MINUTES OF THE 2021-2022 INTERIM
LEGISLATIVE COMMISSION

October 22, 2021

The meeting of the Legislative Commission was called to order by Chair Yeager at 1:31 p.m. Pursuant to Sections 2 to 9, inclusive, of chapter 2, Statutes of Nevada 2020, 32nd Special Session, at pages 9-11, the meeting took place via webconference and did not have a physical location.

All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Assemblyman Steve Yeager, Assembly District No. 9; Chair
Assemblyman Jason Frierson, Assembly District No. 8; Vice Chair
Assemblywoman Jill Dickman, Assembly District No. 31
Assemblywoman Sandra Jauregui, Assembly District No. 41
Assemblywoman Lisa Krasner, Assembly District No. 26
Assemblyman Tom Roberts, Assembly District No. 13
Senator Nicole Cannizzaro, Senatorial District No. 6
Senator Moises Denis, Senatorial District No. 2
Senator Scott Hammond, Senatorial District No. 18
Senator Joseph Hardy, Senatorial District No. 12
Senator Dallas Harris, Senatorial District No. 11
Senator James Settelmeyer, Senatorial District No. 17

STAFF MEMBERS PRESENT:

Brenda Erdoes, Director, Legislative Counsel Bureau
Bryan Fernley, Legislative Counsel, Legal Division, Legislative Counsel Bureau
Asher Killian, Chief Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau
Sarah Coffman, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau
Dan Crossman, Legislative Auditor, Audit Division, Legislative Counsel Bureau
Michael Stewart, Research Director, Research Division, Legislative Counsel Bureau
Broadcast and Production Services Staff, Administrative Division, Legislative Counsel Bureau
Angela Hartzler, Secretary, Legal Division, Legislative Counsel Bureau
Jordan Haas, Secretary, Legal Division, Legislative Counsel Bureau

OTHERS PRESENT:

Sarah Steinberg, Principal, Advanced Energy Economy
Lindsey Dalley
Mary House, President/CEO, CHR, Inc.
Shelly Stolworthy
Christi Cabrera, Policy/Advocacy Director, Nevada Conservation League
Mandie Matheson
Melissa Ramos, Manager of Clean Air Advocacy, American Lung Association
Marie Steele, Electrification Director, NV Energy
Syrissa Jolley
Jodi Thornley
Quinta Warren, Associate Director of Sustainability Policy, Consumer Reports
Bob Mergell, Administrator, Division of State Parks, Department of Conservation and Natural Resources
Jack Robb, Deputy Director, Nevada Department of Wildlife
Sam Crano, Utilities Hearing Officer, Public Utilities Commission of Nevada
Greg Lovato, Administrator, Division of Environmental Protection, Department of Conservation and Natural Resources

Assemblyman Steve Yeager (Assembly District No. 9; Chair):

Good afternoon, everyone. I'm going to call this meeting to order. It is good to see you all here on Zoom, and welcome as well to those who might be joining us either on the Legislature's website or on our YouTube stream. Welcome to our virtual meeting. This is the second meeting of the Legislative Commission for this interim. We have everybody here with us this afternoon, which means we have a quorum. Thank you all for logging in on time and allowing us to start on time this afternoon.

Before we get started with the agenda, just a couple of quick housekeeping matters. If anyone would like to testify today, please make sure to state and spell your name for the record before you testify. If anyone would like to receive a copy of the Commission's agendas, minutes or reports, you may be added to our mailing list by following the links on the website of the Nevada Legislature or by providing information to our staff. Contact information for staff is also listed on the legislative website. In addition, we accept written comments, which may be emailed or mailed before, during or after the meeting. The information regarding where to send written comments is also on the website and listed on the agenda for this meeting.

That will take us to agenda item II, public comment. If you have called in and you would like to speak during this part of the meeting, you will be notified by our Broadcast and Production Services (BPS) staff when you have been connected and it is your turn to speak. Please remember that comments will be limited to no more than two minutes per person. You are welcome to submit any additional comments in writing and they will be added to the record for this meeting. If you prefer to wait to speak until later in the meeting,

there will be a second period for public comment before we adjourn the meeting. Before I turn this over to Broadcast and Production Services, I did want to let members of the Commission know that there are a number of written public comments that were submitted for today's meeting. You can find those on our website, and for anyone who may be watching on the internet, likewise you can find those written comments on the Legislature's website. But for now, let's see if there's anybody who has called in and would like to provide public comment.

Sarah Steinberg (Principal, Advanced Energy Economy):

Good morning, Chair Yeager and members of the Legislative Commission. It's good to be with you all. Thank you for the opportunity to make public comments today (Agenda Item II A). Many of you know me. I'm Sarah Steinberg and I'm a principal at Advanced Energy Economy (AEE), a national association of businesses working to advance policies that make energy more reliable, secure, clean and affordable. Our membership includes companies that manufacture, develop and purchase advanced vehicle technologies and their charging components. I would like to express AEE's strong support for Nevada's progress on adopting clean car standards. These are foundational regulations to increase electric vehicle (EV) adoption and achieve Nevada's statutory energy and emissions goals. At their core, these regulations are about increasing consumer choice. Today's dealership stock of electric car models severely limits what Nevadan drivers and businesses can choose as compared to drivers in some other states, and over the next several years we expect over 70 new EV makes and models to become available, and Nevadans deserve access to this growing market. The regulations also complement recent legislative efforts to expand access to charging across all communities, and the regulations will be good for Nevada consumers, the economy and localities by spurring the creation of new infrastructure jobs, generating millions in private investment opportunities, lowering driver and business fueling, maintenance and operations costs, and putting downward pressure on electric rates for all utility customers and more. The electric vehicle-related businesses in our membership are really glad to see all of the good work that's been done in Nevada on these regulations to date and view the adoption of the Clean Cars program as a signal that Nevada is a good place for them to invest their time and resources. Thank you so much for your time, and we look forward to continued progress towards the state's vision for a clean, modern transportation future. Thank you.

Chair Yeager:

Thank you for your public comment.

Lindsey Dalley:

I'm a school organization team member, a community education advisory board member and current member of the Clark County School District's Sex Education Selection Committee. Please take a moment and look at the table contained within the hard copy of my comments and note the new 2020 health standards underlined in red (Agenda Item

II B). It is obvious that the public accommodations law was copied and pasted into the text of the new health standards. Traditionally, Nevada has honored parents' rights to direct their child's education on sensitive sexual subjects. The public accommodations law was never intended to affect school instructional materials on this subject without parental permission. Unfortunately, the public accommodations law is clandestinely being used to force changes within all public schools in the State of Nevada and deny parents choice on this sensitive subject and will create the following problems: teachers are required to teach five-year-old kindergarteners what it means to be lesbian, gay, bisexual, transgender and queer without being required to obtain permission from parents; two, teachers will decide which materials are appropriate to teach young children about gender identity and sexual orientation without parents being able to review the materials; three, teachers will have the power to assign low grades to elementary students who are not able to identify traits that make a person lesbian, gay, bisexual, transgender, queer or heterosexual; four, teachers who object to teaching children about these sensitive sexual topics will be subject to disciplinary action. Please use your power as elected officials to remove the public accommodations law from the new 2020 health standards and preserve parental choice. Thanks you for your service—Lindsey Dalley.

Chair Yeager:

Thank you for your public comment.

Mary House (President/CEO, CHR, Inc.):

Good afternoon. I am here today representing members of the Nevada Clean Cars Coalition, which is one of the largest and most diverse coalitions you will find. We are the businesses, the conservation groups, science and public health advocates, labor unions, local governments and consumer advocates who joined to support the benefits of clean car standards for Nevada (Agenda Item II C). Members of our Coalition have actively participated throughout the rulemaking process, attended all of the listening sessions and public workshops and submitted technical comments and letters of support. We'd like to thank you again, NDEP (Nevada Division of Environmental Protection), for leading on this initiative and for incorporating feedback from stakeholders resulting in unanimous support at the State Environmental Commission last month. With your support, Nevada will be the first state to adopt clean car standards with consensus between the clean energy advocates and the auto industry and can serve as a model for working together towards an electric future for transportation. We also shared with members and submitted for the record a joint letter of support that includes more than 1,000 signatures from the members of the public across the state who are in strong support of the Clean Cars Nevada initiative. This program will make significant progress toward meeting our state's greenhouse gas reduction goals and improve air quality while providing consumers more choices and cost savings. We ask that the members of the Legislative Commission to approve the regulations before you today, and we thank you again for your time.

Chair Yeager:

Thank you for your public comment.

Shelly Stolworthy:

I am a mother of five children at Clark County School District, and they are from kindergarten to high school, and I have a degree in health education, so what I'm about to say affects my children and my future career. As parents, all of us should have the right to decide how and when it is appropriate for our children to begin learning about sex, sexual orientation, gender identity, gender expression and other sensitive topics related to human sexuality (Agenda Item II D). In Nevada, the sex education law, NRS (Nevada Revised Statutes) 389.036, gives parents and guardians the power to ensure that sensitive topics related to human sexuality are taught in a way that is appropriate for the individual needs of their children. Unfortunately, the sex education law will no longer be able to protect parent rights because the topics of sexual orientation, sex, gender identity and gender expression have been placed within the health standards in a category that is outside of the jurisdiction of sex education. This placement will force children to learn about sexual orientation, sex, gender identity and gender expression even if the parents decide that such instruction is not appropriate for the individual needs of their children. I sincerely request that a new law be passed to ensure that before any of these sensitive sexual topics can be taught at school, teachers of all content areas and grade levels should be required to, number one, provide written notice to parents and guardians in advance; number two, receive written permission from parents and guardians before the student is allowed to participate; three, excuse students from participation without any penalty if written consent is not received; four, make all instructional materials available for instruction by parents and guardians before instruction begins; and five, use only instructional materials that have been approved by the sex education advisory committee of the school district. Thank you for your time and service.

Chair Yeager:

Thank you for your public comment.

Wendy Mulcock:

I am currently the chair of our community's education advisory board. The public accommodations law, NRS 651.070, was never intended to force children to learn about sexual orientation, sex, gender identity or gender expression (Agenda Item II E). In 2018, Nevada citizens were concerned that NRS 651.070 might be used to justify the inclusion of these topics in school curriculum. In response to these concerns, the former Nevada Superintendent of Public Education reassured citizens that NRS 651.070 only applies to the "full use of facilities" and it "does not intend a prescriptive role for curriculum or for a particular gender theory to be taught. It was not intended to include textbooks and curriculum in the classroom conveying gender theory." Ironically, NRS 651.070 has now

been inserted into the text of the 2020 health standards. This placement of NRS 651.070 within the health standards is an attempt to circumvent the requirements of the sex education law, NRS 389.036, by forcing young children to learn about "sexual orientation, sex, gender identity and gender expression." Please use your power as elected officials to force all references to NRS 651.070 to be removed from the new 2020 health standards. Thank you.

Chair Yeager:

Thank you for your public comment.

Christi Cabrera (Policy/Advocacy Director, Nevada Conservation League):

Thank you, Chair Yeager and members of the Legislative Commission. The Nevada Conservation League would like to voice our strong support for Nevada's clean car initiative. Transportation is the largest emitter of greenhouse gas pollution in our state, and our health, economy and environment all suffer as a result (Agenda Item II F). By putting more fuel-efficient cars on our roads, we can reduce harmful air pollution linked to asthma and other ailments that impact Nevadans while helping our state meet its clean climate goals and investing in our local clean energy economy. We are grateful and applaud Governor Sisolak and the Division of Environmental Protection for making strides to make Nevada a clean car state. These protections will help defend the health of our family, friends and neighbors while giving Nevadans access to the clean cars they want and continuing our fight against climate change. We urge you to take action on air pollution, climate change and consumer choice and adopt the clean car standard. Thank you.

Chair Yeager:

Thank you for your public comment.

Mandie Matheson:

Hi, Legislative Commission. I am the parent of four children ages fifth grade, seventh grade, tenth grade and twelfth grade. I'm voicing my concern today that teachers should not be required to train children to place sexual category labels upon themselves or others (Agenda Item II G). Unfortunately, teachers will be required to teach children how to identify and categorize themselves and others based on their "sexual orientation, sex, gender identity or gender expression" because these specific words from NRS 651.070 have been copied and pasted into the text of the education standards for health. School employees should not be allowed to engage in any activity that attempts to encourage or motivate students to announce a sexual change in their orientation or their gender identity. The timing of such important decisions are very personal and should be determined by the student under the guidance of supervision of their parent or guardian. I sincerely request that the words "sexual orientation, sex, gender identity and gender

expression" be removed from the new 2020 health standards so that students can focus on learning to treat all human beings with respect without being required to categorize or label themselves or others based on their sexual orientation, sex, gender identity or gender expression. Children should not develop the habit of labeling people according to their sexuality. They should simply learn to be kind and respectful toward all human beings. Young children and young adults should not be pressured to place sexual labels upon themselves or anyone else. Thank you for your time.

Chair Yeager:

Thank you for your public comment.

Melissa Ramos (Manager of Clean Air Advocacy, American Lung Association):

I appreciate the opportunity to make comments in support of the matter of a regulation adopting certain provisions of California regulations for low-emission vehicle and zero-emission vehicle programs relating to air quality. The American Lung Association submitted a letter in partnership with 10 health organizations (Agenda Item II H), including Southern Nevada Health District, Department of Health and Human Services, Touro University, Nevada Minority Health and Equity Coalition, and others to underscore the public health significance of the Clean Cars Nevada program. Clean air and a safe climate are critical for healthy lungs. Nevada has made amazing progress cleaning up harmful air pollution, but too many communities are still waiting for clean air. Nevadans are already experiencing climate change effects, including increasing air pollution and catastrophic wildfires, more frequent and intense heat waves, severe drought conditions and other threats to lung health. The transportation sector is the leading source of air and climate pollution, and implementing stronger emission standards will reduce criteria air pollutants that contribute to our ozone and particle challenges, cut greenhouse gas emissions that drive climate change health effects and ensure Nevadans benefit from the transition to zero-emission technology. The American Lung Association's 2021 State of the Air Report shows our air quality ranking remains high on the top 25 most polluted cities for ozone and short-term particle pollution. Unhealthy levels of air pollution can lead to decreased lung function, COPD and increased susceptibility to respiratory infections and cardiovascular system impacts. These health risks are felt most heavily on vulnerable populations such as children, seniors, people of color, low-income families and anyone with underlying health conditions. Our climate crisis requires bold investment in zero-emission technologies to clean up harmful air and climate pollution. Supporting the transition to zero-emission transportation in Nevada could yield nearly $745 million in public health savings. This means less missed days of work and school and less financial strain and medical costs due to hospitalizations and trips to the ER. The American Lung Association and other health partners continue to support Clean Cars Nevada and encourage a statewide rapid shift towards electrification to unlock major health and climate benefits. Clean Cars Nevada will implement health-protective air quality standards to safeguard Nevada residents from harmful tailpipe pollution while also expanding the market locally for zero-emission cars. We urge the Commission to make the final vote to

advance Clean Cars Nevada regulations for a healthier, more climate-resilient future. Thank you.

Chair Yeager:

Thank you for your public comment.

Marie Steele (Electrification Director, NV Energy):

Good afternoon, Chair Yeager and members of the Legislative Commission. I'm calling in today in support of the clean car standards in front of you that will improve clean transportation options available to Nevadans, particularly options surrounding electric vehicles (Agenda Item II I). NV Energy has long supported electric vehicles, including with programs put forth by the Nevada Legislature in 2017 and 2019. Most recently with the passage of Senate Bill (SB) 448 in the 2021 Session, NV Energy's role in accelerating transportation electrification was expanded to support customers and their choice to go electric. NV Energy recently filed the Economic Recovery Transportation Electrification Plan on September 1, 2021 with the Public Utilities Commission and will file the additional transportation electrification plan on or before September 1, 2022. We look forward to our continued collaboration with the Nevada Division of Environmental Protection and interested stakeholders before you today in the implementation of the regulations. Thank you for your time and consideration of the clean car standards.

Chair Yeager:

Thank you for your public comment.

Syrissa Jolley:

I currently serve as the chair of a school organizational team (SOT) within the Clark County School District. Originally, I planned to make one request today, which was please do not approve the new 2020 health standards (Agenda Item II J). As soon as our SOT team discovered the changes that had been made to the health standards, we immediately contacted the Nevada Department of Education (NDE). In response to our concerns about the new standards, NDE officials assured us that the new standards would not become official until they had been reviewed and approved by the Legislative Commission. I was devastated to find out a few days ago that the Legislative Commission will no longer have the final say as to whether or not these new education standards will receive final approval before they are allowed to be taught to our students. This specific power of the Legislative Commission was erased by a few phrases that were hidden within the text of Assembly Bill (AB) 19. Now, even if I am concerned about a standard, I can't even contact my elected officials to encourage them to take a closer look at the standards before they vote to give final approval. These standards will have a huge impact upon the education of our children. Our elected officials should be the ones who give final

approval before any new standards can be taught in the classroom. Please revise AB 19 with specific language that would restore this power to our elected officials. Thank you.

Chair Yeager:

Thank you for your public comment.

Jodi Thornley:

I am the chair of the Virgin Valley Community Education Advisory Board in Mesquite, Nevada, but today I am speaking as a very concerned mother (Agenda Item II K). The Nevada academic content standards are designed to set clear expectations for what students should know and be able to do by the end of each school year. That is why I was shocked when I found out that the new 2020 standards for health education require all kindergarten students to be able to identify traits that can be used to categorize a person based upon his, her or their sexual orientation, sex, gender identity and gender expression before they graduate from kindergarten. According to the new health standards, all students should be able to recognize similarities and differences between individuals based upon their sexual preferences and gender identities before they complete second grade. Why are these sensitive sexual topics being forced upon our children at such a young age? Is it really age-appropriate? These kids are still learning how to write their names and tie their shoes. If a child is too young to participate in traditional sex education, then they are obviously too young to be forced to learn about these topics at school. Many children will feel extremely uncomfortable and confused when they are forced to discuss these sensitive topics in their classroom. Many parents will pull their children out of public school if these standards are implemented. Please remove these extremely sensitive topics from the new 2020 health standards before they are allowed to be forced upon our children. These topics should remain under the sex education curriculum and be approved through the sex education advisory committee. That's what they are tasked to do, and we need to follow the laws currently in place regarding sexual content in public schools. Thank you.

Chair Yeager:

Thank you for your public comment.

Quinta Warren (Associate Director of Sustainability Policy, Consumer Reports):

I want to thank the Legislative Commission for the opportunity to comment today in support of the Clean Cars Nevada program (Agenda Item II L). The Clean Cars program would expand Nevada consumers' choices of fuel-efficient vehicles while making electric trucks, SUVs and cars easier to find and purchase at local auto dealers. The program will also result in considerable cost savings for Nevada drivers as recent research conducted by Consumer Reports found that switching from a gas-powered car to a new electric vehicle can cut fueling costs by about 60 percent and repair and maintenance costs by

50 percent. This is a savings of $6,000 to $10,000 over the life of the vehicle compared to owning a comparable gas-powered vehicle. Right now, Nevada consumers lack options when it comes to navigating the state's car market for electric vehicles. They can either leave the state and spend dollars on an EV in neighboring California or buy a pollution-emitting gas-powered vehicle that costs a lot more to maintain and repair. Nevada car buyers shouldn't have to cross state lines to find the vehicle they're looking for, and local dealers shouldn't have to lose out on business when they do. Nevada's economy deserves this boost. With an increase in EV inventory nationwide, there is a broad consumer interest in electric vehicles, and this is reflected in Nevada as well. A 2020 statewide representative survey conducted by Consumer Reports found that nearly three in four Nevada adults with driver's licenses have an interest in buying or leasing an electric car, truck or SUV in the future. This includes 37 percent of Nevadans who plan to or would consider purchasing or leasing an electric vehicle. Because of these consumer and economic benefits, Consumer Reports strongly supports the full approval of the Clean Cars Nevada program. This program will make accessing the consumer benefits I've highlighted much easier to achieve by enabling the state to bring a greater variety of electric and more fuel-efficient vehicles to Nevada. Thank you for your time and consideration.

Chair Yeager:

Thank you for your public comment.

Broadcast and Production Services Staff (Administrative Division, Legislative Counsel Bureau):

Thank you, Chair. The public line is open and working. However, there are no other callers wishing to offer public comment at this time.

Chair Yeager:

Thank you, BPS, for helping us through the public comment. Appreciate that. We will now close agenda item II, public comment. We'll move to agenda item III. Agenda item III is approval of the minutes of the meeting held on July 28, 2021 (Agenda Item III). If anyone has any corrections or additions to the minutes, please let me know. Otherwise, I'd be looking for a motion to approve the minutes.

SENATOR SETTELMEYER MOVED TO APPROVE THE DRAFT MINUTES OF THE MEETING HELD ON JULY 28, 2021.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Chair Yeager:

Thank you, Committee. That will now take us to agenda item IV. Under agenda item IV, we have administrative regulations that are before us for consideration. Legislative Counsel Bryan Fernley is here with us on Zoom today to assist us with this item if we need that. We have two categories of regulations for consideration today. The first item, item IV-A, is a request for the early review of R019-21 pursuant to NRS 233B.0681 (Agenda Item IV-A), and then under item IV-B we have 9 regulations for consideration pursuant to NRS 233B.067 (Agenda Item IV-B).

What I would like to do is first take the agenda item under agenda item IV-A, the early regulation. We'll do that one separately because there has to be a separate motion for that, and then we'll come to the other nine regulations. So at this time, under agenda item IV-A, we'll go ahead and take that. As I mentioned, this regulation has been submitted to us by the Administrator of the Division of State Parks for early review. That provision allows an agency to seek early review of a proposed permanent regulation after the agency has given notice of a hearing on the regulation but before the hearing is actually held. If we approve this regulation today and the agency adopts the identical language after holding a hearing on the regulation, the Legislative Counsel will be required to file the regulation with the Secretary of State and it will become effective upon that filing. We do have representatives here today from the Division of State Parks, and I'm wondering right now if any members have questions about regulation R019-21. I see Senator Settelmeyer has his hand up. Senator Settelmeyer, would you like to ask a question?

Senator James Settelmeyer (Senatorial District No. 17):

Thank you, Mr. Chairman. I was just kind of curious of the necessity to preapprove this regulation. In reality, we do know we will have a Leg Comm meeting potentially a month from now during the special session, so I'm just wondering why there's the need to sidestep the normal procedure. If someone could explain that to me, I'd appreciate it. I don't necessarily have a problem with the reg, just the concept.

Chair Yeager:

Thank you for that question. Do we have someone from—I have an answer to that, but I'm probably not the best person to give the answer. Do we have someone from State Parks here with us on the Zoom that could answer that question today?

Bob Mergell (Administrator, Division of State Parks, Department of Conservation and Natural Resources):

Good afternoon, Chair Yeager. I'd be happy to answer that.

Chair Yeager:

Thank you for joining us, and please go ahead.

Mr. Mergell:

Sure. The reason that we're trying to get this preapproved is we had to enact temporary regulation changes to our fees at the beginning of this year in order to increase revenue to offset a reduction to our general fund budget (Agenda Item IV-A). Those temporary regulation changes will sunset at the end of this month, so we really need these new regulations in place so that there's no gap between the temporary regulations and when the permanent regulations will need to take effect on November 1. Otherwise, we would go through the month of November and we would have to revert back to a previous fee structure just to turn back around and go back to the proposed permanent regulation changes.

Senator Settelmeyer:

I appreciate that explanation. Thank you, Mr. Chairman. Again, I think we could do it in November, but I understand the desire to get it done currently. I'm supportive. After everyone else is given the opportunity to ask questions and be satisfied, I'd be willing to put forth a motion to you, Mr. Chairman. Thank you.

Chair Yeager:

Thank you, Senator. I think I have a hand up from Assemblyman Roberts.

Assemblyman Tom Roberts (Assembly District No. 13):

Thank you, Chair. Just one question. It's my understanding that the current fee structure is already in place. So, people are already paying those fees, and this would just make those permanent?

Mr. Mergell:

That's correct. Those fees are already in place, and so our intent is to just make those permanent.

Assemblyman Roberts:

Thank you for the answer. Thank you for the question, Chair.

Chair Yeager:

Thank you, Assemblyman Roberts. We'll go next to Senator Denis.

Senator Moises Denis (Senatorial District No. 2):

Thank you, Mr. Chair. I'm just trying to understand the process. Since these were emergency regs that were done, did it go through a procedure where the folks that would normally show up to a meeting and give public comment, did they have an opportunity to do that?

Mr. Mergell:

Yes. They're actually temporary regulation changes, not emergency regulation changes, but yes, we did still go through the public workshop and public hearing process. We have also gone through the public workshop process, and we have our public hearing set for next week where we will adopt the regulation. So, the public has had the opportunity to speak three times so far and will have a fourth ability next week.

Senator Denis:

Okay. I just wondered, because in the materials that I got, normally we get information about the hearings that were held, how many people showed up and that kind of thing, but on this particular one I didn't see that information in the materials that I was given. That's why I wanted to make sure that we had had an opportunity to make sure that the public had had an opportunity to comment on these changes. Did you have anyone that showed up to these hearings?

Mr. Mergell:

No, we did not.

Senator Denis:

Okay. All right. Thank you, Mr. Chairman.

Chair Yeager:

Thank you, Senator. Are there additional questions on this particular regulation? I don't appear to have any hands up, so Senator Settelmeyer, I'd be willing to entertain your motion.

SENATOR SETTELMEYER MOVED TO APPROVE REGULATION R019-21.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Chair Yeager:

Thank you, Committee. I appreciate that. That will take us to agenda item IV-B, and as I noted on here, we have nine regulations to consider under IV-B (Agenda Item IV-B). As is our usual method, I will let you know the regulations that I have been asked to hold for questions today, and then I'll ask members of this Commission to identify any other regulations they might want held for discussion. Once we get that list together, we'll go ahead and vote to approve any regulations that are not being held for questions. After that, we'll go through the remaining regulations, ask the agency the questions, and then we'll adopt or not adopt the regulation depending on how things go. So, let me begin by giving you the list of regulations that are being held for questions, and I'll just take those in the order that they're listed on our agenda. We will be holding R082-19. That's the Board of Wildlife Commissioners' regulation. We will be holding R093-20. That's the State Environmental Commission. Then, R158-20, the Public Utilities Commission of Nevada. Those are the three that I've heard we have questions on so far. Are there any Commission members that would like additional—I guess we have six left on that list. Any of the other six that Commission members would like to pull for questions?

SENATOR SETTELMEYER MOVED TO APPROVE REGULATIONS R083-19, R027-20, R032-20, R042-20, R163-20 AND R011-21.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Chair Yeager:

Thank you, Commission members. Now we'll go ahead and we'll take the ones that we had pulled. We're going to go first to R082-19 (Agenda Item IV-B), the Board of Wildlife

Commissioners, and I believe it was Senator Settelmeyer who I think had a question on this one, so please go ahead.

Senator Settelmeyer:

Thank you, Mr. Chairman. I was just kind of curious. Whenever I see situations that talk about potential fines or demerits and things of that nature, I always try to put them in relation to the other ones that are out there. I was just kind of curious about the concept of nine demerits for picking up shed antlers out of a timeframe. Is there such a huge problem or a heinous issue going on here that it's more problematic than taking an animal's life? Why the strong nine demerits?

Jack Robb (Deputy Director, Nevada Department of Wildlife):

Senator Settelmeyer, this has been an ongoing issue. We've talked about this in the past. There was regulations passed on this before. What we see is not the hobby collectors, it's commercial collection of these sheds. These sheds have tremendous value, and the commercial collectors come in heavily from other states, primarily Utah, into Eastern Nevada, and if there's not a stiffer demerit and a stiffer penalty for the value that these sheds bring, they see it as a cost of doing business. Anything that is not listed with a higher demerit amount, it doesn't compound on them and they just see it as a cost of doing business if we catch them. So, the nine demerits is seen as a way to slow down some of the commercial collection and some of the abuses we do see in Eastern Nevada, primarily White Pine and Lincoln County.

Senator Settelmeyer:

I appreciate that explanation on the record, Mr. Robb, especially the aspect that you're really aimed after, the illegal commercial activity rather than just individuals just kind of walking around and they run across one and they inadvertently pick something up without knowing the repercussions of that, so I appreciate that explanation. Thank you very much. Chair Yeager

Chair Yeager:

Thank you, Senator. Are there additional questions on R082-19 from Commission members? I don't see any additional questions from Commission members. At this time, I would look for a motion to approve the regulation.

SENATOR SETTELMEYER MOVED TO APPROVE REGULATION R082-19.

ASSEMBLYWOMAN DICKMAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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Chair Yeager:

Commission members, we're going to go just slightly out of order, because I think the middle regulation will probably have more discussion, so I want to go next to R158-20 (Agenda Item IV-B), which is the Public Utilities Commission of Nevada that deals with the portfolio standard, and I believe we had Senator Hardy with a question on this one.

Senator Joseph Hardy (Senatorial District No. 12):

One of the things that I've found is that when we have renewable energy that we produce in Nevada, we send it over to California. They're renewable energy very hungry. We send it over to California, and depending on what day it is and what clouds there are and how much geothermal we've sent over to California, and we come to a point where we find ourselves in need of meeting our portfolio standard according to the regulation, then we have to buy it back from California. So, in essence, we are sending to California renewable energy, we have to pay the California market for the renewable energy we sent to them at California prices, and that's the question I have is, number one, it's hard to keep track of which electron we sent over and which electron we got back, but if we found ourselves in a position where we were trying to meet our standard and paying more because we sent some over to California and got some back, I don't think that's a good way to do business. That's my concern.

Sam Crano (Utilities Hearing Officer, Public Utilities Commission of Nevada):

Thank you, Senator. We share your concern, Senator Hardy, and we do every year have a deferred energy accounting adjustment docket where we go through every transaction that's made, and if we find some that are artificially inflated we make adjustments going forward so the ratepayers don't have to pay for that. Generally, our larger utilities have contracts for enough renewable energy to meet the standards, and we're building more and have more contracts coming online soon, and so hopefully that will be less of a concern going forward. There's actually a number of facilities coming online I think next summer and the summer after right here in Nevada that are already contracted for with our utilities, so hopefully that situation won't be an issue going forward, sir.

Senator Hardy:

I like the word hopefully. Unfortunately, it may still be hopefully. I appreciate it. Thank you, Mr. Chair.

Chair Yeager:

You're welcome, Senator. Are there additional questions on this particular regulation? I'm not seeing additional hands or additional Commission members mentioning that they have questions, so at this time, I would be looking for a motion to approve R158-20.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE REGULATION R158-20.

SENATOR DENIS SECONDED THE MOTION.

Senator Hardy:

I'm opposed.

Chair Yeager:

We have Senator Hardy indicating that he is opposed. Other discussion on the motion? I'm seeing no additional discussion.

THE MOTION PASSED (SENATORS HAMMOND, HARDY AND SETTELMEYER AND ASSEMBLYWOMEN DICKMAN AND KRASNER VOTED NO).

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Assemblywoman Jill Dickman (Assembly District No. 31):

I had voted yes. I'd like to change my vote though.

Chair Yeager:

We'll put you down as a no. It looks like that motion does carry. That regulation is approved. That's going to take us to the final regulation that's been pulled on today's agenda, and that is R093-20 from the State Environmental Commission (Agenda Item IV-B). I know we do have representatives here on the Zoom to help answer questions, so let me ask, who would like to start with questions on this regulation? I see Senator Settelmeyer has his hand up, so we'll start there, and then after he's done we'll go to the next one.

Senator Settelmeyer:

Thank you, Mr. Chairman. As, I believe, the only individual on this Committee who actually has purchased an electric vehicle, I had some interesting perspectives or questions on this. I purchased it years ago for economic reasons, and I'm very concerned with section 4(1)(b) that basically just adopts another state's standards and regulations. I tend to believe it's a situation where in the State of Nevada—I don't object to the regulations. As a matter of fact, if we just took these all out individually, listed them out, I'd likely vote for them, but the concept of stating that we adopt another state's regulations, which we may approve of today, but then if they change tomorrow, well, then we are automatically adopted their standards without having the ability to discuss this matter as the State of Nevada. I'm just very concerned that we're giving up the state's sovereignty by doing this. I don't object to the regulations as they now exist, but referring to another state's is my concern. I'm not really sure anyone out there can answer that question as to why we didn't just list out the rules and regs that maybe another state had and adopted those rather than just giving up our sovereignty by referring to that other state.

Chair Yeager:

I appreciate the question, Senator, and let's see if—we have our representatives with us from the State Environmental Commission. If any of you would like to go ahead and please address that concern, if you're able to.

Greg Lovato (Administrator, Division of Environmental Protection, Department of Conservation and Natural Resources):

Good afternoon, Chair Yeager, Senator Settelmeyer. Senator Settelmeyer, we appreciate the question. I think I'll answer it in two ways. One, the proposed regulation in front of you adopts the California standards as they existed on a very specific date in a very specific form. If California were to amend those regulations in the future, the regulations would be brought before the State Environmental Commission and the Legislative Commission for reconsideration, so there would be no automatic adoption of any future changes to California regulations. This is typical of how we adopt regulations by reference. Most of the time it is federal regulations. That's the administrative procedure part that I think takes care of part of your concern. I think the more substantive answer is that, since the 1970s, the federal Clean Air Act really has allowed only two types of vehicle emission regulations, and those are the national and California, so that was in recognition of the existing air quality challenges and existing air programs in California and acknowledging that manufacturers—it wouldn't be fair to require them to manufacture a third or fourth vehicle and so on, so there's only two types of vehicles in the country since the 1970s. Sometimes they're the same. As Nevada looks to make additional improvements in our air quality, address the GHG (greenhouse gas emissions) emission reductions that are part of Senate Bill 254 passed in 2019, we just saw we had some choices to make. We had a thorough review and analysis of these regulations and went through an extensive stakeholder process, and that's why we're recommending their adoption.\

Senator Settelmeyer:

I appreciate that. If I could follow up, Mr. Chairman?

Chair Yeager:

Please go ahead.

Senator Settelmeyer:

I appreciate the discussion of the federal law. Having served on the Nevada State Conservation Commission, I'm very familiar with the concept of the Supremacy Clause and that we have to obey the rules set forth by the federal government, not by other states. That's the question of sovereignty. The other aspect you're referring to is section 20, which lists out the sections from section 1900, then it goes to section 1956, so then am I to assume that sections 1901 to 1955, we are just adopting them as they exist at any time they exist, because I don't see that within the bill. I see that it's only referring to certain sections as they existed on January 1, 2020. Anything else not mentioned means we accept it however it is at that particular time, or am I incorrect?

Mr. Lovato:

Thank you, Senator Settelmeyer. My understanding, and I think this could be verified with Legislative Counsel, is that each time Nevada considers these regulations, we make a decision at that time, and I think Nevada is exercising its state sovereignty by virtue of having these reviews both before the State Environmental Commission and before the Legislative Commission, and that any sections that are not included are not adopted by reference, only those that are explicitly stated are adopted by reference.

Asher Killian (Chief Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau):

Mr. Chair, if this would help, that understanding of the provisions is correct. Only the listed sections of the California Code of Regulations are being adopted by reference. Any sections not listed are not being adopted by reference and all of those sections that are listed are adopted in the form that they existed on January 1 of 2020.

Chair Yeager:

Thank you, Mr. Killian. Senator Settelmeyer, do you have additional questions?

Senator Settelmeyer:

No I do not, at this time. Thank you, Mr. Chairman.

Chair Yeager:

Thank you. Do we have additional questions from Commission members on this regulation?

Assemblywoman Dickman:

I just have a question. You said that there were only two standards, federal and California. Are California's different than federal at this time, because did not the previous administration revoke that separate standard for California?

Mr. Lovato:

Thank you, Assemblywoman Dickman. Yes, there are two vehicle emission standards in place and available, but in order for California's to be in effect, a waiver needs to be in place from the federal Environmental Protection Agency in order to make those effective. The past administration had revoked the waiver for California's standards, and the current administration starting in April has started a process to reinstate the waiver. The way that these regulations are written is they would only take effect if the waiver for the California emission standards is put back in place, and then these regulations would become effective when that waiver is put back in place.

Assemblywoman Dickman:

Thanks. That was my understanding, but I appreciate the confirmation.

Chair Yeager:

Thank you, Assemblywoman. Are there additional questions from Commission members?

Assemblyman Jason Frierson (Assembly District No. 8; Vice Chair):

Thank you, Mr. Chair. I just don't want anybody in the public leaving this meeting with misconceptions about sovereignty and whether or not Nevada is giving up any of our individual ability to promulgate regulations. Aside from I think the point that was made earlier that this points to a set date in time, not forever, or referring to another state, there's nothing—unless I'm wrong, we as a Leg Commission exist and have the ability to come back and convene any time we want. So, aside from simply just referring to the regulations as they exist elsewhere at a specific date and time, we could also come back and change our own if we so choose, so we're not giving up anything by virtue of simply referencing another state, we're just giving up the need to type out what in California is frequently a very convoluted statutory structure to adopt their similar regulations and concept, but there's nothing that prevents us as a Leg Commission from being able to come back to revisit these any time we want, unless I'm off-base here. I don't know if Legal can clarify,

but I just don't want anyone walking away based on the record thinking that we are somehow giving up our power and authority to promulgate regulations as we see fit throughout the entire interim.

Chair Yeager:

Does anyone from Legal want to address that or supplement?

Mr. Killian:

Mr. Chair, the Speaker is correct in that this regulation adopts by reference particular regulations from another state as they existed on a particular date. That does not in any way prevent the agency from repealing those regulations at a future date or changing them in some other way, nor does it bind the agency or the Legislative Commission to approve of any future changes to those regulations. Any future changes would have to be separately approved by the agency and the Legislative Commission, and the Commission would retain the discretion at that time to reject those changes if they wished.

Chair Yeager:

Thank you, Mr. Killian. I see Senator Hardy has his hand up, so we'll go there and then we'll go back to Senator Settelmeyer. Senator Hardy, please go ahead.

Senator Hardy:

Thank you, Mr. Chair. Let me clarify or try to get clarified for my own benefit. So, if California is under a waiver that is pending, does that mean that we pass this and then we are under a waiver as well? And then a simple other question that—whatever California does, sometimes we do not necessarily to our benefit, so would we be limiting ourselves in any way in the sale or purchase of diesel trucks, for instance? Two questions. Somebody smarter than me can probably help.

Chair Yeager:

It sounds a little bit like maybe a blended policy/legal question. I don't know if we'll start with Mr. Lovato, if you or your team want to address that, and then we can go to Legal afterwards.

Mr. Lovato:

Thank you, Chair Yeager and Senator Hardy. Currently, the waiver that needs to be in place in order for these regulations to be effective has been revoked by the past federal administration. The current administration is working on reinstating it. These regulations will take effect when that waiver is reinstated. Related to diesel trucks, I'm not sure your—medium- and heavy-duty trucks, there are some that are called light-duty trucks that run

on diesel that these would apply to in partial, the low-emission regulations, but the zero-emission regulations at this time do not apply to those vehicles and trucks that run on diesel generally. It just depends on the size of the vehicle, and we can go through if there's a particular vehicle you're interested in, but generally there is a separate set of regulations called clean trucks which apply to most diesel-powered, but there may be some diesel-powered vehicles that this would be a requirement for new vehicles purchased in model year 2025, starting with calendar year 2024, and I'll look at my colleagues here and see if they want to clarify or add to that. Okay.

Senator Hardy:

So it sounds like there are some questions as to probablys and waivers and what you can buy and what you can't buy that aren't real spelled out clearly in our regulation in order to be able to figure out how it's going to affect us, so I will not be supporting this measure. Thank you. Thank you, Mr. Chair.

Chair Yeager:

Thank you, Senator Hardy. I'm going to go next to Senator Settelmeyer, and then after that we'll go to Senator Hammond.

Senator Settelmeyer:

Thank you, Mr. Chairman. I appreciate the opportunity. I was just following up a little bit on what Senator Hardy indicated. Specifically back in June, California CARB (California Air Resources Board) unanimously voted to adopt the advanced clean trucks regulation that requires all truck manufacturers to transition from diesel to zero-emission trucks starting in 2024 to 2045. Every new truck sold in California would have to be zero-emissions in 2045. I was just curious if they knew what section that was, and is that one of the sections, because I'm not familiar with all these different sections that were listed out. That's why I would've preferred to have them listed so people could then read them instead of having to play reference to another state's statutes, which is a question of sovereignty to me. So, do you know what section that is that talks about the ban on diesel trucks, because that will drastically increase the cost of goods in the state when they do that.

Mr. Lovato:

Thank you, Senator Settelmeyer. This regulation does not propose to adopt those sections of California's regulations or California motor vehicle code. This is only relating to light-duty vehicles, not medium- and heavy-duty vehicles, including those advanced clean trucks. Those are not part of this proposed regulation.

Senator Settelmeyer:

I appreciate that clarification. Thank you. Thank you, Mr. Chairman.

Chair Yeager:

Thank you, Senator. We'll go next to Senator Hammond.

Senator Scott Hammond (Senatorial District No. 18):

Thank you. I'm going to make this quick, because as you can tell I'm in the carpool lane picking up kids, so the question I have, as I understand it, when we're talking about the question of whether or not we're following the California standards as they are written, and maybe even going forward, I understand that through this process, we actually—I understand that NDEP was looking and working with folks to try and make sure there was a compromise and that credits—when we're talking about that 2025 deadline, I understand that they decided to allow credit banking in 2022, 2023, 2024 to go towards that date of 2025, which to me just means that this is a little bit different than the California model, that we have a different regulation, if you will, moving forward. Am I correct in that? Then secondly, I wanted to thank NDEP for working with everybody on that, because I know there were a lot of stakeholders who really wanted to make sure that they got that in the regulation and they did that moving forward. The banking is going to be instrumental as we go forward.

Mr. Lovato:

Thank you, Senator Hammond. When we talk about the zero-emission vehicle regulation, it translates into a sales requirement, but the actual regulation refers to a percentage of credits, and those credits are made up of some math associated with the type of vehicle you're driving, its size and the distance it's able to travel without charging, so with the credit system that we put in place, it's not going to change the type of vehicles. That's the important thing to remember about adhering to the no third vehicle. There will be no separate vehicle emission standard, and so that's what we mean by only able to adopt the California or federal vehicle emission standards, so that's where we have to follow the California rules exactly. When we're talking about the credit system, it's states that came in later. These regulations have been in place in California for several years, and in other states for several years. Now that we're trying to achieve a 22 percent credit requirement for zero-emission vehicles in model year 2025, we're talking about how we put that credit system together. You're correct; Nevada did come up with a compromise together with all the stakeholders that is unique and, we think, serves our needs and the market in this state the best according to the manufacturers, dealers and everyone else involved with this regulatory process. We were able to achieve flexibility on that part of it in terms of how we implement that credit system in Nevada, and we think it's a good model for collaboration going forward on any future regulation.

Senator Hammond:

I appreciate that. So, while I may not love adopting another state's regulations, and I appreciate Senator Settelmeyer putting on the record that opinion about the sovereignty issue, I do appreciate the fact that NDEP worked with a lot of stakeholders to guarantee that, moving forward, this has a chance at success here in the State of Nevada, and that we listened to stakeholders and adopted some of their ideas, so I appreciate that. Thank you very much.

Chair Yeager:

Thank you, Senator Hammond. Do we have additional questions?

Senator Hardy:

So there was mentioned that we talked with the dealers. Did you talk with the dealers of vehicles that had gasoline-powered vehicles and they all sang Kumbaya to this regulation?

Mr. Lovato:

Thank you, Senator Hardy. We had talked with the auto dealers association, the Nevada Franchised Auto Dealers Association and their representatives, and I think that there is a recognition—Nevada has actually been adopting zero-emission vehicles at a rate ahead of other states even without these regulations, and so I think that there's a recognition that this is a market that is likely to increase in Nevada, and so I think folks are seeing it as part of a transformation of transportation in Nevada, and so we did receive unanimous support from the Franchised Auto Dealers Association as their representative in Nevada.

Senator Hardy:

Mr. Chair, the reason I ask that—I read all these written comments and heard all these spoken comments kind of without seeing some other dealerships represented. It was appropriately so green, clean energy people who will benefit from this, as we all will when our air is cleaner, and I appreciate the work that everyone has done and almost think that this is the kind of thing that needs to be fully vetted in the legislative session, which I'm not sure we actually had a real legislative session this last time, but that's an editorial comment. Thank you, Mr. Chair.

Chair Yeager:

Well, Senator Hardy, I was there, and I can assure you it was real. I have the wear and tear to prove it. Let's go next to Assemblywoman Jauregui and then we'll go to Assemblyman Roberts.

Assemblywoman Sandra Jauregui (Assembly District No. 41):

No, Chair, I was actually just going to make the motion, but I do see that my colleague Mr. Roberts has a question, so I will hold.

Chair Yeager:

Okay. Thank you, Assemblywoman. We'll put that on pause for just a second.

Assemblyman Roberts:

Thank you, Mr. Chair, and I think a lot of my questions were answered by colleagues, but I did have one regarding, have we ever historically adopted another state's regulations by reference? Is this something new that we're doing here on this?

Mr. Lovato:

Thank you, Assemblyman Roberts. To my knowledge, I don't have record of the State Environmental Commission doing that before. I think this is really a unique circumstance under which we're talking about a requirement being placed on vehicle manufacturers. This isn't a requirement being placed on Nevada businesses, Nevada consumers, it's really placed on vehicle manufacturers who provide vehicles for sale in Nevada, and so because of that and the nature of what we're trying to achieve, that's why it necessitated, as I explained before, the adoption. But I don't have record of the State Environmental Commission doing that. I don't know if other state agencies have done that before. I actually don't know the answer.

Assemblyman Roberts:

Just a quick follow up. As you talked about earlier, and to Senator Hammond's point, you still had stakeholders go over these proposed regs as they currently are, and it's the understanding that any additional changes made by the state that we're adopting, that those modifications would come back for some kind of review. It just wouldn't be automatic. Am I hearing that correct?

Mr. Lovato:

Thank you. That is correct.

Assemblyman Roberts:

Thank you. Thank you, Mr. Chair.

Mr. Killian:

Mr. Chair, if it helps, it's not common for us to adopt other states' regulations by reference, but there are some gasoline-burning standards in chapter 486A of NAC (Nevada Administrative Code) from both Arizona and California that the Environmental Commission has previously adopted by reference and that remain valid.

Chair Yeager:

Thank you for that clarification, Mr. Killian. Okay, let me just have one last call for additional questions before we go to Assemblywoman Jauregui for a motion. I don't see anyone else with a hand up. Assemblywoman, please go ahead.

ASSEMBLYWOMAN JAUREGUI MOVED TO APPROVE REGULATION R093-20.

SENATOR DENIS SECONDED THE MOTION.

Chair Yeager:

We have heard some questions and some discussion, but before we take the formal vote on the motion, is there any additional discussion from Legislative Commission members? I don't see any additional discussion. I have a feeling this one's going to be a split vote, so we will do this one carefully.

THE MOTION PASSED (SENATORS HARDY AND SETTELMEYER AND ASSEMBLYWOMEN DICKMAN AND KRASNER VOTED NO).

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Chair Yeager:

Thank you, Commission members, for as always a productive discussion. That takes us through agenda item IV. Give me just a second here. I think we're close to finishing up, members. We're going to go to agenda item V. Agenda item V is selection of the chair and vice chair for our joint interim standing committees for this interim. Each of the members of this Commission should have received a reference document this morning which provides a list of the members and alternates of the new joint interim standing committees that were appointed pursuant to Assembly Bill 443 of the 2021 Session (Agenda Item V). This information has also been posted to our website and emailed to

those who have signed up to receive notices relating to the business of the Legislative Commission. Pursuant to Assembly Bill 443, the task of this Commission is to designate a chair and vice chair for each of the nine joint interim standing committees, and to do that, I think we will go to Speaker Frierson, who would like to make a motion as it pertains to chairs and vice chairs. Speaker, please go ahead.

Vice Chair Frierson:

Thank you, Mr. Chair, and for the purpose of simplicity—there's obviously several—I would like to make a motion that the Legislative Commission designate the following chairs and vice chairs for the nine remaining joint interim standing committees pursuant to Assembly Bill 443 from this past legislative session, and that would be for the Joint Interim Standing Committee on Commerce and Labor to be chaired by Assemblywoman Sandra Jauregui and vice-chaired by Senator Pat Spearman; the Joint Interim Standing Committee on Education to be chaired by Senator Mo Denis, vice-chaired by Assemblywoman Shannon Bilbray-Axelrod; the Joint Interim Standing Committee on Government Affairs to be chaired by Senator Marilyn Dondero Loop and vice-chaired by Assemblyman Edgar Flores; the Joint Interim Standing Committee on Growth and Infrastructure to be chaired by Assemblywoman Daniele Monroe-Moreno, vice-chaired by Senator Dallas Harris; the Joint Interim Standing Committee on Health and Human Services to be chaired by Assemblywoman Sarah Peters, vice-chaired by Senator Fabian Donate; the Joint Interim Standing Committee on Judiciary to be chaired by Senator Melanie Scheible, vice-chaired by Assemblywoman Rochelle Nguyen; the Joint Interim Standing Committee on Legislative Operations and Elections to be chaired by Assemblywoman Brittney Miller, vice-chaired by Senator James Ohrenschall; the Joint Interim Standing Committee on Natural Resources to be chaired by Assemblyman Howard Watts and vice-chaired by Senator Fabian Donate; and the Joint Interim Standing Committee on Revenue to be chaired by Senator Dina Neal and vice-chaired by Assemblywoman Cohen.

> VICE CHAIR FRIERSON MOVED THAT THE LEGISLATIVE COMMISSION APPOINT THE CHAIRS AND VICE CHAIRS OF THE JOINT INTERIM STANDING COMMITTEES AS DETAILED.
>
> SENATOR HARRIS SECONDED THE MOTION.

Chair Yeager:

I think we have perhaps the longest motion in the history of the Legislative Commission. Thank you for doing that, Speaker Frierson. Before we take a vote on that, is there any discussion on the motion?

Senator Settelmeyer:

Thank you, Mr. Chairman. I'm a little concerned with the fact that I only got an email today about 11:30 of who these chairs and vice chairs and members were. I appreciate the fact the majority party has the ability to do that. I just think that, in order to keep with the spirit of the Open Meeting Law, we should have sent these out to the public a little bit sooner than that. Again, I looked for them last night online. I could not find them. I could not find any information, and I just feel it would be best if we waited on this until the next meeting so the general public has the ability to digest the information. I have no problem with these chairs or vice chairs, I just don't necessarily agree with the process at this point in time.

Vice Chair Frierson:

Mr. Chair, if I may, we frequently have concerns about notice, but I don't want the public again to believe that this was on the fly. While not all of the appointments and assignees were done prior to today, there was conversation, collaboration and exchanges between members and at least some members in leadership. So, this is not blind in that regard, but AB 443 requires that these committees be appointed and we work within the timeline that we have, but they take effect November 1, and so rather than delay the ability for the committees to be able to start their business—this is not a substantive action taking place, this is an appointment by leadership so that we can start getting the work done for our state for this interim. So, I want to be clear that there was collaboration and discussion that took place in developing this list, and quite frankly, there's a thought process. With AB 443, we took existing committees and put them into a permanent structure for simplicity, so this leadership structure reflects the chairs of all of the existing committees in the previous legislative session, so the only designation was whether the Senate chaired for the first time or the Assembly chaired for the first time, but the chairs of these committees reflect the leadership of those existing committees as the public has known them to be throughout the last session, but there was also discussion amongst many members of the Legislature, both Democrat and Republican, to confirm that we are continuing the folks that were experienced last session, so there is a logical flow to those decisions.

Chair Yeager:

Thank you, Speaker. Further discussion on the motion? I don't see additional discussion.

Senator Settelmeyer:

Nay. I'll be the only one. I'm good with that.

Assemblywoman Dickman:

I'm going to be a nay as well, just because of the process.

THE MOTION PASSED (SENATOR SETTELMEYER AND ASSEMBLYWOMAN DICKMAN VOTED NO).

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Chair Yeager:

Okay, so Senator Settelmeyer is a nay, and you were not the only one. Assemblywoman Dickman is a nay as well. The motion does carry. Thank you, Committee. That takes us to agenda item VI, appointment of members to committees and similar entities. This next agenda item is the appointment of members to fill the vacancies on the Nevada Silver Haired Legislative Forum pursuant to NRS 427A.330. That statute requires this Commission to appoint the persons nominated pursuant to that statute by each senator in consultation with the members of the assembly district who reside in the senator's district. Each of the members of this Commission should have received a copy of the memo from Ashlee Kalina, who is the coordinator of the Forum, which provides a chart of the nominations to be approved by this Commission today (Agenda Item VI). This information has also been posted to our website and emailed to those who have signed up to receive notices relating to the business of the Legislative Commission. So members, as I noted, you should have a document that indicates who the proposed appointees are for the Silver Haired forum, and at this time I would be looking to take a motion to make those appointments as detailed on the memo.

SENATOR HARDY MOVED TO APPROVE THE APPOINTMENTS OF ROSIE TYLER, WILLIAM MARCHANT, BETTY RUMFORD, JOANN BONGIORNO, AUSTIN WAND, FRAN ALMARAZ, PEGGY LEAVITT, JOHN PAUL GINTER, LISA LAUGHLIN, DORIS AHRENS, FRED SILBERKRAUS AND THELMA ROBERTSON TO THE NEVADA SILVER HAIRED LEGISLATIVE FORUM.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

Senator Denis:

Actually, this isn't on the motion. I was going to make it on the thing itself. I did have my person to appoint today, but unfortunately he passed away on Monday, Mr. Rick Kuhlmey, who has served as my appointee on the Silver Haired Forum for several years, and I just wanted to take that opportunity just to acknowledge the great work that he did there. Of course, I will have someone in the future to appoint there, but I just wanted—since we were talking about it today and that just happened, I wanted to thank him for the great work he did and just acknowledge the advocacy that he made not only for the Silver

Haired Forum but also on the blind issues in Nevada. He worked on those for many years. Thank you for your indulgence, Mr. Chair.

Chair Yeager:

Thank you, Senator Denis. I'm certainly sorry to hear about that, and to any surviving family members who may be listening, we certainly appreciate his service and commitment to the State of Nevada. Senator Denis, we will look forward to seeing who your appointee is, likely at the next Legislative Commission meeting.

THE MOTION PASSED UNANIMOUSLY.

*****

Chair Yeager:

Thank you, Commission members. That takes us to agenda item VII, which is our second period of public comment. If there's anyone wishing to provide public comment, please call the number that is indicated on the agenda. You will be informed by our staff of Broadcast and Production Services when you have been connected and it is your turn to speak. As always, you will have two minutes per person, but you may also submit any additional comments in writing to be included in the record. I'm now going to turn it over to our BPS staff to queue up those calling in to speak, and they will inform you when it is your turn to speak.

Broadcast and Production Services Staff:

Thank you, Chair. The public comment lobby is open. However, there are no callers wishing to offer public comment at this time.

Chair Yeager:

Thank you so much, BPS. Greatly appreciate that. Commission members, thank you for joining us on a Friday afternoon. I know we all have a lot going on. I certainly appreciate your hard work on this Committee and the fact that you all jumped on right around 1:30. I suspect, as you might imagine, we're going to have additional Legislative Commission meetings, and you'll see some of those things that we normally have on Legislative Commission agendas hitting there pretty soon. We'll reach out to members to talk about when the next meeting might be, but until then, if anyone has any questions or concerns, please feel free to reach out to me, and I just want to thank our staff one more time. As you all know, they do all the hard work and we just get to jump on the Zoom and ask questions and take votes, so thank you so much for all that you do. I hope all of you have a really great weekend, and we'll see you all soon. Until then, this meeting is adjourned at 2:59 p.m.

RESPECTFULLY SUBMITTED:

_____
Jordan Haas, Secretary

APPROVED BY:

_____
Assemblyman Steve Yeager, Chair

Date: _____

Agenda Item	Witness/Agency	Description
Agenda Item II A	Sarah Steinberg, Advanced Energy Economy	Public Comment
Agenda Item II B	Lindsey Dalley	Public Comment
Agenda Item II C	Mary House, CHR, Inc.	Public Comment
Agenda Item II D	Shelly Stolworthy	Public Comment
Agenda Item II E	Wendy Mulcock	Public Comment
Agenda Item II F	Nevada Conservation League	Public Comment
Agenda Item II G	Mandie Matheson	Public Comment
Agenda Item II H	Melissa Ramos, American Lung Association	Public Comment
Agenda Item II I	Marie Steele, NV Energy	Public Comment
Agenda Item II J	Syrissa Jolley	Public Comment
Agenda Item II K	Jodi Thornley	Public Comment
Agenda Item II L	Consumer Reports	Public Comment
Agenda Item III	Jordan Haas, Commission Secretary	Draft Minutes of the Meeting Held on July 28, 2021
Agenda Item IV-A	Bryan Fernley, Legislative Counsel	Early Review of Administrative Regulations
Agenda Item IV-B	Bryan Fernley, Legislative Counsel	Review of Administrative Regulations
Agenda Item V		Appointments to Joint Interim Standing Committees of the 2021-2022 Interim
Agenda Item VI		Appointments to the Nevada Silver Haired Legislative Forum

Agenda Item VII A	Susan Nedell, E2	Public Comment
Agenda Item VII B	Ruby Zamora, Chispa Nevada	Public Comment
Agenda Item VII C	Jennifer Helfrich, Ceres	Public Comment
Agenda Item VII D	Ann Silver, Reno+Sparks Chamber of Commerce	Public Comment
Agenda Item VII E	Jasmine Vazin, Sierra Club	Public Comment
Agenda Item VII F	Simon Mui, Natural Resources Defense Council	Public Comment
Agenda Item VII G	Francisco Vega, Washoe County Health District	Public Comment
Agenda Item VII H	Jana Wright	Public Comment
Agenda Item VII I	Araceli Pruett, Clark County Department of Environment and Sustainability	Public Comment
Agenda Item VII J	Paulette Stauffer Henriod , Mormon Women for Ethical Government	Public Comment
Agenda Item VII K	Southwest Energy Efficiency Project	Public Comment
Agenda Item VII L	Nevada Clean Cars	Public Comment
Agenda Item VII M	S. NV IBEW & NECA	Public Comment
Agenda Item VII N	Matt Rubin, Western Resource Advocates	Public Comment
Agenda Item VII O	Felina Banks, Faith Organizing Alliance	Public Comment
Agenda Item VII P	Peter Chipman, Plug In America	Public Comment