running our program—it also benefits our educational institution. Right now, we have four law school community service volunteers who are usually first year law students, three undergraduate interns, and one extern every semester, as well as a summer fellowship. Those are the opportunities we created in our first year of operation. I expect we will create more opportunities in the future. The added benefit is strengthening UNLV's law school as well as providing an essential service for our community.

Because you are the Ways and Means Committee, I am going to address cost-effectiveness issues. First, we are happy with our location in the arts district. The Office is located there because the office space was donated by former assemblyman Ozzie Fumo. This space is important because otherwise we would have to pay rent and instead, we can use that money for direct services. Next, we have a partnership with, and we receive a matching amount of funding from, Clark County after the Legislature appropriated funds in the 81st Session. We also have a partnership with a private organization based in New York called the Immigrant Justice Court, which sends us lawyers to help staff our office. The result of this is that in looking at 2022 again, when we did not have all our attorney positions filled for most of the year, using state and county public funds, we were able to provide representation in the most complex types of immigration cases for less than \$2,500 per case. That would be unheard of if someone had to hire private attorneys at normal rates unless an attorney was effectively working partially pro bono.

I want to note, and I think it is important to understand with our work that except for DACA renewals, the cases we take are the most complicated cases immigration lawyers can handle. In courts at all levels, we litigated extraordinarily complex issues, we pride ourselves on providing the most vigorous representation possible, and we see ourselves as national leaders in developing ways to do that. Despite building this Office, we are overstretched. We do not have a permanent receptionist to answer phone calls; we depend on law school volunteers to answer our phones. That is something we desperately need to fix. Now that people are more aware that our service exists, the need is overwhelming. Since January 1, 2023, there have been 114 calls seeking our services from immigrants in detention centers in Southern Nevada. We received calls from 27 children or their caregivers seeking our representation. That number is in addition to the situation we were in at the end of last year when we had 90 children on a waitlist.

I hope you will support the continued growth of this Office. We are an essential part of the Clinical Law Program at the William S Boyd School of Law and we have been doing this work since 2014. On a personal level, it has been one of the great privileges of my career to be able to see kids who come to us in the most desperate situation grow up here. Many of them are now young adults and many of them have jobs. I invite you to visit our office. We love showing off children's handprints that we have collected since 2014 and that fill our wall space.

Vice Chair Backus:

Assemblyman Watts, do you have more comments?

Assemblyman Watts:

I think Mr. Kagan laid out the benefits we have seen from our support of this program—benefits to children from keeping families together in our community, and the ability to build immigration legal expertise at our law school. Additionally, we are able to deploy that expertise in our community and even across the country, while leveraging additional public and private support. That is why we are asking for continued support of this program.

Vice Chair Backus:

Are there any questions from Committee members?

Assemblyman Yeager:

I want to thank you for the work that the Clinic has done with the Clark County Public Defender's Office, both when I was there and after I left. I do not know if people know, but there is a partnership between the Public Defender's Office and the Immigration Clinic. As a public defender, we often get clients facing immigration consequences and that is a whole different set of federal laws. The Office has been instrumental in helping public defenders advise their clients on what might happen based on the case.

Based on your numbers, more than three-quarters of your cases involve unaccompanied minors. Could you provide more detail about the issue in front of courts for those cases? You mentioned that children are unaccompanied, but what is the court deciding in cases like these? How does the Immigration Clinic help the court make an accurate and just decision in those cases?

Michael Kagan:

We partnered with the Washoe County Public Defender's Office as well. To answer your question, the reason the children are called unaccompanied is because of the way they crossed the border. They did not have a parent with them at the time they crossed the border. The federal government tries to reunify those children with a family member—a sponsor—who the child can live with. That is how children come here to Nevada. They have relatives here so that children can live with family members, like in the prior bill—A.B. 166, Foster Kinship care—except it is not formalized in the same way, although that is part of our role.

Because these children cross the border, they are usually put into removal proceedings, or as most people know it, deportation proceedings. The United States Department of Homeland Security will proceed with deportation for the unaccompanied children and, if nothing changes, deportation will happen.

Our role in the largest sense is to make sure that several courts and government agencies understand the circumstances the child came from, why they came here, and why they might not be able to go back. That is complicated because the different types of reasons for leaving

another country for better or for worse, have to be raised with different proceedings. Some reasons can be raised directly with the Immigration Court, but in fact, Immigration Courts' jurisdiction is limited. If the child is being persecuted and applying for asylum, that usually has to be filed for a child with U.S. Citizenship and Immigration Services. Then you need to go back to the Immigration Court and ask for those proceedings to be paused. If the child has been abused, neglected, or abandoned, that is where state law, enacted by this Legislature in previous years, comes in. We need to go to a Nevada family court, and a custody or guardianship proceeding may be necessary because when a child is placed with a family member by the federal government, there is no paperwork explaining who that adult is and what their relationship to the child is. Often, we assist with getting a guardianship established and, in that process, we get a document called a special immigrant juvenile finding. We use that finding from Family Court to file an application with U.S. Citizenship and Immigration Services if we still need to resolve the case in Immigration Court. I hope the takeaway from this discussion is why it is important for an unaccompanied child to have an attorney.

Assemblyman Yeager:

I think this highlights the complexity of immigration law for youth and unaccompanied children—even with an attorney, this can be difficult to navigate.

Vice Chair Backus:

Are there any other questions from Committee members?

Assemblywoman Kasama:

I have two questions. When did we start funding this and how long have we been doing that? Has Clark County always been matching the funds? I am looking for a general history.

Assemblyman Watts:

The first appropriation the state made to this clinic was during the 81st Session. I believe that was \$500,000 appropriated for the 2021-2023 biennium. Then Clark County made a \$500,000 contribution. Office space was donated from the private sector and then we were able to mobilize some additional philanthropic support as well.

Assemblywoman Kasama:

We are looking to double the funds for the 2023-2025 biennium. Is that correct?

Assemblyman Watts:

That is correct.

Assemblywoman Kasama:

Last session, we created the Office for New Americans. How is that office different from this office?

Assemblyman Watts:

The Office for New Americans' role is to work with other state agencies and help all newly arriving Nevadans navigate state government. That Office assists all people that have moved here under all situations, whereas the Immigration Clinic is dealing with people with legal proceedings related to immigration. The Office for New Americans is trying to ensure there is language access and cultural awareness, and to ensure all immigrants can navigate state services. The Immigration Clinic is focused on people with legal proceedings related to their immigration status and helping those people navigate that complex landscape.

Vice Chair Backus:

I had the pleasure of volunteering at an Immigration Clinic Day for the community. I realized how costly immigration paperwork is, including DACA renewals. Regarding this funding recommendation, does the Immigration Clinic help offset any of the costs for DACA renewals or other paperwork?

Michael Kagan:

No, not directly. We do not have a fund; it would be much more expensive to pay people's filing fees. We help people apply for fee waivers when possible. It is quite often though, that we are able to work with community organizations that raise money, particularly for DACA fees. We will often hear that an organization has a fund for a limited number of DACA renewals and we will try to put the need and the funding together. There was a period of time in 2017 and 2018 when the Mexican Embassy had funds available, so we worked with them. We can be a facilitator, but we do not have any of our own funds for filing fees. All our services are free, but the filing costs for the U.S. government, unfortunately, have to be paid somehow.

Vice Chair Backus:

Do we have any other questions from Committee members? [There were none.]

We will move to testimony in support of Assembly Bill 328. Is there anyone in Carson City wishing to provide testimony in support of A.B. 328?

Paula Luna, Operations Manager, Battle Born Progress:

We are in support of A.B. 328 and we urge the Committee to invest funds in the UNLV Immigration Clinic because it provides legal representation, access to information, health and social services, and community support. Immigration clinics play an important role in helping immigrants navigate the challenges of living in a new country. Appropriating funds for these clinics can help ensure that these services remain available for those who need them most.

Alejandro Rodriguez, Director, Government Relations, Nevada System of Higher Education:

The Nevada System of Higher Education is in support of A.B. 328 and looks forward to continuing the work that the Clinic has done for our community.

Lisa Lynn Chapman, Private Citizen, Henderson, Nevada:

I am with Battle Born Progress, however; I am testifying on my own behalf in support of A.B. 328. I graduated from the William S. Boyd School of Law and was a student attorney with the University of Nevada, Las Vegas, Immigration Clinic. My experience as a student attorney was invaluable. I represented clients submitting visas who were victims of domestic and sexual violence. Additionally, I assisted in representation of a youth in a special immigrant juvenile proceeding. As a community resource, the UNLV Immigration Clinic is essential to our community. I encourage this Committee to appropriate funds to continue this needed educational experience and community resource.

Paul Catha, Political Director, Culinary Workers Union Local 226:

As Nevada's largest organization of immigrants, we support A.B. 328 and echo the comments of other supporters.

Eric Jeng, Acting Executive Director, One APIA Nevada:

I am here as acting Executive Director for One APIA Nevada, advocating for Asian Pacific Islanders. I am also the director of outreach for the Asian Community Development Council. We run our own immigration program and cohost a resource fair with the UNLV Immigration Clinic. Because we raise funds and provide services to our community members, we understand the limit of work we can do as a nonprofit. When a client asks us what they could do if things get more complicated, or where they can go for resources, we point them to the UNLV Immigration Clinic, especially their Community Advocacy Office, since their funding has been a great resource for us. We urge your support for A.B. 328.

Kent M. Ervin, Ph.D., State President, Nevada Faculty Alliance:

We support A.B. 328 and the work that the Immigration Clinic does.

Tony Ramirez, Government Affairs Manager, Make the Road Nevada:

We support A.B. 328.

Vice Chair Backus:

Is there anyone in Las Vegas wishing to give testimony and support of A.B. 328?

Maria Prentice, Private Citizen, Las Vegas, Nevada:

I have been a resident of Las Vegas for 21 years, currently residing in Senate District No. 7 and Assembly District No. 18. I am here to support A.B. 328 and I urge you to continue to promote private immigration in communities.

Deanna Hua Tran, Coalition Coordinator, Nevada Immigrant Coalition:

The Nevada Immigrant Coalition (NIC) consists of diverse organizations from across the state working together to fight for immigration reform and immigrant justice. The NIC is here in support of A.B. 328.

In 2022, the UNLV Immigration Clinic defended 204 individual clients facing deportation, plus another 67 people who we helped renew their DACA permits. Three-quarters of the

Immigration Clinic's deportation defense clients were children; the youngest client was three years old.

At three years old, a child is still understanding the world and what it means to be safe. We understand that deportation can be extremely violent and traumatizing; something a child does not deserve to experience that young. No one for that matter deserves to experience that level of trauma.

If you are a child of immigrants, an immigrant yourself, or come from an immigrant family, you realize that trauma lives with you and sometimes can be maintained for future generations.

Legal defense can significantly reduce the likelihood of deportation and displacement and in many ways, is an imperative part of the trauma-informed care that our immigrant, refugee, and asylee communities need and may play a key role in preventing generational trauma. We urge the Committee to support A.B. 328.

Constance J. Brooks, Vice President, Office of Government and Community Engagement, University of Nevada, Las Vegas:

We want to express our support and appreciation for the William S. Boyd School of Law, which is nationally ranked, as well as for the Immigration Clinic, and leaders such as Michael Kagan, who exemplify what it means for UNLV to be used as a resource, not just throughout the southern Nevada community, but throughout Nevada. We support A.B. 328.

Nayelli Rico Lopez, Private Citizen, Las Vegas, Nevada:

I am here to support A.B. 328 ([Exhibit I](#)). As an individual who works within UNLV, and as a beneficiary of DACA, I personally understand the importance of the Immigration Clinic for our community, students, and staff at UNLV and the College of Southern Nevada. The Immigration Clinic has been able to keep families together in our communities by providing free assistance with DACA renewals and by representing unaccompanied children and people in immigration detention.

As a DACA recipient, I understand the costly and potentially complex process when it comes to DACA renewals. It is especially important for our Immigration Clinic to continue to provide the service as DACA faces ongoing litigation in order to support our DACA students and staff at our institutions and in the community. This resource is especially important to our students. As you may recall, college students do not have an abundance of money. Being able to access attorneys free of cost to assist with this very serious process is vital.

I have had the fortune of having my family together to the extent that it can be, and I know that it would be absolutely devastating to lose a family member to deportation—no family deserves to go through that trauma. According to research, separating family members from one another, including children from their parents, may result in negative health outcomes for immigrant families, including irregular sleep patterns, which can contribute to lower academic achievement among children, persistent stress, which is associated with detrimental

effects on brain development and cognitive impairment, symptoms of post-traumatic stress disorder, and limited access to good nutrition and health care. I personally believe that as individuals, as humans, we must fight to ensure the well-being of all our community members, especially our vulnerable and underserved communities.

It is therefore imperative that we continue to fund the clinics at the UNLV William S. Boyd School of Law so we are able to provide and strengthen these essential services to our communities.

Malena DiMaggio, Program Manager–Immigrant Rights, Progressive Leadership Alliance of Nevada:

I am the immigration program manager with the Progressive Leadership Alliance of Nevada (PLAN), here in support of A.B. 328. The PLAN worked with the Nevada Immigrant Coalition to pass A.B. 376 of the 81st Session, which created the Keep Nevadans Working Task Force and made an appropriation to the UNLV Immigration Clinic. This funding allowed the opening of the community advocacy office; many of you were able to join us for the opening last spring. The community advocacy office has been able to serve over 200 clients since then; most notably, a number of unaccompanied minors as young as three years old and continues to maintain a waitlist. Assembly Bill 328 will allow the Clinic to continue to provide this valuable service, and we urge your support.

Alissa Cooley, Adjunct Professor, Managing Attorney, UNLV Immigration Clinic, William S. Boyd School of Law, University of Nevada, Las Vegas:

I am the managing attorney of the UNLV Immigration Clinic and I lead the off-campus Community Advocacy Office. We are seeking to double our funds because we have a critical shortage of support staff. As my supervisor, Michael Kagan, mentioned earlier, we do not have a receptionist. We were surviving on temporary support for receptionist work until the middle of February. When that temporary support ran out, we have not had anyone except law students answering our phones. Currently, we have one full-time permanent support staff member. Her name is Martha Ariano; she is our office manager and our legal secretary. Essentially, for five attorneys in one office, we have half of a legal secretary position. I believe any working individual on this Committee understands that you cannot do anything without support staff. An attorney cannot do everything. We need support staff—the support staff is the heart of the office. When we talk about our work, or share a story on social media or in the press, we often say here is home. Our clients are your neighbors, your coworkers, your friends, your friends' loved ones, and your kids' classmates and teammates. They are our community, our city, especially in Las Vegas and the state's lifeblood. Here has become home, but it was not there first. I would like to read a poem by Warsan Shire, titled "Home". [The poem was read.] Please support A.B. 328.

Vice Chair Backus:

Is there anyone else wishing to provide testimony in support of A.B. 328?

Yvette Machado-Tuinier, President and Legislative Committee Chair, Associated Students of College of Southern Nevada:

I am here in support of A.B. 328. I wish to acknowledge the courage and vulnerability that my fellow Nevadans have shown today in advocating for services that offer human rights for those who have been historically classified as less than full humans in this country based on nothing but citizenship, which by birth is a luck of the draw. I was born with the lucky straw as a daughter of immigrants born in this country. My mother was trafficked into the United States, my father and stepmother fled from a civil war-stricken country, and I grew up in a mixed immigration household. It took my stepmother almost all my life to get citizenship, and we saved and spent all of our savings to reach this goal and then had to do it again after being misled.

Today, I am a first-generation college student; an American citizen. I serve the College of Southern Nevada as student body president, and I am currently enrolled at UNLV as well. My parents came to this country to commit to a life of self-sacrifice so I could have a life of self-actualization. Through their hard work and sacrifice, I have the privilege to be here today, participating in this comment and having my voice not just heard but valued. However, as someone from a mixed immigration status family, I know firsthand the uncertainty that comes with navigating the immigration system and the fear and risk of approaching it. Assembly Bill 328 would incentivize Nevadans with academic promise to stay here and grow here, regardless of immigration status.

If we look at this as an issue of equity and access, it is obvious why we should move forward. But when we look at the reasons for why this would help Nevada, it could help those who have not even realized their full potential to become our greatest citizens, scholars, and community members. Those brave enough to migrate to this country have gratitude on their sleeves and pursue higher education for more than just themselves. I speak for my community when I say that a student who is DACA-eligible and has temporary protected status, seeks education to develop our families, our communities, and our country. We pursue education with the level of gratitude that can only be felt by those who carry their hopes and dreams and futures on the mere tips of their fingers; always aware of how easily it can fall out of grasp. I am certain that those affected by this bill appreciate the opportunity to move forward because we grow up learning that the promise of America is met when you take the opportunities that you are given and use them, not just for yourself, but to better your neighbors, your friends, your colleagues, and this country. I assure you that creating pathways to citizenship, through education and through services like the UNLV Immigration Clinic, will only bring forth Nevadans who are hardworking, intelligent, and have a unique grit to succeed. I know this because I am part of this community and I know that we will only propel our state forward. I urge you to support A.B. 328 to create more access for Nevadans. I thank you for sharing the privileges of our country with me and extending this branch to other Nevadans ([Exhibit J](#)).

Holly Welborn, Executive Director, Children's Advocacy Alliance of Nevada:

I am testifying in support of A.B. 328. Much of what I was going to say was already mentioned regarding child development outcomes, brain development, and cognitive

impairment issues. I will not repeat that for the record. I will say that I have experience in working with youth on special immigrant juvenile proceedings and DACA. When children come to this country, they are immensely scared and they need an attorney. It is a policy choice to deny the right to counsel and immigration proceedings. Two years ago, this body made a choice to give vulnerable Nevadans the help they need. We ask that you do the same again this session.

Esther Pla-Cazares, Private Citizen, Las Vegas, Nevada:

I am a student at UNLV, a counselor at CSN, and the daughter of immigrants. I echo what my colleagues already mentioned and I am a strong supporter of A.B. 328.

Dora Martinez, Private Citizen, Reno, Nevada:

I ditto the prior callers and supporters of this bill. As an immigrant myself, I have been here for 15 years and I am learning English. My children and family are in the military and we are thankful for the gifts. I hope you will approve A.B. 328.

Vice Chair Backus:

We will move to testimony in opposition to A.B. 328. Is there anyone in Carson City who wishes to testimony in opposition to this bill?

Janine Hansen, State President, Nevada Families for Freedom:

I am the state president of Nevada Families for Freedom and I am a taxpayer. Perhaps you are unaware that as of this morning McDonald's is temporarily closing their U.S. corporate offices as it prepares for corporate employee lay-offs. The Walt Disney Company, on April 3, 2023, also announced that they will begin laying off staff this week. A conference board that reports on chief executive officers (CEOs) internationally said for 2023, CEOs worldwide ranked a recession downturn as their number one external concern for the year ahead. In addition, because of inflation, middle class Americans are just getting by. Surging prices over the past year have hit many people in their pocketbooks. Average wages have risen but not enough to keep up with inflation which peaked in June at a 40-year high of 9.1 percent. Of course, that may only be the way the government keeps statistics. John Williams' Shadow Government Statistics reports that inflation is much higher, upwards of 15 percent if you use the original measurement from the government in the 1980s.

According to the Institute for Policy Innovation, in the United States, the total tax burden including federal, state, local, and hidden taxes, is equal to 56 percent of annual personal consumption spending. That 56 percent is more than a person spends on housing, food, health care, transportation, education, and recreation. How can people possibly take care of themselves and their families when government takes 56 percent of their income?

There are dozens of bills in this Legislature which are aimed at helping noncitizens and illegal aliens. There are almost no bills aimed at helping the failing middle class. In fact, I think I have just fallen out of the middle class. This is \$1 million taxpayer funding. We are concerned that the only way to help the middle class is to lower taxes, to cut regulations, and to allow them to keep hard-earned money instead of giving it to others. We are concerned

that this bill and other bills like it will continue to lead to the downturn of American citizens who are here legally and struggling because of inflation and a high-level of taxation. We encourage you to look after those who you are responsible for first and that is American citizens in Nevada.

Vice Chair Backus:

Is there anyone in Las Vegas who wishes to provide testimony in opposition to A.B. 328? [There was no one.] Is there anybody on the phone lines wishing to provide testimony in the opposition to A.B. 328?

Lisa Partee, Private Citizen, Carson City, Nevada:

Please vote no on A.B. 328. We do not want tax dollars helping those who break our laws; enabling them to remain illegally in Nevada. I am tired of being taxed to pay for people coming here illegally and being handed the world, while American citizens and veterans remain homeless and food insecure. By inviting unvetted illegal immigrants here to our university for free legal assistance, this puts our students at risk. This is taxation without representation, which is unconstitutional. Remember the oath you took to uphold our Constitution? Putting Americans last is not constitutional. I have no problem with DACA kids. They were raised as Americans and as such are likely working to support themselves. They did not make the choice to come here illegally. Their parents made that decision and I do not wish to punish those kids, but for the waves of people coming here now, it has crossed a huge line. The front door is open. Please come here legally. I am alarmed at all the bills and all the people testifying this session that want to come here illegally but they do not mention anything about wishing to become citizens. Please come through the front door, work hard, and become productive. Stop taking and start giving. Vote no on A.B. 328.

Lynn Chapman, Treasurer, Independent American Party of Nevada:

One million dollars is a lot of money to be asking the taxpayers of Nevada to fund for legal services for noncitizens. According to lasvegasnevada.gov, as of October 2022, Nevada had a homeless rate of 22.4 percent per 10,000 people. Homelessness is projected to cost \$1.1 billion annually by 2039 just in Las Vegas. Also, we are hearing a lot of bills this session about affordable housing. Nevada has one of the lowest inventories of affordable housing. We also have many bills this session regarding education. We see bills about raising lots of different taxes on all citizens. We just heard a bill about families taking in children, not their own, and not receiving any financial help. I looked up the information on the William S. Boyd School of Law and the Immigration Clinic and found this: "All legal services provided through the clinic are free of charge." I also saw "providing pro bono deportation defense." Must be nice to be in a foreign country and have free pro bono attorney representation. How much money is involved and paid for by the taxpayers? How many people work at the clinic? And I was wondering, how does this help American citizens and legal immigrants? I think these are legitimate questions to ask. I believe the people of Nevada are more than generous and have provided a lot of money and services that we can no longer afford. We have many problems to solve in our state and more tax dollars being spent on noncitizens should not be one of them. Please oppose A.B. 328.

Casey Rodgers, Private Citizen, Minden, Nevada:

I oppose A.B. 328, and here is why. I do not think we need to keep giving incentives to support illegals, especially with the current crisis at the border. You only incentivize the egregious actions happening to people trying to cross the border. For sexual exploitation crises and the drug crisis, you incentivize their problems becoming our problems. We cannot fix our legal problems in Nevada.

These people are running from their countries, and I will tell you, I have served in Honduras. I have served in China. I have served in these places. I know why these people are coming here, but you cannot fix their problems, and we cannot fix everybody's problems. If you want to focus on their governments, go help them in their government. But our government must focus on our children who are suicidal and mentally ill. We cannot get enough help as it is, for not just our children, but our adults as well. Nevada is overwhelmed. You cannot poke a balloon with a needle and not expect it to pop. If you want our country to be a socialist country like the places these people are running from, you are succeeding in doing that. You cannot keep saying that our hearts hurt for the world and yet allow the things happening at the border to continue to happen. It is inhumane altogether. You only incentivize the problem and create more for them.

Tracey Hilton-Thomas, Vice Chair, Washoe County Republican Party:

I am currently the vice chair of the Washoe County Republican Party. We believe this service is beneficial to Nevada communities; however, we cannot support A.B. 328 as it is written. We would support the bill with an amendment to direct these funds toward immigrants who are enrolled in our naturalization programs. That may already be the practice; however, it is imperative to stipulate that.

As a field registrar for Washoe County naturalization ceremonies, I have spoken with hundreds of new citizens from over 30 different countries that struggled with the \$450 application fee for citizenship. I am sure that fee is higher now not counting legal fees; to become a citizen that could cost more than \$10,000. Legal fees are indeed cost prohibitive to immigrants desiring to become productive citizens of our country. It is our position that priority should be given to these important members of our communities. We would like to ensure that unaccompanied minors are not being delivered to guardians who are selling children for sex trafficking or organ harvesting. It may seem ridiculous that this would have to be stated, but unfortunately, this happens more often than is being disclosed. These funds should not be used for defending gang or cartel members, nor should the funding be used to incentivize them to exploit these migrants. We appreciate your consideration of these amendments.

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:

I will start off by dittoing the comments made by previous callers. This bill is unfair, especially to my relatives who came here legally and put a lot of effort in their own legal issues. If you want to prevent family separation, you have to get rid of birthright citizenship. We have elected officials now who are born through that process. Their parents came here illegally. Harry Reid was opposed to this in 1993. What changed?

Furthermore, I try to reach out to get answers about how the organization benefits Nevadans. I was ignored. The last time a similar bill was went through, it was pushed so fast, they processed the bill in two days. They had the hearing on the last Saturday in the session. There was little notice and I thought it was a very shady thing to do.

The thing I wanted to point out is that this bill is about political agenda; this bill is not about having compassion or heart. We saw the same organization, with the same agendas, promote COVID lockdown, masks, and vaccines, yet we have not seen any proof of whether these measures worked. It is all about pushing agendas and not about serving the people. Furthermore, you call us racist for opposing this bill. Yet many of these people and politicians push race-based agendas and organization. This is the same immigration plan used in Europe, designed to radically change the population. California has engaged in similar measures with higher taxes and higher deficits. How is it working for them? This organization has also pushed a similar policy in early 2019 and they could not get it through because according to Commissioner Gibson, this violates federal law and do you want to know something? I would probably be neutral on this if you used casino taxpayer funding, not middle-class funding, to support this bill. Please oppose A.B. 328. This is about politics and agendas, and not about supporting children.

Lorena Cardenas, Private Citizen, Las Vegas, Nevada:

I am a daughter of immigrants who came to America legally, and for that reason, my parents did not need taxpayers to provide them with lawyers in addition to trespassing into the country. What a slap in the face. I am not sure why Democrats keep incentivizing lawlessness—respect the laws and you will not need lawyers. This is what differs between Democrats and Republicans. You claim to care for the people, but what about the homeless crisis from citizens in this country? Our neighbors are getting evicted because of job loss and inflation and our children are not safe in schools. Please focus on that and work for the interests of the people who elected you.

Susan Proffitt, Director at Large, Nevada Republican Club:

I oppose A.B. 328. I am the vice president of the Nevada Republican Club, but today I speak for myself and from my heart. My heart has been broken by the policies that destroyed our country and families. Both my Democrat senators refused to return my calls for help in Nevada. Obviously, these people and children need our help, but I agree with Janine Hansen and with all the logical reasons why you are out of line to expect taxpayers to pay for the criminal behavior and bad policies that allowed trafficked children and illegals to flood through our borders. This bill is an insult to every parent of a murdered child as it is written. Democrats opened the border to cartels that murdered my daughter and thousands more with fentanyl. The home speech from the lawyer was a slap in the face as well because you invited these people in; they did not run, they were invited. Your struggling constituents who have begged you to stop this madness and close the border are struggling already. This administration invited them in. You expect us to defend the people who broke our laws. This is insanity. There is no way I will stand by and let you do this. I will move first.

I do have a suggestion, please. In law, when people are doing things wrong or they harm other people, they should have to pay the price. Let the Biden family, Charles Schwab, the organizations that are here looking for a handout, and every democrat who voted to keep the borders open, pay for the damages they deliberately caused, including the defense of those invited and trafficked into our country. You did it, so you own it. I will move before I pay one cent to cover your [expletive. This testimony was cut short by the Vice Chair.]

Vice Chair Backus:

We will go ahead and move to testimony in the neutral on A.B. 328. Is there anyone who wishes to provide testimony in the neutral on this bill? [There was no one.] Would the bill sponsor like to provide any closing remarks?

Assemblyman Howard Watts, Assembly District No. 15:

I encourage you to visit the Community Advocacy Office and reach out to the William S. Boyd School of Law to see, firsthand, the work that is being done. We are a nation of immigrants. In many ways, people have come to the United States from all over the world seeking a better future. It is important to note that we have changed the rules and made it hard for different groups of people to come throughout our history. Legal pathways are difficult to access. Even under this current administration, we have made it harder for people to access the ideals of our immigration system. We have made it harder for people that are fleeing gangs, violence, and persecution to seek asylum. This is something we consider a fundamental right—people being able to leave horrible circumstances and come to the United States.

One of the things the Immigration Clinic does is to assist children fleeing those situations and to ensure those children seek legal protection. The Clinic provides a defense for people in Nevada to find legal protections that they are due under our system. As someone who has advocated for comprehensive reform to our immigration system—trying to make the system more fair—it has been disheartening to watch as there have been attempts to address everything including security on the border and allowing those who have come here seeking protection to be able to get on a pathway to citizenship. We have made more progress with border security than we have with creating pathways to citizenship. In fact, we have made zero progress with creating pathways to citizenship.

The least we can do when there is a legal remedy available is to help those in our community access legal remedies that are available. I do hope that opponents who raised important priorities for our community will follow through and testify in support of many other bills supporting our community, including A.B. 166, the bill presented before this bill. As a body, we are poised to do tremendous things for every member of our community. With that, I urge your support of this bill.

Vice Chair Backus:

I will close the hearing on A.B. 328 and open the hearing on Assembly Bill 337, which revises provisions relating to public employment.

Assembly Bill 337: Revises provisions relating to public employment. (BDR 23-1052)

Assemblywoman Sarah Peters, District No. 24:

Assembly Bill 337 is a simple fix related to longevity payments for state employees. Longevity payments were initially established by the 1973 Legislature. During the Great Recession longevity payments were suspended in 2009, 2011, 2013, and then fully repealed in 2015. Prior to the repeal, longevity payments were structured so that after eight years of service, an employee received a semiannual payment of \$75 with a \$25 increase each year from the 9th year to the 14th year, and then from the 15th year through the 24th year of service, semiannual payments were increased each year by \$50. From the 25th year through the 30th year of service, semiannual payments were increased by \$75 per year to a maximum semiannual payment of \$1,175. We discussed longevity pay as part of the state pay work session.

Vice Chair Backus:

Do any Committee members have questions?

Assemblyman O'Neill:

As a former state employee who voted against eliminating longevity pay, I appreciate this bill. If I understand correctly, employees do not max out on step increases until year 10. I would suggest that you look at using year 10 instead of eight years. Otherwise, your state employees would be getting both longevity pay and step increases for two years. Have you talked with the Division of Human Resource Management about that?

Assemblywoman Peters:

No, but I believe the Department of Administration is represented in the room.

Daniel Marlow, Administrator, Administrative Services Division, Department of Administration:

Employees do not max out until step 10, not necessarily in the 10th year of employment. To clarify, there is a process for new hires to start work at an accelerated step, so step 10 is not necessarily the tenth year. Additionally, employees may lose steps if they take more than a two-grade increase.

Assemblyman O'Neill:

I appreciate that you can come in at a higher step, but the program is set up to take 10 years to get to the max. Some people may max out before 10, but they would definitely be maxed out after 10 years. There is confusion with longevity pay starting before employees are at the max.

Daniel Marlow:

That is correct. Employees would max out after 10 years.

Assemblywoman Kasama:

In 2015, longevity pay was repealed because there were other raises or other compensation methods. Is that correct and can you provide the history for that?

Assemblywoman Peters:

I would have to go look at the history. I do not have that in front of me.

Assemblywoman Kasama:

I am trying to understand why longevity pay was removed and if pay was adjusted in other ways; are we doubling the effect by reinstituting longevity pay?

Daniel Marlow:

The only compensation currently is your salary and benefits. No other adjustments were made to salaries.

Vice Chair Backus:

Are there any other questions from Committee members:

Assemblywoman Brown-May:

Do you have any idea what the current vacancy rate is for the state of Nevada?

Daniel Marlow:

I do not have that information with me.

Assemblywoman Brown-May:

We are working on retention payments to reward state employees for their longevity of service, and in many other hearings, we heard about the high number of vacancies in many divisions. Can you provide that information to Committee members as we look to encourage long-term state employment versus vacancy rates?

Daniel Marlow:

We will provide that information to Committee members.

Vice Chair Backus:

Are there any other questions from Committee members? [There were none.] Is there anyone who wishes to provide testimony in support of A.B. 337?

Carter Bundy, representing American Federation of State, County and Municipal Employees:

State employees, as many of you know, are well behind cities and counties. Longevity pay, in particular, can be a way to help with retention because the first rule of holes is to stop digging and if we are losing people at the back end, that makes our vacancy problem much worse. Worse, not only for the state employees who then have more work to do, but for citizens who do not get the services they expect and deserve. We stand in support of A.B. 337.

Paula Luna, Operations Manager, Battle Born Progress:

Battle Born Progress supports A.B. 337, which reestablishes a conversation for continuity service that will benefit our long-serving state employees, and we urge this body to invest in those employees.

Richard P. McCann, Executive Director Ex Officio, Nevada Association of Public Safety Officers, and Nevada Law Enforcement Coalition:

I am here to support A.B. 337. I have had the pleasure and honor of representing law enforcement at the state level for decades. While I retired from that day-to-day pursuit, I am here lobbying for them and I am here telling you that this bill is needed because over the decades, I have watched many people leave. This is not a lot of money—\$75 twice a year—but it is \$75 twice a year. This money sends a message that we appreciate longevity. I applaud this Committee. Pass this bill. Give longevity pay out. It is necessary. It is time. Please do it.

Kent M. Ervin, Ph.D., State President, Nevada Faculty Alliance:

For 40 years, the Nevada Faculty Alliance has worked to empower our professional employee members to help with our mission—to help students succeed. This bill covers our classified support staff who are helping students and helping other employees to do our mission. Overall, the Nevada System of Higher Education has a 14 percent turnover rate. Among classified staff, that rate is 19 percent. What that means is that the person in the front office who knew everything about the department and who knew everything students needed is gone and has moved on. We need retention and this is one great step towards that.

Lots of things were lost after the Great Recession. This is one of them, along with lagging compensation. The joint work session last Thursday made great progress toward fixing the compensation issue and some benefit issues, and also spoke to the issue of longevity benefits. I would like to remind you of some of other things that were lost after the Great Recession and not restored—health care benefits were cut drastically. When post-2011 or -2012 new hires are ready to retire, it will be without retiree health benefits from the state. Faculty merit steps were eliminated. We have stopped asking for merit steps. Since longevity pay was discontinued in 2015, inflation has risen 30 percent—longevity pay should be \$100, not \$75. Please support A.B. 337.

Vice Chair Backus:

Is there anyone wishing to provide testimony in support of A.B. 337 from Las Vegas? [There was no one.] Is there anyone on the phone lines who would like to testify in support of this bill?

Lisa Partee, Private Citizen, Carson City, Nevada:

I am in support of A.B. 337. I am a retired state employee who was counting on that fossil pay, as we used to fondly call it, for long-term employment and it was taken away. Many budgets had to be balanced on the backs of state employees over the years and that was a big loss for us. I would like to see longevity pay come back because recently-hired state

employees have lost many of the benefits I got to enjoy. There is not much to encourage people to apply for work for the State of Nevada. Please pass A.B. 337.

Vice Chair Backus:

Is there anyone else on the phone lines wishing to testify in support of A.B. 337? [There was no one.] Is there anyone wishing to testify in opposition to A.B. 337? [There was no one.] Is there anyone wishing to testify in neutral on A.B. 337? [There was no one.]

I will invite the bill sponsor to give any closing remarks.

Assemblywoman Peters:

I keep thinking about my mom who spent 16 years in service to the state of Nevada. She was hired in 2005 or 2006 and saw herself receive a master's degree. My sister and I both received bachelor's degrees. My sister then received a master's degree and three other children were educated during that time. This bill would have helped my mom pay tuition for my family so we could become hardworking Nevadans. These are the type of legislative bills that help people in Nevada. It is disappointing that after the vitriol in the last hearing, we did not have more testimony in support from callers who had begged us to do something to help hardworking Nevadans. This is what we do. We take care of our own. We work to ensure that people who work for our state and live in our communities are cared for by us. That is the type of thing we do here.

Vice Chair Backus:

We will go ahead and close the hearing on Assembly Bill 337, and we will recess for one minute [at 10:00 a.m.].

[The meeting was reconvened at 10:01 a.m., and Assemblyman Yeager assumed the Chair.]

Assembly Bill 396: Makes an appropriation to Clark County for programs for rental assistance to certain persons. (BDR S-1011)

Acting Chair Yeager:

I will open the hearing on Assembly Bill 396 which makes an appropriation to Clark County for programs for rental assistance to certain persons.

Assemblywoman Shea Backus, Assembly District No. 37:

It is my pleasure to introduce Assembly Bill 396, which makes an appropriation of \$22 million in each fiscal year of the 2023-2025 biennium to Clark County for programs for rental assistance. In light of the complexities of financial programs and work on the ground to assist Nevadan families in Clark County, I have Jonathan Norman, who provides government relations to several nonprofit legal organizations, and Joanna Jacob, from Clark County, with me.

Prior to walking the Committee through this bill, I want to provide an overview on the state of evictions and relief afforded to Nevadans, especially those in our largest county.

One challenge tenants face is increased rent. From the first quarter of 2019 through the second quarter of 2022, market rate rent in Las Vegas increased by 33.1 percent. According to the January U.S. Census Bureau's Household Pulse Survey, 49.8 percent of adults in Nevada experience difficulty paying for usual household expenses in the last seven days. In the first week of 2023, Las Vegas had the most eviction filings in all major U.S. cities. During the COVID-19 pandemic, there was financial assistance to tenants who were faced with challenges making rent or utility payments. Clark County has expended \$392 million of the \$430 million granted in rental and utility assistance to people in need. This helped more than 70,000 households with low-income families, seniors, and unemployed workers.

Since COVID-19, Clark County has administered three different Coronavirus Aid Relief and Economic Security Act (CARES) housing assistance programs, also referred to as the CARES Housing Assistance Program (CHAP). The COVID-19 Impact CHAP Program stopped accepting applications as of January 23, 2023. Clark County started accepting applications under its fixed income CHAP program on September 17, 2022, and under its eviction CHAP program on January 23, 2023.

There are two programs that we will focus on, and to qualify under the fixed income CHAP, a tenant or at least one person in the household must meet the following:

- Live on a fixed income, including but not limited to social security, Veterans Administration benefits, or a pension.
- Experienced an increase in rent within 12 months of their application.
- Received an eviction notice for nonpayment of rent.
- Have an income less than 50 percent of the average medium income.

Payments for rent or utilities under the fixed income CHAP must go directly to the landlord and utility company. To date, fixed income CHAP is averaging \$6,600 per eligible household. The amounts to each household vary, and with an average estimated \$7 million per year for this program, over 1,000 households would receive assistance.

The newest program for Clark County is the eviction CHAP. To qualify under this program, the tenant must meet the following core requirements:

- Have an eviction notice served for nonpayment of rent.
- Have provided an answer to the court.
- Have a financial change in circumstances within 60 days of the application.
- Have proof of 12 months previous rent paid.
- Have an income less than 60 percent of the average median income.

Payments for rent or utilities under the eviction CHAP must also go directly to the landlord or utility company. In determining a need of \$15 million per year, Clark County estimated that 15 percent of 50,000 households facing eviction each year would qualify under eviction CHAP. With an average payment of \$2,000 per household, this funding could help 7,500 households.

I will walk you through A.B. 396. Section 1, subsection 1, appropriates State General Funds to Clark County for programs for rental assistance to persons who are elderly, persons with disabilities, and families of persons facing an unanticipated emergency [in the sum of \$22 million in fiscal year (FY) 2024 and FY 2025.]

Subsections 2(a) and 2(b) require Clark County to transmit two reports to the Interim Finance Committee (IFC). The first report is an interim report due on or before December 20, 2024, for monies appropriated through December 1, 2024, and the second report is a final report due on or before September 19, 2025, for monies received through June 30, 2025.

Subsection 2(c) provides that Clark County is to make available to a legislative auditor, any of its records, confidential or otherwise, upon request of the Legislative Commission for an audit of the use of money appropriated under subsection 1.

Subsection 3 provides that any sums remaining at the end of each fiscal year not committed for expenditure by June 30 are to be reverted to the State General Fund on or before September 20, 2024, and/or September 19, 2025, respectively.

Section 2 provides that this bill would become effective on July 1, 2023.

Acting Chair Yeager:

Are there any questions from Committee members?

Assemblyman Hafen:

Why are we proposing to limit this to Clark County?

Assemblywoman Backus:

One of the main reasons is because Clark County is experiencing one of the highest percentages of evictions in Nevada, and that is the reason we have set these two programs up.

Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

I would say that even though Clark County is the epicenter of this, I think people in other jurisdictions certainly could benefit. I would say that the uniqueness of Clark County is that they have the Diversion Court program for evictions and that money is flowing to those two programs in Diversion Court. That is viewed as a pilot project for Nevada. I am hoping that other jurisdictions will start diversion court programs. Assemblyman Hafen's point is well taken—it is not just Clark County where people are struggling to pay rent in Nevada.

Acting Chair Yeager:

I seem to remember that in October 2022, the IFC made an additional appropriation for rental assistance. At that time, I thought it was just to Clark County because although there was an indication that it was Clark and Washoe counties, there was also a rural agency that was handling rental assistance, but the rural agency said they did not have a need for additional

money. Clark County had spent most of their federal funds. Can someone confirm if I remember the situation correctly?

Joanna Jacob, Manager, Government Affairs, Clark County:

Assemblyman Yeager is correct. It is confusing because we have been administering our rental assistance programs since the CARES Act and COVID-19 pandemic with multiple streams of funding. When we did a funding appropriation in October, it was because we still had applications coming in—and a community demand. Clark County has heavily invested in information technology support applications, so we know people are looking for help. We also administered the state and city appropriated funds as well because of efficiencies of scale.

There was funding that helped to continue the COVID-19 Impact CHAP Program and that funding enabled us to keep the program going until the end of the year. At that point, we ended the waiting list in January because we knew we had a set amount of funding remaining and we wanted to process applications for those names already on the waiting list.

Acting Chair Yeager:

Are there any questions from Committee members?

Assemblywoman Kasama:

Can you provide the current rules of the program?

Joanna Jacob:

We have a graphic we prepared for our community about the rules for each program. We used it for outreach that we are doing. I will provide that to Committee members. It is important and I would ask for legislator's assistance in getting word on who can apply out to the community and your constituents.

Acting Chair Yeager:

You said you cut off the waiting list for certain rental assistance because you would not have enough funding. Where are those people being sent now when they ask for help and there is no money for rental assistance.

Joanna Jacob:

The funding that we had to suspend was funding from COVID. The challenge we saw and the reason we set up the other program is because we had people who had trouble paying rent because of market conditions. The COVID funding we have is under restrictions set by the federal government with the caveat that we can prove a nexus to COVID. There is still demand. I pulled the numbers, we have 3,400 applications currently with caseworkers, and 2,300 applications yet to be assigned.

We are still receiving applications. If those applications are denied, perhaps because they cannot prove a nexus to COVID, as months pass while we still have impacts—there are some people who are having challenges not related to COVID. Then we look to see if these people

can qualify for other county programs. Clark County has many housing programs that are separate from the two programs we are discussing today. We are helping to get people rehoused. We can do emergency housing. These people are getting connected and they are in our queue, and then with the help of a caseworker, we can help them if they do not qualify.

Acting Chair Yeager:

Are there any other questions from Committee members? [There were none.] I will open this meeting for testimony in support of A.B. 396. Is there anyone in Carson City who wishes to provide testimony on this bill?

Mendy K. Elliott, representing Nevada Rural Housing Authority:

I would like to respond to your question as it relates to the Nevada Rural Housing Authority. They were not in need in October when the question was asked. I cannot speak to the Reno Housing Authority, but I could get that information for Committee members. I did want you to know that on behalf of the Nevada Rural Housing Authority, they utilize their funds and are ok in rural areas.

It is estimated that Nevada lacks more than 100,000 units of affordable housing. There is nowhere for families to go for help, which was one of the questions. There just is nowhere for anyone to go at this point. Southern Nevada Regional Housing Authority develops and has scattered site properties, and single-family homes throughout Clark County, and they are part of the conventional public housing program. These properties are composed of designated senior, elderly, disabled, and the rest are designated as family properties. They currently own 2,431 units of conventional public housing in Clark County and they house over 5,000 people under the public housing program. Assembly Bill 386 will support the Southern Nevada Regional Housing Authority's mission of sustaining families, veterans, seniors, and the disabled as we continue to work through this financial crisis. We support A.B. 386.

Paul Catha, Political Director, Culinary Workers Union Local 226:

The Culinary Union supports A.B. 396 because southern Nevada is in the middle of a housing crisis that will not be resolved for years. The state will benefit from keeping people housed while it works to resolve this crisis, and has a duty to do so. A 2022 survey of Culinary Union members showed that 21 percent said their rent had gone up \$500, 21 percent said they are charged monthly fees in addition to rent, and 15 percent said they pay more than \$100 in fees each month. Rent increases have outpaced wage growth in southern Nevada and investors have purchased nearly one-fifth of the homes in southern Nevada in recent years. The Nevada Legislature needs to do something to ensure Nevadans are not forced out of their neighborhoods as a result of rising rents. The Culinary Union urges the committee to support A.B. 396.

Paula Luna, Operations Manager, Battle Born Progress:

We urge this body to invest in A.B. 396. Investing in rental assistance funds for elderly individuals, persons with disabilities, and families or persons facing an unanticipated emergency is a worthwhile investment that can improve the well-being of vulnerable groups,

alleviate financial stress, and ultimately be cost effective by reducing the need for emergency services.

Mary Dungan, Private Citizen, Las Vegas, Nevada:

I recently applied for housing in a 55-plus apartment complex for lower income individuals. I just slipped in under the minimum for this state program. The rules for some of these programs are very restrictive. I waited a year. They did my credit check. They called me to say they had an apartment for me and that I had passed the credit check and then they said, "Oh, wait a minute, you have student loans. We are not able to rent to you." I have looked through a lot of these programs and their restrictions and rules are keeping people like me from renting a place that I can afford and that is suitable for someone in my stage of life. I just wanted to make you aware that having a student loan is a silly reason not to rent an apartment to me. I do not make the rules but that is why I am here today to support this bill and I would appreciate your support of A.B. 396.

Dora Martinez, Private Citizen, Reno, Nevada:

I ditto what previous testifiers in support of A.B. 396 have said.

Acting Chair Yeager:

Is there anyone else who wishes to provide testimony in support of A.B. 396? [There was no one.] Is there anyone who wishes to provide testimony in opposition to A.B. 396? [There was no one.] Is there anyone who wishes to provide testimony in neutral on A.B. 396? [There was no one.]

The bill sponsor, Assemblywoman Backus, has waived closing remarks, so I will close the hearing on A.B. 396 and we will recess this meeting for the Vice Chair to handle the public comment portion of the meeting [at 10:21 a.m.].

[The meeting was reconvened at 10:21 a.m., and Vice Chair Backus assumed the chair.]

[[Exhibit K](#) was submitted but not presented and will be included for the record.]

Vice Chair Backus:

I will open the meeting for public comment. [There was none.] This meeting is adjourned [at 10:22 a.m.].

RESPECTFULLY SUBMITTED:

Tyler Boyce
Recording Secretary

Carmen M. Neveau
Transcribing Secretary

APPROVED BY:

Assemblywoman Daniele Monroe-Moreno, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment for [Assembly Bill 166](#), dated April 2, 2023, submitted by Assemblywoman Clara (Claire) Thomas, Assembly District No. 17.

[Exhibit D](#) is a document submitted but not presented by Mihanee Williams, Private Citizen, in support of [Assembly Bill 166](#).

[Exhibit E](#) is a series of statements submitted but not presented by Lea Case, Vice President, Belz & Case Government Affairs, in support of [Assembly Bill 166](#).

[Exhibit F](#) is a document submitted but not presented by Stacey Gulka, Private Citizen, Henderson, Nevada, in support of [Assembly Bill 166](#).

[Exhibit G](#) is a document titled "Comparison of Kin Services and Supports," submitted but not presented by Lea Case.

[Exhibit H](#) is a document titled "Nevada's Informal Non-Public Foster Care System: Nevada's Hidden Safety Net," submitted but not presented by Jeanette Belz.

[Exhibit I](#) is a document submitted but not presented by Nayelli Rico Lopez, Private Citizen, Las Vegas, Nevada, in support of [Assembly Bill 328](#).

[Exhibit J](#) is a document submitted but not presented by Yvette Machado-Tuinier, President and Legislative Committee Chair, Associated Students of College of Southern Nevada, in support of [Assembly Bill 328](#).

[Exhibit K](#) is a public comment document submitted but not presented by Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada, in support of [Assembly Bill 396](#).