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

Eighty-Third Session
May 14, 2025

The Committee on Ways and Means was called to order by Chair Daniele Monroe-Moreno at 8:09 a.m. on Wednesday, May 14, 2025, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 2 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. Link to Executive Budget.

COMMITTEE MEMBERS PRESENT:

Assemblymember Daniele Monroe-Moreno, Chair
Assemblymember Shea M. Backus, Vice Chair
Assemblymember Natha C. Anderson
Assemblymember Tracy Brown-May
Assemblymember Jill Dickman
Assemblymember Gregory T. Hafen II
Assemblymember Brian Hibbetts
Assemblymember Sandra Jauregui
Assemblymember Gregory S. Koenig
Assemblymember Erica Mosca
Assemblymember PK O'Neill
Assemblymember Selena Torres-Fossett
Assemblymember Howard Watts
Assemblymember Steve Yeager

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblymember Erica P. Roth, Assembly District No. 24
Assemblymember Brittney M. Miller, Assembly District No. 5
Assemblymember Jovan A. Jackson, Assembly District No. 6
Assemblymember Heather Goulding, Assembly District No. 27
Assemblymember Max E. Carter II, Assembly District No. 12

STAFF MEMBERS PRESENT:

Sarah Coffman, Assembly Fiscal Analyst
Brody Leiser, Assembly Chief Principal Deputy Fiscal Analyst
Joi Guthrie, Committee Manager
Natalia Jordan, Committee Manager
Janet Osalvo, Committee Secretary
Lisa McAlister, Committee Assistant

OTHERS PRESENT:

Tonja Brown, Private Citizen, Carson City, Nevada
Mariah Sawyer, Private Citizen, Nevada
Denise Bolaños Heredia, Associate Director, Return Strong!
Leslie Turner, Deputy Director, Fines and Fees Justice Center
Eden Kinlock, representing Families Against Mandatory Minimums
Mike Divicino, Private Citizen, Las Vegas, Nevada
Ashley Dodson, representing National Association for the Advancement of Colored People, Las Vegas, Nevada
Renee Madrid, Private Citizen, Las Vegas, Nevada
Donald Southworth, Chief, Offender Management Division, Department of Corrections
Jane Audette, Private Citizen, North Las Vegas, Nevada
Mark Dieffenbacher, Private Citizen, Las Vegas, Nevada
Nick Shepack, Nevada State Director, Fines and Fees Justice Center
Tessyn Opferman, representing Washoe County School District
Laura Davidson, Director, Department of Research and Evaluation, Washoe County School District
Amelia Thibault, Management Analyst, Department of Education
Sarah Adler, representing Coalition of Independent Public Charter Schools of Northern Nevada
Mary Pierczynski, representing Nevada Association of School Superintendents
Sean Sever, Deputy Administrator, Division of Research and Project Management, Department of Motor Vehicles
Danny Thompson, representing Snap Towing
Vinson Guthreau, Executive Director, Nevada Association of Counties
Sheila Bray, representing University of Nevada, Reno
Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League
Olivia Tanager, Director, Toiyabe Chapter, Sierra Club,
Caleb Cage, representing Eureka County, Nevada
Christopher Boeves, Private Citizen, Las Vegas, Nevada
Laurel Saito, Director, Nevada Water Strategy, The Nature Conservancy
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation
Emily Persaud-Zamora, Executive Director, Silver State Voices
Paula Luna, representing Battle Born Progress

Janine Hansen, President, Nevada Families for Freedom
Catherine Ingham, Private Citizen, Reno, Nevada
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada
Bob Russo, Private Citizen, Reno, Nevada
Kimberly Fergus, Private Citizen, Las Vegas, Nevada
Lynn Chapman, Treasurer, Independent American Party
Cynthia Perine, Private Citizen, Reno, Nevada
Yolanda Knaak, Private Citizen, Incline Village, Nevada

Chair Monroe-Moreno:
[Roll was called, and meeting protocol was reviewed.] Good morning and welcome to the Committee on Ways and Means. This is a fiscal Committee meeting. Bills have had their policy hearing, and we are not here to discuss policy. We will be taking some of the bills out of order today.

We have Chair Miller with us today and luckily her committee does not start for another 20 minutes. We will take her bill first so she is not late for her committee, and members, I will be leaving momentarily to do a bill presentation on the Senate floor, and at that time, I will be turning the meeting over to our Vice Chair. We will open the hearing on Assembly Bill 91 (1st Reprint), and welcome to Assembly Ways and Means.

Assembly Bill 91 (1st Reprint): Revises provisions relating to parole. (BDR 16-500)

Assemblymember Erica P. Roth, Assembly District No. 24:
I am proud to represent Assembly District No. 24 in Washoe County. Thank you for the opportunity this morning to address the fiscal impact of Assembly Bill 91 (1st Reprint). Assembly Bill 91 (1st Reprint) comes from a recommendation of the Joint Interim Standing Committee on the Judiciary from the 2023-2024 Interim and reflects a growing national momentum towards addressing excessive sentences through second look reviews. Of relevance to this Committee, the Department of Corrections (NDOC) filed one fiscal note on February 11, 2025, establishing a cost to the state for administrative costs. That note has now been amended to zero reflecting amendments in the policy committee to conform with the original intent of the bill, which was to allow for reviews but not mandate any parole hearings. I am here to answer any questions. I believe the NDOC is also present for any questions. Additionally, Chair Miller will be presenting a policy amendment [Exhibit C] for A.B. 91 (R1), which through our conversations with the NDOC, does not change their fiscal analysis.

Chair Monroe-Moreno:
Chair Miller, do you want to go ahead with the amendment?

Assemblymember Brittney M. Miller, Assembly District No. 5:
Assemblymember Roth had taken the lead on this interim committee bill as well as working through the fiscal issues. We learned that not only would this bill be a cost savings bill for the state, but also keeping the bill intact as originally intended, would not increase or create

an additional fiscal note. With that, we were able to amend back into the bill that people can be considered for a second review of their sentence, as long as they have served a minimum of 10 years of their sentence and have not been sentenced to death. The bill would also include those who were sentenced to life without parole. As Assemblymember Roth said, this is also not going to have any additional fiscal impact on the bill.

Chair Monroe-Moreno:
In the amendment, there is also listed in the statement you made, that a prisoner does not pose a significant and articulable risk to public safety.

Assemblymember Miller:
With the policy around this bill, the same standards that would go for any other parole are still intact. They would still be evaluated by the Parole Commissioners like any other person. All this bill does is give an opportunity to possibly have parole review before a parole date.

Chair Monroe-Moreno:
With the added language, is that an additional safeguard for the public?

Assemblymember Miller:
Absolutely, Chair.

Chair Monroe-Moreno:
Members, are there any questions?

Assemblymember Backus:
There was a fiscal note submitted by the Division of Parole and Probation, Department of Public Safety, as the bill was introduced. It was weird because it said the effect on future biennium was zero, and basically dependent on it being undetermined. But in it, the Division of Parole and Probation said that if there are additional parole grants on those eligible for a second look, any increase of the parole grants will require additional supervision officers. The Division does not possess the necessary data to estimate the number of increased parole grants to determine whether the increase could be absorbed with the existing staff, and they may go to IFC [Interim Finance Committee] for additional positions. But I am hearing you say that overall, there would be a cost savings on the side of NDOC if this individual is released. Would that cover any cost needed for the additional parole supervision positions?

Assemblymember Roth:
We cannot know exactly how many people would be released on parole. What is important to understand about the policy—we are talking about the money—is that it simply allows for a review, and the same stringent standards that are applied to very similar cases are still going to apply. When we are looking as a whole, there may be some additional folks who are released, and then have to be supervised by the Division of Parole and Probation. But that cost is not being borne out in NDOC.

Chair Monroe-Moreno:
Members, are there any other questions? [There were none.] We will invite to the table in Carson City and Las Vegas anyone who would like to testify in support of A.B. 91 (R1). [There was no one.] Do we have anyone on the phone lines who would like to provide testimony in support of A.B. 91 (R1)?

Tonja Brown, Private Citizen, Carson City, Nevada:
I am an advocate for the inmates and the innocents. I want to thank the presenters of this bill, and we are in strong support of this bill. We think it is a great bill, and the fact that it is going to save money to the taxpayers is another reason we should pass this bill. We look at their sentences, and some of these people should not be in prison. They have served far too long in many cases, and having the courts take a look at it would be fantastic. Have a wonderful morning, and we ask that you pass A.B. 91 (R1).

Mariah Sawyer, Private Citizen, Nevada:
I am calling in support of A.B. 91 (R1). I have spent over 20 years working with incarcerated inmates inside and outside, and I do believe that it will have a positive effect, and a cost savings for the State of Nevada. I have seen a lot of good organizations assist people to give back to the society, and as somebody said in a previous hearing, this is not a get out of jail free card. It is an opportunity for an offender to step in front of the Parole Board and show to them how they have done since they were incarcerated. We are not being insensitive towards the victims of some of the crimes these inmates have committed. I appreciate being able to speak up. I am in support of A.B. 91 (R1).

Denise Bolaños Heredia, Associate Director, Return Strong!:
We are in strong support of A.B. 91 (R1). Assembly Bill 91 (1st Reprint) presents a cost-savings opportunity that is both responsible and strategic. The proposed amendment to include individuals sentenced to life without parole as long as they are not sentenced to death and still meet those strict eligibility requirements strengthens this bill's cost-saving potential. We commend Assemblymember Miller for this amendment. More eligible individuals do not mean automatic release; it means a larger pool to assess for possible safe release. That is more opportunities to reduce our prison population, and with that, our spending. This is especially critical given the high cost of incarcerating aging individuals, often two to three times higher than younger people, due to their medical needs and security demands. Every person safely released means fewer taxpayer dollars spent on housing, health care, and correction staffing. Assembly Bill 91 (1st Reprint) is not soft on crime; it is smart spending. It ensures we are no longer using our limited state resources to incarcerate people who no longer need to be behind bars. Thank you for your time, and we urge you to support A.B. 91 (R1) as a fiscally responsible path forward.

Leslie Turner, Deputy Director, Fines and Fees Justice Center:
I am calling in support of A.B. 91 (R1). Obviously, for what the policy does but also for the economic savings to the state, and the economic impact to the communities impacted by mass incarceration.

Eden Kinlock, representing Families Against Mandatory Minimums:
I am calling to support A.B. 91 (R1). I am calling on behalf of Families Against Mandatory Minimums. We are a nonpartisan nonprofit organization that seeks to create a more fair and effective justice system. As part of our national second-chance agenda, we support legislatures across the country creating more pathways for long sentences to be reviewed and adjusted through second-look mechanisms.

We submitted written testimony today and are commenting to share our support for A.B. 91 (R1), and we want to speak more to the fiscal impact of the bill. There are two primary provisions of this bill that could have a significant impact on NDOC's in-custody population levels and their inmate-driven costs, those being the second-look review and the Assembly Bill 267 of the 78th Session (2015) age eligibility expansion. Based on current discretionary parole grant rates, the NDOC approximates 276 people to be granted parole imminently upon the bill's effective date and an additional 36 people to be released the following year with an expected savings of up to $1.09 million in fiscal year (FY) 2026 and $1.2 million in FY 2027. However, the largest cost savings occurs when individuals with the longest sentences are included. With this conceptual amendment, the 555 individuals serving life without parole in NDOC would be eligible for second-look parole. Considering an annual inmate-driven cost of $3,600 per year, NDOC could expect to save up to $2 million on inmate-driven costs if these individuals are granted a second-look parole. Even applying the 53.2 percent discretionary parole grant rate, currently NDOC could save up to $1 million annually on inmate driven costs. I am speaking in support of A.B. 91 (R1).

Mike Divicino, Private Citizen, Las Vegas, Nevada:
I am a former inmate who spent nearly 30 years incarcerated at one time under the penalty of life without the possibility of parole. I have now been out of prison for over five years. I am doing rather well. I have an organization; I work with at-risk youths to try to keep them out of the system and to keep them entrenched in their communities where they are an asset to the community and not a drain. As I mentioned, I was serving life without parole. I know numerous individuals who have aged in there and have been locked up and incarcerated for 40-plus years on life without parole who want nothing more than to be able to get out to be an asset to their families, and their communities.

I used to work with the young inmates in there. I had prison programs. I know many of them, and it is said that the brain is not completely formed until we are age 25. For all those who are sentenced as juveniles, adjudicated as adults, or were in their younger years when they committed their offenses, and they have been in their programming and not being acknowledged as such by the Board, they continue to be a drain not only on society and the community, but on their families as well. Taxpayer dollars are all going down this rabbit hole. There are so many people in prison who have done everything they can according to what is expected of them by the Parole Board and are not yet being given that second chance that this bill offers. I am in strong support of this bill. Many of us are praying that all these individuals who have not been afforded the opportunity to come out can prove that they want nothing more than to be a contributing member of society. There is such strong support. I cannot stress enough, as somebody who went away young and came out old, how

individuals in there are working so hard for the opportunity to do the same thing. They want to come out, have a family, and contribute to society. I am in strong support of the bill. Thank you all so much for listening.

Ashley Dodson, representing the National Association for the Advancement of Colored People, Las Vegas, Nevada:

The National Association for the Advancement of Colored People (NAACP), Las Vegas Chapter, Branch No. 1111, is in strong support of A.B. 91 (R1). Assembly Bill 91 (1st Reprint) not only aligns with the values of justice and reform, but also makes sound economic sense. This bill is projected to generate substantial cost savings for Nevada by reducing unnecessary expenditures tied to outdated policies, by addressing inefficiencies and reallocating resources where they are most impactful. Assembly Bill 91 (1st Reprint) can help alleviate budgetary pressure on local and state governments.

Further, this legislation fosters long-term economic benefits by promoting fair access to opportunities, reducing barriers to employment, and lessening the financial burden on our criminal justice and public welfare systems. Studies consistently show that investing in inclusive preventative and restorative approaches results in significant public savings while strengthening workforce participation and reducing recidivism. The NAACP Las Vegas Chapter, Branch No. 1111, believes that A.B. 91 (R1) supports both fiscal responsibility and the advancement of a historically marginalized community. We urge you to pass this critical legislation and demonstrate Nevada's commitment to adjust an economically efficient future. Thank you for your leadership and continued dedication to equitable policy and solutions.

Renee Madrid, Private Citizen, Las Vegas, Nevada:

As the mother of an incarcerated individual who was sentenced at the age of 19, two months after his 19th birthday, I am in full support of this bill not only for the economic savings, which is a huge impact on our community, but also for the opportunity for these young people to prove their rehabilitation. My loved one has served almost 20 years behind bars, again sentenced two months after his 19th birthday. He is a different individual at this point. I believe they should be given the opportunity to prove themselves and show that they have done what was required of them—taken the courses that were needed, proved themselves, stayed out of trouble, and want nothing more than to be able to see their parents and their families before they pass. They should be able to become part of society and contribute and learn to live their lives in a manner that they were not able to do as young teenagers. Because as teenagers, they do not think.

I am in strong support of A.B. 91 (R1) and especially part three, the juvenile reform and outdated policy on sentencing. I pray that you will hear this and take this to heart, and I appreciate you for your time, and I pray that this bill passes. In Jesus' name, amen.

Chair Monroe-Moreno:
Is there anyone in Carson City or Las Vegas who would like to testify in opposition to A.B. 91 (R1)? [There was no one.] Is there anyone on the phone line who would like to provide testimony in opposition to A.B. 91 (R1)? [There was no one.] Is there anyone in Carson City who would like to provide neutral testimony on A.B. 91 (R1)?

Donald Southworth, Chief, Offender Management Division, Department of Corrections:
Any time you talk about reducing offender populations in prisons, it is going to be a cost savings. It is very difficult to understand exactly how much that will be, but it certainly is a lot more expensive to incarcerate them than to supervise them in a community.

The other thing I want to mention is that prison populations are projected to continue going up quickly, and we are very rapidly running out of bed space in our Department. Any kind of relief as far as offender population levels would be appreciated, not only for the cost savings, but for the safety of the staff, offenders, and the public, so we are not getting overcrowded as a Department. I am available to answer any questions if we have time.

Assemblymember Yeager:
You said that you are quickly running out of bed space if the offender population continues to rise. What happens if you run out of bed space and offenders continue being sentenced to prison? What are your options at that point?

Donald Southworth:
We currently have closed or shuttered facilities that we could approach the Legislature about potentially reopening at a future session. If we run out of bed space before then, we would have to get creative, whether it is housing offenders in activity rooms or gymnasiums; doing things that we do not want to do because it risks safety for the offender population.

Assemblymember Yeager:
I appreciate that response. I think we did have some conversations in the money committee about what it would take to open shuttered facilities, and obviously, that is not in the budget. A lot of things are not in this budget. I recall in the past there were situations where the NDOC contracted with other states. I think we sent offenders to Arizona or another state. Is that something you think would happen in the future if we could not find the space for safety reasons or otherwise? They could not be housed in gymnasiums. Sending offenders out of state—is that something the Department would do, and does that come at an additional cost?

Donald Southworth:
Certainly, that would be something we could look at. Previously we sent offenders to Arizona to a private facility, and that is no longer an option for Nevada offenders. When we sent offenders out of state, they would charge us for the price of incarceration.

Chair Monroe-Moreno:
Assemblymember Yeager, I think you remember—maybe in 2019—we had a measure that was carried by the Chair of this Committee to ensure that we were no longer able to use private prisons in the state of Nevada or send our incarcerated to private prisons out of state. Members, are there any other questions? [There were none.] Not seeing anyone else in Carson City at the table to testify in neutral and no one in Las Vegas, is there anyone on the phone line wishing to testify in neutral to A.B. 91 (R1)?

Jane Audette, Private Citizen, North Las Vegas, Nevada:
I am speaking as an individual from a neutral stance on A.B. 91 (R1). I am also a member of Showing Up For Racial Justice Las Vegas, and we support mass liberation—Nevada's position on this bill. This is an important bill because it is going to give incarcerated persons in our communities a second-look parole review. This bill will have my support if it includes persons sentenced to life without parole. I am asking for this bill to include these persons. Other incarcerated individuals who will benefit from this bill already have some parole options, however life without parole persons do not. Therefore, it is even more important to assure that they are included to establish a level of equity. This bill provides strategic and responsible cost savings to NDOC.

Mark Dieffenbacher, Private Citizen, Las Vegas, Nevada:
I am a resident of Assembly District No. 5. I am testifying today in neutral on A.B. 91 (R1). Justice can be complicated and helps us push beyond fear and anger. We all want justice that is fair and leads to a better society. I ask this Committee to ensure inmates serving life without parole are included in this bill. Over my lifetime, the use of life without parole as a punitive measure has exploded, and this has not been due to increased crime rates. We have gained nothing as a society from that expansion. In fact, we have ended up straining ourselves financially and morally by incarcerating men and women beyond sentences considered just. Given the possibility of inappropriate sentencing that was imposed decades ago, the fact that rehabilitation exists, and the low recidivism rates reported even among those sentenced for the most serious crimes, retaining these individuals in the penal system is not promoting public safety. It prevents these individuals from contributing to society and continues to divert money from crime prevention. I urge Committee members to amend A.B. 91 (R1) and treat those serving life without parole as deserving of a second look, in order to give justice another chance.

Chair Monroe-Moreno:
There were no further comments from the sponsor. We will close the hearing on A.B. 91 (R1).

We will open the hearing for Assembly Bill 320 (1st Reprint), which revises provisions related to the administration of justice.

Assembly Bill 320 (1st Reprint): Revises provisions related to the administration of justice. (BDR 1-810)

Assemblymember Jovan A. Jackson, Assembly District No. 6:
I am honored to present Assembly Bill 320 (1st Reprint). The idea of this bill came from my experience of court watching with PLAN [Progressive Leadership Alliance of Nevada] and the Mass Liberation Project. I see individuals denied entry to court solely based on their attire, especially during the hot summer days where individuals may wear shorts or flip flops. I will pass the rest of the presentation off to Mr. Nick Shepack.

Nick Shepack, Nevada State Director, Fines and Fees Justice Center:
As Assemblymember Jackson mentioned, the bill really does two things. One, it addresses access to courts based on attire, removes punishments if an individual is denied access by a judge. Second—which is the part that had the original fiscal note—is enabling language that allows the Division of Parole and Probation to run pilot programs with nonprofits to develop workforce trainings.

With the original version of the bill, the Division of Parole and Probation, Department of Public Safety, put an approximately $460,000 fiscal note because there was a requirement to establish these types of pilot programs. However, after discussions, amendments, and the first reprint, the Department has removed the fiscal note as this language is only enabling language. We have talked with many nonprofits that would be willing to provide these types of services at no cost. For that reason, the note has been removed. We are happy to take any questions you have on A.B. 320 (R1).

Chair Monroe-Moreno:
Is there anyone here from the Division of Parole and Probation? I understand that with the amendment, they would remove the fiscal note, but I want to make sure that within their existing resources, they would be able to establish this pilot program. We will have to give a call out to them.

Members, do you have any questions? [There were none.] You are going to get off easy for your first Ways and Means hearing. I appreciate you working to get the fiscal note out and we will reach out to—or if you could reach out to the Division of Parole and Probation and have them reach out to us to make sure that they do not come back to the Interim Finance Committee because they took the fiscal note off and do need money.

Nick Shepack:
We will absolutely reach out to the Division of Parole and Probation and get clarification for this.

Chair Monroe-Moreno:
Is there anyone in Carson City or Las Vegas who would like to testify in support of A.B. 320 (R1)? [There was no one.] Do we have anyone on the phone line who would like to provide support testimony for A.B. 320 (R1)? [There was no one.]

Is there anyone in Carson City or Las Vegas who would like to provide testimony in opposition to A.B. 320 (R1)? [There was no one.] Is there anyone on the phone line who would like to provide testimony in opposition to A.B. 320 (R1)? [There was no one.]

Is there anyone in Carson City or Las Vegas who would like to provide testimony in the neutral position for A.B. 320 (R1)? [There was no one.] Is there anyone on the phone lines who would like to provide testimony in the neutral position for A.B. 320 (R1)? [There was no one.]

There were no further comments by the sponsor. We will close the hearing on A.B. 320 (R1), We will open the hearing on Assembly Bill 386 (1st Reprint), which revises provisions relating to assessments administered to pupils to assess reading proficiency.

Assembly Bill 386 (1st Reprint): Revises provisions relating to assessments administered to pupils to assess reading proficiency. (BDR 34-828)

Assemblymember Heather Goulding, Assembly District No. 27:
Assembly Bill 386 (1st Reprint) is a school assessment choice bill, and I have Tess Opferman and Laura Davidson, representing Washoe County School District with me to present today.

Tessyn Opferman, representing Washoe County School District:
I will pass it over to Laura Davidson. She is the Director of Research and Evaluation with the Washoe County School District and knows all about testing at the school district. She can further explain this bill.

Laura Davidson, Director, Department of Research and Evaluation, Washoe County School District:
I am here today in strong support of A.B. 386 (R1). We are calling it the Assessment Choice Act, and it allows school districts and charter schools the flexibility to select an interim reading assessment for grades K-3 that best meets the needs of their students, instead of being required to use a state-dictated one-size-fits-all approach at the state level. For the past eight years, the Department of Education (NDE) has required and paid for the use of the Measure of Academic Progress (MAP) Growth assessment as part of the Read by Grade 3 initiative to measure students' reading progress. When this policy began, MAP may have been a reasonable choice, but in the past eight years, both the assessment landscape and our district needs have evolved. In Washoe County, we found that MAP is no longer giving educators or families understandable actionable data they need to support student learning.

Two years ago, we adopted i-Ready and paid for it along with all the training so that it could be a tool that educators use in the classroom, which is the most important use of an assessment—not to compare districts across the state—that is the least important component of an assessment tool. This was at our own cost and well worth the investment. Unfortunately, because of the current law, our students are now being double-tested three times a year in MAP for compliance, and three times a year in i-Ready because it helps teachers teach. That means six high-stakes tests each year for our youngest learners, and that

is not educationally defensible. It is confusing for families. It creates data overload, and it takes valuable and costly time away from instruction, especially for our early readers. It is also a waste of tax dollars since we are spending hours collecting data that we no longer use or emphasize in our district.

My own child is entering kindergarten next year and her very first year of public education is going to begin with 10 hours of standardized testing. That is time that could be spent teaching her to read instead of testing her reading. We did not adopt i-Ready because we wanted to duplicate MAP. We adopted it because the state only pays for an interim reading assessment for grades K-3. That means the districts must pay for an assessment in grades 4-8, and in math. In order to do that, we had to make a choice. Do we stick with MAP, which is not really working for us, or do we use one consistent measure all the way across K-8 for reading and math? I think that led us to a clear choice, and we have been very happy with our selection. We believe in the Assessment Choice Act that districts should have to pay for those costs. If we are going to opt out of the state-defined assessment, the district should pay for those costs. What we are hoping is that this offers that flexibility. There is a little bit of irony in this right now because the state's own assessment selection committee recently recommended switching away from MAP and adopting i-Ready a month ago.

Today, as we are sitting here speaking right now, the State Board is considering delaying the change for another year. In fact, that is happening right now, and throughout this limbo that we are in because districts cannot reach consensus about what an assessment tool should look like for the entire state; and why should they? We are all very different with different needs. Washoe County School District faces another year of double testing with a tool that has already been deemed by the state's own process as less effective. Meanwhile, our implementation with i-Ready is strong, and our teachers are fully trained. Our systems are built.

In a study last year, we found that students who used i-Ready consistently outperformed students who did not on the Smarter Balanced Assessment. We picked up those costs and would continue to do that regardless of what the state chooses today or in the next month. It is a solution that is working for Washoe. We need the ability to use the assessment that we prefer without being forced to administer a second less-effective tool on top of it. Assembly Bill 386 (1st Reprint) allows us to do that, and importantly for this Committee, it would cost the state nothing. Districts would have to pick up that tab for an additional assessment. They need to prove to the state that it is a valid and reliable assessment and have a plan for doing so. We are not asking for less accountability; we are asking for better accountability for assessments that serve instruction instead of being a tool that every district must use simply for the use of comparing one district to another.

We recognize that A.B. 386 (R1) would offer this local choice for districts that maybe have invested heavily in MAP. We also do not want to require them to have to make a dramatic shift when they have already invested in training. We believe that this is the right tool for Nevada. It helps acknowledge that we are unique and offers a way out at no cost to the state to allow for this local adaptation as needed. We are happy to take any questions.

Chair Monroe-Moreno:
Thank you for giving us an overview of the policy. I know that the Department of Education has put a fiscal note in, and they are saying they would need two full-time positions if this change were to happen, which does not make sense to me. Is there anyone who could please come to the table and explain the fiscal note? Because according to the testimony that was provided, Washoe is already paying for it and moving forward; the districts would be making payment, and the NDE currently pays for MAP. You are already doing it. If there was a change, I do not see an additional workload. Could you please explain the need for this?

Amelia Thibault, Management Analyst, Department of Education:
This is twofold—two pieces to our fiscal note. We have a "cannot be determined" in terms of the cost of the reading assessment. We read through the bill, and we could not identify where it said the NDE would not be responsible to pay for all the reading assessments. Because the language requires that we pay for the current Read by Grade 3 assessment, which is MAP, and was proposed as i-Ready, when this bill initially proposed two reading assessments, the onus for payment on both of those was still on NDE. While this additional amendment does remove it and says that local districts can choose which reading assessment they would like, the language is not clear in terms of the financial responsibility. This means we have an average cost of $4 million per biennia, which is approximately $2 million a year for a four-year assessment contract, for a total of $8 million per reading assessment. This is where the "cannot be determined" initially came from, in that respect. When it comes to the positions, we have our Nevada accountability framework which does require that testing be consistent, and able to be compared to one another under federal law. Because we have districts that might be choosing multiple reading assessments or different reading assessments, it would require some staff to be able to set the data reporting standards for each of those assessments in such a way that allows them to be comparable for the purposes of federal compliance with the accountability framework.

Chair Monroe-Moreno:
I now have what I wanted to hear, but I am going to let some other members ask questions.

Assemblymember Torres-Fossett:
This is for NDE. Could you clarify how this assessment data is used in the Department?

Amelia Thibault:
We have our Read by Grade 3 team who reviews the MAP data, but we also have our Office of Assessment, Data, and Accountability Management who report that data into the state accountability framework.

Assemblymember Torres-Fossett:
It is my understanding the concern is this would create more work because there would be two different assessments. What workload does that create for the team?

Amelia Thibault:
We would need to make sure we establish data reporting guidelines, and as the data was provided to us, there was review and validation of the data. We would have to ensure that they were reported in the same way so that we could have comparable statewide results in terms of the assessment across many reading assessments. I believe the conversation has been that there would be two assessments, but this does open it up to an unlimited number. I believe that is where some of the concern is. The more significant fiscal concern is the payment for those reading assessments.

Assemblymember Torres-Fossett:
If there was an amendment on this version of the bill before us that clarified any assessment that was used, that was different than what the Department purchases through their RFP [request for proposal] would be the responsibility of the individual district or school—would that address the concern?

Amelia Thibault:
Yes, that would address the concern.

Chair Monroe-Moreno:
That would address the concern for the cost for the product. What about the positions? I think NDE would have to answer that because they are the ones paying the bill.

Amelia Thibault:
I believe I am looking at a revised fiscal note. Some of our necessary support would be to provide guidance that speaks to the Read by Grade 3 team who provides guidance about providing that test, and how to prepare for that test. I apologize as I can speak to the fiscal note but not as well to the exact activities of the Read by Grade 3 team. I believe the concern is to ensure it is aligned with the state literacy plan and making sure that we are able to provide consistent guidance no matter the assessment taking place.

Assemblymember Anderson:
Thank you for the answer regarding the necessary guidance—I realize this is not your area of expertise. However, number one, is there guidance currently present that is not necessarily only part of the MAP test consistent with the educational items that the school is already going through? Number two, if it is for a school district, they would also already have people—like the doctor sitting right next to you—who would be able to work on that. I am confused why another individual would be needed for guidance of how exactly to use a standardized test that is currently already being utilized by some school districts and charter schools by their own choice?

Amelia Thibault:
I can only speak to the information that was reported to me by the Office of Teaching and Learning in regard to the workload that they believe these additional reading assessments would put on their Office. I believe we would be amenable to further discussion to see if we can refine that. I think presently as of this conversation with an amendment, we could

remove the $2.1 million per fiscal year, per reading assessment, which is ideal. We are open to further discussion to try to drill in and really assess the intent of the bill, and the workload that would be associated with it to see if we can reduce it further.

Assemblymember Anderson:
I am more than happy to work with that. I know the school districts and charter schools would be as well because quite frankly, this is not feeling like it is part of the current language of this bill. As I read through this, it feels more like this is attempting to fund a different program that is already funded. I do hope the Department looks at what is in the language of this bill, not attempting to do a different legislation that has already been passed and adding a fiscal note to that.

Assemblymember Goulding:
Chair, we are happy to submit an amendment that clarifies the school district is financially responsible for the purchase of any assessments that are not in addition to an alternative to the state's provided assessment tool.

Chair Monroe-Moreno:
I encourage you to work with NDE and get the amendment to us in a timely manner so that we can put this bill up for a work session. I must agree with my colleague, Assemblymember Anderson. I do not see the justification for new positions with this bill. I ask you to look at that part of your fiscal note as well and hope you can remove that.

Members, are there any other questions? [There were none.] Thank you so much for the presentation and for answering the questions. I will invite to the table anyone who would like to provide testimony in support of A.B. 386 (R1).

Sarah Adler, representing Coalition of Independent Public Charter Schools of Northern Nevada:
I-Ready is so important that they have already—out of their very limited funds—purchased the license and pay for the training for i-Ready. What I would like to add in addition to what has already been shared with you is a wonderful component of i-Ready is that once children take the assessment, it identifies the skills gap that appears to be apparent in the child's literacy development. For example, if the child seems to not grasp phonemic awareness, it tells the teacher that, and it directs the teacher to prepared material within i-Ready to support that skills gap. The charter schools I work with have found i-Ready to be extremely beneficial in children's literacy development and would appreciate the opportunity to use i-Ready as their reading assessment.

Mary Pierczynski, representing Nevada Association of School Superintendents:
We are in support of this bill. It allows those school districts that are using MAP and want to continue using it to do that.

Chair Monroe-Moreno:
Is there anyone else in Carson City or Las Vegas wanting to provide testimony in support of A.B. 386 (R1)? [There was no one.] Do we have anyone on the phone lines who would like to provide support testimony for A.B. 386 (R1)? [There was no one.]

Is there anyone in Carson City or Las Vegas who would like to provide testimony in opposition to A.B. 386 (R1)? [There was no one.] Do we have anyone on the phone lines who would like to provide testimony in opposition to A.B. 386 (R1)? [There was no one.]

Is there anyone in Carson City or Las Vegas who would like to provide neutral testimony on A.B. 386 (R1)? [There was no one.] Is there anyone on the phone lines who would like to provide neutral testimony on A.B. 386 (R1)? [There was no one.]

There were no further comments from the sponsor. We will close the hearing on Assembly Bill 386 (1st Reprint).

We will open the hearing on Assembly Bill 415 (1st Reprint), which revises provisions governing the towing of motor vehicles.

Assembly Bill 415 (1st Reprint): Revises provisions governing the towing of motor vehicles. (BDR 43-821)

Assemblymember Max E. Carter II, Assembly District No. 12:
Assembly District No. 12 is the east side of Las Vegas and the far north side of Henderson. I am going to turn this over to my cosponsor, Assemblymember Goulding.

Assemblymember Heather Goulding, Assembly District No. 27:
I represent Assembly District No. 27 in north Reno. Assembly Bill 415 (1st Reprint) streamlines the process for removing abandoned junk vehicles from public or private property. It includes a set of criteria that when met, allows a tow operator to pick up an abandoned junk vehicle and move it straight to a junkyard without moving it to an impound lot or searching for an owner. The Department of Motor Vehicles (DMV) reviewed the bill and determined that there will be no fiscal impact. The bill will require wreckers and tow operators to use an existing form that appraises potential abandoned junk vehicles. The DMV indicates that computer programming will enable tow operators to access a web portal to issue nonrepairable certificates and the estimated cost for forms and programming will be absorbed by DMV IT [Information Technology] staff with existing operations. That concludes our presentation, and we are available for questions, and DMV is also here.

Chair Monroe-Moreno:
We will invite the DMV staff to the table.

Sean Sever, Deputy Administrator, Division of Research and Project Management, Department of Motor Vehicles:
We are, of course, neutral on A.B. 415 (R1). The DMV had a zero-impact fiscal note originally on the bill. When it was amended, I added a small fiscal note for a two-part controlled form but later decided to absorb the cost and use an existing form and make it a zero again. The third time is a charm.

Chair Monroe-Moreno:
I love the third times a charm. Although it was one of the smallest amounts I have ever seen for DMV, I did appreciate that. Zero is even better. I wanted to make sure we got that on the record. Members, are there any other questions? [There were none.]

We will invite to the table in Carson City and Las Vegas anyone who is in support of A.B. 415 (R1). [There was no one.] Do we have anyone on the phone lines who would like to provide support testimony for A.B. 415 (R1)?

Danny Thompson, representing Snap Towing:
We are in full support of this bill. This bill will make our community safer and cleaner.

Chair Monroe-Moreno:
Do we have any other callers? [There were none.]

Is there anyone in Carson City or Las Vegas who would like to provide testimony in opposition to A.B. 415 (R1)? [There was no one.] Is there anyone on the phone lines who would like to provide opposition testimony to A.B. 415 (R1)? [There was no one.]

Is there anyone in Carson City or Las Vegas who would like to provide neutral testimony for A.B. 415 (R1)? [There was no one.] Is there anyone on the phone lines who would like to provide neutral testimony on A.B. 415 (R1)? [There was no one.]

There were no further comments from the sponsor. We will close the hearing on A.B. 415 (R1).

We will open the hearing on Assembly Bill 479 (1st Reprint), which revises provisions relating to the taxation of agricultural real property.

Assembly Bill 479 (1st Reprint): Revises provisions relating to the taxation of agricultural real property. (BDR 32-426)

Assemblymember Howard Watts, Assembly District No. 15:
It is my pleasure to present Assembly Bill 479 (1st Reprint) for your consideration today. What this bill is trying to do is ensure that if agricultural property owners wish to colocate a solar project on their lands, they would continue to receive the property tax treatment that

agricultural property owners enjoy. There were some questions and confusion on the original draft of the bill that potentially this could expand the use of that tax treatment to other properties where there is currently solar development.

We worked on an amendment to the bill that is incorporated in this first reprint. As a result, there was a fiscal note originally submitted by the Department of Education that indicated they could not determine whether the bill might have a negative impact. They submitted an updated unsolicited fiscal note indicating that it will have no impact on the Department. Additionally, the Treasurer's Office submitted a fiscal note indicating they could not determine any potential impact. I do have an email—I do not believe there is an updated fiscal note—but I do have communication from the Treasurer's Office indicating that the first reprint alleviates their concerns, and they believe it will not have a negative fiscal impact. There were also fiscal notes submitted by the counties. I believe we have a representative from Nevada Association of Counties (NACO) here but have confirmed that any of the local government concerns about potential impacts to their revenues have also been addressed as a result of the amendment made to the bill. That concludes my presentation. I am glad to answer any questions the Committee may have.

Chair Monroe-Moreno:
I do have in my hand the amended fiscal note from the Treasurer's Office for a $0 impact. If NACO could come to the table, if you have any information—I know there was a fiscal note from Humboldt County and Churchill County. I believe the note is on the bill as originally drafted and that may be gone now.

Vinson Guthreau, Executive Director, Nevada Association of Counties:
I reached out to our members who had submitted fiscal notes on the original bill. They are comfortable removing the fiscal notes, and I can confirm that the local fiscal notes have been removed under the first reprint. I would also be remiss if I did not thank them for how well they reached out to local government initially. I do want to put that on the record. If you have any questions, I am happy to answer them.

Chair Monroe-Moreno:
The question I had was regarding the fiscal notes. Members, are there any questions for Assemblymember Watts? [There were none.]

Is there anyone in Carson City or Las Vegas who would like to provide testimony in support of A.B. 479 (R1)?

Sheila Bray, representing University of Nevada, Reno:
We are in full support of this bill and want to thank Assemblymember Watts for coming to us in the interim to begin this work on agrivoltaics, and how we could expand it throughout the state. We have some researchers in Tonopah who are working closely with this, and we look forward to expanding it throughout the state.

Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League:
We are here in strong support. We believe this bill will benefit our agricultural industry as well as our growing clean energy economy.

Olivia Tanager, Director, Toiyabe Chapter, Sierra Club:
We have been working with the sponsor on this bill since the interim, and we appreciate all the work that has gone into it. We have also been working with NACO and the State Department of Agriculture. A robust group of people have come to put together the legislation that you see before you today. We are here in strong support. We believe that Nevada stands at the intersection of two of its assets—abundant sunshine and our agricultural community—the folks who help us put food on our tables. We believe that this bill will be a revenue generator. We are glad to see some of the fiscal impacts being worked out through amendments, and we are in full support of this bill and urge your support as well.

Caleb Cage, representing Eureka County, Nevada:
I am in support of A.B. 479 (R1). I want to thank the sponsor as others have, for continuing to work with jurisdictions and partners throughout the state to ensure that this bill moves forward. Eureka County wishes to preserve our agricultural base as much as possible, but we are also realists in recognizing the energy transition that is underway. Eureka County has been interested in finding ways to incentivize agrivoltaics for some time now. This is a recognition of many of the solar energy projects currently being pursued on private agriculture lands in Eureka County. We currently have thousands of acres of private agricultural land under lease or some other type of site control for solar development in Eureka County. Some of these leases are on lands where irrigation and water rights no longer exist. We believe integrating agriculture with solar developments is the best way we can hope for development on these lands. We believe the integrated use of agriculture with solar—incentivizing these—is good policy. Assembly Bill 479 (1st Reprint) as amended in the first reprint, strikes the right balance in incentivizing agrivoltaics while not creating any additional tax revenue burden on counties and actually enhancing tax revenue on lands. Thank you for your work in moving A.B. 479 (R1) forward.

Christopher Boeves, Private Citizen, Las Vegas, Nevada:
I grew up on a farm. Anybody on the farm knows the best way to manage their property. If you can expedite the ability to put solar into the hands of the people closest to the use of the power, the more you can do. This is a great way to do it at a bare minimum—anything you can do to help a farmer who knows how to run their land better than anybody and move solar onto the land in such a way that does not burden the undeveloped land that we have in this state. It is a tragedy what is going on with large solar panel installations. This solar is one the people who know their land best could probably best understand how to deploy.

Chair Monroe-Moreno:
Is there anyone on the phone lines who wants to provide testimony in support of A.B. 479 (R1)?

Laurel Saito, Director, Nevada Water Strategy, The Nature Conservancy:
We thank Assemblymember Watts and others for bringing this bill forward. The Nature Conservancy supports transitioning to renewable energy resources and supports a smart-from-the-start approach that accelerates such projects while maximizing conservation values and promoting economic development and stability in Nevada. Using already disturbed land for renewable energy development conserves land for wildlife, tribal cultural values, and recreational opportunities, while preserving the socioeconomic structure of communities. It may even help address declining water availability. We urge your support for A.B. 479 (R1).

Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation:
We are calling in this morning to express our support for A.B. 479 (R1).

Chair Monroe-Moreno:
Are there any other callers in support of A.B. 479 (R1)? [There were none.] We will move to opposition. Is there anyone in Carson City or Las Vegas who would like to provide testimony in opposition to A.B. 479 (R1)? [There was no one.] Is there anyone on the phone lines who would like to provide testimony in opposition to A.B. 479 (R1)? [There was no one.]

If there is anyone who would like to provide neutral testimony on A.B. 479 (R1), I invite you to the table in Carson City or Las Vegas. [There was no one.] Is there anyone on the phone lines who would like to provide testimony in the neutral position for A.B. 479 (R1)? [There was no one.]

There were no further comments from the sponsor. We will close the hearing on A.B. 479 (R1).

We will open the hearing on our last bill on today's agenda, Assembly Bill 105 (1st Reprint), which revises provisions governing firearms. I invite our Majority Leader to the table.

Assembly Bill 105 (1st Reprint): Revises provisions governing firearms. (BDR 15-64)

Assemblymember Sandra Jauregui, Assembly District No. 41:
Assembly Bill 105 (1st Reprint) already had its policy hearing. I will briefly let the Committee know what A.B. 105 (R1) does, then walk through the fiscal note. Assembly Bill 105 (1st Reprint) is a redraft of Assembly Bill 354 of the 82nd Legislative Session, which prohibits firearms within 100 feet of an election site. In 2023, there were zero fiscal notes put on it including from the Department of Corrections (NDOC).

This year we are here because there was a fiscal note put on A.B. 105 (R1) in the amount of $66,744 for the biennium. It is approximately $33,000 for fiscal year (FY) 2026 and $33,000 for FY 2027. I did contact the NDOC and confirmed their fiscal note said that they were unable to determine how this would impact them, and it was really a guess. They do not know how many people would be in prison. But if they had to guess, it would be about two people each year. After discussing with them that we only have elections every other year

and all municipal and state elections are on the same timeline we were able to cut it in half because on the odd number years, there would not be any election sites. I did not have that in writing, but I do believe the NDOC is here to answer questions. They did confirm that we would not have any election sites on the odd number years—only the even number of years when elections take place. With that Madam Chair, I am open to questions.

Chair Monroe-Moreno:
If we do have someone here from the NDOC who can speak to the fiscal notes and any adjustments, we would appreciate that. Welcome back to the table. Assemblymember Jauregui addressed the fiscal note and made some statements. Could you clarify the fiscal note that has been submitted and if there are any adjustments to the fiscal note; or maybe it is down to zero like it was when we were here last session?

Donald Southworth, Chief, Offender Management Division, Department of Corrections:
When we first analyzed this, as Assemblymember Jauregui mentioned, we were estimating what the impact might be, and after further discussions, we did reduce it down to one potential offender every other year. We did submit an unsolicited fiscal note to reduce the fiscal impact down to $33,000, which reflects one additional potential offender. I believe it is up in the Nevada Electronic Legislative Information System right now. There is no data to support that. It is an estimate that if this goes through, we might have one additional offender come our way.

Chair Monroe-Moreno:
The one offender who might make it through the court system, through the city jail, and through the county jail—you think they would end up in prison?

Donald Southworth:
A lot of that is going to be at the discretion of the judges. I do not remember what the category felony is on this, but they could be given probation. It is an estimate.

Chair Monroe-Moreno:
It would be a category D felony.

Donald Southworth:
Probation is an option for category D felonies, but not a guarantee like it would be for a category E felony.

Assemblymember Yeager:
I note for the record, I know it is not the policy hearing but some violations of this are gross misdemeanors, and that is on page 1, line 27. I just want to confirm that even if you are convicted of a gross misdemeanor, that is 12 months, potentially, spent in county jail and not at NDOC, right?

Donald Southworth:
Yes, a gross misdemeanor conviction would be served at a county jail and not at the NDOC.

Assemblymember Yeager:
The way I read the bill, it is only a category D felony if you knowingly possess the firearm at the election site with a specific intent to disrupt, interfere with, or monitor the administration of the election, the counting of the votes, or any person who is voting or attempting to vote. That is the stepped-up provision, I guess. I think I hear what you are saying is that this is a new law, and you do not know. Hopefully, nobody goes to the election site with a firearm with that intent. My question is—I do not know if you can answer this; maybe it is more of a comment—my experience in the criminal justice system has typically been, if someone is charged with a category D felony, normally there is a negotiation process with the district attorney and the defense attorney. Typically, category D felonies end up getting reduced by plea bargain to category E, which I think you had indicated would be mandatory probation. So, if someone was given the benefit of a plea bargain where it ended up being a category E felony, that would not be someone who would go straight to prison. They would get a chance at probation and then only go to prison if their probation was revoked. Could you confirm that, please?

Donald Southworth:
You are correct. We do not know what the impact will be, and these are assumptions. But yes, the plea bargain process happens through the courts before they ever come to the NDOC. If it is pled down to a category E, or even lower to a gross misdemeanor charge, we likely would never see them in our Department.

Chair Monroe-Moreno:
Members, are there any other questions? [There were none.] I thank you so much for the testimony. We will ask you both to step back, and I thank you and the NDOC for being here to answer our questions.

If there is anyone here to testify in support of A.B. 105 (R1), I invite you to the table now. [There was no one.] Do we have anyone on the phone lines who would like to provide testimony in support of A.B. 105 (R1)?

Emily Persaud-Zamora, Executive Director, Silver State Voices:
I am testifying in strong support of A.B. 105 (R1) on behalf of our organization and the Let Nevadans Vote Committee. We know this is the Money Committee so we will keep it plain and simple. We support the bill. Please vote yes on it. We thank the Majority Leader for all her work on this bill.

Paula Luna, representing Battle Born Progress:
We are calling in strong support of A.B. 105 (R1) and urge your support as well.

Chair Monroe-Moreno:
Are there any other callers in support of A.B. 105 (R1)? [There was no one.]

Is there anyone here in Carson City who would like to provide testimony in opposition to A.B. 105 (R1)? Remember to state and spell your name for the record.

Janine Hansen, President, Nevada Families for Freedom:
Because this bill makes election sites gun-free zones, there is a greater possibility of a crazy shooter at a gun-free zone which experience in the United States has shown. From the Crime Prevention Center on April 4 of this year, they report that the FBI [Federal Bureau of Investigation] tracks active shooters where individuals attempt to kill people in public places. The study is the first systematically to compare how uniformed police and civilians with concealed handgun permits stop these attacks. Civilians with permits stop the attacks more frequently and faced lower risk of being killed or injured than police. Officers who intervened during attacks, were more likely to be killed or injured than those who apprehended attackers later. We also provided evidence that these numbers significantly underestimate the advantages of civilians over officers in stopping these attacks. It is a problem to create an election site as a gun-free zone so that everyone knows that there will be no one there with a concealed carry weapon (CCW) permit to protect those who might be under attack from some crazy person. We oppose this bill.

Catherine Ingham, Private Citizen, Reno, Nevada:
Thank you for allowing us to read this letter from the Nevada Federation of Republican Women during public comment regarding our opposition to the antigun bill, A.B. 105 (R1). The Nevada Federation of Republican Women represents 18 clubs statewide and more than 1,500 members. We strongly oppose A.B. 105 (R1). Our organization has formally voted on and adopted a resolution opposing further restrictions on Second Amendment rights. The Second Amendment to the *United States Constitution* affirms the right of the people to keep and bear arms and explicitly prohibits any infringement of that right.

Assembly Bill 105 (1st Reprint) prohibits a person from carrying a firearm within 100 feet of the entrance to a polling place. Many polling places are located in shopping centers, effectively turning entire shopping areas into gun-free zones. In the event of a terrorist attack or violent threat, law-abiding citizens would be left unable to defend themselves. For these reasons, we strongly oppose A.B. 105 (R1) and urge a no vote.

We would also say that what was left off the letter, was that we feel it is an unfunded mandate and government overreach, and we do not think it should be funded.

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:
We appreciate that there are efforts to bring gun safety. We want our polling areas to be safe, but unfortunately, I do not believe this is the right bill, and we will echo the previous and future commentators.

Bob Russo, Private Citizen, Reno, Nevada:
I strongly oppose A.B. 105 (R1), and any funding directed to this bill. This bill aims to place restrictions on carrying a firearm within 100 feet of the entrance of a polling place. In other words, this bill would create another gun-free zone.

A study reported in July 2023 by Carl Moody of the Department of Economics at the College of William and Mary used what is viewed as an unbiased methodology. Here is what the study found: Combining newly developed and traditional differences in methodologies, we analyzed several policies that have been suggested as possibly effective in reducing deaths due to mass public shootings. We find that none of the proposed policies significantly reduce such deaths. However, we find evidence that mass public shooting deaths are lower in places that allow the carrying of concealed firearms. John R. Lott Jr., considered the nation's preeminent expert on gun rights, explains in his 2012 book, *The War on Guns*, that gun-free zones are the preferred target for killers. They know what they are doing, and they want to kill as many people as possible so that they can get more media attention.

Using various examples, he concludes that killers had the choice of attacking theaters or malls where guns were allowed, but they consistently went out of their way to attack places where guns were not allowed. We can conclude from the above, that A.B. 105 (R1) instead of providing a safe environment for voters, could potentially put them at greater risk from a mentally unstable or violent individual intent on killing as many people as possible without any armed resistance. For the above reasons, I ask you to please oppose A.B. 105 (R1) and any funding directed toward it.

Chair Monroe-Moreno:
Not seeing anyone else who wants to provide testimony in opposition to A.B. 105 (R1) in Carson City or Las Vegas, is there anyone on the phone lines who would like to provide testimony in opposition to A.B. 105 (R1)?

Kimberly Fergus, Private Citizen, Las Vegas, Nevada:
I am here today in strong opposition to A.B. 105 (R1). Assembly Bill 105 (1st Reprint) seeks to prohibit the possession of firearms within 100 feet of an election site, creating a gross misdemeanor offense for those who lawfully carry in proximity to a polling location. Additionally, it imposes category D felonies for those accused of possessing a firearm with intent to disrupt, interfere, or monitor voting activities. While this bill carves out exemptions for law enforcement and private security, it blatantly infringes upon the constitutional rights of law-abiding citizens, particularly those lawfully exercising their Second Amendment rights under both federal law and *Nevada Revised Statutes* (NRS) Chapter 202.

Assembly Bill 105 (1st Reprint) extends the scope of firearm restriction existing provisions in NRS 202.265. While firearms in certain sensitive locations, such as schools and childcare facilities are already regulated, expanding this restriction to election sites without clear and compelling evidence of a specific and intimate threat is an unwarranted overreach and dangerous precedent. Additionally, the affirmative defense provision in section 1, subsection 6, only applies to those traveling to and from private property yet fails to protect lawful gun owners from inadvertent violation to public spaces. This vague and overbroad restriction opens the door to potential misuse and selective enforcement, undermining due process.

Lastly, A.B. 105 (R1) fails to demonstrate a nexus between lawful firearm possession and voter intimidation, relying on speculative scenarios without substantial data. Nevada's existing laws already address criminal intent to disrupt elections.

Chair Monroe-Moreno:
You have reached your two minutes, and you can always submit your written comments to the Committee. Thank you so much for joining us today.

Lynn Chapman, Treasurer, Independent American Party:
The Independent American Party platform reads, *Nevada Constitution*, Article I, Section 11, every citizen has the right to keep and bear arms for security and defense, for lawful hunting, and recreational use and for other lawful purposes, including the right to own and use ammunition and components. We have a problem because that goes into if you have a firearm within 100 feet, it is a gross misdemeanor. That is a problem. If you have a concealed carry permit, if you have a concealed carry, there is a $33,000 price tag to house people. The problem is if you are legally carrying, you can end up going into a prison or even a jail when you are legally carrying a firearm. I agree with a lot of what has already been said in opposition, so we please ask you to vote no on A.B. 105 (R1).

Cynthia Perine, Private Citizen, Reno, Nevada:
I would respectfully like to point out this morning, one proponent of this bill stated that we do not know the impact of this bill, and I am questioning, why pass a bill of uncertain impact? There has been no testimony this morning regarding guns being a problem at polling places to date in Nevada. It appears to be a "what if" bill looking for a problem that may not exist at present. Nevadans are peace-loving people and people who carry have CCW permits, as pointed out before, may have difficulty with this bill. I oppose this bill, and thank you for letting me speak.

Yolanda Knaak, Private Citizen, Incline Village, Nevada:
I agree with all the previous callers, plus I do not know that they had taken into consideration the impact on the ROV [Registrar of Voters] workers having to take signs out and then remove them every day and the hassle that they have already so many signs. I have worked the polls before, and you have all these signs you have to post outside and inside, plus the fiscal cost for printing and transporting the signs. I am opposed to this bill. Please vote no.

Chair Monroe-Moreno:
Do we have any other callers to testify in opposition to A.B. 105 (R1)? [There were none.]

Do we have anyone here in Carson City or Las Vegas who would like to provide neutral testimony on A.B. 105 (R1)? [There was no one.] Is there anyone on the phone lines who wants to provide neutral testimony on A.B. 105 (R1)? [There was no one.]

There were no further comments on A.B. 105 (R1) by the sponsor. We will close the hearing on A.B. 105 (R1). Members, that brings us to the very last item on our agenda and that is public comment. In public comment, we will not hear comments on any bills that were discussed on our agenda today.

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:
I am the team leader of the local chapter, Strong Towns Las Vegas, urban planning organization seeking alternatives in land use and transportation. I sent all the legislators letters, and one who responded was Erica Mosca. I appreciate it, like the rural school build, by the way. Yesterday I did testimony on transit. Obviously, it applies to federal lands expansion—very, very important. This is the number one issue living here in the Las Vegas Valley. We have a lot of negative effects. Las Vegas is the sixth densest urban area in the country. Thanks to tiny lots, it is one of the most car-dependent areas in the United States. Our main issues are the arterial roads—the Blue Diamonds, the Rainbows, the Craigs, the Eastern's of the world—they have to stop being built as we expand going further.

I wanted to mention some of the bills that I recommend that other states have been implementing. Illinois has made it easier to build middle housing, fourplexes, duplexes, all those other things. Texas passed a bill that allows starter home constructions to be built. The state of Washington made it easier to reduce parking requirements. This is a very important issue. Our main cause of urban heat island effect is because of these vast empty parking lots. Not to mention, the same state made it illegal for a job to require a driver's license, even though the job has no abilities to do driving at all. I mean, why do we have such policy? Just to let you know. These are some of the bills that we appreciate you bringing in 2027.

I have noticed that not one Republican responded, and this is the thing—because you know, a lot of people complain about our elections. If you really want to win folks, you must address the issues, and this is an issue that is very popular among young people. You cannot rely on going to fancy 55 and over dinners and expect to win. Please consider these bills and please address urban planning issues.

[Exhibit D was submitted but not discussed and is included as an exhibit for the hearing.]

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

Chair Monroe-Moreno:
Not seeing anyone else in Carson City and no one at the table in Las Vegas to provide public comment, do we have anyone on the phone line who would like to make public comment at this time? [There was no one.]

I will see you bright and early tomorrow morning at 8 a.m. This meeting is adjourned [at 9:49 a.m.].

RESPECTFULLY SUBMITTED:

_____
Janet Osalvo
Committee Secretary

APPROVED BY:

_____
Assemblymember Daniele Monroe-Moreno, Chair

DATE: _____

EXHIBITS

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 91 (R1)	C	Assemblymember Brittney M. Miller, Assembly District No. 5	Conceptual Amendment
A.B. 91 (R1)	D	Maria Ward, Private Citizen	Email in support