MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR

Eighty-Third Session
March 28, 2025

The Committee on Commerce and Labor was called to order by Chair Elaine H. Marzola at 12:21 p.m. on Friday, March 28, 2025, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 1 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, 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/83rd2025.

COMMITTEE MEMBERS PRESENT:

Assemblymember Elaine H. Marzola, Chair
Assemblymember Sandra Jauregui, Vice Chair
Assemblymember Natha C. Anderson
Assemblymember Max E. Carter II
Assemblymember Lisa K. Cole
Assemblymember Melissa R. Hardy
Assemblymember Heidi Kasama
Assemblymember Brittney M. Miller
Assemblymember Daniele Monroe-Moreno
Assemblymember PK O'Neill
Assemblymember Erica P. Roth
Assemblymember Selena Torres-Fossett
Assemblymember Steve Yeager
Assemblymember Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblymember Tanya P. Flanagan, Assembly District No. 7

STAFF MEMBERS PRESENT:

Marjorie Thomas, Committee Policy Analyst
Sam Quast, Committee Counsel

Daniel Peinado, Committee Counsel
Logan B. Service, Committee Manager
Denise Dimarzo, Committee Secretary
George Whalen, Committee Assistant

OTHERS PRESENT:

Stephani Christensen, M.D., Private Citizen
James Wadhams, Private Citizen, Las Vegas, Nevada
Kaylah Maese, Civil Rights and Policy Analyst, American Civil Liberties Union Nevada
Leonardo Benavides, Director of State Government Affairs and Community Engagement, University of Nevada, Las Vegas
Caroline Mello Roberson, representing Planned Parenthood Votes Nevada
Joyce Reinecke, Executive Director, Alliance for Fertility Preservation
Jessica Glover, Private Citizen
Shelly Capurro, representing Nevada Association of Health Plans
Ashley Garza Kennedy, Principal Management Analyst, Government Affairs, Department of Administrative Services, Clark County
Adam Plain, Insurance Regulation Liaison, Division of Insurance, Department of Business and Industry
Leaha Crawford, Private Citizen, Las Vegas, Nevada
Ross Kinson, representing Teamsters Union Local 533
Carlos Hernandez, Chief of Staff, Nevada State AFL-CIO
Greg Esposito, Director of Government Affairs, Plumbers, Pipefitters and Heating, Ventilation, Air-Conditioning/Refrigeration Service Technicians Local 525
Jason Gateley, Secretary-Treasurer, Teamsters Union Local 14
Tamara Jamison, Business Agent, Teamsters Union Local 14
Misty Olmos, Secretary-Treasurer, Education Support Employees Association
Erica Nungaray, Private Citizen, Las Vegas, Nevada
Jan Giles, President, Education Support Employees Association
Edward Goodrich, Political Director, International Alliance of Theatrical Stage Employees Local 363
Russ James, Northern Nevada Organizer, Nevada State AFL-CIO
Dionne Klug, Recorder, United Food and Commercial Workers Union Local 711
Kent M. Ervin, Ph.D., Director of Governmental Relations, Nevada Faculty Alliance
Paul Catha, Political Director, Culinary Workers Union Local 226
Joseph Graham, Chief Steward, Communications Workers of America Local 9413
Liz Sorensen, President, Nevada State AFL-CIO
Gary Watson, Principal Officer, Teamsters Union Local 533
Kim Renee, President, Screen Actors Guild-American Federation of Television and Radio Artists, Nevada Local
Robert Sumlin, Vice President, International Association of Machinists and Aerospace Workers Local Lodge SC-711

Klarissa-Ann Principe, Recording Secretary, Transport Workers Union of America Local 577
Tray Abney, representing National Federation of Independent Business
Yoana Ontiveros, representing Las Vegas Global Economic Alliance
Miranda Hoover, representing Energy and Convenience Association of Nevada
Misty Grimmer, representing Nevada Resort Association
Nicholas Schneider, Director of Government Affairs, Vegas Chamber
Deborah Polan, General Counsel, National Auto and Travel Organization
Matthew Morris, representing National Auto and Travel Organization
Richard P. McCann, representing SNAP Towing, Henderson, Nevada
Matthew Taylor, Director of Government Affairs, Nevada Registered Agent Association
Michael Hillerby, representing Nevada State Board of Accountancy
Anna Durst, Chief Executive Officer, Nevada Society of Certified Public Accountants

Chair Marzola:
[Roll was called. Committee rules and protocol were reviewed.] Welcome everybody who is here with us in Carson City, watching from Las Vegas, and tuning in over the Internet. Today we will hear four bills, Assembly Bill 428, Assembly Bill 434, Assembly Bill 498, and Assembly Bill 510. We will also conduct a work session to take action on a measure the Committee has heard. We will first move to our work session. I may invite witnesses to come forward for clarification or to answer questions during our consideration of a measure. With that, we will start with Assembly Bill 142.

Assembly Bill 142: Revises provisions relating to industrial insurance. (BDR 53-876)

Marjorie Thomas, Committee Policy Analyst:
Assembly Bill 142 revises provisions relating to industrial insurance and was sponsored by Assemblymember Marzola and heard on March 24, 2025 [Exhibit C]. There are two proposed amendments on your bill page.

Chair Marzola:
Committee members, are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 142.

ASSEMBLYMEMBER MONROE-MORENO MOVED TO AMEND AND DO PASS ASSEMBLY BILL 142.

ASSEMBLYMEMBER HARDY SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBERS JAUREGUI, TORRES-FOSSETT, AND YEAGER WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to myself. Next is Assembly Bill 143.

Assembly Bill 143: Enacts the Dentist and Dental Hygienist Compact. (BDR 54-877)

Marjorie Thomas, Committee Policy Analyst:
Assembly Bill 143 enacts the Dentist and Dental Hygienist Compact and is sponsored by Assemblymember Marzola [Exhibit D]. It was heard on March 21, 2025, and there are no proposed amendments.

Chair Marzola:
Members, are there any questions? I will entertain a motion to do pass Assembly Bill 143.

> ASSEMBLYMEMBER COLE MADE A MOTION TO DO PASS ASSEMBLY BILL 143.
>
> ASSEMBLYMEMBER MONROE-MORENO SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

> THE MOTION PASSED. (ASSEMBLYMEMBERS JAUREGUI, TORRES-FOSSETT, AND YEAGER WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to myself. Next is Assembly Bill 183.

Assembly Bill 183: Revises provisions relating to optometry. (BDR 54-151)

Marjorie Thomas, Committee Policy Analyst:
Assembly Bill 183 revises provisions relating to optometry and was sponsored by Assemblymember Koenig and heard on March 3, 2025 [Exhibit E]. The four amendments are on the bill page.

Chair Marzola:
Members, are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 183.

> ASSEMBLYMEMBER YUREK MOVED TO AMEND AND DO PASS ASSEMBLY BILL 183.
>
> ASSEMBLYMEMBER MONROE-MORENO SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

> THE MOTION PASSED. (ASSEMBLYMEMBERS JAUREGUI, TORRES-FOSSETT, AND YEAGER WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblymember Koenig. Finally, we have Assembly Bill 430.

Assembly Bill 430: Exempts persons engaged in the provision of payroll processing services from provisions governing money transmission. (BDR 55-1072)

Marjorie Thomas, Committee Policy Analyst:
Assembly Bill 430 exempts persons engaged in the provision of payroll processing services from provisions governing money transmission, and was sponsored by Assemblymember Flanagan, heard on March 24, 2025 [Exhibit F]. There are no proposed amendments.

Chair Marzola:
Members, are there any questions? [There were none.] I will entertain a motion to do pass Assembly Bill 430.

> ASSEMBLYMEMBER MILLER MADE A MOTION TO DO PASS ASSEMBLY BILL 430.
>
> ASSEMBLYMEMBER MONROE-MORENO SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

> THE MOTION PASSED. (ASSEMBLYMEMBERS JAUREGUI, TORRES-FOSSETT, AND YEAGER WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblymember Flanagan. That concludes our work session for today. We will take a one-minute recess.

[The Committee recessed at 12:26 p.m. and reconvened at 12:27 p.m.]

I will now open the hearing on Assembly Bill 428. This measure requires certain health plans to include coverage for fertility preservation services. Welcome, Assemblymember Flanagan, you may begin when you are ready.

Assembly Bill 428: Requires certain health plans to include coverage for fertility preservation services. (BDR 57-915)

Assemblymember Tanya P. Flanagan, Assembly District No. 7:
Thank you for having me here today to present Assembly Bill 428, which requires certain health plans to include coverage for fertility preservation services. A diagnosis of cancer is overwhelming. I will preface that this is a very personal space for me; I am hopeful not to become overly emotional in getting through this presentation today.

A diagnosis of cancer is overwhelming, and in so many aspects, an individual's life is altered when he or she hears the words, "You have cancer." Fertility preservation is a vital service

for people who have been diagnosed with cancer and are facing medical treatments such as chemotherapy or radiation that could impact their fertility. Offering fertility preservation helps ensure that cancer survivors have the option to start a family later in life, which can have a positive psychological impact as people face a life-threatening illness.

However, cancer patients often face barriers when taking steps to preserve their fertility. Many patients often face limited or no insurance coverage for fertility preservation. The National Institutes of Health reports that for women nationally, the cost averages from $10,000 to $15,000 for embryo preservation, and there are additional costs for annual storage fees. The burden of paying for this procedure falls on patients and families at a time when they have other significant cancer-related expenses.

According to the Alliance for Fertility Preservation, 18 states and the District of Columbia have passed legislation that compels insurers to cover a portion and up to full coverage for fertility preservation procedures for cancer patients and others who are facing potential infertility as a result of medical treatment. In addition, 18 states are currently considering this legislation; some states that offer this coverage include Arkansas, California, Colorado, Connecticut, Illinois, and Maryland. I would like to welcome Dr. Stephani Christensen with Comprehensive Cancer Centers of Nevada to this conversation.

Stephani Christensen, M.D., Private Citizen:
I am speaking in strong support of A.B. 428. I grew up in Nevada, I went to medical school in Nevada, and I am incredibly lucky to practice medicine in Nevada. I am a board-certified hematologist and oncologist, and I currently practice in Henderson and Las Vegas. My practice is predominantly focused on the care and survivorship of breast cancer patients.

In the United States, there are roughly 268,000 women who are diagnosed with invasive breast cancer annually. Twelve percent of these cases will be diagnosed in women under the age of 45, and that number is growing. If we look at the percent of the population in Nevada, it is about 1 percent. So, that means about 320 Nevada women who are premenopausal are diagnosed with breast cancer every year.

As an oncologist, women come to see me because they have been diagnosed with breast cancer. They have just gotten some of the worst news of their lives. They are scared, they are scared of dying, and they are scared of losing their hair from chemotherapy. They are scared of how breast cancer treatments will disrupt their lives, and they rightly fear that the treatments I use to cure their cancer will jeopardize their ability to create the family they have always dreamed about.

The chance of infertility from breast cancer varies significantly with the type of drugs I use—with the patient's age and with their individual ovarian reserve. Chemotherapy, particularly with alkylating agents, are known to be gonadotoxic and can lead to premature ovarian failure and infertility. The risk of chemotherapy-induced ovarian failure ranges between about 20 and 60 percent in women under 40 and upwards of 60 to 97 percent in women over the age of 40.

The need for fertility preservation is a critical aspect to comprehensive cancer care. The National Comprehensive Cancer Network emphasizes that all premenopausal patients should be informed about the potential impact of chemotherapy on fertility and offered fertility preservation options if future childbearing is desired.

The American Society of Clinical Oncology's guidelines emphasize the importance of discussing fertility preservation with patients at the time of cancer diagnosis and offering appropriate referrals and intervention should the patient desire.

Fertility preservation methods such as oocyte or embryo cryopreservation are well established and effective in safeguarding the reproductive potential of cancer patients. However, the cost of these procedures, which can exceed $10,000 per cycle, poses a significant barrier to access.

Financial hardship is a common consequence for cancer patients who pursue fertility preservation. Studies have shown that the lack of insurance coverage for these services leads to increased financial vulnerability with many patients incurring substantial debt; or worse, this financial burden can deter patients from opting for fertility preservation and thereby compromising their ability to build their family as they had hoped and dreamed.

Currently, Nevada does not mandate coverage for fertility preservation in cancer patients, but the precedent for such coverage does exist. As Assemblymember Flanagan said, other states do mandate it. Additionally, the Women's Health and Cancer Rights Act of 1998 mandated insurance coverage for breast reconstruction following a mastectomy, recognizing the importance of addressing quality-of-life issues for cancer survivors. Extending similar coverage for fertility preservation aligns with this commitment to comprehensive survivorship.

Assembly Bill 428 will mandate that certain health insurance plans cover fertility preservation for individuals diagnosed with breast and ovarian cancer. By ensuring coverage for fertility preservation, A.B. 428 seeks to alleviate the emotional and financial burden faced by cancer patients who wish to have biological children after treatment. Access to such services will lead to improved quality of life and improve psychological well-being during and after cancer therapy. I urge you to support this legislation.

Assemblymember Flanagan:
I will walk through the sections of the bill. Sections 1, 3 through 9, 11, and 13 through 15 require public and private health plans, including Medicaid and insurance for state and local government employees, to provide coverage for certain procedures or services that are deemed medically necessary to preserve fertility for an insured who has been diagnosed with breast or ovarian cancer if one, the cancer may directly or indirectly cause infertility, or two, the insured is expected to receive medical treatment for cancer and the treatment could directly or indirectly cause infertility.

An insurer that is affiliated with a religious organization is not required to provide coverage if the insurer objects to providing the coverage on religious grounds and provides written notice to insurers or prospective insurers disclosing that the insurer does not provide such coverage. Section 2 of the bill authorizes the Commissioner of Insurance to require a policy of individual health insurance issued by a domestic insurer to a person residing in another state to contain the coverage.

In addition, section 10 of the bill authorizes the Commissioner to suspend or revoke a certificate of a health maintenance organization that fails to provide such coverage. The Commissioner may also take such action against other health insurers that fail to provide such coverage. I will stop now and take any questions.

Chair Marzola:
Committee members, are there any questions?

Assemblymember Miller:
I do not know if you or the doctor would have this data: do you know how many women and families here in Nevada this would affect?

Assemblymember Flanagan:
I believe Dr. Christensen touched on that in her presentation where she mentioned roughly 268,000 cases, 32,000 Nevadans, and about 1 percent of our population. Annually, there are approximately 320 families in Nevada. I see Dr. Christensen is still there; she may also want to add to that.

Assemblymember Miller:
I should clarify; not necessarily qualify but would be interested in this type of service because I know qualifying and those who would actively seek it. Do we have any idea?

Assemblymember Flanagan:
I will take a stab at it and then allow Dr. Christensen to add a more technical answer. This type of care is going to fall under different points of consideration. When a woman is diagnosed with one of these types of cancers, it can relate to what age she is upon being diagnosed; she could already have children; she may look at the course of treatment and say, Once I have concluded treatment for, what is more pressing, curing cancer or putting a pause on what is happening to my life in the space of cancer, I do not want to do a family. The time frame may be too long.

I do not know if Dr. Christensen has any numbers of women who have tapped into this under these circumstances, but those factors will definitely limit the pool of who would like to take advantage of this. Dr. Christensen, did you want to add to that?

Stephani Christensen:
I offer it to all patients I treat who are premenopausal. A lot of women are done with childbearing, so they choose not to. A lot of women just want to get on to their cancer

treatment, so they do not want to. I would say at least 30 to 50 percent want to talk to a reproductive endocrinologist to hear their options.

We are not talking about every woman with breast cancer in Nevada. We are only talking about women of childbearing potential and who are interested.

Chair Marzola:
Committee members, any additional questions?

Assemblymember Hardy:
I just wanted to thank you for sharing your personal story. I know that it is emotional and hard to talk about, but it helps others when you do.

You mentioned in your opening there are 18 states and District of Columbia that have full or partial coverage for this. What would be the difference—what would be covered under partial coverage?

Assemblymember Flanagan:
Assemblymember Hardy, what I can do is share with you some of what is covered under the different plans, and then it should paint somewhat of a picture. For example, in Arkansas individual and group insurance policies provide maternity benefits that cover in vitro fertilization (IVF); the lifetime maximum is $15,000 for that coverage. All their individual and group insurance policies that provide maternity benefits must cover IVF, whereas in Colorado and in California, they offer three completed—and I may need Dr. Christensen. It has to do with the oocyte retrievals. Am I pronouncing that correctly?

Stephani Christensen:
Yes, that would be it.

Assemblymember Flanagan:
The oocyte retrievals with unlimited embryo transfers are in accordance with the guidelines of American Society of Reproductive Medicine, using single embryo transfer when recommended and medically appropriate.

In Connecticut, there is a lifetime maximum coverage of four cycles for ovulation induction, a lifetime maximum coverage of three cycles for intrauterine insemination, and a lifetime maximum coverage of two cycles for IVF with not more than two embryo implantations per cycle. Each fertilization or transfer is credited as one cycle towards the maximum.

The states look at it differently. Dr. Christensen may want to add more to that, if that answers your question sufficiently.

Assemblymember Hardy:
Yes, that was what I was looking for. Are there coverage or cycle limits in this legislation, or are there no limits on the coverage that any of the other states have?

Assemblymember Flanagan:
We are at the beginning stages of taking a look at this, and the specifications of the policy have not been outlined in this legislation as to what we will provide. I was hoping to have my insurance friend in the audience, Mr. Wadhams, to talk about it from the insurance perspective.

James Wadhams, Private Citizen, Las Vegas, Nevada:
I was asked by Assemblymember Flanagan to provide her with some information. I am actually technically not appearing as a lobbyist, just as a friend.

The bill lays out a series of insurance plans, including the *Nevada Revised Statutes* (NRS) Chapter 287 plan provided by local government. Oftentimes these bills also have a reference to NRS Chapter 608, which covers employers generally. I would certainly defer to the Committee Counsel on whether that would be in addition to this or not.

These sorts of benefits are relatively common, and the value of them is somewhat dependent upon the actuarial utilization of them. I think one of the questions from the Committee was raised, and that was the likelihood of the universe of utilization. I hope that is helpful.

Assemblymember Cole:
I am going to ask a question that has the opportunity to be fairly controversial, and I do not mean it to be. My question is related to the storage of embryos. There was a fairly recent court case; I think it was last year. It was about what happens to embryos after storage is no longer needed. Can you talk to that? How will that work here? Is there a limit on the number of years an insurance company would be paying for the storage of the embryos?

Assemblymember Flanagan:
I can say this at this point about that portion of this conversation, there are some parties that are concerned with how long the eggs would be stored. We are having some conversations to make sure we come to a point of agreement. That is hopefully something all parties are fine with. Dr. Christensen, I would like to pitch this a little bit because I would like to hear from you about what is reasonable from a medical standpoint in terms of storage of eggs.

Stephani Christensen:
I am not a reproductive endocrinologist; I am an oncologist, but generally, most reproductive endocrinologists do not actually recommend the creation of embryos. Initially, they recommend just the storage of eggs. The reason for that is, let us say you are married during the treatment of breast cancer, and you create embryos, and then you get divorced, and now you have embryos that are between you and your ex-husband, but you do not have any eggs that belong to you independently. For that reason, most of the time we are talking about the storage of eggs in cancer patients, not the storage of embryos. The difference would be an unfertilized egg versus a fertilized embryo.

Chair Marzola:
Committee members, any additional questions?

Assemblymember Yurek:
Probably less of a question, more of a statement. I am just telling you, thank you so much for bringing this bill, and I would love to take this opportunity to personally and publicly thank Dr. Christensen, who treated my wife for breast cancer who is now six years cancer-free. I think there is a special place in heaven for you.

As we have been asking these questions, there are still some we are going to have to work through. I am just truly grateful, and I want to thank you for bringing this very important bill. My wife was diagnosed after we already had kids, so we did not have to face this, but it is a very real issue, and I appreciate you and your efforts, and your advocacy to raise this issue and give us the opportunity to address it.

Chair Marzola:
Committee members, any questions? Thank you for sharing your story. I know this is such a hard space and I believe, like one of my colleagues stated, it is an important issue that you are addressing, and you are making such a difference for others. Assemblymember Yurek, thank you also for sharing about your wife. With that, we will start testimony in support of A.B. 428. Is there anyone here in Carson City wishing to testify?

Kaylah Maese, Civil Rights and Policy Analyst, American Civil Liberties Union Nevada:
We appreciate the intent of this bill, and we are very happy to support this bill.

Leonardo Benavides, Director of State Government Affairs and Community Engagement, University of Nevada, Las Vegas:
I am here today in support of this very important measure brought forward by Assemblymember Flanagan.

Chair Marzola:
Is there anyone else in Carson City wishing to testify in support? [There was no one.] Is there anyone in Las Vegas wishing to testify in support of A.B. 428? [There was no one.] Is there anyone on the line?

Caroline Mello Roberson, representing Planned Parenthood Votes Nevada:
I am here to speak in support and thank Assemblymember Flanagan for bringing this important bill forward.

[A letter and testimony in support, Exhibit G and Exhibit H, were submitted but not discussed and will become part of the record.]

Joyce Reinecke, Executive Director, Alliance for Fertility Preservation:
I want to say that while we strongly applaud the intent of this bill, we do also want to raise some reservations that our organization has in representing all cancer patients and since infertility and sterility—

Chair Marzola:
Are you testifying in support of the bill?

Joyce Reinecke:
I am testifying in support with reservations. I do not know if there is a neutral category. I just wanted to—

Chair Marzola:
There is a neutral category. If you can just hang on the line. We are in testimony in support. Is there anyone else on the line wishing to testify in support? [There was no one.] We will move to testimony in opposition to A.B. 428. Is there anyone here in Carson City wishing to testify in opposition? [There was no one.] Is there anyone in Las Vegas wishing to testify in opposition? [There was no one.] Is there anyone on the line? [There was no one.] We will move to neutral testimony. Is there anyone here in Carson City wishing to testify in neutral?

Jessica Glover, Private Citizen:
As a birth mom, I understand the need and the want for families to want to have children who may not be able to due to medical reasons. I also want people to know that blood is not always thicker than water. For those who may not be able to have their own genetic children, there are children on standby, waiting for a loving, quality family who will love them and who will heal the paternity wounds.

Shelly Capurro, representing Nevada Association of Health Plans:
We would like to thank the sponsor for taking the time to meet with us. No one can deny the emotional and physical toll that a breast or ovarian cancer diagnosis brings. We recognize that fertility preservation offers hope to patients facing unimaginable decisions at a critical moment in their lives. We share this sponsor's compassion and look forward to continuing to work collaboratively to find a balanced approach to ensure that coverage remains affordable and accessible. We appreciate the sponsor's willingness to work with us on age parameters and other potential guardrails that may help address the financial impact of these mandates. We look forward to continuing our collaboration in a way that balances compassion and sustainability.

Ashley Garza Kennedy, Principal Management Analyst, Government Affairs, Department of Administrative Services, Clark County:
We manage a self-funded health plan in Clark County, and we thank Assemblymember Flanagan for meeting with us and for the ongoing conversations addressing this public policy. We thank her for her willingness to work with us and for bringing forward an important measure and her passion.

Adam Plain, Insurance Regulation Liaison, Division of Insurance, Department of Business and Industry:
The Division is neutral on the bill as a matter of policy. I did want to note that evaluating the bill for federal defrayal effects, the Division has determined the bill would trigger federal

defrayal in the individual market. We have submitted a fiscal note with details on the calculation and the results, and we stand ready for any questions if the Committee has them.

[Exhibit I was submitted and will be made part of the record.]

Assemblymember Cole:
Can you explain what federal defrayal means? I am not familiar with that term.

Adam Plain:
Trying to be as brief and concise as possible, if a state passes a benefit mandate that is not part of our current package of benefits, the federal government requires the state to pay the premium cost that increases for individuals purchasing coverage through the exchange.

Chair Marzola:
Is there anyone else wishing to testify in neutral? [There was no one.] Is there anyone in Las Vegas wishing to testify in neutral on A.B. 428? [There was no one.] Is there anyone on the line?

Joyce Reinecke:
Our mission is exactly what this bill intends. To serve the needs of cancer patients who need information, resources, and access to fertility preservation services when they are facing possible sterilization or infertility due to their cancer treatments.

We have worked with advocates across the country, and as you heard earlier, to date, 18 states and the District of Columbia have passed fertility preservation coverage legislation.

We applaud the intent of this bill, and the only reservation we have is it is not inclusive enough. We represent all cancer patients, and because their fertility is threatened by the treatment they have, this affects patients beyond breast cancer and ovarian cancer. This also includes pediatric patients and young adult patients because the threat comes from the life-saving treatments such as chemotherapy, radiation, bone marrow transplants, and some surgeries. For this reason, we would feel the coverage needs to include all patients to be more equitable.

Leaha Crawford, Private Citizen, Las Vegas, Nevada:
I am in support of this bill.

Chair Marzola:
We will move your testimony to support. Is there anyone else on the line for neutral? [There was no one.] Assemblymember, would you like to say any final remarks?

Assemblymember Flanagan:
I know a lot has been shared with you today, and I want to close with this: I mentioned early on that I am a cancer survivor, but the motivation for this bill is that in 2003, I was 32 and I was diagnosed with breast cancer and diagnosed again at 37 and at 38. Each of those times

I wondered how it would affect my childbearing options. After thoroughly researching my course of treatments and my options, I made a conservative decision; I took the safest route I could with my oncologist. I did not do radiation or tamoxifen because at the time they could not conclusively tell me what would happen to my reproductive organs.

In 2008 when I was diagnosed again at age 38, I wanted to start a family, but I was facing breast cancer. I found myself scheduling a biopsy and MRI, preparing for the actual surgery to have the breast removed, getting a consultation on reconstruction, and trying to understand my fertility options all at the same time. Once the mastectomy was actually done, I was told I had 90 days to figure out what I wanted to do about fertility preservation because I had to begin chemotherapy.

The weight of this decision—how to afford IVF coupled with the stress of a mastectomy and beginning chemotherapy—was a lot. Nearly $5,000 into this process and trying to find all the financial resources to complete it with no help because it was not covered by insurance, I gave up.

There are other women who have stories like mine, and I understand there is consideration for the cost for fertility preservation for breast and ovarian cancer as well as other patients, as there is with this policy with the consideration of coverage for any policy. Insurers may hesitate to include coverage for certain procedures because of concern that those seeking the medical care may represent a significant population of high-risk candidates.

That said, A.B. 428 is aligned with a very finite population facing a limited number of factors such as age, existing family, and nonoptimal to healthy outcomes, which would make them not choose to utilize this option.

Additionally, according to the Commonwealth Fund, benefit mandates may allow the risk pools to absorb the cost of a patient's needed care. The numbers demonstrate that benefit mandates do not always adversely impact an insurer's ability to accumulate capital.

I hope you will take into consideration all the factors you have heard today as you determine whether to move this piece of legislation forward for the good of Nevada families. I look forward to continuing to work with stakeholders so we might find a common ground and that we can make this available to families in Nevada.

Chair Marzola:
Thank you for sharing and bringing this bill forward. I will now close the hearing on A.B. 428. I will now open the hearing on Assembly Bill 434. This bill prohibits certain employment practices.

Assembly Bill 434: Prohibits certain employment practices. (BDR 53-188)

Assemblymember Natha C. Anderson, Assembly District No. 30:
I am joined today by Ross Kinson of Teamsters Local 533 out of Washoe County who will help present Assembly Bill 434. This legislation is very similar to laws adopted in eight other states, and I can list them off if you really need them. But first, we will go into the language, Mr. Kinson.

Ross Kinson, representing Teamsters Local Union 533:
Assembly Bill 434, or as we are calling it, the Freedom of Employer Intimidation Act, is rooted in basic, deeply American values, freedom of thought and belief. It asks a simple question: Should anyone in Nevada be forced to choose between keeping their job or staying true to their conscience? Today, the answer is yes and should have been yes, the entire time; however, it is not.

In many workplaces across our state and across the country, employees are required, often without warning, to attend meetings or receive communications that focus on their employer's political or religious views. These meetings, sometimes referred to as captive audience meetings, are not about ethical job issues, job performance, safety, or business updates. They are about influencing beliefs about politics or, coming from a union leader like myself, union drives or even religious affiliations.

These meetings are typically mandatory and are paid. It is vastly different than a conversation between an employee and their employer who are just talking. It is a meeting where employees cannot opt out—make that clear, cannot opt out—and if they do, they risk discipline, loss of shifts, demotions, and sometimes in extreme cases, are fired.

I have heard from workers in Nevada who have sat silently in these meetings, knowing they disagree but fearing what would happen if they said a word or walked out. To me, that is not freedom. That is coercion.

Assembly Bill 434 changes that. It says that if your employer wants to talk about politics or religion, they can; nothing would prohibit folks from being able to talk about that, right? That falls well within the First Amendment. However, we believe it is only fair that the workers have the opportunity to say they do not want to listen and cannot be punished if they choose not to listen or walk out from those meetings, again about religion or politics.

Assemblymember Anderson:
I would like to walk you through A.B. 434 quickly. Under this legislation, employers are prohibited from disciplining, retaliating against, or firing workers who decline to attend meetings or participate in communications where the primary purpose is to convey that employer's political or religious views.

This includes efforts to persuade employees to vote a certain way, discourage union work, or adopt very specific religious beliefs. The proposed amendment [Exhibit J] is based on numerous conversations with other members of the labor community.

We have removed the misdemeanor language, and instead added an effort to strengthen enforcements that allows workers who experience retaliation to seek damages, lost wages, and attorney fees if necessary. We also clarified that this applies to state and local government employers because public employees deserve the same protection. We respect existing exemptions for religious institutions, which would be keeping in line with Nevada laws and the First Amendment.

Ross Kinson:
So ultimately, the question I am sure you are probably thinking about is why now? Why do we need this legislation currently? I would tell you the need for this legislation is growing across the country. We are seeing an increase in employer use of captive audience meetings, particularly in anti-union campaigns and political mobilization efforts. These meetings are often framed as informational, but let us be honest: when your boss tells you to be somewhere, it is not a request. When they talk politics, it is very rarely neutral.

As mentioned earlier, other states are passing similar legislation; Connecticut, Oregon, and Minnesota, to name a few, have passed very similar laws. Courts have upheld these laws, and more importantly, the workers in those states now have the freedom to walk away from coercion, and we think it is time for Nevada to join those states.

The bill is backed by a broad coalition nationwide of labor unions, civil liberty advocates, faith-based groups, and everyday workers who have experienced these pressures firsthand. They know this bill protects not just workers but broader democracy as a whole. This is about giving working people the ability to engage politically on their own terms, not under the pressure from their employer. It is about defending freedom of religion by preventing forced religious participation in the workplace. It is about dignity, fairness, and protecting people from retaliation when they speak or choose not to speak their minds [Exhibit K].

Assemblymember Anderson:
Over the last day, I have heard from a few people that there is a concern it could possibly restrict freedom of speech, and it becomes a First Amendment infringement, which is not this intent. I have asked those individuals to work with me on possibly getting another amendment to clarify that.

To be clear, A.B. 434 does not prevent employers from expressing their views. We are so fortunate that most of the time we get a chance as employees to become friends with our employers. That is the best type of workplace. It is a place you want to go to work because you get a chance to talk with each other. You get a chance to disagree with each other, and you get a chance to find consensus. The problem is when an employer tells an employee that they need to sit there, and they need to hear about this political candidate or this religious belief, and they need to sign this pledge, they need to vote this way. That is what this is trying to deal with.

And that is why I am bringing forward this language. I believe the idea of Nevada being a state that encourages the rights of the workers is not just in practice; it also needs to be in

law, and this is what we are trying to do. The Freedom of Employer Intimidation Act is simply a step toward restoring the power and autonomy that every Nevadan deserves at work.

I ask for your support so we can clearly show that Nevada believes in the rights of the workers and the freedom of speech for all. We are ready for any questions.

Chair Marzola:
Committee members, are there any questions?

Assemblymember Torres-Fossett:
I can definitely see instances where employees can be held captive to listening to their employer's political views. My concern is on the definition of political matters; section 1, subsection 4, paragraph (a) on line 22, includes proposals to change legislation. My concern would be that there are a number of positions, which I am sure many of us interact with, in which changing legislation is actually a requirement of the job expectation.

As educators, sometimes we are in those types of conversations as a part of our employment. As a school leader, you need to know the state laws, and you want to be able to engage with government affairs and some of the issues that need to change or policies that might need to change. I do have concerns that this could prohibit—and I could see employees maybe not wishing to engage with that political nature of their position.

I think about that four-hour Ways and Means meeting that we just attended, and there might be members who did not want to participate, and they could just opt out because it had to do with changing legislation. Has there been any consideration on refining that definition of political matters to be a little bit clearer?

Assemblymember Anderson:
Thank you for bringing that up; that has been the number one consideration in trying to figure out how to define it in a much better way and I take ownership of that issue. The fact that we were trying to figure out how to do this so that if it is a job where you are directly engaged with politics—I will use some of the people who might be sitting behind me who are possibly employed as lobbyists for example. They know going in that is part of their job. It is more for the individuals who are working at—I will use again my past of working at Target. That is really what this is more aimed to address, and I think that is where the majority of our discussions for the new amendment will be coming from, when it is not directly related to somebody's job. That is exactly what the concern that has been raised has been, and I have not been able to get that language together in my own mind. I really do appreciate your bringing that forward.

Assemblymember Cole:
I think that already addressed my question and concern, so I would be happy to sit with you and talk about the language and brainstorm with you, if that is helpful.

Assemblymember Miller:
This is more of a brief statement rather than a comment, but while we think there is no need for this type of bill, 17 years ago when I moved to Nevada, I was working in Nevada, but I was employed out of Montgomery, Alabama. I covered the entire state and all the Southern states. After a month in, I went to Montgomery to headquarters because I had meetings there, and I remember the first day I was there. As the day was closing, they announced, And tomorrow morning, corporate prayer will be at 7 a.m. I had just moved from Michigan to Nevada, and I looked at all the folks and said, Wait, what did they say? They said, Corporate prayer. We get together and pray at 7 a.m. in the morning.

I have been in many workplaces where people have, on their own, chosen to pray, whether in the parking lot or in the break room, or do their own thing. But this was not that, and I laughed because I was like, You cannot tell me to come to corporate prayer. And they said, Oh, well, you are lucky you live in Nevada because if you lived here, you would be at corporate prayer every morning.

As astonishing as that sounds, that was occurring. The company has since been shut down by the government. It was a bank, and those kinds of things do occur. I appreciate your bringing this forward even if it seems like there would not be a necessity for it.

Assemblymember O'Neill:
During your presentation, you mentioned several times you talked about the exemption, or not being forced to go to a political, religious, or union. Is that correct? So I cannot, as an employee—if the union is having a fundraiser or whatever it may be, and they have made time cut out—be forced to go or be penalized for not participating in that activity. Is that correct?

Ross Kinson:
Again, what this would do is make it so no employee would be forced to go to something they do not want to go to if it deals with religion or political matters. I know that is a simple answer, but that is the heart of the bill.

Assemblymember Anderson:
I am going to make it even simpler: Yes, that is correct, they do not have to attend. They are invited to attend, and they would be encouraged to attend; they do not need to attend.

Assemblymember O'Neill:
Just for clarification, it includes political, religious, and union activities.

Assemblymember Anderson:
That is correct.

Assemblymember O'Neill:
The other question I have is that I know there are several companies out now that are privately owned and have very strong religious backing. Some will not open on Sundays or

other days. If they put out in their application before someone went to work there, a notification that there are strong religious beliefs by the owners of the business, that there will be a prayer group or something, can that be a protection for that company?

I think Hobby Lobby is a one example. They were sued actually for some religion and insurance, as I think there are a couple of others, possibly a fast-food organization, and some others. I am just trying to figure out if there are any exceptions. You did say exemptions of religious organizations, these would not be religious, but the owners have strong religious ties and activities within their business actions. We are all for tax at times, you say, syntax is important.

Assemblymember Anderson:
This is only after people have been hired. I do not know enough about hiring practices and national labor laws to know. I am not sure if we want to ask the attorneys to go into that. Again, this is only after somebody has in fact been hired, so this bill does not deal with it. Since we are talking about syntax, thank you for bringing in my world of education.

This bill does not go into how somebody is hired. Those questions you bring up are outlined more in federal law, and that has to do with labor laws.

Chair Marzola:
Committee members, are there any additional questions? [There were none.] Just for a point of clarification for myself, if you are an employer, whether a union, or private sector, or what have you, you cannot mandate your employees to attend any sort of functions or meetings that relate to politics or religion. Is that correct?

Assemblymember Anderson:
That is correct. That is what this bill is proposing.

Chair Marzola:
But if you are a union and you have a union meeting not related to religion or politics, those meetings can be mandated. Is that correct?

Assemblymember Anderson:
A union is not providing payment to anyone. A union is able to do so for their membership. I do not know personally of any mandatory meetings that a union does. I will ask Mr. Kinson to expand a little bit more about union practices which might be different in private unions than in public unions.

Ross Kinson:
Again, we hold meetings for our members; however, we do not employ our members. They have the right to attend those meetings or not. I hope that answers your question.

Chair Marzola:
It does completely. Members, any questions? [There were none.] With that, we will move to testimony in support of A.B. 434. Is there anyone here in Carson City wishing to testify in support?

Carlos Hernandez, Chief of Staff, Nevada State AFL-CIO:
The AFL-CIO represents over 120 unions and more than 150,000 members from various industries, including the building and construction trades, the service industry, the public employee sector, and many more. We thank the Teamsters, all our stakeholders, and all our unions for working on this bill. It is very important to our members, and we strongly urge the Committee to support the bill.

Greg Esposito, Director of Government Affairs, Plumbers, Pipefitters and Heating, Ventilation, Air-Conditioning/Refrigeration Service Technicians Local 525:
I hope none of you have ever been job scared. I have been job scared before, and it is a really uncomfortable place to be. To think that my employer holds so much power over me and I depend on that paycheck so much that if I do not get my full paycheck on Friday, I am going to lose my apartment or I am not going to be able to feed myself for the next week. It is very uncomfortable.

I hope none of you have ever been coerced in any aspect of your life where, if you did not comply, there is going to be harm to befall on you. That is also very uncomfortable. Imagine combining the two; imagine combining being coerced to do something, or to believe in something, or to listen to something, and your ability to feed your kids is attached to that coercion. It is a very uncomfortable place.

Imagine your employer telling you that you are going to sit in a meeting for the next hour, maybe two, and during that time they are going to talk to you about converting to Islam. That would likely be really uncomfortable for you, and you probably would not want to sit there. Personalize it—think about whether you would want that sort of pressure on your life, especially when your finances rely on being told what religion you should believe in. I honestly do not know how I would react on that one.

Chair Marzola:
Is there anyone else wishing to testify in support? [There was no one.] Is there anyone in Las Vegas wishing to testify in support of A.B. 434?

Jason Gateley, Secretary-Treasurer, Teamsters Union Local 14:
Forcing workers into meetings that are not work-related is a form of coercion. Every day we have the ability to opt out from political messages or messages we disagree with—yet they are being bombarded. For an employee not to have the ability to opt out of a meeting they wish not to attend and that is not work-related, and then face the threat of termination or any other type of discipline, is not appropriate. We are asking the members to support this bill.

Tamara Jamison, Business Agent, Teamsters Union Local 14:
I strongly encourage the Committee to support A.B. 434.

Misty Olmos, Secretary-Treasurer, Education Support Employees Association:
I support A.B. 434 because no employee should have to endure listening to something they do not believe in. Being forced to listen to someone and having them force their beliefs on them should be the employee's right to choose to do so.

My brothers and sisters deserve to feel respected and safe while they are working, and no one should feel like they are being bullied or coerced. Thank you for your time. Please support A.B. 434.

Erica Nungaray, Private Citizen, Las Vegas, Nevada:
I am a proud member of the Education Support Employees Association. I am here today to speak in strong support of A.B. 434. My husband worked for a well-known casino in Nevada for 22 years. Throughout his time there, the company repeatedly held mandated anti-union meetings. The owner would say things like, Have I not treated you well? Are you not happy? trying to convince employees that they did not need union representation?

Employers should not push the company's personal beliefs on their employees. Unfortunately, many listened, believing their loyalty and hard work would protect them. Then COVID-19 hit; most employees were laid off, including my husband. Despite his decades of service, he was never called back. Only a small number were rehired, and those who returned were expected to do the jobs of three people with no additional support, protection, or compensation.

If the workers had been unionized, they would have had rights and resources to protect them, benefits they had earned, job security, and a voice in decisions that affected their livelihoods. My husband and so many others were left without a safety net. Families like mine had to face the financial and emotional strain that came with sudden unemployment and with no clear path forward.

Assembly Bill 434 is about fairness and dignity. By passing this bill, you are not just protecting workers; you are protecting entire families from financial hardship and uncertainty. You are saying that long-term dedication and hard work will not be met with silence or exploitation. Nevada workers deserve better. They deserve protection. They deserve a voice. Please do the right thing and vote yes on A.B. 434.

Jan Giles, President, Education Support Employees Association:
I am the president for the Education Support Employees Association, which represents over 8,000 support professionals in the Clark County School District. I am here to ask for your support of the bill and support of our fellow brothers and sisters and the Teamsters. No employee should be forced to listen to unrelated work comments, and we just ask for your support.

Chair Marzola:
Is there anyone else in Las Vegas wishing to testify in support? [There was no one.] Is there anyone on the line?

Edward Goodrich, Political Director, International Alliance of Theatrical Stage Employees Local 363:
We are in full support of A.B. 434 and the proposed amendment submitted by Assemblymember Anderson. For too long employers have used forced meetings to proselytize biased views and obliquely threaten employees' well-being and best interests.

Sadly, in my honest opinion and experience, a misdemeanor penalty is viewed as a very weak, staid joke by management to be ignored and grudgingly paid and caught. Increasing the responsibility of the employer through the proposed amendment somewhat equalizes the playing field by creating a penalty that might be paid attention to by an employer and not simply brushed aside simply as the cost of doing business in order to transmit a threat.

Again, we support A.B. 434 and Assemblymember Anderson's proposed amendment. It creates a more equitable workspace.

Russ James, Northern Nevada Organizer, Nevada State AFL-CIO:
For all the reasons stated, we support the bill.

Dionne Klug, Recorder, United Food and Commercial Workers Union Local 711:
We strongly urge you to support this bill.

Kent M. Ervin, Ph.D., Director of Governmental Relations, Nevada Faculty Alliance:
For the reasons already stated, we strongly urge your support for A.B. 434. We appreciate Assemblymember Anderson for bringing the bill and for looking into language to avoid any unintended consequences.

Paul Catha, Political Director, Culinary Workers Union Local 226:
I am going to read a statement from Dan Serwinowski, a banquet server at Red Rock Casino Resort and Spa, which will give the Committee an idea of the impact these captive audience meetings have on workers:

> I started working at Red Rock as an on-call banquet server in December of 2006, about six months after they had opened. I enjoyed it so much that I decided to move up from on-call to part-time to full-time A-list. This is where I wanted to retire.
>
> I always had aspirations of Red Rock becoming a union hotel so we would have fair wages, free medical care, pensions, and other benefits.
>
> I decided to become a committee leader with the Culinary Union and to start organizing, which was our right. With all of our hard work, including several

> picket lines and dealing with union busters, we were ready to vote to unionize and we had secured an election date of December 19, 2019.
>
> Management distributed a flyer, which was titled "Mandatory Captive Audience All Team Member Meeting." The meetings were held on December 16th and 17th, two days before the election, to vote yes or no on the union. I attended one of these meetings where the company made announcements and promises about benefits. The top manager said that the benefits were only guaranteed if they reject the union. Right away, the thought I had was, How could they be doing this right before the election? I ask you today to please examine this company flyer and ask the company about it.
>
> The period of time between the mandatory captive audience meeting and today has been a very stressful and sometimes depressing time. From 2006 to 2020, I served Red Rock with loyalty and dedication. I worked my way up to the A-list and I had hopes and plans and for saving to build a home. But during the pandemic, management chose to separate me from the company, and then I went back as an on-call server.
>
> I wish the company had not held mandatory captive audience meetings for its own employees. Again, I asked you examine the flyer and ask the company about it.

I will submit the flyer that Dan referred to the Committee. [No flyer was submitted.] The Culinary Union urges the Committee to support and pass A.B. 434.

Joseph Graham, Chief Steward, Communications Workers of America Local 9413:
I strongly urge the Committee to support this bill.

Liz Sorensen, President, Nevada State AFL-CIO:
I am in strong support of A.B. 434 and I urge this Committee to do the same.

Gary Watson, Principal Officer, Teamsters Union Local 533:
I strongly urge the Committee to support A.B. 434.

Kim Renee, President, Screen Actors Guild-American Federation of Television and Radio Artists, Nevada Local:
I strongly urge you to support this bill.

Robert Sumlin, Vice President, International Association of Machinists and Aerospace Workers Local Lodge SC-711:
I strongly urge the Committee to support A.B. 434.

Klarissa-Ann Principe, Recording Secretary, Transport Workers Union of America Local 577:
I strongly urge the Committee to support A.B. 434.

Chair Marzola:
Is there anyone else on the line wishing to testify in support? [There was no one.] We will move to testimony in opposition to A.B. 434. Is there anyone here in Carson City or in Las Vegas wishing to testify in opposition?

Tray Abney, representing National Federation of Independent Business:
We strongly oppose A.B. 434, and we believe that this is a vast government overreach. The nebulous terms here could make almost any opinion or pronouncement by an employer a violation of this potential law.

On the first day you were here in this building, in this session, each of you swore to protect and defend the *Constitution of the United States*. Well, business owners have First Amendment rights, too, and we believe the provisions of this bill violate that.

Any business owner, on their own property, should be able to explain to their employees how certain issues, or bills, or ballot initiatives, or candidates may positively or negatively affect their ability to do business and keep their employees employed.

If an employer holds a regularly scheduled, all-hands-on-deck staff meeting and somewhere in that agenda she or he decides to pontificate on the importance of registering to vote and participating in the political process, and those staff members are required to attend that staff meeting, and that was the "purpose" of the meeting, the employer could be in violation of this and subject to expensive lawsuits. Imagine having to go through a legal process where you are trying to decide what was the purpose of the meeting. What was said, was it political?

Madam Chair, if this bill prohibits employers from forcing employees to sign on the dotted line to become a Republican, or a Christian, or whatever, or to Assemblymember Miller's point, to force prayer, you probably will not have to put up with my face here at this table again. We believe this is an unconstitutional overreach that we do not support, and we urge you to oppose it as well.

Yoana Ontiveros, representing Las Vegas Global Economic Alliance:
We strongly urge the Committee to reconsider this proposal. Though we appreciate the sponsor's intent, this bill excessively restricts employer speech, creates ambiguity in enforcement, and could increase legal disputes as well. It also limits legitimate workplace discussion on political matters as well as religion. This can hinder businesses from advocating on relevant policies.

Striving to support employers is important, but this bill imposes overbroad and problematic restrictions, and for those reasons, we oppose this bill.

Miranda Hoover, representing Energy and Convenience Association of Nevada:
For all of the reasons already stated, I will not go into my full testimony. I am a ditto, and we look forward to future conversations on this bill.

Chair Marzola:
Is there anyone else in Carson City wishing to testify in opposition? [There was no one.] We will move to Las Vegas.

Misty Grimmer, representing Nevada Resort Association:
I think we understand and appreciate the goals of A.B. 434, but as previous speakers have said, the bill may be going a bit too far. It sounds like there may be some more work done on the definitions, and we look forward to being a part of those conversations.

Our concerns relate to mandatory employee meetings that an employee could construe as being the opinions of the employer but are actually meetings relating to ethics training, anti-harassment training, respectful workplace training, or even safety training. We would like to ensure that those types of mandatory meetings are still allowed.

I have not been able to get feedback from my members yet on the amendment and inclusion of free speech in the workplace. I will follow up with Assemblymember Anderson on that after I get some additional feedback.

Chair Marzola:
Is there anyone else in Las Vegas wishing to testify in opposition? [There was no one.] Is there anyone on the line?

Nicholas Schneider, Director of Government Affairs, Vegas Chamber:
The Chamber is here in opposition to A.B. 434 as drafted. For the sake of brevity we will go ahead and echo the comments of my colleagues who testified before me. We do appreciate the bill sponsor's time meeting with us, and we look forward to continued conversations.

Chair Marzola:
Is there anyone else on the line? [There was no one.] We will move to neutral. Is there anyone in Carson City wishing to testify in neutral? [There was no one.] Is there anyone in Las Vegas wishing to testify in neutral? [There was no one.] Is there anyone on the line? [There was no one.] I will now close the hearing on A.B. 434.

I will now open the hearing on Assembly Bill 498. This measure revises provisions relating to motor clubs.

Assembly Bill 498: Revises provisions relating to motor clubs. (BDR 57-696)

Assemblymember Max E. Carter II, Assembly District No. 12:
I am presenting Assembly Bill 498, which revises provisions relating to motor clubs. This bill removes the requirement for a motor club to provide information about the usual place of

business of the motor club in this state. It also authorizes an individual who is not a resident of this state to be licensed as a club agent if the state in which the individual resides does not require a license to act as a club agent.

At the table with me this afternoon is Matthew Morris, who we all know is with Holland and Hart, and Deborah Polan, an attorney with the National Auto and Travel Organization. With your permission, I will turn it over to my copresenters.

Deborah Polan, General Counsel, National Auto and Travel Organization:
I appreciate the opportunity to appear before you today in support of A.B. 498 and offer thanks to the Chair for bringing this measure forward.

National Auto and Travel Organization (NATO) is a nonprofit organization of automobile clubs that provide consumers with public safety services such as towing and emergency roadside assistance throughout the country—more importantly, to 600,000 Nevadans last year at a cost of services of over $17 million.

Many new cars and motorcycles come with complimentary roadside assistance. You might not know who NATO is, but chances are most of you have dealt with our members. You get complimentary roadside assistance with a car. Our members provide 24 roadside services to automobile equipment manufacturers in the U.S.A., including Ford, General Motors, Stellantis, Subaru of America, Nissan North America, Mitsubishi, Porsche, Polestar, Volkswagen, and Harley-Davidson for motorcycles.

Some of our members provide motor club services ancillary to other products like tires or telephones, and recently I noticed that Costco provides roadside assistance from one of our members for their auto program; that was new to me. I just saw that last night.

Our members also work with eight of the ten top insurance companies to partner with them to provide emergency roadside service. You might think your roadside with your insurance company is through the actual policy. But chances are it is through a motor club because if you have it with your policy, you have to change it every time the services are augmented.

Finally, some of our membership's members sell a more traditional motor club membership on a standalone basis, which is something you might be more familiar with. Our services provide assurance to drivers of new and older vehicles alike that they will not be stranded on a highway without someone to call for help or even stuck in their driveway or locked out of their vehicle with no way to get to work.

National Auto and Travel Organization companies provide peace of mind that help is only a phone call away 24 hours a day, 7 days a week, 365 days a year.

Assembly Bill 498 will modernize Nevada statutes in small but important ways, and in the interest of the time and your patience, I am going to turn this over to Matt Morris to walk through the bill, and I am here if you have any questions.

Matthew Morris, representing National Auto and Travel Organization:
Thank you for hearing A.B. 498 today and for the opportunity to very quickly outline the provisions of this fairly short bill.

Section 1 of the bill amends *Nevada Revised Statutes* (NRS) 696A.190, which deals with the information that a motor club must provide on a membership card to its members. Under existing law, the membership card must include both the exact location of the motor club's home office and the usual place of business in this state.

An increasing number of entities do not have a physical bricks-and-mortar location in addition to a home office. To meet this criterion, many motor club entities can only list a registered agent address, which is not really the intent of this statute.

Assembly Bill 498 proposes to remove this requirement. This statute was first enacted in 1971, and it has not been amended since in more than 50 years. This slight revision will help to modernize the statute and better reflect the nature of how business is conducted today.

Section 2 amends NRS 696A.280. This statute currently allows both Nevada residents and non-Nevada residents to apply for a license as a motor club agent. Under existing law, a non-Nevada resident may apply for a license in Nevada only if their home state also allows nonresidents to apply. However, a growing number of jurisdictions have repealed their motor club respective licensure laws either at the legislative level or administratively. Those states include Virginia, North Carolina, and a few others. Under the plain language of NRS 696A.280, nonresidents in those jurisdictions would not be eligible to apply for licensure in Nevada.

Section 2 would clarify this provision to allow a nonresident in a home state that does not license motor club agents to apply for licensure in Nevada, subject to all of Nevada's existing application and eligibility criteria. Finally, section 2 also amends NRS Chapter 696A to amend the term "person" to use the term "individual" and that is a conforming change to reflect similar references throughout the statute and distinguish between corporate entities and individual licenses. We would be happy to answer any questions from the Committee.

Chair Marzola:
Committee members, are there any questions? [There were none.] We will move to testimony in support of A.B. 498.

Richard P. McCann, representing SNAP Towing, Henderson, Nevada:
I know some of you are looking at me like when did you become the tow guy; I thought you are the cop guy? I got other talents.

This is a cleanup bill. I think you have seen that, it is not hard to understand—a couple of words here and there, but it also makes it easier for this whole process to evolve and to continue.

A lot of you here are members of motor clubs, so you know what we are talking about; American Automobile Association, Allstate, American Association of Retired Persons, United Services Automobile Association, all the ones that are here.

Very quickly, I know you have probably already read it because you always do your due diligence, but on the Nevada Electronic Legislative Information System there happens to be a notice by the Nevada Division of Insurance that says this A.B. 498 will not harm any Nevada consumers. It is a big part of what I am concerned about. Moreover, there are a number of different supporting letters from a lot of the different motor clubs that are on there. If you have not looked at them, I encourage you to look at them. Get a little flavor of what kind of support there is for this bill.

With that, I will close by saying SNAP Towing is fully supporting A.B. 498 and we encourage this Committee to support it as well.

Chair Marzola:
Anyone else wishing to testify in support? [There was no one.] Is there anyone on the line?

Matthew Taylor, Director of Government Affairs, Nevada Registered Agent Association:
We are here testifying today in support of A.B. 498. As head of government affairs for the Nevada Registered Agent Association, someone who has been in the industry for almost 30 years, we have seen numerous occasions where people can get confused between the registered agent address versus primary office address for a company. We believe this goes a long way toward helping to clear that up and putting customers directly in contact with the best information when they do not have a bricks-and-mortar place in the state of Nevada.

[Letters in support, Exhibit L, were submitted but not discussed and will become part of the record.]

Chair Marzola:
Is there anyone else on the line? [There was no one.] We will move to testimony in opposition to A.B. 498. Is there anyone here in Carson City wishing to testify in opposition? [There was no one.] Is there anyone in Las Vegas wishing to testify in opposition? [There was no one.] Is there anyone on the line? [There was no one.] We will move to neutral testimony. Is there anyone in Las Vegas wishing to testify in neutral? [There was no one.] Is there anyone on the line? [There was no one.]

[Testimony in neutral, Exhibit M, was submitted but not discussed and will be made part of the record.]

I will close the hearing on A.B. 498. I will now open the hearing on Assembly Bill 510. This measure makes various changes to the regulation of accountancy. Welcome, Mr. Hillerby.

Assembly Bill 510: Makes various changes to the regulation of accountancy. (BDR 54-695)

Michael Hillerby, representing Nevada State Board of Accountancy:
I appreciate your putting the bill at the end of the agenda because it may take a while for me to do the thorough cover-to-cover review of the Uniform Accountancy Act.

Chair Marzola:
You may not have any Committee members left at the end.

Michael Hillerby:
I promise not to do that, and after looking at it, I am wondering why it may not have been the subject of a filibuster in Congress before; it would make an interesting read.

The accountancy profession and the regulation of it have long sought to have uniformity. The Uniform Accountancy Act actually started in 1916, and it has been an important part of shaping the practice across the country. In addition to one national test across the 55 states and territories, there are also fairly uniform education and experience requirements.

This body over the years has encouraged and passed bills to help boards streamline the licensure process to get more people into professions more quickly.

The State Board of Accountancy came to this body in 2009, and you agreed, and we created what was called individual mobility. It is the accountant's term for reciprocity. Accountants can move in and out from other states that have that reciprocity without stopping at the Board of Accountancy, without getting a license, and without paying any fee. In 2023 you expanded that to include firm mobility, and the majority of states have adopted some form of this.

The other thing that is going on in the profession, is that it has become more challenging, it is tough; we are not seeing as many people coming into the profession. The profession and the National Association of State Boards of Accountancy have been working hard to find other pathways and provide some other alternatives for experience and education, and we will talk about that briefly in the bill.

I will jump into the bill at this point. Section 1 and section 2 of the bill amend the work and educational requirements currently in statute for the issuance of a license. You will see a fair amount of language being deleted in section 2, page 3 of the bill. Some of the accompanying language is found in the *Nevada Administrative Code* (NAC) 628.055. This would pull some of those details out of statute, allow those to be adopted through the regulatory process and regulations approved by the Legislative Commission, and you are still involved, but will be able to do that a little quicker.

We are seeing changes now nationally; it was typically a bachelor's degree and 150 course hours which, if you are doing the math quickly, is far more than the normal 120. Over the course of the four years, we are coming up with newer standards to adopt for some

alternatives, and that also applies to the experience requirements as well, so people have other pathways to do that.

Section 1, and you will see it again later in the bill, has a reference to the exam and a period of time to complete that exam. The Certified Public Accountant (CPA) exam is four different three-hour pieces on different subject matter and one four-hour test on discipline. It is taken in stages by the vast majority of sane applicants.

Right now, our regulations have been the national standard that allows you 18 months from the time you start to take the individual pieces. The new standard that is coming out is 30 months. What we would do is update the regulations, and that would come back to you after the bill hopefully becomes effective.

Section 3 of the bill also removes the requirement that a board set a fee for the evaluation of work experience. That process has also changed. It used to be that inspectors would go out and actually sometimes have to do visits, find out where you worked because that is signed off by a CPA who is supervising that experience. We do not see that as being necessary anymore, so we are removing the fee that is currently in regulation. That fee is in NAC 628.016 and is $1,000; that would go away when the regulations are updated.

Section 4, which I mentioned earlier, appears a couple of times in the bill, doing regulations and updating from a rolling 18 months to up to 30 months to pass the various portions of the exam. Section 5 is the mobility language I talked about earlier that allows people to come across state lines, and there is one change made on page 6, lines 11 and 12, referring to regulations adopted by the Board for foreign country experience. In addition to the 55 states and territories that have the uniform exam, there are now 6 countries whose exams are recognized by the National Association of State Boards of Accountancy and the American Institute of CPAs. That is continuing to be a work in progress, which enables it to be easier to recognize and for people to be able to move quickly across borders.

Section 6 is deleting some outdated language that requires the Board to charge a fee for registering a fictitious firm name. We no longer see the need to do that and would remove that fee, which is in NAC 628.016 and is currently $100.

The bill is effective upon passage and approval for purposes of preparing and getting regulations to you and on January 1, 2026, for all other purposes. I am happy to answer any questions.

Chair Marzola:
Committee members, any questions? [There were none.] I have a quick question. You said six other countries are recognized. Do you know which countries?

Michael Hillerby:
I do. I will find my notes here—they are Australia, New Zealand, Canada, Ireland, Mexico, and South Africa currently.

Chair Marzola:
We will move to testimony in support. Is there anyone here in Carson City wishing to testify in support of Assembly Bill 510? You may begin when you are ready.

Anna Durst, Chief Executive Officer, Nevada Society of Certified Public Accountants:
The Society represents the CPA profession for the entire state of Nevada. I appreciate the opportunity to address Chair Marzola and the members of the Assembly Commerce and Labor Committee to voice support for A.B. 510. We have submitted written support [Exhibit N], and I would like to focus on a few items related to A.B. 510.

The Society has worked with the Nevada State Board of Accountancy as they drafted bill language to make conforming changes to certain areas of NRS Chapter 628, adopted updated regulations, and moved CPA licensure requirements out of statute and into regulation. We feel these changes further align Nevada's licensure requirements with the Uniform Accountancy Act which most states adopt in various forms and fashions.

Furthermore, we believe the proposed changes to NRS Chapter 628 will remove barriers to licensure, clarify licensing requirements, allow CPAs to better serve Nevada clients, and attract businesses and CPAs to the state.

The CPA profession nationally is undergoing rapid transformation, and licensure nimbleness is necessary to keep up with the changes. This proactive approach from the Board of Accountancy continues to modernize the Nevada CPA licensing while maintaining public protection. We encourage passage of A.B. 510 and appreciate the opportunity to voice support.

Chair Marzola:
Is there anyone else in Carson City wishing to testify in support? [There was no one.] Is there anyone in Las Vegas wishing to testify in support of A.B. 510? [There was no one.] Is there anyone on the line? [There was no one.] We will move to testimony in opposition to A.B. 510. Is there anyone here in Carson City, Las Vegas, or on the line wishing to testify in opposition? [There was no one.] We will move to neutral. Is there anyone here in Carson City, Las Vegas, or on the line wishing to testify in neutral? [There was no one.] Mr. Hillerby, would you like to give any final remarks?

Michael Hillerby:
Just to say I neglected to introduce our Board Chair, Nikki Etherington, who was on the phone just in case there were questions that were going to be too hard for me to answer. She has been very patient and waited, and I wanted to acknowledge that.

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Chair Marzola:
I will now close the hearing on A.B. 510. I will open up for public comment. Is there anyone here in Carson City, Las Vegas, or on the line wishing to provide public comment? [There was no one.] Thank you, Committee members, for hanging in there on a Friday. Have a great weekend. This meeting is adjourned [at 2:06 p.m.].

RESPECTFULLY SUBMITTED:

_____
Denise Dimarzo
Committee Secretary

APPROVED BY:

_____
Assemblymember Elaine H. Marzola, Chair

DATE: _____

EXHIBITS

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 142	C	Marjorie Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 143	D	Marjorie Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 183	E	Marjorie Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 430	F	Marjorie Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 428	G	Dr. Rupesh J. Parikh, Practice President, Comprehensive Cancer Centers of Nevada	Letter in support
A.B. 428	H	Sue Burtch, Executive Director, Nevada Chapter of the National Organization for Women	Testimony in support
A.B. 428	I	Adam Plain, Insurance Regulation Liaison, Division of Insurance, Department of Business and Industry	Testimony in neutral
A.B. 434	J	Assemblymember Natha C. Anderson, Assembly District No. 30	Conceptual amendment
A.B. 434	K	Assemblymember Natha C. Anderson, Assembly District No. 30	Document titled "Companion Sheet: Worker Freedom from Employer Intimidation Act"
A.B. 498	L	Various organizations	Letters in support
A.B. 498	M	Adam Plain, Insurance Regulation Liaison, Division of Insurance, Department of Business and Industry	Testimony in neutral
A.B. 510	N	Anna Durst, Chief Executive Officer, Nevada Society of Certified Public Accountants	Letter in support