

**MINUTES OF THE
SENATE COMMITTEE ON COMMERCE AND LABOR**

**Eighty-second Session
April 13, 2023**

The Senate Committee on Commerce and Labor was called to order by Chair Pat Spearman at 8:04 a.m. on Thursday, April 13, 2023, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Pat Spearman, Chair
Senator Roberta Lange, Vice Chair
Senator Melanie Scheible
Senator Skip Daly
Senator Julie Pazina
Senator Scott Hammond
Senator Carrie A. Buck
Senator Jeff Stone

STAFF MEMBERS PRESENT:

Cesar Melgarejo, Policy Analyst
Bryan Fernley, Counsel
Veda Wooley, Counsel
Lynn Hendricks, Committee Secretary

OTHERS PRESENT:

Susannah Albright, CEO, Payroll Funding Company, LLC
Erven Nelson, Payroll Funding Company, LLC
Wiselet Rouzard, Deputy State Director, Americans for Prosperity

CHAIR SPEARMAN:

I will open the hearing on Senate Bill (S.B.) 139.

SENATE BILL 139: Exempts certain persons from provisions governing the licensure and regulation of persons engaged in the business of lending. (BDR 52-867)

SENATOR SCOTT HAMMOND (Senatorial District No. 18):
I will turn the discussion over to Ms. Albright and Mr. Nelson to present the bill.

SUSANNAH ALBRIGHT (CEO, Payroll Funding Company, LLC):
I am the chief executive officer of a family-owned financial company that makes commercial loans to small businesses throughout the U.S. and hopes to expand into Nevada.

Thank you, Senator Hammond, for sponsoring this bill. It will place Nevada businesses and commercial lenders on an equal footing with out-of-state businesses and lenders, make a clear declaration of public policy, and open more avenues for Nevada companies to get financing necessary to operate, compete and grow their businesses. The company I run is a small part of the alternative lending industry, a diverse set of small business financing platforms and other small business stakeholders interested in the health and success of the small business economy.

In the wake of the financial crisis of 2008 and the Dodd-Frank Act of 2010, which imposed restrictions on traditional interstate banks, small businesses have increasingly turned to alternative lenders for the capital needed to fuel growth. Capital is key to small business success. Whether it is adding a new salesperson or starting a new contract, the small business can only make those moves with some extra money to pay for that expansion. Businesses in the \$1 million to \$5 million range in sales particularly feel this pinch. A typical path through that particular phase is to shatter the owner's original role of chief cook and bottlewasher and to start to develop the differentiation of sales, marketing, operations and accounting that characterizes large corporate structures and adds jobs. At this stage, a business is too big to rely on credit cards or to request a loan from friends or families; most of us do not have friends who can loan us \$100,000. At the same time, it is too small or unstable to qualify for traditional bank loans, or they cannot wait for the 60 to 90 days or more it takes to do so.

According to some estimates, there are likely thousands of alternative lenders like ours lending to small businesses for these reasons. Alternative lenders are

happy to take credit risk; that is what we do. But we cannot take a legal risk, and legal risk is why companies like ours have run into a problem making loans in Nevada. I believe I speak for many alternative lenders like ourselves when I say that the statutes here, or lack thereof, prevent lenders from making loans to small businesses here. This is a problem you are in a position to remedy.

First, courts in Nevada and other states have ruled that even if the contractual intent of the parties in our contracts is for Nevada law to apply, the law of the borrower's state can control a lending agreement, if that state has a public policy saying so. In other words, financial services companies headquartered in Nevada cannot be assured that Nevada law will apply to their contracts.

Second, there seems to be an open legal question as to whether commercial loans made to Nevada businesses are subject to Nevada consumer protection statutes. Protecting consumers from predatory lenders can and should be a proper topic for legislators, but businesses are different. We believe the lack of a stated public policy in this area resulted in uncertainty as to whether lenders can safely lend to small businessmen and women in Nevada with their current contracts without legal risk, as it is in other states.

Using our case as an example, when we receive inquiries from Nevada businesses looking for capital, we have to turn those companies down. These companies literally face extinction if they cannot make payroll, and we can help them in a process that can take less than one business day. For a lender to be able to help a company in need in Truckee, California, but not across the stateline in Incline Village, Nevada, concerns us, and we believe it should concern you.

You may also be concerned about the cost of alternative lending, and rightly so. I will not go through the many legitimate reasons why costs and thus rates are higher for this type of lending. Those can be found in Mr. Nelson's explanation of the bill ([Exhibit C](#)). I will just say that at our company, 85 percent of our clients come back to us for repeat business. The fact that so many small businesses choose to work with alternative lenders suggests that alternative lenders have proven to be a valuable resource to the small business economy. Small businesses in Nevada are no exception.

Small businesses benefit from the competition and availability of a broad array of responsibly delivered financing options from both traditional depository

institutions and nontraditional alternative financiers. Senate Bill 139 will ensure that the array of options remains open to Nevada small businesses.

ERVEN NELSON (Payroll Funding Company, LLC):
I will walk through the bill.

I will not go through the long labored history of this issue, other than to say it started in 2017 with a bill that resulted in Nevada borrowers and lenders not being exempt from statutes that govern borrowers and lenders outside Nevada. The unintended consequence of this was to put Nevada borrowers and lenders at a disadvantage when compared with other states. The goal of S.B. 139 is to remedy that and put everybody on an equal footing in Nevada.

There are a number of statutes that protect consumers, but this bill deals only with commercial loans to small businesses. There are two titles in Nevada law that deal with this type of lending. *Nevada Revised Statutes* (NRS) 604A deals with things like title loans, payday loans, deferred deposit loans, check cashing and things like that, which have traditionally been considered consumer loans. I have represented this company for about 15 years, and we always thought none of that applied to commercial loans.

If you look at NRS 604A.250, it has a list of lenders that are exempt from NRS 604A. This same language is also in NRS 675, which deals with installment loans. The list of exemptions includes banks, savings and loans, casinos, pension plans, loans secured by real property and things like that. In 2017, we added section 16 to exempt "a person who exclusively extends credit to any person who is not a resident of this State for any business, commercial or agricultural purpose that is located outside of the State." That is what caused the problem this bill is trying to fix. It seems to have been an attempt to protect Nevada borrowers, who are, in fact, not actually subject to this statute.

This bill removes the phrases "who is not a resident of this State" and "that is located outside of the State" from this statute. That means the exemption previously available only to those outside of Nevada will now apply to Nevada borrowers and lenders as well. It also adds, "regardless of any personal guaranty or collateral involved in such an extension of credit." This is because a number of these loans, such as those offered by Payroll Funding, are totally unsecured and do not take any collateral at all. If the borrower goes into default, the lender might file a Universal Commercial Code-1 statement. But generally,

they are unsecured and supported by a guarantor of the principle of the company, which is typical in these types of loans.

This bill also includes a declaration of policy in section 2 of the bill. It states:

The Legislature hereby declares that it is the public policy of this State: 1. To promote the extension of credit by persons located within this State to persons located within and outside of this State for business, commercial or agricultural purposes; and 2. For the laws of this State to govern any agreement by which a person located within this State agrees to extend credit to any person located outside of this State for any business, commercial or agricultural purpose, if the agreement so provides.

Basically, this means if the lending contract says Nevada law applies, Nevada public policy supports that and Nevada law applies. That sounds like something so obvious that you would not have to say it. However, I have litigated a number of these cases in Clark County, and a few of our judges have taken the position that Nevada does not have a strong state of public policy. For example, if the borrower is from Florida, Florida law will apply; if the borrower is from New Jersey, New Jersey law will apply. They are trying to weigh the public policies. The result is lenders are saying to me, "How can we know for sure that Nevada law is going to apply to our loans?" The goal of S.B. 139 is to remedy that.

One change the bill makes is to remove the exemption for Internet lenders, and that is in sections 3, 5 and 6. That change was made by the drafters of the bill in the Legislative Counsel Bureau (LCB), and we did not request it. Under the statute, an Internet business lender is a company that loans exclusively over the Internet. They do not typically have a brick-and-mortar location. There is an exemption in the statutes for them that they do not have to comply with the requirement in NRS 675 that they have a brick-and-mortar location in Nevada. The way the statutes are written, the license is granted to the location. That means if you have five locations, you have to have five licenses. Presumably, they took this exemption out because if this bill goes through, they do not need another exemption because they are exempt from the whole statute.

SENATOR DALY:

I do not understand what is meant by "Internet business lender" as referred to in S.B. 139. The phrase is deleted from the section that says they have to get a license. What is happening to Internet lenders?

MR. NELSON:

As I understand it, the reason LCB wanted this in the bill is that if it passes as written, those Internet lenders will be exempt anyway, which I think they are right now if they are lending outside the State. If that is the case, they do not need that. It would be redundant to keep all that in. If we take out the language that carves out Nevada earlier, we do not need another specific exemption for Internet business lenders. It is linguistically difficult because it is an exception to an exemption from a requirement.

SENATOR DALY:

I think that makes more sense, but they used to have to be licensed, and now they are not going to have to be licensed. Or are they now falling in a different section where they need to be licensed if they are doing business here? I am not sure I am reading the language right.

SENATOR HAMMOND:

I would request that we get an opinion from counsel about this.

BRYAN FERNLEY (Counsel):
What was the question?

SENATOR DALY:

Every reference to an Internet business lender is being deleted, including the section where they need to be licensed. Did they just stop existing, or are they being licensed in some other section of the NRS?

MR. FERNLEY:

If they are making commercial loans in Nevada to Nevada borrowers, they would be exempt from the chapter. For those commercial loans, they would not be required to obtain a license.

SENATOR HAMMOND:

Are they striking out the language in section 6 because they are captured somewhere else?

MR. FERNLEY:

No. They were exempted from certain requirements of that chapter, and now they are exempted from all the requirements of the chapter.

MR. NELSON:

Section 5, subsection 3 of the bill says, "A person may apply for a license for an office or other place of business located outside this State from which the applicant will conduct business in this State if" The bill then deletes subparagraph (a), which says, "The applicant is an Internet business lender." The way I read that is if the company is an Internet business lender, meaning they do not have a brick-and-mortar location in Nevada, they do not have to apply for a license. This is a trend that is going throughout the Country. Both California and New York have done this, along with many other states. It may be a result of the COVID-19 pandemic and the fact that we had to do business via Zoom or on the Internet. States are backing off on the requirement for brick-and-mortar locations.

CHAIR SPEARMAN:

This is a cleanup measure that goes back to 2017, when we had several bills on this topic. The most significant of those was A.B. No. 255 of the 79th Session. Mr. Nelson, perhaps you can give us a rundown of those bills. We do not need a dissertation, just a quick description of the different bills, so it does not appear that S.B. 139 is an out-of-the-blue standalone bill. That might clear up some of the confusion and explain the unintended consequences more completely.

MR. NELSON:

We first brought A.B. No. 255 of the 79th Session in 2017, and we ran into some opposition from legal aid and consumer protection advocates who were concerned that the bill would harm consumers. My counterargument was that it applied only to commercial loans, so it would not affect consumers at all. Commercial loans do not fall under Regulation Z, which is a federal law, or any of the consumer protection laws in Nevada.

However, we were coming to the end of the Session, and we worked out a compromise with the people who had opposed that bill. Because they were concerned about how it might affect consumers, we added an exemption to say it did not apply to Nevada borrowers or loans made for purposes in Nevada. In that form, the bill passed both houses unanimously and was signed by the Governor. We did not realize until later that it had the unintended consequence

of drying up capital for Nevada borrowers. It is putting Nevada lenders on unequal footing because lenders from other states are exempt from our statutes.

We tried to fix this issue in 2019, but that bill was unsuccessful. We tried again in 2021, and both houses were open to the concept, but we ran out of time and the bill died. We are hoping this third try will finally fix the problem. I cannot see anything in S.B. 139 that will hurt Nevada borrowers or lenders. In fact, it will help all of them because it is going to make credit flow more freely.

SENATOR BUCK:

Can any of these lenders do business or lend to Nevada businesses now?

SENATOR HAMMOND:

Yes, these lenders can still lend right now, but borrowers and lenders in Nevada are at a disadvantage because of outside laws. We do not currently have a statement of policy in our statutes that would help secure the side of the lender.

SENATOR BUCK:

Currently, Nevada law protects personal loans with consumer protections, and that is separate from commercial loans, which are subject to the laws of the state where the lender is located. Am I correct?

MR. NELSON:

Yes, that is accurate. Consumers are protected, and this bill only deals with commercial loans to businesses.

Let me expand on that. If you get into the weeds of NRS 675, it is against Nevada law to make commercial loans to Nevada borrowers without being licensed unless it is an occasional thing. If it is one loan a year, there is a good argument that the lender does not have to be licensed. If they make more loans than that, NRS 675 says it is a \$10,000 fine if you do it without being licensed. That is why we are trying to fix this problem.

SENATOR BUCK:

Can you clearly contrast the personal borrower protections with the commercial lending protections? Are there commercial lending protections in place?

MR. NELSON:

The consumers are well protected under State and federal law, regulations and case law, and Regulation Z applies to all of those. Credit cards, home loans and things like that are regulated. Under NRS 99.050, commercial loans can have whatever terms the parties agree on. That is one reason these companies come to Nevada. There is also a law that says if the language is not clear, the contract is in essence unenforceable.

SENATOR BUCK:

Do you know what percentage of these loans are defaulted on?

MS. ALBRIGHT:

That number is considered proprietary and confidential, but it is higher than for bank loans. I would say it is in the range of 10 percent.

SENATOR LANGE:

If you do not have a brick-and-mortar facility and you do not have to get a business license, does that mean you are not paying Nevada business taxes?

MR. NELSON:

I would ask counsel about that. I think under the tax law that was passed in 2015, those would be taxable. Part of the reason that tax law was written and passed was to capture outside revenue.

MR. FERNLEY:

I think the reference is to the commerce tax under NRS 363C. That would apply to persons engaging in business in Nevada, including out-of-state businesses that sell services or products to Nevada residents when the gross revenue from that business to Nevada customers exceeds \$4 million. That tax would apply to businesses making loans to Nevada borrowers, if the gross revenue from loans to Nevada borrowers exceeded \$4 million in a year.

CHAIR SPEARMAN:

If I remember correctly, the overhaul of the tax codes in 2015 stated that businesses would be categorized by the North American Industry Classification System (NAICS) codes. Whoever is doing business in Nevada falls under one of those NAICS codes, and that determines their taxable rate. Correct me if I am wrong, Mr. Fernley, but I think it matters more what they do rather than where they do it, because the NAICS code controls that.

MR. FERNLEY:

That is correct. The tax applies to persons engaging in business in Nevada, and that includes selling products to Nevada residents, providing services to Nevada residents and providing services to Nevada businesses. The rate is based on the industry in which the business is engaged. Financial services have a rate specific to that industry.

SENATOR HAMMOND:

We want them to be making more money; we want them to be engaged more in business. The goal here is to bring more business and more revenue into the State.

MR. NELSON:

A number of these lenders do have brick-and-mortar locations in Nevada, including Payroll Funding. There are some advantages to being in Nevada physically.

CHAIR SPEARMAN:

The reason for the tax overhaul in 2015 was because our revenue stream was solely and wholly dependent upon gaming. Every time there was a fluctuation in gaming, there was also a fluctuation in taxable income. Using the NAICS code was an attempt to make it equal and standardized. Is that correct, Mr. Fernley?

MR. FERNLEY:

Yes. The tax rates are varied based on the industry. The tax rate applicable to financial services is 0.111 percent of Nevada gross revenue in excess of \$4 million.

SENATOR STONE:

Is the primary premise of this bill to ensure that when contracts are made between the lender and the commercial client, the contract explicitly states that Nevada laws apply?

SENATOR HAMMOND:

Yes.

SENATOR STONE:

As a small businessman, I understand how important capital is to meet the ebb and flow of business, especially during tax season. I have depended on these

loans quite a bit in the past, and I certainly want to facilitate the ease of commercial opportunity.

With these alternative loans, no collateral is required. Is that correct?

MR. NELSON:

Yes. The freedom of contract applies here. The borrower and the lender can have whatever terms they want. They can agree that Nevada law applies, or they can agree that New York law applies if they want. This bill does not say they have to use Nevada law. It says if your contract says Nevada law applies, it is the public policy of Nevada to enforce that.

SENATOR STONE:

I assume these are arm's-length loans and there is no maximum amount. That is negotiated between the client and the lender.

Just to reiterate, this bill is going to maintain the exemption that Internet lenders have and not require them to be licensed. Also, your type of loan is not going to be licensed under this bill. Is that correct?

MR. NELSON:

Yes.

WISELET ROUZARD (Deputy State Director, Americans for Prosperity):

On behalf of thousands of activists, we would like to definitely lend our support to this bill. We thank the bill's sponsor, Senator Hammond, for thinking of entrepreneurs and small business owners who often struggle to access capital.

When we talk about the Internet, we are talking about access to new competition and new vehicles that can contribute to a diversification of our economy. We wholeheartedly support S.B. 139.

SENATOR LANGE MOVED TO DO PASS S.B. 139.

SENATOR BUCK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Senate Committee on Commerce and Labor
April 13, 2023
Page 12

CHAIR SPEARMAN:

I will open the work session on S.B. 97.

SENATE BILL 97: Enacts provisions governing the interstate practice of physical therapy. (BDR 54-402)

CESAR MELGAREJO (Policy Analyst):

I have a work session document ([Exhibit D](#)) that describes the bill and its history. There were no amendments.

SENATOR BUCK MOVED TO DO PASS S.B. 97.

SENATOR LANGE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

CHAIR SPEARMAN:

I will open the work session on S.B. 134.

SENATE BILL 134: Revises provisions relating to vision insurance. (BDR 57-642)

MR. MELGAREJO:

I have a work session document ([Exhibit E](#)) that describes the bill and its history. There were no amendments.

SENATOR SCHEIBLE MOVED TO DO PASS S.B. 134.

SENATOR BUCK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

CHAIR SPEARMAN:

I will open the work session on S.B. 163.

SENATE BILL 163: Requires certain health insurance to cover treatment of certain conditions relating to gender dysphoria, gender incongruence and other disorders of sexual development. (BDR 57-129)

MR. MELGAREJO:

I have a work session document ([Exhibit F](#)) that describes the bill and its history and explains the amendments.

SENATOR SCHEIBLE:

We presented a conceptual amendment at the hearing on the bill, and the conceptual amendment in [Exhibit F](#) is substantially similar. I would like to point out the things that we have changed since the hearing.

The first change is to spell out that insurance companies would not be required to cover cosmetic surgery. However, other work performed by a plastic surgeon or reconstructive surgeon would be covered. We also have a definition of cosmetic surgery, taken from an existing health plan, as an unnecessary procedure that is directed at improving an individual's appearance.

The second change has to do with the section regarding care for minors. We have added a reference at the end of that section to clarify that the insurance company itself can require parental consent for somebody under the age of 18. This is consistent with NRS 179.010 to NRS 179.060, which is our minor consent statute.

The third amendment specifies that if somebody has to seek out-of-network care, it is covered the same way as any other out-of-network care would be and gets reimbursed the same way any other out-of-network claim is reimbursed.

SENATOR PAZINA MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 163.

SENATOR LANGE SECONDED THE MOTION.

SENATOR BUCK:

I will vote yes on this bill today, but I reserve my right to change my vote on the Floor.

THE MOTION PASSED. (SENATORS HAMMOND AND STONE VOTED NO.)

* * * * *

CHAIR SPEARMAN:
I will open the work session on S.B. 277.

SENATE BILL 277: Revises provisions relating to cannabis. (BDR 56-193)

MR. MELGAREJO:
I have a work session document ([Exhibit G](#)) that describes the bill and its history. There were no amendments.

SENATOR LANGE MOVED TO DO PASS S.B. 277.

SENATOR BUCK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

CHAIR SPEARMAN:
I will open the work session on S.B. 302.

SENATE BILL 302: Revises provisions relating to health care. (BDR 54-55)

MR. MELGAREJO:
I have a work session document ([Exhibit H](#)) that describes the bill and its history and explains the amendments.

SENATOR SCHEIBLE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 302.

SENATOR PAZINA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Senate Committee on Commerce and Labor
April 13, 2023
Page 15

CHAIR SPEARMAN:

I will open the work session on S.B. 426.

[SENATE BILL 426](#): Revises provisions governing rent increases. (BDR 10-15)

MR. MELGAREJO:

I have a work session document ([Exhibit I](#)) that describes the bill and its history and explains the amendments.

CHAIR SPEARMAN:

This was a highly contested piece of legislation. We tried to come to an amenable compromise that would not incur additional energy on the part of landlords, but also make sure that people are not being priced out of their homes. I want to commend all those stakeholders who worked together to come to this compromise. We try to pass the best legislation we can. Sometimes, if there are people who do not like it on both sides, that must mean it is pretty good.

SENATOR LANGE MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 426.

SENATOR SCHEIBLE SECONDED THE MOTION.

SENATOR STONE:

I commend you for your efforts to alleviate financial pressures on people who are finding housing to be more expensive. Unfortunately, as I mentioned in my comments during the bill's hearing, I remain opposed to it. I believe the ones you are trying to target, these corporate landlords who are primarily responsible for the new development, are not going to have to pay or comply with this law for 15 years after they build their units. That creates an unfair playing field, especially for landlords who have been paying property taxes and making capital improvements in Nevada for years.

I also think the method by which an agency is going to allow for a percentage increase based on the consumer price index is convoluted. It is not clear. They could not even answer how a formula to determine a price increase would be calculated, and then they have to go through the federal government for exemptions. It can be time-consuming. I am not sure that they have the staffing levels to handle the volume of requests for exemptions, which means the

landlord is going to have to wait three or four months before they can even get an answer.

Again, while I appreciate your efforts, I do not think this bill is fully cooked. For those reasons, I cannot support it.

CHAIR SPEARMAN:

I hear you and appreciate your comments. However, I believe one of the things that was said in opposition was that it does not happen that much. If it does not happen that much, it probably will not require an exorbitant amount of staffing increases. If the majority of people are doing the right thing and this bill just captures the few who are not, the amount of extra work and staffing needed will probably be limited.

SENATOR DALY:

I will not hold up the bill, and I think there is merit in what we are trying to do. I prefer this Statewide approach to the home rule approach. If we are going to go in that direction, this is the right one. At the same time, I have some concerns about some of the amendments and want to look into them.

SENATOR HAMMOND:

The effort is there, and the goal is a good one. I may not be completely on board yet, but I think I could be with a little more time. I would like to put on the record that I want to review the bill and talk with others about it.

CHAIR SPEARMAN:

As I said, this is a rather contentious bill, and there was great merit and passion on both sides. I appreciate your thoughtful attention to not only the bill, but also to the amendments. I encourage you, if you have reservations, to get with the stakeholders and see if you can bring some resolution to it.

THE MOTION PASSED. (SENATORS BUCK, HAMMOND AND STONE
VOTED NO.)

* * * * *

CHAIR SPEARMAN:

I will open the work session on S.B. 427.

SENATE BILL 427: Revises provisions relating to occupational safety and health.
(BDR 53-682)

MR. MELGAREJO:

I have a work session document ([Exhibit J](#)) that describes the bill and its history and explains the amendments.

SENATOR BUCK:

I will be voting no on this bill today. The Occupational Safety and Health Administration has the authority to regulate heat illness through the general duty clause of existing law. Placing the requirements in statute is unnecessary. In addition, the bill is too broad and does not take into consideration all the various industry differences. How do we monitor drivers for heat illness when they are remote? What does cool water mean? This bill would require shade to be provided on a hot night.

I caution my colleagues that we should not enact a law that makes it easy to use the ambiguity within it as a weapon against business. I will vote no today.

SENATOR STONE:

I commend the sponsor for this effort to make sure workers are safe during inclement weather conditions throughout the State. At the same time, I share some of the concerns of my colleague about the way the bill is written. The section on training is ambiguous, and there is no source cited for the heat standards.

The National Institute for Occupational Safety and Health goes over these issues meticulously for more than 192 pages, so I think it is a duplication of effort. The federal government has this issue pretty well covered for the entire U.S., and this bill puts an undue burden on businesses in Nevada.

For those reasons, I will not be able to support the bill today.

SENATOR LANGE MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 427.

SENATOR SCHEIBLE SECONDED THE MOTION.

Senate Committee on Commerce and Labor
April 13, 2023
Page 18

THE MOTION PASSED. (SENATORS BUCK, HAMMOND AND STONE
VOTED NO.)

* * * * *

CHAIR SPEARMAN:
We will reschedule the hearing on S.B. 436 for another day.

SENATE BILL 436: Revises provisions relating to service contracts. (BDR 57-
873)

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Commerce and Labor
April 13, 2023
Page 19

CHAIR SPEARMAN:

Is there any public comment? Hearing none, we are adjourned at 9:21 a.m.

RESPECTFULLY SUBMITTED:

Lynn Hendricks,
Committee Secretary

APPROVED BY:

Senator Pat Spearman, Chair

DATE: _____

| EXHIBIT SUMMARY | | | | |
|------------------------|-----------------------|---|--|----------------------------------|
| Bill | Exhibit Letter | Introduced on Minute Report Page No. | Witness / Entity | Description |
| | A | 1 | | Agenda |
| | B | 1 | | Attendance Roster |
| S.B. 139 | C | 3 | Susannah Albright / Payroll Funding Company, LLC | Bill Explanation by Erven Nelson |
| S.B. 97 | D | 12 | Cesar Melgarejo | Work Session Document |
| S.B. 134 | E | 12 | Cesar Melgarejo | Work Session Document |
| S.B. 163 | F | 13 | Cesar Melgarejo | Work Session Document |
| S.B. 277 | G | 14 | Cesar Melgarejo | Work Session Document |
| S.B. 302 | H | 14 | Cesar Melgarejo | Work Session Document |
| S.B. 426 | I | 15 | Cesar Melgarejo | Work Session Document |
| S.B. 427 | J | 17 | Cesar Melgarejo | Work Session Document |