

# Journal

OF THE

## SENATE OF THE STATE

### OF NEVADA

---

THIRTY-FIFTH SPECIAL SESSION

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THE FIRST DAY

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CARSON CITY (Wednesday), June 7, 2023

Senate called to order at 12:16 p.m.

President Anthony presiding.

Prayer by Senator Melanie Scheible.

Today, we are grateful, grateful to open our eyes another day and for the trust placed in us by the people of the State of Nevada. We are grateful for dedicated staff who serve our State with integrity. May we endeavor to be thoughtful, deliberate and kind in our decision-making and now all recommit to govern with compassion and show respect to one another throughout this special session and always.

AMEN.

Pledge of Allegiance to the Flag.

#### MOTIONS, RESOLUTIONS AND NOTICES

Mr. President requested Mr. Brendan Bucy to serve as temporary Secretary of the Senate and Mr. Erich Kolbe to serve as temporary Sergeant at Arms.

Mr. President instructed the temporary Secretary to call the roll of the Senators.

Roll called.

All Senators present.

Senator Cannizzaro moved that the organization of the Senate of the Eighty-second Session of the Nevada Legislature be designated as the organization for the Thirty-fifth Special Session of the Nevada Legislature.

Motion carried unanimously.

Senator Cannizzaro moved that the Secretary of the Senate be instructed to insert the 35th Special Session organization in the Journal of the Senate.

Motion carried unanimously.

PRESIDENT PRO TEMPORE OF THE SENATE—

SENATOR PAT SPEARMAN

MAJORITY FLOOR LEADER—

SENATOR NICOLE J. CANNIZZARO  
ASSISTANT MAJORITY FLOOR LEADER—  
SENATOR ROBERTA LANGE  
MAJORITY WHIP—  
SENATOR DALLAS HARRIS  
CO-MAJORITY WHIPS—  
SENATOR MELANIE SCHEIBLE  
SENATOR FABIAN DOÑATE  
MINORITY FLOOR LEADER—  
SENATOR HEIDI SEEVERS GANSERT  
ASSISTANT MINORITY FLOOR LEADER—  
SENATOR CARRIE BUCK  
CO-MINORITY WHIPS—  
SENATOR LISA KRASNER  
SENATOR JEFF STONE  
SECRETARY OF THE SENATE—  
BRENDAN BUCY

Mr. President appointed Senators Hammond and Harris as a committee to inform the Assembly that the Senate is organized and ready for business.

Mr. President appointed Senators Doñate and Scheible as a committee to inform the Governor that the Senate is organized and ready for business.

Senator Cannizzaro moved that the following persons be accepted as accredited press representatives, and that they be allowed the use of appropriate media facilities: Paul Boger of KNPR; Michael Cooper and Terri Russel of KOLO-TV; Ben Marigott and Audrey Mayer of KRNV; April Corbin Girnus of the NEVADA CURRENT; Taylor Avery, Jessica Hill and Steve Sebelius of the LAS VEGAS REVIEW-JOURNAL; Sean Golonka, Tabitha Mueller and Jacob Solis of THE NEVADA INDEPENDENT.

Motion carried.

A committee from the Assembly composed of Assemblymen McArthur, Torres and Carter appeared before the bar of the Senate and announced that the Assembly is organized and ready for business.

Mr. President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 12:21 p.m.

#### SENATE IN SESSION

At 12:34 p.m.

President Anthony presiding.

Quorum present.

Senator Harris reported that her committee had informed the Assembly that the Senate is organized and ready for business.

Senator Doñate reported that his committee had informed the Governor that the Senate is organized and ready for business.

MESSAGES FROM THE GOVERNOR

The Secretary of the Senate notified the Senate that no communications from the Office of the Governor regarding the 35th Special Session were received by the Senate.

Senator Cannizzaro moved that the Secretary of the Senate dispense with the reading of the Governor's proclamation.

Motion carried.

Senator Cannizzaro moved that the Secretary of the Senate be instructed to insert the Governor's proclamation in the Journal of the Senate.

Motion carried.

OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER

A PROCLAMATION BY THE GOVERNOR

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that, "the Governor may, on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses, when organized, the business for which they have been specially convened"; and

WHEREAS, at a special session convened pursuant to Section 9 of Article V of the Constitution of the State of Nevada, "the Legislature shall not introduce, consider or pass any bills except those related to the business for which the Legislature has been specially convened and those necessary to provide for the expenses of the session"; and

WHEREAS, an extraordinary occasion now exists which requires immediate action by the Legislature;

NOW, THEREFORE, I, JOE LOMBARDO, GOVERNOR OF THE STATE OF NEVADA, pursuant to the authority vested in me by the Constitution and laws of the State of Nevada, do hereby convene the Nevada State Legislature into a special session which shall begin at 10:00 a.m. on Wednesday, June 7, 2023. The Legislature shall consider the following:

A financing and infrastructure project related to the construction of a Major League Baseball stadium consistent with the provisions of Senate Bill 509 (as introduced) of the 82nd regular session of the Nevada Legislature.

The Legislature may also consider an appropriation to pay for the cost of the special session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 6th day of June, in the year two thousand twenty-three.

JOE LOMBARDO

*Governor*

FRANCISCO V. AGUILAR

*Secretary of State*

GABRIEL DI CHIARA

*Deputy Secretary of State*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that, for the remainder of the 35th Special Session, the Secretary of the Senate read all bills and resolutions by number, sponsor and summary.

Motion carried unanimously.

Senator Cannizzaro moved that, for the remainder of the 35th Special Session, the reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

Senator Cannizzaro moved that, for the remainder of the 35th Special Session, the Secretary of the Senate dispense with reading the histories of all bills and resolutions.

Motion carried unanimously.

By Senators Cannizzaro and Seevers Gansert:

Senate Resolution No. 1—Adopting the Rules of the Senate for the 35th Special Session of the Nevada Legislature.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following Rules of the Senate for the 35th Special Session of the Legislature are hereby adopted:

*I. APPLICABILITY*

*Rule No. 1. Generally.*

*The Rules of the Senate for the 35th Special Session of the Legislature are applicable only during the 35th Special Session of the Legislature.*

*II. OFFICERS AND EMPLOYEES*

*DUTIES OF OFFICERS*

*Rule No. 2. President.*

*The President shall take the chair and call the Senate to order precisely at the hour appointed for meeting. The President shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the Senate Chamber, shall order the Sergeant at Arms to suppress it, and may order the arrest of any person creating any disturbance within the Senate Chamber. The President may speak to points of order in preference to members, rising from the President's seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the Senate by two members, on which appeal no member may speak more than once without leave of the Senate. The President shall sign all acts, addresses and joint resolutions, and all writs, warrants and subpoenas issued by order of the Senate; all of which must be attested by the Secretary. The President has general direction of the Senate Chamber.*

*Rule No. 3. President pro Tempore and Other Presiding Officers.*

*1. Except as otherwise provided in subsection 2:*

*(a) The President pro Tempore has all the power and shall discharge all the duties of the President during his or her absence or inability to discharge the duties of his or her office.*

*(b) If the President is unwilling to discharge the duties of his or her office, the Senate may, by majority vote of the Senate, call upon the President pro Tempore to serve as the President. Upon such call, the President pro Tempore has all the power and shall discharge all the duties of the President during his or her unwillingness to discharge the duties of his or her office.*

*(c) In the absence or inability of the President pro Tempore to discharge the duties of the President's office, the Senate shall elect one of its members as the presiding officer for that occasion. A member who is serving as the presiding officer has all the power and shall discharge all the duties of the President until the absence or inability which resulted in the member serving as the presiding officer has ended.*

*2. When the President pro Tempore or another member is serving as the presiding officer, the President pro Tempore or other member may vote on any question for which he or she is otherwise qualified to vote as a member. If the Senate is equally divided on the question, the President pro Tempore or other member may not give an additional deciding vote or casting vote pursuant to Senate Rule No. 14 of the 35th Special Session or Section 17 of Article 5 of the Nevada Constitution.*

*Rule No. 4. Secretary.*

*1. The Secretary of the Senate is elected by the Senate, and shall:*

*(a) Recruit, interview, select, train and supervise all staff employed to assist with the work of*

the Senate.

(b) See that these employees perform their respective duties.

(c) Administer the daily business of the Senate, including the provision of staff as needed.

(d) Adopt such administrative policies as the Secretary deems necessary to carry out the business of the Senate.

(e) Unless otherwise ordered by the Senate, transmit as soon as practicable those bills and resolutions upon which the next action is to be taken by the Assembly.

2. The Secretary is responsible to the Majority Leader.

3. The President and the Secretary are authorized to make any necessary corrections and additions to the final Journal, Daily History and committee minutes of the Senate.

4. In the absence of the Secretary and subject to the direction of the Majority Leader, the Assistant Secretary shall attest all writs, warrants and subpoenas issued by order of the Senate and certify as to the passage of Senate bills and resolutions; and in the absence of both officers, the Majority Leader shall designate a signatory.

Rule No. 5. Sergeant at Arms.

The Sergeant at Arms shall:

1. Attend the Senate during its sittings, and execute its commands and all process issued by its authority.

2. Keep the secrets of the Senate.

3. Superintend the upkeep of the Senate's Chamber, private lounge and meeting rooms for committees.

Rule No. 6. Deputy Sergeant at Arms and Assistant Sergeants at Arms.

The Deputy Sergeant at Arms and Assistant Sergeants at Arms shall serve as doorkeepers and shall preserve order in the Senate Chamber and shall assist the Sergeant at Arms. The Deputy Sergeant at Arms and Assistant Sergeants at Arms shall keep the secrets of the Senate. In the event that the Sergeant at Arms is incapacitated or absent for any reason, the Deputy Sergeant at Arms shall serve as the Sergeant at Arms until the incapacity or absence has ended.

### III. SESSIONS AND MEETINGS

Rule No. 7. Call of Senate—Moved by Three Members.

1. A Call of the Senate may be moved by three Senators, and if carried by a majority of all present, the Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called over. The doors shall then be closed and the Sergeant at Arms directed to take into custody all who may be absent without leave, and all Senators so taken into custody shall be presented at the bar of the Senate for such action as the Senate may deem proper.

2. In the event an emergency occurs during a special session of the Legislature which requires a meeting of the Senate, the Majority Leader shall call the members back to order before the hour to which the Senate has adjourned.

Rule No. 8. Absence—Leave Required.

No Senator shall absent himself or herself from the service of the Senate without leave, except in case of accident or sickness, and if any Senator or officer shall so absent himself or herself, his or her per diem shall not be allowed.

Rule No. 9. Open Meetings.

1. Except as otherwise provided in the Constitution of the State of Nevada and in subsection 2, all meetings of the Senate and the Committee of the Whole, a standing committee or a select committee must be open to the public.

2. A meeting may be closed to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

### IV. DECORUM AND DEBATE

Rule No. 10. Points of Order.

1. If any Senator, in speaking or otherwise, transgresses the Rules of the Senate, the President shall, or any Senator may, call him or her to order. If a Senator is so called to order, he or she shall not proceed without leave of the Senate. If such leave is granted, it must be upon the motion, "That he or she be allowed to proceed in order," and the Senator shall confine himself or herself to the proposal under consideration and avoid personality.

2. Every ruling on points of order made by the President is subject to appeal, and a

*discussion of a question of order may be allowed only upon the appeal of two Senators. In all cases of appeal, the question must be, "Shall the ruling of the Chair stand as the judgment of the Senate?"*

*Rule No. 11. Breaches of Decorum.*

*1. In cases of breaches of decorum or propriety, any Senator, officer or other person is liable to such censure or punishment as the Senate may deem proper.*

*2. If any Senator is called to order for offensive or indecorous language or conduct, the person calling the Senator to order shall report the offensive or indecorous language or conduct to the presiding officer. No member may be held to answer for any language used on the floor of the Senate if business has intervened before exception to the language was taken.*

*3. Indecorous conduct or boisterous or unbecoming language is not permitted in the Senate Chamber.*

*Rule No. 11.5. Legislative Ethics.*

*1. Each Legislator is subject, at all times, to the Legislative Code of Ethical Standards in the Joint Standing Rules and, in addition, must determine whether he or she has a conflict of interest upon any matter in question before the Legislator. In determining whether the Legislator has such a conflict of interest, the Legislator should consider whether the independence of judgment of a reasonable person in his or her situation upon the matter in question would be materially affected by the Legislator's:*

- (a) Acceptance of a gift or loan;*
- (b) Private economic interest; or*
- (c) Commitment to a member of his or her household or his or her immediate family.*

*↳ In interpreting and applying the provisions of this subsection, it must be presumed that the independence of judgment of a reasonable person in the Legislator's situation would not be materially affected by the Legislator's private economic interest or the Legislator's commitment to a member of his or her household or immediate family where the resulting benefit or detriment accruing to the Legislator, or if the Legislator has a commitment to a member of his or her household or immediate family, accruing to those other persons, is not greater than that accruing to any other member of the general business, profession, occupation or group that is affected by the matter.*

*2. Except as otherwise provided in subsection 3, if a Legislator knows he or she has a conflict of interest pursuant to subsection 1, the Legislator shall make a general disclosure of the conflict of interest on the record in a meeting of a committee or on the floor of the Senate, as applicable. Such a disclosure must be entered:*

*(a) If the Legislator makes the disclosure in a meeting of a committee, in the minutes for that meeting.*

*(b) If the Legislator makes the disclosure on the floor of the Senate, in the Journal.*

*3. If, on one or more prior occasions during the current session of the Legislature, a Legislator has made a general disclosure of a conflict of interest on the record in a meeting of a committee or on the floor of the Senate, the Legislator is not required to make that general disclosure at length again regarding the same conflict of interest if, when the matter in question arises on subsequent occasions, the Legislator makes a reference on the record to the previous disclosure.*

*4. In determining whether to abstain from voting upon, advocating or opposing a matter concerning which a Legislator has a conflict of interest pursuant to subsection 1, the Legislator should consider whether:*

- (a) The conflict impedes his or her independence of judgment; and*
- (b) His or her interest is greater than the interests of an entire class of persons similarly situated.*

*5. The provisions of this Rule do not under any circumstances and regardless of any conflict of interest:*

- (a) Prohibit a Legislator from requesting or introducing a legislative measure; or*
- (b) Require a Legislator to take any particular action before or while requesting or introducing a legislative measure.*

*6. If a Legislator who is a member of a committee declares on the record when a vote is to be taken by the committee that he or she will abstain from voting because of the requirements of*

this Rule, the necessary quorum to act upon and the number of votes necessary to act upon the matter is reduced as though the Legislator abstaining were not a member of the committee.

7. The standards and procedures set forth in this Rule which govern whether and to what extent a Senator has a conflict of interest, should disclose a conflict of interest or should abstain from voting upon, advocating or opposing a matter concerning which the Senator has a conflict of interest pursuant to subsection 1:

(a) Are exclusive and are the only standards and procedures that apply to Senators with regard to such matters; and

(b) Supersede and preempt all other standards and procedures with regard to such matters, except that this subsection does not exempt any Senators from the Legislative Code of Ethical Standards in the Joint Standing Rules.

8. For purposes of this Rule, "immediate family" means a person who is related to the Legislator by blood, adoption or marriage within the first degree of consanguinity or affinity.

#### V. QUORUM, VOTING, ELECTIONS

Rule No. 12. Action Required to Be Taken in Senate Chamber.

Any action taken by the Senate must be taken in the Senate Chamber.

Rule No. 13. Recorded Vote—Three Required to Call For.

1. A recorded vote must be taken upon final passage of a bill or joint resolution, and in any other case when called for by three members. Every Senator within the bar of the Senate shall vote "yea" or "nay" or record himself or herself as "not voting," unless excused by unanimous vote of the Senate.

2. The votes and names of those absent or recorded as "not voting" and the names of Senators demanding the recorded vote must be entered in the Journal.

Rule No. 14. President to Decide—Tie Vote.

A question is lost by a tie vote, but when the Senate is equally divided on any question except the passage of a bill or joint resolution, the President may give the deciding vote.

Rule No. 15. Manner of Election—Voting.

1. In all cases of election by the Senate, the vote must be taken viva voce. In other cases, if a vote is to be recorded, it may be taken by oral roll-call or by electronic recording.

2. When a recorded vote is taken, no Senator may:

(a) Vote except when at his or her seat;

(b) Explain his or her vote or discuss the question while the voting is in progress; or

(c) Change his or her vote after the result is announced.

3. The announcement of the result of any vote must not be postponed.

#### VI. LEGISLATIVE BODIES

Rule No. 16. Committee of the Whole.

1. All bills and resolutions may be referred only to the Committee of the Whole or to such standing committee or select committee as may be appointed pursuant to Senate Rule No. 16.5 of the 35th Special Session of the Legislature.

2. The Majority Leader shall preside as Chair of the Committee of the Whole or name a Chair to preside.

3. Any meeting of the Committee of the Whole may be conducted outside the Senate Chamber, as designated by the Chair of the Committee.

4. A member of the Committee of the Whole may speak on an item listed on the Committee's agenda, for a period of not more than 10 minutes, unless he or she is granted leave of the Chair to speak for a longer period. If a member is granted leave to speak for a longer period, the Chair may limit the length of additional time that the member may speak.

5. The Chair may require any vote of the Committee of the Whole to be recorded in the manner designated by the Chair.

6. All amendments proposed by the Committee of the Whole:

(a) Must first be approved by the Committee.

(b) Must be reported by the Chair to the Senate.

7. The minutes of the Committee's meetings must be entered in the final Journal.

Rule No. 16.5. Standing Committees and Select Committees.

In addition to the Committee of the Whole, such standing committees and select committees may be appointed by the Majority Leader as may be deemed necessary.

*Rule No. 17. Rules Applicable to Standing Committees, Select Committees and Committee of the Whole.*

*The Rules of the Senate shall apply to proceedings in the Committee of the Whole and such standing committees and select committees as may be appointed, except that the previous question shall not be ordered nor the yeas and nays demanded, but the Chair may limit the number of times that any member may speak, at any stage of proceedings, during its sitting. Messages may be received by the President while the Committee is sitting; in which case the President shall resume the chair and receive the message. After receiving the message, the President shall vacate the chair in favor of the Chair of the Committee. The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern such committees in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Senate.*

*Rule No. 18. Motion to Rise Committee of the Whole.*

*A motion that the Committee of the Whole rise shall always be in order, and shall be decided without debate.*

## VII. RULES GOVERNING MOTIONS

### A. MOTIONS GENERALLY

*Rule No. 19. Entertaining.*

- 1. No motion may be debated until it is announced by the President.*
- 2. By consent of the Senate, a motion may be withdrawn before amendment or decision.*

*Rule No. 20. Precedence of Motions.*

*When a proposal is under debate, no motion shall be received but the following, which shall have precedence in the order named:*

- 1. To adjourn.*
- 2. For a call of the Senate.*
- 3. To recess.*
- 4. To lay on the table.*
- 5. For the previous question.*
- 6. To postpone to a day certain.*
- 7. To refer to committee.*
- 8. To amend.*
- 9. To postpone indefinitely.*

*➤ The first three motions shall be decided without debate and a motion to lay on the table without question or debate.*

*Rule No. 21. When Not Entertained.*

- 1. When a motion to postpone indefinitely has been decided, it must not be again entertained on the same day.*
- 2. When a proposal has been postponed indefinitely, it must not again be introduced during the Special Session unless this Rule is suspended by a majority vote of the Senate.*
- 3. There must be no reconsideration or rescission of a vote on a motion to postpone indefinitely.*

### B. PARTICULAR MOTIONS

*Rule No. 22. To Adjourn.*

*A motion to adjourn shall always be in order unless a motion to rescind a final vote on a bill or resolution is pending. The name of the Senator moving to adjourn, and the time when the motion was decided, shall be entered in the Journal.*

*Rule No. 23. Lay on the Table.*

*A motion to lay on or take from the table shall be carried by a majority vote.*

*Rule No. 24. To Strike Enacting Clause.*

*A motion to strike out the enacting clause of a bill has precedence over a motion to refer to committee or to amend. If a motion to strike out the enacting clause of a bill is carried, the bill is rejected.*

*Rule No. 25. Division of Proposal.*

- 1. Any Senator may call for a division of a proposal.*
- 2. A proposal must be divided if the Senate determines it embraces subjects so distinct that if one subject is taken away, a substantive proposition remains for the decision of the Senate.*



3. *A motion to strike out and insert must not be divided.*

*Rule No. 26. Explanation of Motion.*

*Whenever a Senator moves to change the usual disposition of a bill or resolution, he or she shall describe the subject of the bill or resolution and state the reasons for requesting the change in the processing of the bill or resolution.*

#### VIII. DEBATE

*Rule No. 27. Speaking on Proposal.*

1. *Every Senator who speaks shall, in his or her place, seated or standing, as determined by the Senate, address "Mr. or Madam President," in a courteous manner, and shall confine himself or herself to the proposal before the Senate.*

2. *Except as otherwise provided in Senate Rules Nos. 10 and 45 of the 35th Special Session, a Senator may speak only once on a proposal before the Senate, for a period of not more than 10 minutes, unless he or she is granted leave of the President to speak for a longer period or more than once. If a Senator is granted leave to speak for a longer period or more than once, the President may limit the length of additional time that the member may speak.*

3. *Incidental and subsidiary proposals arising during debate shall not be considered the same proposal.*

*Rule No. 28. Previous Question.*

*The previous question shall not be put unless demanded by three Senators, and it shall be in this form: "Shall the main question be put?" When sustained by a majority of Senators present, it shall put an end to all debate and bring the Senate to a vote on the proposal or proposals before it, and all incidental proposals arising after the motion was made shall be decided without debate. A person who is speaking on a proposal shall not while he or she has the floor move to put that question.*

#### IX. CONDUCT OF BUSINESS

##### A. GENERALLY

*Rule No. 29. Mason's Manual.*

*The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the rules and orders of the Senate for the 35th Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 35th Special Session of the Legislature.*

*Rule No. 30. Suspension, Rescission or Change of Rule.*

*No rule or order of the Senate for the 35th Special Session of the Legislature shall be suspended, rescinded or changed without a majority vote of the Senate.*

*Rule No. 31. Protest.*

*Any Senator, or Senators, may protest against the action of the Senate upon any question, and have such protest entered in the Journal.*

*Rule No. 32. Privilege of the Floor.*

1. *To preserve decorum and facilitate the business of the Senate, only the following persons may be present on the floor of the Senate during formal sessions:*

- (a) State officers;*
- (b) Officers and members of the Senate;*
- (c) Employees of the Legislative Counsel Bureau;*
- (d) Staff of the Senate; and*
- (e) Members of the Assembly whose presence is required for the transaction of business.*

2. *A majority of Senators may authorize the President to have the Senate Chamber cleared of all persons except Senators and officers of the Senate.*

3. *The Senate Chamber may not be used for any business other than legislative business during a legislative session.*

*Rule No. 33. Material Placed on Legislators' Desks.*

1. *Only the Sergeant at Arms and officers and employees of the Senate may place papers, letters, notes, pamphlets and other written material upon a Senator's desk. Such material must contain the name of the Legislator requesting the placement of the material on the desk or a designation of the origin of the material.*

2. *This Rule does not apply to books containing the legislative bills and resolutions, the*

daily histories and daily journals of the Senate or Assembly, or Legislative Counsel Bureau material.

Rule No. 34. *Petitions.*

The contents of any petition shall be briefly stated by the President or any Senator presenting it. It shall then lie on the table or be referred, as the President or Senate may direct.

Rule No. 35. *Objection to Reading of Paper.*

Where the reading of any paper is called for, and is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

Rule No. 36. *Questions Relating to Priority of Business.*

All questions relating to the priority of business shall be decided without debate.

#### B. BILLS AND RESOLUTIONS

Rule No. 37. *Requests for the Drafting of Bills, Resolutions and Amendments.*

Except as otherwise provided in this Rule, the Legislative Counsel shall not honor a request for the drafting of a bill, resolution or amendment to be introduced in the Senate unless it is submitted by the Committee of the Whole, a standing committee, a select committee or a Conference Committee. The Majority Leader may:

1. Request the drafting of five legislative measures for the 35th Special Session of the Legislature; and

2. Request the drafting of an amendment,

without seeking the approval of the Committee of the Whole or any other committee that may be appointed for the 35th Special Session.

Rule No. 38. *Skeleton Bill Prohibited.*

Skeleton bills may not be introduced.

Rule No. 39. *Reading of Bills.*

1. Every bill must receive three readings before its passage, unless, in case of emergency, this Rule is suspended by a two-thirds vote of the Senate. The reading of a bill is by number, sponsor and summary.

2. The first reading of a bill is for information, and if there is opposition to the bill, the question must be, "Shall this bill be rejected?" If there is no opposition to the bill, or if the question to reject is defeated, the bill must then take the usual course.

3. No bill may be referred to committee until once read, nor amended until twice read.

4. The third reading of every bill must be by sections.

Rule No. 40. *Second Reading File—Consent Calendar.*

1. All bills reported by the Committee of the Whole, a standing committee or a select committee must be placed on a Second Reading File unless recommended for placement on the Consent Calendar.

2. The Committee of the Whole, a standing committee or a select committee shall not recommend a bill for placement on the Consent Calendar if:

(a) An amendment of the bill is recommended;

(b) It contains an appropriation;

(c) It requires a two-thirds vote of the Senate; or

(d) It is controversial in nature.

3. A bill must be removed from the Consent Calendar at the request of any Senator, without question or debate. A bill so removed must be immediately placed on the Second Reading File for consideration in the usual order of business.

4. When the Consent Calendar is called:

(a) The bills remaining on the Consent Calendar must be read by number and summary, and the vote must be taken on their final passage as a group.

(b) No remarks or questions are in order and the bills remaining on the Consent Calendar must be voted upon without debate.

Rule No. 41. *Reading of Bills—General File.*

1. Upon reading of bills on the Second Reading File, Senate and Assembly bills reported without amendments must be placed on the General File.

2. Only amendments proposed by the Majority Leader, Committee of the Whole, a standing committee, a select committee or a conference committee may be considered.

3. Amendments proposed by the Committee of the Whole, a standing committee or a select

committee and reported with bills, or proposed by the Majority Leader, may be adopted by a majority vote of the members present. Bills so amended must be reprinted, engrossed or reengrossed, and placed on the General File. The File must be made available to members of the public each day by the Secretary.

Rule No. 42. Reconsideration of Vote on Bill.

No motion to reconsider a vote is in order.

Rule No. 42.5. Vetoed Bills.

Bills which have passed the Legislature, and forwarded by letter, to the Senate by the Governor and which are accompanied by a message of the Governor's disapproval, or veto of the same, shall become a special order and, at which time, the said message shall be read, together with the bill or bills so disposed or vetoed; and the message and the bill shall be read without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by rule, custom and law; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same having first been read; the merits of the bill itself may be debated and the only motion entertained after the Chair has stated the question are a motion for "The previous question," or a motion for "No further consideration" of the vetoed bill.

### C. RESOLUTIONS

Rule No. 43. Joint Resolutions.

1. Joint resolutions must be used to address Congress, or either House thereof, or the President of the United States, or the heads of any of the national departments, or to propose amendments to the State Constitution. A roll call vote must be taken upon final passage of a joint resolution and entered into the Journal.

2. Upon introduction, the reading of a joint resolution is for informational purposes and referral to committee, unless the joint resolution is rejected or a member moves to immediately consider the joint resolution for final passage. The motion to immediately consider the joint resolution for final passage may be adopted by a majority vote of the Senate.

3. Committee amendments reported with joint resolutions may be adopted by a majority vote of the members present. Joint resolutions so amended must be reprinted, engrossed or reengrossed, and ordered to the Resolution File.

4. Any member may move to amend a joint resolution and the motion to amend may be adopted by a majority vote of the members present. Joint resolutions so amended must be treated the same as joint resolutions with committee amendments. Any joint resolution so amended must be reprinted and engrossed or reengrossed, and ordered to the Resolution File.

5. Committee amendments and all other amendments must be available to members of the public after the amendments are submitted to the Secretary for processing in order to be considered for the Resolution File.

6. The Secretary shall make the Resolution File available to members of the public each day.

7. A joint resolution proposing an amendment to the State Constitution must be entered in the Journal in its entirety.

8. An appropriate number of copies of all amended joint resolutions must be printed.

Rule No. 43.3. Memorial Resolutions.

Once the sponsor has moved for the adoption of a memorial resolution, not more than one member from each caucus, and, upon request of a member of the body and the approval of the Majority Leader, one additional member may speak on the resolution.

Rule No. 44. Certain Resolutions Treated as Motions.

Resolutions, other than those referred to in Senate Rules Nos. 43 and 43.3 of the 35th Special Session of the Legislature, must be treated as motions in all proceedings of the Senate.

Rule No. 44.5. Return From the Secretary of State.

A Senate resolution may be used to request the return from the Secretary of State of an enrolled Senate resolution for further consideration.

Rule No. 45. Order of Business, Special Orders and Other Matters.

1. *Roll Call.*
2. *Prayer and Pledge of Allegiance to the Flag.*
3. *Reading and Approval of the Journal.*
4. *Reports of Committees.*
5. *Messages from the Governor.*
6. *Messages from the Assembly.*
7. *Communications.*
8. *[Reserved.]*
9. *Motions, Resolutions and Notices.*
10. *Introduction, First Reading and Reference.*
11. *Consent Calendar.*
12. *Second Reading and Amendment.*
13. *General File and Third Reading.*
14. *Unfinished Business.*
15. *Special Orders of the Day.*
16. *Remarks from the Floor; Introduction of Guests. A Senator may speak under this order of business for a period of not more than 5 minutes each day.*

Rule No. 46. *Privilege.*

*Any Senator may explain a matter personal to himself or herself by leave of the President, but the Senator shall not discuss any pending proposal in such explanation.*

Rule No. 47. *Preference to Speak.*

*When two or more Senators request to speak at the same time, the President shall name the one who may first speak—giving preference, when practicable, to the mover or introducer of the subject under consideration.*

Rule No. 48. *Special Order.*

*The President shall call the Senate to order on the arrival of the time fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall be considered, unless it be postponed by a majority vote of the Senate, and any business before the Senate at the time of the announcement of the special order shall go to Unfinished Business.*

*The next rule is 50.*

#### *D. Remote-Technology Systems*

Rule No. 50. *Short Title; Precedence of Rules; Applicability of Rules During the Interim Between Sessions.*

1. *Rules Nos. 50 to 54, inclusive, may be cited as the Remote-Technology Rules.*
2. *The Remote-Technology Rules supersede, take precedence and control over any other rule, provision or principle of law to the extent of any conflict with the Remote-Technology Rules.*
3. *The Remote-Technology Rules remain in full force and effect throughout the interim between regular sessions of the Legislature and until new Standing Rules are adopted as part of the organization of a newly-constituted Senate at the commencement of a session.*

Rule No. 51. *Public Purposes and Construction of Rules.*

1. *The Remote-Technology Rules are intended to serve the following public purposes:*
  - (a) *To protect the health, safety and welfare of Legislators, members of legislative staff and others who participate in the legislative process amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic, the Remote-Technology Rules are intended to authorize necessary protective and safety measures intended to keep the legislative process as safe and free as reasonably possible from the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic.*
  - (b) *To enable the members of the Senate to represent their constituents and carry out their official powers, functions, duties and responsibilities in the legislative process amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic, the Remote-Technology Rules are intended to authorize members of the Senate, under certain circumstances, to use remote-technology systems to attend, participate, vote and take any other action in legislative proceedings when determined to be necessary as a protective or safety measure to keep the legislative process as safe and free as reasonably possible from the extraordinary danger, risk,*

*harm, injury and peril posed by the COVID-19 pandemic.*

*(c) To safeguard the workings of the Legislative Department of Nevada's State Government and preserve and protect the continuity and efficacy of its legislative operations amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic, the Remote-Technology Rules are intended to ensure that the Senate may efficiently and effectively carry out its official powers, functions, duties and responsibilities which are expressly and exclusively assigned to the Senate by the Nevada Constitution and which cannot be exercised or performed by any other body or branch of Nevada's State Government.*

*2. Because of the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic, the Remote-Technology Rules must be liberally construed to achieve their intended public purposes, and if there is any uncertainty or doubt regarding the interpretation or application of the Remote-Technology Rules, that uncertainty or doubt must be resolved in favor of carrying out the intended public purposes of the Remote-Technology Rules.*

*Rule No. 52. Definitions.*

*As used in the Remote-Technology Rules, unless the context otherwise requires, "remote-technology system" means any system or other means of communication that is:*

*1. Approved by the Majority Leader and uses any electronic, digital or other similar technology to enable a member of the Senate from a remote location to attend, participate, vote and take any other action in any proceedings of the Senate or the Committee of the Whole even though the member is not physically present within the Senate Chambers or at a meeting of the Committee of the Whole.*

*2. Approved by the chair of a committee, other than the Committee of the Whole, and uses any electronic, digital or other similar technology to enable a member of the Senate from a remote location to attend, participate, vote and take any other action in any proceedings of the committee even though the member is not physically present at a meeting of the committee.*

*Rule No. 53. Authorized Use of Remote-Technology Systems to Carry Out Public Purposes.*

*1. Upon request by a member of the Senate:*

*(a) The Majority Leader may authorize the member to use a remote-technology system to attend, participate, vote and take any other action in any proceedings of the Senate or the Committee of the Whole if the Majority Leader determines that such use by the member is necessary as a protective or safety measure to carry out the public purposes of the Remote-Technology Rules. If the Majority Leader grants such authorization, it must be entered in the Journal of the Senate.*

*(b) The chair of a committee, other than the Committee of the Whole, may authorize the member to use a remote-technology system to attend, participate, vote and take any other action in any proceedings of the committee if the chair determines that such use by the member is necessary as a protective or safety measure to carry out the public purposes of the Remote-Technology Rules. If the chair grants such authorization, it must be entered in the records of the committee.*

*2. If a member of the Senate uses a remote-technology system to attend, participate, vote and take any other action in any proceedings pursuant to the Remote-Technology Rules, the member shall be deemed to be present and in attendance at the proceedings for all purposes.*

*3. For the purposes of voting in proceedings of:*

*(a) The Senate or the Committee of the Whole, the Secretary of the Senate, or an authorized assistant, shall call the roll of each member who is authorized to use a remote-technology system for the proceedings and, in accordance with the procedures of the Senate, cause the member's vote to be entered into the record for the purposes of the Journal of the Senate or the records of the Committee of the Whole, as applicable.*

*(b) A committee, other than the Committee of the Whole, the committee secretary shall call the roll of each member who is authorized to use a remote-technology system for the proceedings and, in accordance with the procedures of the committee, cause the member's vote to be entered into the record for the purposes of the records of the committee.*

*Rule No. 54. Authority to Adopt Rules.*

*1. The Senate hereby finds and declares that:*

*(a) The Nevada Constitution invests each House of the Legislature with certain plenary and exclusive constitutional powers which may be exercised only by that House and which cannot be*

usurped, infringed or impaired by the other House or by any other branch of Nevada's State Government. (Heller v. Legislature, 120 Nev. 456 (2004); Commission on Ethics v. Hardy, 125 Nev. 285 (2009); Mason's Manual of Legislative Procedure §§ 2-3 & 560-564 (2010) (Mason's Manual))

(b) Section 6 of Article 4 of the Nevada Constitution invests each House with plenary and exclusive constitutional powers to determine the rules of its proceedings and to govern, control and regulate its membership and its internal organization, affairs and management, expressly providing that: "Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member."

(c) In addition to its plenary and exclusive constitutional powers, each House possesses certain inherent powers of institutional self-protection and self-preservation to govern, control and regulate its membership and its internal organization, affairs and management. (In re Chapman, 166 U.S. 661, 668 (1897); Mason's Manual § 2; Luther S. Cushing, Elements of the Law & Practice of Legislative Assemblies § 533 (1856) (Cushing's Legislative Assemblies))

(d) The inherent powers of each House are considered "so essential to the authority of a legislative assembly, that it cannot well exist without them; and they are consequently entitled to be regarded as belonging to every such assembly as a necessary incident." (Cushing's Legislative Assemblies § 533)

(e) The inherent powers of each House authorize it to take all necessary and proper institutional actions that are "recognized by the common parliamentary law." (Cushing's Legislative Assemblies § 684)

(f) Thus, it is well established that each House is "vested with all the powers and privileges which are necessary and incidental to a free and unobstructed exercise of its appropriate functions. These powers and privileges are derived not from the Constitution; on the contrary, they arise from the very creation of a legislative body, and are founded upon the principle of self-preservation." (Ex parte McCarthy, 29 Cal. 395, 403 (1866))

(g) Under the Nevada Constitution, there are no constitutional provisions establishing a particular method for determining whether a member of either House is present at legislative proceedings.

(h) The United States Supreme Court has held that when there are no constitutional provisions establishing a particular method for determining whether a member of a legislative house is present at legislative proceedings, "it is therefore within the competency of the house to prescribe any method which shall be reasonably certain to ascertain the fact." (United States v. Ballin, 144 U.S. 1, 6 (1892))

(i) The United States Supreme Court has also held that when a legislative house adopts a rule establishing a reasonable method for determining whether a member is present at legislative proceedings, that rule must be given great deference by the courts because:

Neither do the advantages or disadvantages, the wisdom or folly, of such a rule present any matters for judicial consideration. With the courts the question is only one of power. The constitution empowers each house to determine its rules of proceedings. It may not by its rules ignore constitutional restraints or violate fundamental rights, and there should be a reasonable relation between the mode or method of proceeding established by the rule and the result which is sought to be attained. But within these limitations all matters of method are open to the determination of the house, and it is no impeachment of the rule to say that some other way would be better, more accurate, or even more just. It is no objection to the validity of a rule that a different one has been prescribed and in force for a length of time. The power to make rules is not one which once exercised is exhausted. It is a continuous power, always subject to be exercised by the house, and, within the limitations suggested, absolute and beyond the challenge of any other body or tribunal.

(United States v. Ballin, 144 U.S. 1, 5 (1892))

2. The Senate hereby exercises its constitutional and inherent powers and privileges and adopts the Remote-Technology Rules to:

(a) Govern, control and regulate its membership and its internal organization, affairs and

management;

(b) *Ensure its institutional self-protection and self-preservation; and*

(c) *Establish a reasonable method for determining whether a member of the Senate is present at legislative proceedings amid the ongoing and widespread public-health crisis caused by the COVID-19 pandemic in order to keep the legislative process as safe and free as reasonably possible from the extraordinary danger, risk, harm, injury and peril posed by the COVID-19 pandemic.*

*And be it further*

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted.

By Senators Cannizzaro and Seevers Gansert:

Senate Resolution No. 2—Providing that no allowances will be paid for the 35th Special Session of the Nevada Legislature for periodicals, stamps, stationery or communications.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That for the 35th Special Session of the Nevada Legislature, no allowances will be paid for members of the Senate for periodicals, stamps, stationery or the use of telephones and no allowances will be paid for the President Pro Tempore, Majority Leader, Minority Leader or chair of a committee of the Senate for postage, telephone tolls or other charges for communications; and be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, June 7, 2023

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1.

CAROL AIELLO-SALA

*Assistant Chief Clerk of the Assembly*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 1—Adopting the Joint Rules of the Senate and Assembly for the 35th Special Session of the Nevada Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the following Joint Rules of the Senate and Assembly for the 35th Special Session of the Legislature are hereby adopted:

*APPLICABILITY OF JOINT RULES*

*Rule No. 1. Generally.*

*The Joint Rules for the 35th Special Session of the Legislature are applicable only during the 35th Special Session of the Legislature.*

*CONFERENCE COMMITTEES*

*Rule No. 2. Procedure Concerning.*

*1. In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one House, dissented from in the other, and not receded from by the one making the amendment, each House may appoint a committee to confer with a like committee to be appointed by the other; and, if appointed, the committee shall meet publicly at a convenient hour to be agreed upon by their respective chairs and announced publicly, and shall confer upon the differences between the two Houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective Houses.*

*2. The report shall be made available to all members of both Houses. The whole subject*

*matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either House, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments unless the bills or resolutions are composed entirely of original matter, in which case they shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be. A conference committee shall not recommend any action which would cause the creation of more than one reprint or more than one bill or resolution.*

3. *The report of a conference committee may be adopted by acclamation. The report is not subject to amendment.*

4. *There shall be but one conference committee on any bill or resolution. A majority of the members of a conference committee from each House must be members who voted for the passage of the bill or resolution.*

#### MESSAGES

Rule No. 3. *Procedure Concerning.*

1. *Proclamations by the Governor convening the Legislature in special session must be filed and entered in the Journal of proceedings.*

2. *Whenever a message from the Governor is received, it shall be entered in full in the Journal of proceedings.*

3. *Messages from the Senate to the Assembly shall be delivered by the Secretary of the Senate or a person designated by the Secretary and messages from the Assembly to the Senate shall be delivered by the Chief Clerk of the Assembly or a person designated by the Chief Clerk.*

#### NOTICE OF FINAL ACTION

Rule No. 4. *Communications.*

*Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.*

#### BILLS AND JOINT RESOLUTIONS

Rule No. 5. *Signature.*

*Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. The presiding officer of the Senate shall sign the bill or joint resolution and the presiding officer of the Assembly, after an announcement of his or her intention to do so is made in open session, shall sign the bill or joint resolution. Their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.*

Rule No. 6. *Joint Sponsorship.*

1. *A bill or resolution introduced by a committee of the Senate or Assembly may, at the direction of the chair of the committee, set forth the name of a committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.*

2. *The Legislative Counsel shall not cause to be printed the name of a committee as a joint sponsor on the face of a bill or resolution unless the chair of the committee has signed his or her name next to the name of the committee on the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 4.*

3. *Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.*

4. *Once a bill or resolution has been introduced, a primary joint sponsor or nonprimary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment which proposes to add or remove a primary joint sponsor must not be considered by the House of origin of the amendment unless a statement requesting the addition or removal is attached to the copy of the amendment submitted to the front desk of the House of origin of the amendment. If the amendment proposes to add or remove a committee as a primary joint*



sponsor, the statement must be signed by the chair of the committee. A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

5. An amendment that proposes to add or remove a primary joint sponsor may include additional proposals to change the substantive provisions of the bill or resolution or may be limited only to the proposal to add or remove a primary joint sponsor.

#### PUBLICATIONS

Rule No. 7. Ordering and Distribution.

1. The bills, resolutions, journals and histories will be provided electronically to the officers and members of the Senate and Assembly, the staff of the Legislative Counsel Bureau, the press and the general public on the Nevada Legislature's Internet website.

2. Each House may order the printing of bills introduced, reports of its own committees, and other matters pertaining to that House only; but no other printing may be ordered except by a concurrent resolution passed by both Houses. Each Senator is entitled to the free distribution of four copies of each bill introduced in each House, and each Assemblyman and Assemblywoman to such a distribution of two copies. Additional copies of such bills may be distributed at a charge to the person to whom they are addressed. The amount charged for distribution of the additional copies must be determined by the Director of the Legislative Counsel Bureau to approximate the cost of handling and postage for the entire session.

#### RESOLUTIONS

Rule No. 8. Types, Usage and Approval.

1. A joint resolution must be used to:

(a) Propose an amendment to the Nevada Constitution.  
 (b) Ratify a proposed amendment to the United States Constitution.  
 (c) Address the President of the United States, Congress, either House or any committee or member of Congress, any department or agency of the Federal Government, or any other state of the Union.

2. A concurrent resolution must be used to:

(a) Amend these Joint Standing Rules which requires a majority vote of each House for adoption.  
 (b) Request the return from the Governor of an enrolled bill for further consideration.  
 (c) Request the return from the Secretary of State of an enrolled joint or concurrent resolution for further consideration.  
 (d) Resolve that the return of a bill from one House to the other House is necessary and appropriate.

(e) Express facts, principles, opinions and purposes of the Senate and Assembly.

(f) Establish a joint committee of the two Houses.

(g) Direct the Legislative Commission to conduct an interim study.

3. A concurrent resolution or a resolution of one House may be used to memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.

4. A resolution of one House may be used to request the return from the Secretary of State of an enrolled resolution of the same House for further consideration.

5. A resolution of one House may be used for any additional purpose determined appropriate by the Majority Leader of the Senate or the Speaker of the Assembly, respectively.

#### AMENDMENTS

Rule No. 9. Germaneness Required.

1. The Legislative Counsel shall not honor a request for the drafting of an amendment to a bill or resolution if the subject matter of the amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of the bill or resolution.

2. For the purposes of this Rule, an amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of a bill or resolution if the amendment relates only to the general, single subject that is expressed in that title and not to the specific whole subject matter embraced in the bill or resolution.

3. This Rule must be narrowly construed.

#### ADJOURNMENT

*Rule No. 10. Limitations and Calculation of Duration.*

1. *In calculating the permissible duration of an adjournment for 3 days or less, Sunday must not be counted.*
2. *The Legislature may adjourn for more than 3 days by motion based on mutual consent of the Houses or by concurrent resolution. One or more such adjournments may be taken to permit a committee or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.*

*EXPENDITURES FROM THE LEGISLATIVE FUND**Rule No. 11. Manner of Authorization.*

*Except for routine salary, travel, equipment and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a concurrent resolution regularly adopted by the Senate and Assembly.*

*RECORDS OF COMMITTEE PROCEEDINGS**Rule No. 12. Duties of Secretary of Committees and Director.*

1. *Each committee shall cause a record to be made of the proceedings of its meetings.*
2. *The secretary of a committee shall:*
  - (a) *Label each record with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the record was made;*
  - (b) *Keep the records in chronological order; and*
  - (c) *Deposit the records upon their completion with the Research Library of the Legislative Counsel Bureau.*
3. *The Director of the Legislative Counsel Bureau shall:*
  - (a) *Make the records available for accessing by any person during office hours under such reasonable conditions as the Director may deem necessary; and*
  - (b) *Retain the records for two bienniums and at the end of that period keep some form or copy of the record in any manner the Director deems reasonable to ensure access to the record in the foreseeable future.*

*REAPPORTIONMENT AND REDISTRICTING**Rule No. 13. Responsibility for Measures.*

*The Majority Leader of the Senate and the Speaker of the Assembly may appoint a Select Committee on Redistricting and Elections for their respective Houses, which are respectively responsible for measures which primarily affect the designation of petition districts, as defined in NRS 293.069, and the districts from which members are elected to the Legislature, the House of Representatives of the United States Congress, the Board of Regents of the University of Nevada and the State Board of Education. The Majority Leader of the Senate and the Speaker of the Assembly shall determine the majority-minority party composition of the Select Committee on Redistricting and Elections for their respective Houses and shall appoint the chairs, vice chairs and members of the Select Committee on Redistricting and Elections for their respective Houses. The Select Committee on Redistricting and Elections for the respective Houses are hereby designated as the "redistricting committees" for the purposes of this Rule and Joint Rule Nos. 13.1, 13.2, 13.3, 13.4, 13.5 and 13.6.*

*Rule No. 13.1. Equality of Representation.*

1. *Congressional Districts: The population of each of the Nevada congressional districts must be as nearly equal as practicable.*
2. *State Legislative Districts: The population of the state legislative districts must be substantially equal. In order to meet constitutional guidelines, a plan, or a proposed amendment thereto, will not be considered if the plan or proposed amendment results in an overall range of 10 percent or more, or a relative deviation in excess of plus or minus 5 percent, from the ideal district population.*
3. *Districts for the Board of Regents of the University of Nevada: Equality of population in accordance with the standard for the state legislative districts is the goal of redistricting for the Board of Regents of the University of Nevada.*

*Rule No. 13.2. Population Database.*

1. *The total state population, and the population of defined subunits thereof, as determined by the 2020 federal decennial census and revised by the State Demographer pursuant to*

*NRS 360.288, must be the exclusive database for redistricting by the Nevada Legislature.*

2. *Such 2020 census data, as revised by the State Demographer pursuant to NRS 360.288 and validated by the staff of the Legislative Counsel Bureau, must be the exclusive database used for evaluation of proposed redistricting plans for population equality.*

*Rule No. 13.3. Districts.*

*All district boundaries created by a redistricting plan must follow the census geography.*

*Rule No. 13.4. Procedures for Redistricting Committees and Exemptions.*

1. *A Legislator or member of the public may present to the redistricting committees any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts for consideration by the redistricting committees. Any plan or proposal relating to redistricting state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts which were submitted to the interim Committee to Conduct an Investigation into Matters Relating to Reapportionment in and Redistricting in Nevada or through the MyDistricting Nevada 2021 public portal on the Nevada Legislature's Internet website shall be deemed to be submitted to the redistricting committees.*

2. *Requests for the drafting of a bill setting forth specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts, as defined in NRS 293.069, and amendments affecting such districts, may only be requested by the redistricting committees or by the Speaker of the Assembly or the Majority Leader of the Senate.*

3. *The redistricting committees and the Speaker of the Assembly and the Majority Leader of the Senate are limited to one request each for the drafting of a bill setting forth the specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education and petition districts, as defined in NRS 293.069, or any combination of such districts.*

*Rule No. 13.5. Compliance with the Voting Rights Act.*

1. *A redistricting committee will not consider a plan that the redistricting committee determines is a violation of section 2 of the Voting Rights Act, 52 U.S.C. § 10301, which prohibits any state from imposing any voting qualification, standard, practice or procedure that results in the denial or abridgment of any United States citizen's right to vote on account of race, color or status as a member of a language minority group.*

2. *A redistricting committee will not consider a plan that the redistricting committee determines is racially gerrymandered. Racial gerrymandering exists when:*

*(a) Race is the dominant and controlling rationale in drawing district lines; and*

*(b) The Legislature subordinates traditional districting principles to racial considerations.*

3. *For the purpose of analyzing the 2020 census data, the redistricting committees shall adopt the method set forth in the Office of Management and Budget (OMB) Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that has been reported to Nevada by the United States Census Bureau as part of the federal decennial census.*

*Rule No. 13.6. Public Participation.*

1. *The redistricting committees shall seek and encourage:*

*(a) Public participation in all aspects of the reapportionment and redistricting activities; and*

*(b) The widest range of public input into the deliberations relating to those activities.*

2. *Notices of all meetings of the redistricting committees must be transmitted to any member of the public who so requests, without charge.*

3. *All interested persons are encouraged to appear before the redistricting committees and to provide their input regarding the reapportionment and redistricting activities. The redistricting committees shall afford a reasonable opportunity to any interested persons to present plans for redistricting, or amendments to plans for redistricting, unless such plans demonstrably fail to meet the minimally acceptable criteria set forth in this Rule and Joint Rule Nos. 13, 13.1, 13.2, 13.3, 13.4 and 13.5.*

4. *Each of the redistricting committees shall fully utilize available videoconferencing capabilities and shall, either jointly or separately, hold at least one hearing in the southern*

portion of the State and at least one hearing in a rural portion of the State to allow residents throughout the State an opportunity to participate in the deliberations relating to the reapportionment and redistricting activities. A meeting of the interim Committee to Conduct an Investigation into Matters Relating to Reapportionment and Redistricting in Nevada held in any portion of the State described in this subsection shall be deemed to satisfy the requirement of this subsection to conduct a meeting in that portion of the State.

5. The Legislative Counsel Bureau shall make available to the public copies of the validated 2020 census database for the cost of reproducing the database.

6. The redistricting committees shall make available for review by the public copies of all maps prepared at the direction of the committees.

#### ANTI-HARASSMENT POLICY

Rule No. 14. Maintenance of Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. The Legislature hereby declares that it is the policy of the Legislature to prohibit any conduct, whether intentional or unintentional, which results in sexual harassment or other unlawful harassment based upon any other protected category. The Legislature intends to maintain a working environment which is free from sexual harassment and other unlawful harassment. Each Legislator is responsible to conduct himself or herself in a manner which will ensure that others are able to work in such an environment.

2. In accordance with Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000e et seq., for the purposes of this Rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;

(b) Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

3. Each Legislator must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following noninclusive list provides illustrations of conduct that the Legislature deems to be inappropriate:

(a) Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments;

(b) Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;

(c) Physical conduct such as unwanted touching, blocking normal movement or interfering with the work directed at a person because of his or her sex; and

(d) Threats and demands to submit to sexual requests to keep a person's job or avoid some other loss, and offers of employment benefits in return for sexual favors.

4. In addition to other prohibited conduct, a complaint may be brought pursuant to this Rule for engaging in conduct prohibited by Rule No. 37 of the Joint Rules of the Senate and Assembly for the 82nd Session of the Legislature when the prohibited conduct is based on or because of the gender or other protected category of the person.

5. Retaliation against a person for engaging in protected activity is prohibited. Retaliation occurs when an adverse action is taken against a person which is reasonably likely to deter the person from engaging in the protected activity. Protected activity includes, without limitation:

(a) Opposing conduct that the person reasonably believes constitutes sexual harassment or other unlawful harassment;

(b) Filing a complaint about the conduct; or

(c) Testifying, assisting or participating in any manner in an investigation or other proceeding related to a complaint of sexual harassment or other unlawful harassment.

6. A Legislator who encounters conduct that the Legislator believes is sexual harassment, other unlawful harassment, retaliation or otherwise inconsistent with this policy may file a written complaint with:

(a) The Speaker of the Assembly;

(b) The Majority Leader of the Senate;

(c) The Director of the Legislative Counsel Bureau, if the complaint involves the conduct of

*the Speaker of the Assembly or the Majority Leader of the Senate; or*

*(d) The reporting system established pursuant to subsection 11.*

*↳ The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses. Unless the Legislative Counsel is the subject of the complaint, the Legislative Counsel must be informed upon receipt of a complaint.*

*7. The Speaker of the Assembly, the Majority Leader of the Senate or the Director of the Legislative Counsel Bureau, as appropriate, shall cause a discreet and impartial investigation to be conducted and may, when deemed necessary and appropriate, assign the complaint to a committee consisting of Legislators of the appropriate House.*

*8. If the investigation reveals that sexual harassment, other unlawful harassment, retaliation or other conduct in violation of this policy has occurred, appropriate disciplinary or remedial action, or both will be taken. The appropriate persons will be informed when any such action is taken. The Legislature will also take any action necessary to deter any future harassment.*

*9. The Legislature encourages a Legislator to report any incident of sexual harassment, other unlawful harassment, retaliation or other conduct inconsistent with this policy immediately so that the complaint can be quickly and fairly resolved.*

*10. All Legislators are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and other unlawful harassment which are set forth in this Rule apply to employees, Legislators, lobbyists, vendors, contractors, customers and any other visitors to the Legislature.*

*11. The Legislative Counsel shall establish a reporting system which allows a person to submit a complaint of a violation of this Rule with or without identifying himself or herself. Such a complaint must provide enough details of the incident or incidents alleged, the names of the persons involved and the names of any witnesses to allow an appropriate inquiry to occur.*

*12. This policy does not create any enforceable legal rights in any person.*

*And be it further*

*RESOLVED, That this resolution becomes effective upon adoption..*

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted unanimously.

Senator Cannizzaro moved that all necessary rules be suspended and that the resolution be immediately transmitted to the Assembly.

Motion carried.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee of the Whole:

Senate Bill No. 1—AN ACT relating to economic development; enacting the Southern Nevada Tourism Innovation Act; amending the Southern Nevada Tourism Improvements Act; requiring the establishment in Clark County of a sports and entertainment improvement district for the financing of a Major League Baseball stadium project; authorizing the Clark County Stadium Authority to carry out the provisions of law governing the Major League Baseball stadium project; requiring the creation of a resort corridor homelessness prevention and assistance fund; authorizing the pledge of certain taxes, fees and charges for the payment of bonds and other purposes relating to the financing of the Major League Baseball stadium project; authorizing the State Treasurer to provide a credit enhancement on bonds issued to finance the construction of the Major League Baseball stadium project; requiring the issuance of general obligations of Clark County for the

financing of a Major League Baseball stadium project under certain circumstances; authorizing the issuance of transferable tax credits to developer partners for qualified projects relating to the Major League Baseball stadium project; making an appropriation; and providing other matters properly relating thereto.

Senator Cannizzaro moved that the bill be referred to the Committee of the Whole.

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 1, with Senator Cannizzaro as Chair and Senator Lange as Vice Chair.

Motion carried.

Senator Cannizzaro moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 12:41 p.m.

#### IN COMMITTEE OF THE WHOLE

At 3:18 p.m.

Senator Cannizzaro presiding.

Senate Bill No. 1 considered.

The Committee of the Whole was addressed by Jeremy Aguero, Principal Analyst, Applied Analysis; Catherine Aker, Vice President of Marketing, Communications and Community, Oakland Athletics; Ann Barnett, CEO, Nevada Contractors Association; Zach Barrios; Anna Binder; Randi Black; Keith Brown, Executive Secretary Treasurer, Alameda Labor Council; Senator Cannizzaro; Lorena Cardenas; Janet Carter; Paul Catha, Culinary Workers Union Local 226; Lisa Lynn Chapman; Autumn Corona; Ray Court; Wayne Coy; Senator Daly; Nick DiFranco, International Union of Operating Engineers Local 12; Nate Domsy, Local 12 Operating Engineers; Andy Donahue, Southern Nevada Laborers-Employers Cooperation and Education Trust; Senator Doñate; Senator Dondero Loop; Mark Ellis, President, Communication Workers of America Local 9413; Greg Esposito, Nevada State Pipe Trades UA Local 525; Amber Faltout; Senator Flores; Daela Gibson, Planned Parenthood Votes Nevada; James Gibson, Chair, Clark County Board of County Commissioners; Javier Gomez; Hal Gordon, Ph.D.; Jason Gray, Vice President of Government Affairs, MGM Resorts International; Richard Gray; Peter Guzman, President, Latin Chamber of Commerce; Daniel Haguewood, Heat & Frost Insulators & Allied Workers Local 135; James Halsey, International Brotherhood of Electrical Workers Local 357; Senator Hansen; Bryan Harris; Senator Harris; Jose Herrera; Steve Hill, CEO of Las Vegas Convention and Visitors Authority, Chairman of Las Vegas Stadium Authority; Turner Hoenig; Cyrus Hojjaty; Bob Horton,

Business Agent, Ironworkers Local 433; Aaron Ibarra, Southern Nevada Building Trades Unions, Local 797 Operative Plasterers and Cement Masons; Todd Ingalsbee, President, Professional Fire Fighters of Nevada; Katrin Ivanoff; Russ James, Nevada AFL-CIO; Eric Jeng, One APIA Nevada, Asian Community Development Council; John Johnson; Dave Kaval, Oakland Athletics President; Yolanda King; Dionne Klug, United Food and Commercial Workers Union Local 711; Jeremy Koo; Senator Krasner; Daniel Lane; Senator Lange; Bethany Lee; Maria-Teresa Liebermann-Parraga; Daniel Lincoln, International Union of Painters and Allied Trades; Alfonso Lopez, Sheetmetal Workers Local 88, Arrow of Transportation Workers; Paula Luna; Matt Lydon, Business Manager, Plumbers and Pipefitters Local 525; Annette Magnus, Executive Director, Battle Born Progress; John Majors; Maia Marshall; Susie Martinez, Executive Secretary Treasurer, Nevada State AFL-CIO; Clarence McCarthy; Daniel McFarland; Cristiane Mersch; Paul Moradkhan, Senior Vice President of Government Affairs, Las Vegas Metro Chamber of Commerce; Thomas Morley, Laborers Locals 169 and 872; Adrian Murray; Michael Nakamoto, Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau; Shaun Navarro; Senator Neal; Senator Nguyen; Eric Ochoa; Stan O'Davis; Senator Ohrenschall; Emily Osterberg, Henderson Chamber of Commerce; Declan Pastorino; Steve Pastorino; Senator Pazina; David Peters, Founder, Black Liberation Walking Tour; Kevin Powers, General Counsel, Legal Division, Legislative Counsel Bureau; Susan Proffitt; Christina Quattrone; Alex Rodrigues; Wiz Rouzard, Deputy State Director, Americans for Prosperity; Vince Saavedra, Executive Secretary Treasurer, Southern Nevada Building and Construction Trade Unions; Christine Saunders, Policy Director, Progressive Leadership Alliance Nevada; Senator Scheible; Jimmy Schwarz, Ironworkers Local 433; Shelby Schwartz; Senator Seevers Gansert; Randy Soltero, Soltero Strategies; Liz Sorenson, President, Nevada State AFL-CIO; Senator Spearman; Erik Stenholm; Robert Stern; Amber Stidham, Las Vegas Global Economic Alliance; Senator Stone; Robert Sumlin, International Association of Machinists and Aerospace Workers Local Lodge SC711; Mark Thompson; Senator Titus; Virginia Valentine, Nevada Resort Association; Jacob Ve; Donna West; Matthew Wilkie; Ana Wood, Government Affairs Chair Member of Board of Directors, Las Vegas Asian Chamber of Commerce; and unidentified testifiers.

SENATOR CANNIZZARO:

The first item of business on our agenda is to adopt the committee rules.

The rules are as follows:

1. All meetings shall be open to the public via live broadcasts on the Legislature's website.
2. Committee recesses shall be at the call of the chair or to a time certain.
3. Provided a quorum is present, a majority of those present and voting is sufficient to pass a bill or a resolution or adopt committee amendments. Members approved, by the chair, to participate remotely are present and in attendance at the meeting for all purposes.
4. The chair must be present and will decide when the committee takes an action or a vote. The Secretary shall record motions and votes of committee members on all votes and other

actions.

5. Matters not within the Governor's Proclamation or not relevant to the specific topic under consideration will be ruled out of order.

6. Any work requested of legislative staff on behalf of the committee must be made through the Chair.

Senator Scheible moved to adopt the rules of the Committee of the Whole.

Senator Neal seconded the motion.

Motion carried unanimously.

SENATOR CANNIZZARO:

The next thing on our agenda, I would like to turn the microphone over to our Legislative Counsel, Mr. Powers, for general disclosures regarding LCB [Legislative Counsel Bureau] staff.

KEVIN POWERS (General Counsel, Legal Division, Legislative Counsel Bureau):

Thank you, Madam Chair. For the record, Kevin Powers, General Counsel, LCB Legal Division. Present with the Committee of the Whole today are members of the Research Division, Fiscal Analysis Division and Legal Division of the Legislative Counsel Bureau. As a reminder to the public, we are nonpartisan staff. We do not support or oppose any particular policy, viewpoint or piece of legislation. However, we do provide the Senate and its committees and members with objective legal and fiscal analysis advice and research policy analysts. In order to do that, we provide that on a nonpartisan basis based strictly on the terms of the bill, the terms of the law and our analysis of the fiscal and policy impact of the legislation, and that is why we are here today, to provide our analysis of the legal and fiscal and policy impacts of this potential legislation.

SENATOR CANNIZZARO:

With that, members of the committee, we have one bill on our agenda. It is Senate Bill No. 1. You have also been provided a copy of Senate Bill No. 1 on your desks. A copy of Senate Bill No. 1 is also available online for members of the public who are joining us.

We will proceed in the following fashion. We will hear a presentation and a walkthrough of the provisions of Senate Bill No. 1. We will then move to members of the Committee of the Whole for questions. If you wish to speak as a member of the Committee of the Whole, please hit your request-to-speak button when the time comes. We will make sure that everyone has a chance to answer the questions before doing another round of questions, but we will let members ask whatever questions you may have.

Once we are done with the committee asking questions on Senate Bill No. 1, we will move to testimony in support of Senate Bill No. 1. We will be limiting testimony in the support and opposition and neutral portions to two minutes per person. If you have additional comments past the two minutes and we ask you to wrap up, I would ask that you provide the remainder of your testimony in the form of written testimony to the Committee of the Whole, and we will make sure that members get any of those portions of written testimony that are submitted.

We will intend to move through a portion of support testimony and then opposition testimony and then neutral testimony between here in Carson City, down in Las Vegas—Grant Sawyer Building—and then via our phone system. We then may come back for another round to do support, opposition and neutral in an effort to make sure that folks who have joined us are able to testify and give us their support, opposition or neutral testimony.

With that, members of the committee, we are going to open the hearing on Senate Bill No. 1. I would invite Mr. Hill to take the podium and present to us, and we will begin.

STEVE HILL (CEO of Las Vegas Convention and Visitors Authority, Chairman of Las Vegas Stadium Authority):

Thank you, Madam Chair, members of the committee. I am Steve Hill. I am the CEO of the Las Vegas Convention and Visitors Authority, and I am also the chairman of the Las Vegas Stadium Authority.

I often say I appreciate the opportunity to be before you today, and I mean that for today. We think that this is a project that can allow Las Vegas—as a city, as a sports destination, as the



sports and entertainment capital of the world—to move forward. If you give us the opportunity to do that, we will work exceptionally hard. I will work exceptionally hard to make sure that you look back on today and feel like it was time well spent. So thank you for the opportunity to be here today.

There are a number of benefits to bringing Major League Baseball and the A's and a stadium like this to Las Vegas. It provides year-round sports. It provides a counter-cyclical set of events to what we have now. It doubles the number of professional sporting events that we will have in Las Vegas. I am very proud of the sports we have now. We are very proud of what those teams and those venues create, but many people working at those venues move from venue to venue in order to have great jobs. This will provide better jobs by having a well-rounded and completely around-the-calendar set of events for them to work. The marketing value, the spotlight that is on Las Vegas because Major League Baseball and the A's have chosen Las Vegas as their destination of choice, our response to that matters. It is a fantastic marketing effort, the value of which is certainly not considered in the numbers that you will see today.

But the real reason we do these projects—and those projects can be sports, it can be what are done from an economic development standpoint that all of you have participated in, in this session and others—are just, really, two reasons. One is to create great jobs for the citizens of Nevada, and this project does that. Thousands of good jobs will happen because this happens. And the other is to generate more tax revenue to provide services for all of the good work that you do because the stadium happens. You will have more tax revenue to spend on all the services that you need to spend money on because of the stadium, more than if you do not do this project. And those are the real benefits that matter when you go back to talk to your constituents, and that is not just in Las Vegas. This revenue comes from the room tax, where the room tax pays for a part of our K-12 education and a big part of it. It pays for transportation projects. All of the different types of revenues, many of which flow to the State's General Fund and will be shared throughout the State, are the reason to do this project.

We will walk through this project and this presentation today. I am joined here by Mr. Aguero. I am also joined by Yolanda King and Catherine Aker from the A's, who will help with this presentation and talk with you about the community benefit plan. So thank you for being with me today. Our presentation is in six sections. There is a project overview that I will start with, and then I will turn it over to Mr. Aguero for funding structure.

I think you all know what the project is by now. It is intended to be a nine-acre site where the Tropicana Hotel currently exists. It is an iconic place to have a baseball stadium. It will be the best place in the United States to take in a game. It will also provide the best experience around a Major League Baseball game than any place in the country. The stadium is intended to be a stadium built with a retractable roof, which will take into consideration some of the hot days that we have in the summer, but also provide the benefit of an open-air experience when the weather in Las Vegas is fantastic and the view of that Strip cannot be beaten.

It will have at least 30,000 seats, and it will cost at least \$1.5 billion, at least \$1.1 billion of which the A's will invest in their private investment as a part of building the stadium. I have a couple of maps here that show you where this is. I think you know where the corner of Tropicana and Las Vegas Boulevard is. And then we have a map that shows our professional sports venues, and you can see—and you know this already—this stadium will be a unique facility. It is unique in terms of its size at 30,000 seats, more than 10 million [*sic*] more than T-Mobile Arena and certainly 30,000 less than at Allegiant Stadium. So it fits in a niche in Las Vegas. It is also a baseball stadium, so it is obviously different than T-Mobile Arena; it is different than Allegiant. It will—and we will talk about this a little later—open up possibilities in addition to baseball that can matter and will matter to Las Vegas.

Then we have a few renderings. It is a beautiful stadium. It points to the northwest; so it points away from the airport. That is certainly a helpful part of this. And we have, obviously, a beautiful Strip view.

The project timeline, on page 11, are just a few of the milestones along the way. There will be a lot of work between these milestones: pass legislation now, Major League Baseball then soon approves the relocation, design of the project will start immediately, with construction starting probably in late 2024. This stadium will be ready and open for the Major League Baseball season in 2028.

This stadium is sized to the projected attendance in the stadium. It will be the smallest baseball stadium in Major League Baseball. We are projecting that it will have about 27,000, 27,500 attendees for each baseball game, and so the stadium is sized for that projected attendance. That projected attendance is about midway through average Major League Baseball stadium attendance throughout the country. With that, I will turn it over to Mr. Aguero.

JEREMY AGUERO (Principal Analyst, Applied Analysis):

Madam Chair, members of the committee, for the record, my name is Jeremy Aguero. I also want to echo Mr. Hill's comments about honored ... to stand before you today. In terms of talking through the project funding structure itself—I think you have probably heard this from time to time—the overall project is roughly \$1.5 billion in total: the A's willing to bring not less than \$1.1 billion to invest in the project and Nevada contributing not more than \$380 million in total.

On the slide that follows, it will provide a brief outline. I am now on page 15 for the packets that have been provided to you; those reflect those two component parts at the top end of that. Obviously, the great deal of our conversation today and around this is the public's portion in terms of contributing to the project. There are really three component parts shown by the lighter blue colored boxes that are shown there. The first of those is the creation of a sports and entertainment district. The second are transferrable tax credits, and then the third is a credit toward development-related activity to be provided by Clark County.

In terms of the sports and entertainment district itself, the way the sports and entertainment district works is that all the revenues that are generated by the project—sales tax, live entertainment tax, payroll taxes and other taxes—will inure to an account. That account will be utilized to then repay stadium bonds that will be issued by Clark County in order to fund a portion of the project. It is estimated today that those bonds will be roughly \$120 million in bonds.

In terms of the transferrable tax credits, those transferrable tax credits are issued by the State through the Stadium Authority Board with the idea that \$180 million of transferrable tax credits would be issued, \$90 million of which would be subject to repayment through the taxes that are ultimately generated by the project.

Finally, the third element, the development agreement, would essentially be an offset of the cost of infrastructure that the project is going to be required to pay. As part of the legislation, the project is required to offset any cost of infrastructure, including transportation, utilities and the like. That is going to come with some cost. The county will offset that to an amount equal to \$25 million.

In terms of the bonds themselves, the security associated with the bonds is obviously important, and it has been a subject of a great deal of discussion. One year's reserve will be allocated immediately upon the issuance of the bonds. So we will have a full year's worth of bond payments that will sit in an account the day the bonds are issued. A second year's worth of those reserves will be funded directly out of the cash flow, or the waterfall, from the bonds themselves. It is expected that that second reserve will be fully funded during the construction period of the project, and that is largely because, as part of the bond issuance, there will be capitalized interest at the front end to ensure that all of the bonds are fully paid.

In addition to that, the requirement is that the bonds not be issued with anything less than two-times coverage. That means for every \$1 in principal and interest payments, there needs to be another \$1 in revenue that is anticipated for the project. Half of that coverage will come from the cash that is generated by the taxes that are generated from the project. The other half comes from a state line of credit or what is referred to as the credit enhancement portion of the project. Essentially, the State will set aside .5-times coverage in an account. In the event that it is used like a line of credit, those dollars will be utilized and then have to be paid back from the taxes that are generated. The hope is that it is not used very often, if at all, but if it is, those dollars will be available to ensure that the principal and interest of the bonds can be paid overall.

The other portion that we talk a lot about is the waterfall itself, right? The dollars that are generated with the project, where do they go? First, they go to principal and interest. That is the first element of the project. Obviously, that is where the dollars need to be generated. The second is to fund the operations of the Stadium Authority. And then there is a third component

that essentially says what happens if the A's fail to meet their obligations. If they fail to meet their obligations, the dollars from the waterfall are then utilized to make sure that the stadium can continue to operate by the Stadium Authority Board. After that, the funds are allocated to the second-year reserve during construction until such time as that reserve is 100 percent funded in terms of average annual debt service for the project. Again, by the time the project is completed, the expectation is that there will be two years of reserves fully funded at that point.

After that, there is the repayment of any draws. So if the reserves have to be drawn or if the credit enhancement has to be drawn, those have to be paid back. After that, there is an allocation to capital—\$5 million a year that has to go toward capital. After that, there is the repayment of the refundable portion of the transferrable tax credits. Beyond that, there is an allocation of \$5 million for a homeless prevention and assistance fund that would inure to the benefit of Clark County and ultimately be used to provide assistance, and then at the very bottom of the waterfall, should any money make it all the way to the bottom of that waterfall, it can be used for the early defeasance of the bonds, it can be used for infrastructure or capital reinvestment back into the project.

Finally, the question often comes up: what happens if the revenues come in under expectations? And this is what is shown on slide 17. If the revenues come in under expectations, the cash coverage is the first thing to be used. Again, for every \$1 that is allocated toward principal and interest, there is another 50 cents in expected revenue that would be generated by the project. So that provides the first line of defense to ensure the project has sufficient revenue to make that principal and interest payment.

Beyond that, you have the line of credit, the credit enhancement that is set up at .5 times; then you have the first year's reserve; then you have the second year's reserve; and then you have the county, the full faith and credit of the county that is issuing that. I will talk about this a little later in our presentation today, but this is effectively a four-year reserve. We would have four years of no revenue if the state backstop is .5 times, and then you have two years' worth of reserves, which you could only use half of each period. You would essentially have to go four full years with having zero revenue before you had to make your way all the way to the county providing any type of its credit to make that happen.

In terms of the stadium financing structure itself, it is competitive, if not superior, to what we have seen in other stadiums throughout the United States and their construction. What slide 18 provides is a history going back to 2001. The portion that is funded by the private funding is shown in gray. The portion that is shown in the public funding is shown in the light-blue color here. As what is illustrated, the public's portion of the project would be about 25 percent of its total. Not only is this the largest amount of private investment in any project that is shown on our chart here, as a percentage it is also the lowest amount of public investment in the project.

In addition to that, the next slide, shown on page 19, shows all public stadiums and the distribution between the size of the population and the amount of the public funding that is shown here. What you will see is that where smaller markets are, the public tends to provide more of the funding toward the project. This is for any number of reasons: the size of the market, the corporate base, the ability to buy suites. This is not the case here. We are, as Mr. Hill indicated, among the smaller markets—as a matter of fact, the smallest of the markets—there from a media element and also among the lowest in terms of the public contribution. Of course, the differentiating factor for us as a state is the 40 million visitors that come to Las Vegas every year and the ability to leverage that portion of it as well.

Mr. Hill talked about and showed you some maps in terms of the project and how it would be structured and some of those type of things. On slide 20, I have tried to provide an illustration of what the project will look like on the footprint and what the sports and entertainment improvement district actually looks like. It is not the entire site of where the Tropicana Hotel stands today. Rather, it is a nine-acre circle where the stadium will be located and, you know, could include some parking or something like that immediately adjacent and what is necessary for that. Importantly, the bill as currently drafted specifically states that it cannot be a hotel or a hotel casino or a licensed gaming operation.

The Tropicana Hotel will need to be demolished in order for the project to move forward. It will be constructed on the stadium site that is shown in gray. On the slide before you, the balance of that area will not be in the sports and entertainment district with the expectation that it will be

redeveloped in other uses and hopefully generate a substantial amount of economic and fiscal impacts in its own right.

In terms of some of the key public considerations—and, Madam Chair and members of the committee, I apologize for slide 21. I know it has a lot of words on it, but I felt like these words mattered, and so I included it this way. There are a few key elements that I think are very important from the public's standpoint from the consideration. And obviously these are tools we have used for other projects. I think they are equally important here.

Number one is that the private sector must put the first money in. The A's are going to be required to contribute the land to the Stadium Authority and fund the first \$100 million of project capital costs before any public money goes into the project. The public will also put in the last \$50 million of the project, which means that 100 percent of the private dollars have to be put in first.

Second, on the bullets here is a non-relocation agreement. What this requires is that the A's also execute a 30-year non-relocation agreement that says, if they choose to leave at any point during the next 30 years, they have to pay off any outstanding debt of the State in terms of the bonds, and they have to pay off any of the transferrable, refundable portion of the transferrable tax credits that are then outstanding.

Finally, the conservative nature of the bonding—I know there will be questions today, and there have been questions throughout relative to some of the underlying assumptions, and I very much look forward to having that dialogue with you or with anyone else. As we do that, I think it is important to understand the process that all of this information went through before it got to you today. The A's developed a model. That model is predicated on information that they received from Major League Baseball teams all over the country, as well as their own experience. They worked with a company called CSL to develop the assumptions that drive that. CSL is widely recognized as the foremost leader in market analysis for sports teams. I believe they do it for almost every one around the United States. Those estimates were then reviewed by our firm, Applied Analysis. They were reviewed by Goldman Sachs. Clark County retained PFM to review the estimates on their behalf. All of those firms provided input. There were some modest revisions that were made, but the conclusions are that they are reasonably inconsistent [*sic*] with the best expectations.

The bonds that would be issued will be at two-times coverage with a two-year reserve. This is sometimes referred to as "belt and suspenders" relative to that. I am not going to stand up here and suggest to you that anything is perfect or perfectly secure. Lord knows, we have had some ups and downs in our economy and have dealt with a pandemic, but the structure here, I would argue, is as conservative as you will see almost anywhere relative to two-times coverage, a state backstop as well as a full two-year reserve overall.

With that, Madam Chair and members of the committee, I will turn it back to Mr. Hill to talk about governance and oversight.

MR. HILL:

The Stadium Authority really has the responsibility of making sure that the State gets the benefit of the law that you pass, the deal that you make. We start by doing that with three agreements. And we enter into these agreements, we have identified these as the developer partner—these are the terms that are in the law—the Stadium Events Company and the A's themselves. The development agreement is entered into with a developer partner. It is a very comprehensive document. It does not, though, take the place of the work that the developer partner will have to do with Clark County. They will have to go through a high-impact project (HIP) process with Clark County that will address many of the infrastructure issues and there is a list of topics that is listed in the bill itself that is a partial list of what that HIP process with the county will be. But this makes sure that the stadium is built correctly, it is built to the standards that we expect and the process for going about that construction is followed.

Then there is also a lease agreement that will be for at least 30 years. That is entered into with the stadium events company, which are the A's and their partners in operating the stadium. And then, as Mr. already recognized, there is a non-relocation agreement that the A's enter into with the Stadium Authority that requires them not to leave, but if they do, they have to pay off all the outstanding amounts on the bonds.

The Stadium Authority Board itself is a nine-member organization with currently one ex officio member, the County Treasurer. The bill proposes to add the State Treasurer as also an ex officio member of that board. Currently, the Governor appoints three members to the board; the county commission appoints three members to the board; UNLV [the University of Nevada, Las Vegas] has a spot on the board to look after their interests in occupying Allegiant Stadium as well. And then that group of seven, taking into consideration currently the recommendation of the Raiders, appoints two additional board members. This bill recommends that one of those positions be filled taking into consideration the recommendation of the Raiders, and the other position be appointed taking into consideration the recommendation of the A's.

The Authority Board has a certain set of responsibilities that are outlined in law and would continue. It is a public body; it is subject to the open meeting law, public records request law, everything that applies to a public body. It owns the land and the stadium that is on that land when it goes through those three agreements that we have already identified. There are a number of supporting agreements that support those three primary documents.

We approve the stadium agreement in this bill. The way the law was written in 2016—different time, different body here in the Legislature—the team was responsible to develop a plan, tell us what the plan was and follow what is in that plan. We have heard you and have changed that now where this will be an agreement that has to be approved and has more teeth in it than the law did in 2016. You will hear more about that from Ms. King.

We manage the funds that flow through the waterfall. We manage the capital improvement projects, oversee the maintenance of the stadium, make sure that it is maintained at a world-class level. And if there are any disagreements between UNLV and the Raiders, the Stadium Authority is the arbiter of those disagreements.

Moving on to other project elements, I want to let all know—and I think that many of you have seen this by now—there had been thoughts early on that the Aviators may need to move out of Las Vegas if a major league team comes. That is not the case; the Aviators will remain in Las Vegas. In fact, there is real synergy. The Aviators are the minor league triple-A team, the feeder team to the A's. And so having those players near to the major league team is great. It is great for the fans; you will be able to follow your favorite players at the Aviators up into the major leagues.

With that, I would just like to take the opportunity to introduce Ms. King and Ms. Aker. I think you will find that we appreciate very much the input that you and many others have provided. We think what they have to say is very responsive to that. I want to welcome you today; thank you for being here, and the podium is yours.

YOLANDA KING:

Hi. Good afternoon, Madam Chair and the committee members. I am Yolanda King. And for some time now, I wanted to express to you that the A's have been meeting with various public officials, as well as different organizations throughout the community, as well as the community in trying to understand what the needs are of the community. I, too, have met with most Legislators in the building to also gain an understanding of what you feel are the necessary community needs in a community benefits agreement. For the most part, what I have been describing to most of you is what is the intent or the purpose of a community benefits plan and also providing to you some examples of components that have been included in various community benefits plans across the country just to give you an idea of what are some of the components that can be included in the community benefits plan.

So in meeting with you over probably the last three months or so some of the components that I have heard from you in which you feel that would be important to a community benefits agreement ... first and foremost, we have talked about workforce diversity, and what that would include is establishing minimum goals for construction work that would be provided by targeted groups, which would include minorities, female and disabled workers. Another added component that I heard from you and what you felt would be important would also be the stadium operations and the diverse workforce that would be included as part of the operations of the stadium. Again, that would include a minimum percentage of the workforce hours that would be performed by minority, females and disabled workers.

For subcontracting and vendor diversity, that too was also a high priority that was expressed

by your members. That, again, focuses on diversity: diversity for minority, for women, for veterans as well as disabled individuals. A livable wage ... in establishing a minimum requirement for a livable wage. And in addition to that, we talked about many of the infrastructure needs that would occur probably as a result, one being to mitigate some of the impacts of the stadium being in the area that it is in. We talked about addressing some of the infrastructure needs with regard to traffic. And in addition to that, some infrastructure needs in the community as well as, obviously, across the State of Nevada with regard to renovating or building new softball or baseball fields, again, across the State of Nevada.

Community engagement was also a factor in what you felt was an important need in the community, and some of those community engagement factors included team participation in educational programs. It included ticket donations to students and families, and this would be throughout the State of Nevada. There is uniform distribution to little leagues, again, throughout the State of Nevada, player participation in educational programs as well as the ability to develop an arts plan for the stadium; educational programs with colleges and universities with regard to internships or scholarships, and then a major part that I heard from most of your members included some accountability. So the accountability piece would be—there has been discussion about designating a community monitor, if you will, that would be responsible for implementing as well as making sure that the team is in compliance with the agreement.

And one thing I want to make clear, in this plan—we keep talking about a plan—but the ultimate goal, and as also what is cited in the legislation, is that this will be a binding agreement between the Stadium Authority and the team. So ultimately it ends up being an agreement which we hope will include most of all the things that are listed here. And then lastly, one of the items that was also mentioned on several occasions with regard to accountability is the enforcement piece, and how do we enforce the things through that community benefits agreement in making sure that the team is complying with that. And, again, it ends up being a binding agreement.

So the components that I have noted for you and that I have heard from the community members do align with what the team currently provides in their community today. And I have Catherine Aker here; she will provide some overview of what that looks like and also probably some commitments that we have from the team at a minimum of what the commitment will be with regard to a community benefits agreement. I will turn it over to Catherine. Thank you.

CATHERINE AKER (Vice President of Marketing, Communications and Community, Oakland Athletics):

Thank you. I am Catherine Aker, vice president of marketing, communications and community for the A's, and I am pleased to be here today. As Ms. King mentioned, I have been in the community for the last couple of months on a listening tour to make sure I understand, and our overall team understands, the work that we can do and the type of commitment that we can make, and that listening tour will continue to move forward over the next couple of months and years to make sure that we are really supporting the most critical areas in each one of your communities. As Ms. King also said, the number of things that have been included in the CBA [community benefits agreement] is part of those conversations that we have had as a team as well as the work that she has done. And to highlight again some of that engagement that we are committed to doing ... include fundraising and grants to local nonprofits throughout the State of Nevada—and that will be a minimum funding contribution equal to one percent of our ticket sales. We are also committed to ticket donations, so the complimentary tickets to nonprofits and families, in addition to a community suite for every single game.

We also have education initiatives currently, and we plan to hopefully bring those to Nevada as well in K-12 schools. Currently, we are in 800 classrooms throughout northern California, and we hope to be able to implement literacy and STEM-related work like we do there in the State of Nevada. We also have internships and scholarship programs that we plan to also hopefully do in Nevada. As I have mentioned, most of this work we are currently doing, and we are excited to bring them to your State. Thank you.

MR. HILL:

Obviously, the location of the stadium brings transportation consideration and concerns. It is a very high-trafficked area. It is an iconic intersection in Las Vegas—many venues around it. I will start by saying and repeating that the high-impact project process with Clark County will be

followed. They will—the A's and the county—will have a conversation around what infrastructure is necessary, who will fund that infrastructure in order to mitigate the issues around having a stadium in the area.

It is the ballpark that will be the most walkable ballpark in the United States. There are now tens of thousands of hotel rooms within walking distance of this park. We anticipate that a third or so of the attendees at events at this stadium will walk to the stadium. There is much work going on, on Tropicana, the I-15 intersection now. There is anticipated work that will happen on the east side of the project on Tropicana near UNLV and the entrance to the airport. Those added projects and capacity, because of those projects, will be exceptionally helpful. Reno road runs behind the Tropicana to the south and to the east. It allows that property to be accessed from three different directions so that you do not have to drive through the intersection at Tropicana and Las Vegas Boulevard. So you can come from the south, you can come from the east, and you can come from the north down Koval to Reno. And Kimley-Horn, who is really the traffic engineer in Las Vegas, has done a study, looked at what upgrades would be necessary and beneficial on Reno, and those, I am sure, will be implemented.

The stadium will also implement Park & Rides through RTC [Regional Transportation Commission of Southern Nevada] much like we do at the Knights game now. And this will be the first stadium that is built in the era of the Boring Company loop. That will connect the stadium underground with an entire system that will not interfere with the traffic that is at [inaudible] currently

Moving on to events, I have mentioned this previously but bringing a baseball stadium to Las Vegas brings a venue of a different size, and it also attracts a unique set of events. The LVCVA [Las Vegas Convention and Visitors Authority] really functions as the sports authority in Las Vegas as well. We are involved in bringing many of the major events to Las Vegas. We have a team of people who do that, do a fantastic job of it. They have grown that in Las Vegas over the past number of years. They keep a list of organizations and events that want to come to Las Vegas that either we do not have dates for, we do not have a venue for ...and in particular, I will point out that when we passed this law in 2016 and closed Sam Boyd Stadium, we anticipated that the dozen or so events that were held at Sam Boyd, that were not UNLV football games, would migrate over to Allegiant Stadium. That has not happened. The cost of operating Allegiant Stadium, or the size of the facility, has not allowed those events to move there. They want to come back to Las Vegas; right now, they do not have a venue to do that.

As we look at the number of events that have been projected in the stadium ... obviously, the 82 baseball games are going to be played. That is something we certainly could not do without the stadium now. And as I said earlier, that will double the number of professional sports events in Las Vegas every year. It will take us to about 155 regular season, professional sporting events every year. We will have that offering about every other night throughout our year. That is if our teams do not make the playoffs. If they make the playoffs, that will obviously add events.

But as we at the LVCVA looked at the events that want to come to Vegas and would fit in the stadium and currently do not have a place to go, we have shown you just some of what those events could be. This projection—the numbers that Mr. will talk about here in just a few minutes—only project eight additional events that are not community events that are ticketed. Five are concerts and only three are sporting events. I am confident that that is a very conservative number.

With that, I will turn it back over to Mr. Aguero to talk about the impacts from the stadium.

MR. AGUERO:

The first of the impact assessments slides that is in front of you deal specifically with this issue of visitation. When we talk about impact, we generally break it into three categories: one is economic impact, the second is fiscal impact and the third is social impact—much of which you have talked about here today. From our perspective in terms of measuring some of that, there are sort of three elements as well of the project that generate those type of benefits. One of them is the construction-related activity, the second is the operations of not only the stadium but also the events that occur just because the team exists, and then the third are visitor-related activities.

When we think about that, obviously so much of the activity which goes into what the stadium does is predicated on the number of people that attend events. That estimate is about 2.6

million attendees every year. As Mr. Hill said, about 95 ticketed events and a then number of tours and private events that will obviously take place at the facility. We went through the exercise of trying to estimate how many of those folks will come from out of town that will attend those games. We have wonderful information from Allegiant Stadium. We have information in terms of activity that is happening at other venues, like T-Mobile Arena, in terms of those total volumes. We were able to get information also from other Major League Baseball teams around the country. Las Vegas is different than these areas. Our ability to attract those visitors is predicated on the fact that we have 150,000 hotel rooms in the market, right? We have Harry Reid International Airport, which generates a great deal of traffic, particularly for a population base of our size, and about a quarter-of-a-million leisure and hospitality workers that their full-time job is to provide services to folks that come and visit every year. Based on all of that information as well as survey-related data of about 15,000 people that were surveyed both in-market and out-of-market, we estimate that a little less than 30 percent of the attendees of every event will be from out of town.

Now, in terms of measuring economic and fiscal impact, we do not include all of these folks. As a matter of fact, we discount that based on incremental visitation. That number is the 405,000 that you have probably read about and you are looking up at on the screen today. It represents roughly 16 percent of all the attendees in any year-round within the event, and as Mr. Hill said, probably somewhat conservative relative to that number. But it is also a number that we believe is justifiable, certainly defensible in terms of incremental visitation. I do want to be clear here what incremental visitation is intended to mean is these are folks who have said but for the baseball game, but for the special event that would occur at the stadium, they would not have decided to get on a plane or get in a car and come and visit Las Vegas. Those incremental visitors are what we are measuring in terms of economic impact. Those incremental visitors are what we are measuring in terms of fiscal impact overall.

When we look at the economic impacts—I am now on page 37—we break them into the three major categories that I mentioned before. The first is construction-related activity; the second is operation-related activity; and the third is those incremental visitors. The project itself is expected to cost about \$1.5 billion. If that goes over in terms of that cost, it is 100 percent the responsibility of the A's, but it continues to generate economic activity. Because construction activity is not recurring by its very nature, we measure it differently than we measure other types of activity. We measure it based on person years of employment. So what you are seeing here is about 14,600 person years of employment or 1 percent employed for one year. The project is expected to last for about three years, so you can think about what those impacts would be. What is shown here are the direct impacts, the people that get a paycheck directly for constructing the project; as well as indirect impacts, those are all the suppliers that provide concrete or security or steel to the project; and then the third is the induced impacts—as these construction workers go back to their neighborhoods, they spend money at doctors' offices and grocery stores and movie theaters, generating and supporting other jobs.

In total, we have modeled about \$1.2 billion worth of activity that is generating economic impact. Some of it, of course, will be out of state. We believe about half of that will be in labor as opposed to materials that are generating those economic impacts overall. We utilize the statewide average in terms of wage and salaries for construction and development employees—about \$66,000 worth per employee—to essentially augment that number into the total number of jobs. I will tell you, I think that that wage in salary will be higher because when that estimate was done, there was not an agreement with the building and trades union that will obviously push that value up, probably closer to about \$79,000 per employee and could potentially bring some of the labor down slightly.

As you see here, the total amount of direct, indirect and induced wages and salaries are estimated to be about \$890 million in total. About half of that would be direct employment and direct wages and salaries. And the economic impact, again: the project is estimated to be \$1.5 billion—including the ripple effect, about \$2.1 billion overall.

In terms of the operations of the stadium—again, we are talking about the operations of the stadium itself as well as the team itself—it has an estimated economic impact direct, indirect and induced of about 8,000 jobs overall. I am not here to suggest to you that these are all full-time jobs; they are not. Many of these jobs are part time, and so it includes both full-time and part-



time employment associated with the project—about \$440 million worth of wages and salaries and an estimated economic impact, including direct economic activity as well as indirect economic activity, of about \$1.3 billion a year.

The third component part are those visitors. Again, now we are only talking about the 16 percent of attendees that will be at individual events that would not have come to Las Vegas otherwise. The estimated expenditure for those folks is about \$571 million in our State. That generates a substantial amount of economic activity overall: wages and salaries—again, not in terms of indirects and induced—about \$326 million in total and \$900 million of aggregate economic impact.

If we flip to the next page, page 38, the same three estimates we utilize in terms of the verticals, if you will, for the fiscal implications associated with the project. The construction of the project will generate retail sales and use tax, as construction materials are subject to retail sales and use tax in the State of Nevada. And they will have substantial labor impacts, be subject to payroll tax. Obviously, they will generate other revenues which would also generate additional yield but are not reflected here.

In terms of the annual operations, what has been estimated is sales tax, modified business tax, live entertainment tax and commerce tax, generating about \$17 million. The project will be owned by the Stadium Authority Board. It will be owned by the public and will not be subject to property tax on the real side, but on the personal side it will be. In terms of the incremental visitation element, again, visitors are remarkable for us as a state. They pay room tax, gaming tax, live entertainment tax, retail sales and use tax, and pretty much every other tax that we impose in the State of Nevada and are estimated to generate about \$36.5 million overall.

When we look at the entire streams of these revenues, the total yield associated with the project is anticipated to generate about \$3 for every \$1 that is required to make the repayment of the bonds and offset the costs associated with the project. As Mr. Hill indicated, because of the visitor element, which is not captured in terms of any in the sports and entertainment district or in any type of the repayment—because of that incremental visitation, we get this additional yield that other communities simply cannot provide, ensuring that the project not only is fiscally responsible in terms of its structure but also generates a net positive economic and fiscal benefit overall.

On the next page, page 39, in terms of the tax revenues that are contemplated, the idea is to capture as many of the revenues as can be captured in a commercially-reasonable way to do so in the project. I have listed a number of them here. Some of them have been modelled. Other ones, like franchise fees, we simply do not have enough information to model today. The idea is hopefully to be able to get some additional yield from revenue sources that cannot be readily estimated because of where the project is in its state, but that would ultimately generate some additional revenue for the projects, some additional security for the bonds that are ultimately issued.

With that, Madam Chair, members of the committee, that is the end of our prepared remarks. Madam Chair, if it would please you and the committee, I am happy to go through the provisions of the bill section by section if that is appropriate. Whatever you'd prefer.

SENATOR CANNIZZARO:

Thank you, Mr. Aguero, Mr. Hill. We appreciate you being here to present to us. I do not know that we need to necessarily go section by section through the bill; members have obviously had a chance to take a look at this bill. I think what we would probably be better served by is moving on to questions from members of the committee. So members of the committee, if you have questions, please hit your request-to-speak buttons, and we will go on through. And we will begin with Senator Titus.

SENATOR TITUS:

Thank you, sir, for the presentation. During the presentation, there was a mention that the average life for this obligation is for 30 years. What is the average life of a baseball stadium? How long do teams stay in one community?

MR. AGUERO:

The answer to your question is there isn't a specific answer. We have baseball stadiums and

teams that have existed for a very, very long time. Obviously, the Oakland A's have had a number of homes, beginning in Philadelphia as one of the original American League baseball teams. Obviously, Senator, assets are built to a greater standard today than they were in years past, and so we certainly believe that the term would be—30 years is not unreasonable.

In addition to that, there is a non-relocation agreement in this particular case. And so two things to sort of mention: one, the bill as currently drafted requires not only that the facility is built to a first-class, premier standard among the best, if not the best, of any Major League Baseball stadium, it also requires that the team commit to maintain that standard throughout the life of the facility. So the hope is that there is sufficient capital allocation that frankly the A's will be responsible for combined with the fact that a non-relocation agreement would ensure that the term of the financing and the term of the commitment are equal.

SENATOR TITUS:

Thank you for that, and thank you, Madam Chair, for the question. I won't ask any more, although I have many. I did ask a lot in the first hearing of this thing, so I am good. Thank you.

SENATOR NGUYEN:

Thank you. I want to get this correct. You have all called us in here for a special session and are asking, minimally, for the State to give you all \$36 million per year for the next five years, for a taxpayer-funded stadium at the same time that the Governor has vetoed funding for summer school, a bill to support children's mental health, a bill requiring paid family leave all because the Governor said we couldn't afford them.

Can you explain to me why we need to provide hundreds of millions of dollars for a billionaire team to come to the Las Vegas Strip on some of the most valuable property in the world if we can't provide funding for critical resources like summer school and health care? And to follow up on that, I guess my specific question is: can you explain to me why this is such a good deal that we should agree that no taxes generated on the corner of Las Vegas Boulevard and Tropicana should go to these critical state and local services for the next 30 years?

MR. HILL:

We don't really have standing to talk about some of the questions that you ask that are outside of this [inaudible]. The reason that we are asking for this proposal are really those two that I talked about at the beginning: opportunity for the State to help create thousands of good-paying jobs, and we know that the State will have more money to provide for the services that you mentioned if you do the deal than if you do not.

SENATOR NGUYEN:

I guess then going back to the idea that for the next 30 years within this district, located in this prime real estate, we won't be able to generate taxes for those things. Do you think that the money that are created by the jobs are going to outweigh the potential that we are missing out on on this area that will never leave that sports district?

MR. HILL:

Yes, we do. We think that the tax generation because of the stadium will be three times what that investment is. And also, it is a 36-acre site; this is only 9 acres of that. It will make that site, the other 27 acres, more valuable, more likely to be redeveloped. And we think that will also—and that is not in these numbers—we think that will also add to the benefit that the entire State sees.

SENATOR NGUYEN:

Sorry, if you feel my frustration, it is because I am incredibly frustrated. When we first heard this bill in the joint money committees, we expressed concerns about the community benefits. And this might be a question for Ms. King, or this might be a question you would be able to answer. After that hearing, lobbyist after lobbyist came and told us and said they heard our concerns, they were working on our concerns—specifically a community benefits agreement advisory board. We are now ten days removed from that hearing, in a second special session that has forced taxpayers to spend another \$250,000 a day to keep us here, and yet what is before us today is the same exact bill that we heard ten days ago.

To say I am extremely disappointed that no work has been done on this bill over the past ten days is an understatement. And I appreciate Ms. King's list, but can you explain what your statutory commitment is to address these concerns in this legislative body? Because we are literally looking at the same bill that was presented, and I am assuming I am not the only Legislator in this building that expressed concerns about the lack of commitment in statute to some of these community benefits. And to say that I am disappointed that I had a list of, like, six or ten things that was read to me today that is not included in this new language is a lot. So if you can kind of address some of that lack of incorporation of the feedback that you heard from this legislature.

MR. HILL:

Senator Nguyen, the commitment that you have heard today is real. We did mention at our last hearing that we felt like the specifics of that agreement put in legislation would be potentially problematic. It may cause programs to be locked in when the community changes, the needs change. Obviously, the legislation and what is in it is the decision of this body and not ours. So we are [inaudible].

SENATOR NEAL:

So I had a question from the bill. It is on page 19, and it is lines 9 through 11. And it is related to Chapter 377D [of the Nevada Revised Statutes]. And so my question here is: this is an education ... I would say it is a tax that the Legislature allowed to be passed in 2019, and I am trying to understand how much revenue from this particular source is going to be pledged for the stadium. And then I have a follow-up.

MR. AGUERO:

I am happy to get you the breakdown at the individual sub-tax revenue standpoint. I am happy to get that over to you. I don't have that specific number here today, but it would be 100 percent of that revenue within that district.

SENATOR NEAL:

Thank you for that. So my follow-up is—because in Chapter 377D, this happened to be language that we gave to the county, and it was under a bill that we passed in 2019, which was A.B. 309, which allowed the county to do a rate. But what they ended up approving, I think it was like an eighth cent. But the provisions in this particular chapter, under 377D, the county set aside this rate to pay for early childhood education, adult childhood education, truancy and homelessness. So if 100 percent of that revenue in 377D is going to be pledged, then what is left for those services that the Legislature gave them the legislative power to produce for the county?

MR. AGUERO:

The vast majority of the revenue that would be generated by that specific tax, of course, would still inure to the benefit of all the programs that you just alluded to. The only portion of the tax that would be redirected is money that is not collected today and would only be collected if the stadium itself was constructed. So there would be no loss of any revenue that is currently directed to any of those programs. In addition to that, about 23 percent of all of our taxable retail sales are generated as a result of visitor expenditures in Southern Nevada. The increase in visitation and the taxable retail sales that are generated as a result, should the stadium be constructed, ought to more than offset those values. So for all of the programs that you just alluded to, if the projections are met as expected, would have more money, not less money, as a result of the project.

SENATOR NEAL:

Thank you for that. So I guess the question—before I go to one more question—is: when would we expect to see, after the construction, revenue generated that would sustain that particular provision or that fund?

MR. AGUERO:

I would expect it to be almost immediate after the project is open. There tends to be a bit of a period of excitement when a new facility is opened up, and that generally tends to have even

higher estimates than what may be sustained over a longer period of time. The combination of the new schedule for Major League Baseball, having a new stadium and frankly having it be located on the facility where it is, I would have an expectation that the very first year we would likely, probably, beat the visitor projections, and then they will average out throughout the life of the project.

SENATOR NEAL:

Okay. Thank you for that. And then one more question, and then I will yield to whoever, Madam Chair. So this question is coming from page 23, line 30, and this has to do with the debt service that has been established through the Treasurer. I do not know if you guys have been watching the wonderful period of time that we have been in this building—special session yesterday, today, and then probably even *sine die* before—where there were all kinds of conversations about fiscally prudent behavior and acting appropriately within the confines of the money that we have. This particular line gives legislative power to the Treasurer to basically touch the unreserved fund balance of the General Fund of the State if something goes wrong. It stuck out to me, number one, because it is a legislative power that basically this bill would then transfer to another person, such as the Treasurer. Do you guys have any thoughts or concerns about this particular power shift in this bill? It is probably not appropriate for you to answer, Mr. Aguero.

MR. AGUERO:

Again, you are right. I don't have standing to talk about power shifts or something along those lines. That provision is designed, along with a number of other provisions, to ensure that there is sufficient security in the event that something isn't there. It is also among a list of, you know, requesting an appropriation from this body. So the structure has worked. We worked with bond council to make sure that something was crafted that would meet all of the requirements. Beyond that, Senator, I don't have any other comment.

SENATOR NEAL:

Yeah, I figured that. So I guess this will be more commentary. I have a problem with, number one, the Legislature being put on the hook for \$25 million and then, on top of that, being then put on the hook to allow someone other than the Legislature to touch the unreserved General Fund balance of this State in order to secure a stadium for someone who I believe can afford to pay for it themselves. And so I will leave it there. And then I am sure members in the committee have other questions, but I have other tax questions later.

SENATOR FLORES:

Thank you for the presentation. I think the focus of my questions will probably be more directed to our director of community benefits, and if she can join us. I want to step back, just kind of get a thousand-foot view when we are talking about community benefits.

So let me start off with this. I don't know a lot about baseball, and I know we have an A's representative. So let me start the question here. What is the average negotiation to transfer a player? Let's say the A's want a player tomorrow—I am just trying to understand, how much time would you invest in doing that? Does anybody have an answer to that question, how those negotiations work? Just for one player.

MS. KING:

I am familiar with how the negotiations [inaudible].

SENATOR FLORES:

I don't know if our A's representative knows.

MR. HILL:

I am not the general manager of a baseball team, but when you ... so typically a player will sign a contract for a period of time. At the end of that period of time, the contract expires, they become a free agent, they can look at all teams and determine where they would like to play and negotiate with them. While the player is under contract, the player could be traded but is under contract to play for the team.

SENATOR FLORES:

Well, would it be fair for me to say that it probably takes months for that negotiation? Weeks? Days? I am just trying to understand that ... here is where I am at: when did we start talking about potentially hosting this team here in Las Vegas? When was the first time that thought ignited? Do we know? When did that conversation start?

MR. HILL:

I would say the conversation started in earnest in early February.

SENATOR FLORES:

Early February of this year. So in early February of this year is when we first have that idea, and then ten days ago is when we have an opportunity to see some language and have some type of conversation. And it is my suggestion that I believe, in having had an opportunity just to do some basic research, that at times we have invested a significant amount of time, much longer than several months, in just the conversations about transferring a player. And we are talking about transferring a whole team and utilizing Nevadans' money to do that. And we have been here for about ten days in trying to see that language. So it is concerning to me that at times we can say that a conversation for one player had more time invested, more vetting, than this possibility. So that is a concern.

But I want to go to section 24 of the community benefits program, as I started off the conversation. And, Ms. King, I know we mentioned a little bit about what we are hoping to do and spoke broadly about that. What I am curious about is, what do those community benefit programs look like in other states? So let's start off with Oakland. Do we have firm numbers? How much money was invested into the community? How many schools did we work with? How many workforce development programs existed? How much did we invest into technology? How did we work with the community? Infrastructure? Boys and Girls [Club]? I am just trying to understand, here is where we are starting off at, here is everything we did in Oakland, and so that we can get a comparison to from what we have done before, because that is the track record to the new partnership we are forming with Nevada.

MS. KING:

I am going to ask Ms. Aker to come up and tell you exactly what they are doing in the community.

SENATOR FLORES:

Please. Thank you.

MS. AKER:

Yes, so at a high level some of the work that we have done ... so we annually work with 1,600 nonprofit organizations throughout northern California. And that includes financial donations, so that is everything from grants or cash gifts to them. We do complementary tickets. We do in-kind donations. So we average about 1,600 organizations we work with on an annual basis.

Our grants right now are about \$1.1 to \$1.3 million and all of the money—we have a nonprofit, our community fund is our charitable arm—and all of the money that comes in goes out. So all the expenses to our charitable fund are covered by the A's. So we try to break even. All of the money that comes in we go out through our programs as well as our gifts.

We have approximately 56 little leagues that we are working with throughout northern California right now. That is 21,000 youths that participate in our youth baseball and softball programs. That is everything from uniforms to coaching clinics to player clinics, free tickets, coming out to the games, scholarship programs and things like that. As I mentioned earlier, 800 classrooms participate in our literacy and math programs. This year alone, over one-million pages were read through our literacy programs. We also have a number of our players that participate. So they support our initiatives and volunteer as well as our player-run initiatives in the community.

We have given about \$1 million annually to the food insecurity—to the food bank as well. No, I'm sorry, that's not true. I apologize because it is not \$1 million annually. It is \$1.1 million worth of food to local food banks. We volunteered over the last probably decade about 20,000

hours in the community, and overall, about 250,000 youth have participated in our programs.

SENATOR FLORES:

Thank you for that. I would appreciate, and I think this body would appreciate, and I think Nevadans in general would appreciate if that is your starting point, if that is what you are doing already, I think that is something we can put into the NRS: guaranteed \$1.1 million in food banks, guaranteed \$1.1 million in grants, guaranteed 20,000 human hours in this, guaranteed 15—because that is what you are doing already. And it lays a foundation for a relationship that is going to start where you are now, and it is not forcing your hand to do so much more, but it shows that good faith relationship. And it doesn't tie your hand to the evolving needs of the community because unfortunately food insecurity is something we are going to have, and we are not saying which food bank. Community service is something we are always going to have to do, and it does not say specifically which community organization we have to do it with.

I mean, we are putting into the NRS very specific things that we are obligated to do. And we also just had a presentation with all these projections and these very specific numbers of how many jobs we think we are going to create. I think on the other side of it we can say that publicly because I think when we talk about the community benefits program, we speak about it and we tippy-toe and we're so cautious. And you have in this room individuals who went through a negotiation on Allegiant Stadium. We did it through a special session, but I will tell you there was one year of humans having conversations individually with Legislators at coffee shops. It was one year of individuals having conversations individually or in groups with different folk, different perspectives. And even with that one year, I will tell you the community benefits program that was promised was not delivered.

So we are incredibly hesitant, not because of who the partners you are or because of what you are presenting. It has nothing to do with you. It is just that you have folk that were in this room and were promised a lot of things, and the community benefits program sounded great, but very little of it was actually delivered. So when you hear from us pushing back and saying we would love to see some of this in the NRS, it is not because we are suggesting that we don't trust the good faith efforts and we don't trust that we are going to have a great partnership. Unfortunately, some of us are just remembering what just happened a few years ago. And so for us it is so important that if we have a partner coming into the community and that we invest all of this, all these resources, and that we do it in such an amazing way that I think we could have an incredible relationship, that we ask just for a little bit more buy in—extending our hand with a firm foundation of commitments in this actual bill that extend beyond just saying "community benefits program." And I think we can do it. You are already doing amazing work, and I am not minimizing what you are doing in Oakland. But I think if we can start there and put that in the NRS, it would start giving some of us some comfort.

And, Madam Chair, my only last question: I would appreciate—not a question, Madam Chair, more of a request. I would appreciate an opportunity for an actual continued conversation. And if we're not going to touch the NRS and we're not going to touch any of this, that an actual conversation—whether it be a press conference or a written commitment—where you lay out specific obligations that you have already said you are going to abide by for UNLV, for CSN [College of Southern Nevada], for certain nonprofits. Again, because that also allows us to hold you accountable in a relationship way, right, because we want to hold each other accountable. You are asking a lot from the State. We will be held accountable, too, but that we do it through something in writing, formally, where the public will remind you years down the road, "Remember? We shook hands on this." And I think that is how this partnership just becomes a little bit more solidified because we did not have an opportunity to do it. You know, some of us are having conversations for the first time about this today. So I just, you know, I would appreciate that, and I thank you for being here.

SENATOR SCHEIBLE:

I want to talk a little bit about the funding structure. I have sat in this body for ... this is my—I guess it is not my third session, it is my fourth special session—whatever we are at. I have been here for six years.

I don't sit on the money committee, so I am coming to this with a little bit different perspective, and I know that my constituents are concerned about the financial impact and the

financial structure of this deal. And I think it is very difficult to understand for the average person; I am struggling to understand it. So I was hoping you could look at section 7 with me of the bill, and I will read it out loud for everybody's benefit. It defines, "Bonds' means one or more series of general obligation bonds additionally secured by pledged revenues authorized to be issued by the County pursuant to subsection 2 of section 34 of this act and the Local Government Securities Law and any general obligation bonds additionally secured by pledged revenues issued to refund all or a portion of such bonds issued pursuant to subsection 2 of section 34 of this act and the Local Government Securities Law." Can you explain that to us in terms that regular people understand?

MR. AGUERO:

I will try to. The State of Nevada and both its state and local governments issue bonds all the time. It essentially takes a revenue stream that we have today and essentially utilizes that revenue stream to bring dollars forward in order to be able to build a building or build a school—I guess a school is a building—or do other things that we might require for debt. Not unlike when my family purchased a home, for example. You have revenues that are set aside to pay for the principal and interest, and then you have other revenues that are generated. Essentially, those revenues that are set aside to pay that principal and interest go to repay bonds that are issued. In this particular case, those bonds are estimated to be about \$120 million. So that is this debt that is going to be issued by Clark County.

We then have revenues that are generated by the project—those are like the income we just talked about—that are going to be dedicated and set aside into an account that will be utilized to make payments on those bonds over time. There are specific requirements in the definition that you just read. You have got the idea of a bond—that's that debt instrument that goes out. There is also other terminology that is included in there. This idea of being able to refund a bond, for example. Imagine for that if, much like my home, if the interest rate goes down, sometimes I want to refinance that debt, right? I can't take on more debt, but what I can do is get the advantage of a lower interest rate, for example. That simply preserves the opportunity for the county to come in and say, "Hey, look, interest rates have dropped; let's reduce the amount of interest that we're paying and continue to pay the project over the same term of the debt that would exist."

You also see that there are specific laws that are included that are referenced there. There are laws that draw the foundation in terms of what the State can do and local governments can do in terms of the issuance of that debt. We have to follow those. You will also find in the document that there are some provisions that you are excluding it from, right? Things like the total amount of debt that is taken out by a local government—this doesn't count against it because it is considered a special obligation for purposes of that. It does sound complicated, and oftentimes laws do that, at least for me. They have a tendency to feel somewhat complicated, but it is debt that is essentially secured by revenues, and those bonds are ultimately issued by Clark County and with all of the reserves and the coverage that we have talked about throughout the presentation.

SENATOR SCHEIBLE:

Okay. So those bonds that are being issued by Clark County are coming from Clark County's general fund, for lack of a better term, correct?

MR. AGUERO:

No, they are not. Those bonds are secured by revenues that will be created by the project. Those include sales tax or live entertainment taxes. Those are dollars that would otherwise go to accounts like that. But they are not revenues that exist today, and there are no monies that are going to be coming out of the county's general fund for the repayment of those bonds. Now, obviously I have to put a little asterisk next to that because they are general obligation bonds, which means that in the, hopefully, very unlikely event that the revenues identified by the project and the cash coverage identified by the project and the coverage created by the state credit enhancement and the first year reserve and the second year reserve all don't come in, then, yes, the county is pledging its full faith and credit to making sure that those bonds are repaid.

SENATOR SCHEIBLE:

And so the debt that the county is taking on—because the county is not a business, right? The county is a public body, and its revenues, its income, the money that belongs to the county originally came from the taxpayers, right?

MR. AGUERO:

Yes, ma'am.

SENATOR SCHEIBLE:

Okay. And so what we are suggesting is that the county is going to take on this debt, and we are going to backfill and return the amount of the debt with revenues from this project. And am I correct that all of those revenues are also taxes?

MR. AGUERO:

Yes, you are.

SENATOR SCHEIBLE:

Okay. So we are basically utilizing taxpayer dollars to fund the stadium upfront and then backfilling and repaying ourselves with more taxpayer dollars. Just different revenue streams, but they are still taxpayer dollars, right?

MR. AGUERO:

I don't think that is correct. I think what we are doing is we are taking money that is dedicated to this specific project. Once those bonds are paid off, those dollars inure back to the State and to local governments and school districts and the like. In addition to that, there are other revenues that are generated by the project as a result of tourism-related activity that do not inure to repay the bonds. Anything that is generated by the tourists staying in a hotel room and generating room tax or going to a restaurant and generating retail sales tax would still go to the State or to local governments or to school districts.

Now, you sort of had me until we talked about this concept of backfilling. We are not creating a hole and then backfilling. We are simply taking revenues that do not exist today, dedicating them to the repayment of a bond, and then when that bond is fully paid off, those dollars will continue to be generated and will go to state, local governments, school districts and the like.

SENATOR SCHEIBLE:

Just to clarify, that won't be done until the end of the waterfall, right?

MR. AGUERO:

I think the "that" that you are referring to there is when the waterfall—when we are talking about the waterfall, those are excess revenues that come into the project. And when they go all the way to the bottom of the waterfall, they can be used for three things: one, the early defeasance of the bonds, we can pay the bonds off early; number two, they can be used for capital that goes into the project; and then there's other things that can sort of be included like infrastructure that could be utilized for the project.

I think what you are referring to is the monies that don't exist today that would go into the project to be used to pay the bonds back. Those are not necessarily the waterfall. What you are saying is that the bonds don't get paid back for 30 years, and so the benefit of that source of revenue doesn't exist for that 30 years. The answer to that question would be yes. The hope is that the benefit from the other project revenues that come from tourism would happen almost immediately and would benefit state, local government, school districts and the like.

SENATOR SCHEIBLE:

And if we are wrong and those revenues are not enough to pay back the bonds, then who is on the hook for paying off the bond? You are on the hook? No, I am just kidding.

MR. AGUERO:

Sure. Look, the answer is, if we get all the way to the very end, it is the full faith and credit of the county that backs those bonds. Just like any other general obligation bonds that are issued, that is how it ultimately works. There is a series of sequences that are to provide additional



security for those bonds before we ever get there. So if we underestimate the revenue, then we would have had to miss it by, you know ... again, one-times coverage goes to principal and interest. Another 50 percent is additional cash coverage. If we miss it by that full 50 percent, then it would be the State's line of credit that would be used. If we missed it by 100 percent—that would mean it generated zero revenue—it would go into the debt service reserve the first year that is issued. If it then generated no revenue for the second year, you would have the State line of credit and then the second year's reserve would go there. Perhaps the question you are asking is for the longer term. What happens if it generates very little money forever? In which case, I suppose we've got a bigger problem. But to that point, once you have burned through all of those credit enhancements and the security that's in place, it would be the full faith and credit of the county that would be required.

SENATOR HANSEN:

I'm having a little bit of a *déjà vu* thing in that, Mr. Hill, the last time I think we had a Committee of the Whole and you were presenting, it was for Faraday Futures. So on this one though, it is a little different in that my concern at this point is: What is the relationship with Oakland and the A's? I mean, I am old enough to—I remember Catfish Hunter and Rollie Fingers and Vida Blue, that is how old I am. What I want to know is how much tax dollars, do you know, have, in even the last decade, the Oakland community put into this stadium that is now being abandoned by the A's? And the reason I am asking, before you answer, is because I am looking long term. What is the track record here? I want to know if we are making this today—everybody is talking about commitment to the community—what commitment did they make in the past to Oakland that they are now abandoning?

MR. AGUERO:

The analysis I was asked to do was specific to the State of Nevada, so I don't have an answer to that question.

SENATOR HANSEN:

Okay. Well, then your analysis today showed that we are going to employ 8,000 people in this stadium with a \$437 million payroll with a \$1.3 billion economic output. Would it be safe to say that this same annual operation is going to be leaving Oakland, and they are going to have a hit of \$1.3 billion, I mean, theoretically at least?

MR. AGUERO:

I don't know that I can answer that question. Do I believe there is the potential of an economic hit? I do. I think that there is benefit. The other portion that I would suggest is that the structure of their economy, very different than the structure of our economy. The trajectory is very different here than there. So I don't know that I can compare the two, but I doubt it would be one-to-one.

SENATOR HANSEN:

I would agree, but I am just kind of looking at it. You guys have [inaudible]. What I am looking at is, okay, why are they leaving Oakland? Okay? There has been a strong relationship there for decades. Now the whole area is apparently going downhill. Mr. Fisher has been criticized for not putting enough dollars back into the stadium or his own team. And now he is going to relocate, and basically the commitment that they had to the community that undoubtedly at one time was strong is going away. And one of the selling points you are presenting to us today is that the Oakland A's are going to come here and be the Las Vegas A's and have a strong commitment to community. But I have this sensation that they are abandoning a community that they undoubtedly made very similar commitments to in the past.

Now, obviously I apologize because you cannot answer those questions because you are only dealing with the Nevada side of it, but from my perspective as a Legislator, I want to see—because if this happens, this is a 30-year tax arrangement and thing. I mean, somebody—and I will be dead in 30 years, more than likely—but I want to make sure that the decisions we make today, which will commit us to these tax abatement programs and so forth, are going to be honored down the road, and I am looking at the track record of the Oakland A's and Mr. Fisher.

MR. HILL:

Just to be clear, the A's have been in Oakland since the late '60s. They have had an over 50-year run in that city. And obviously the stadium issues that they have had, the Raider's have had, have caused them to look elsewhere and choose Las Vegas. The way this legislation is written, if they leave inside of that 30-year commitment, they have to pay off all the outstanding bonds in order to do so. If they leave, we will have a baseball stadium that, in the majority, the A's have paid for, and they will have paid off all the bonds that are outstanding.

SENATOR HANSEN:

Very good, thank you. Let's go to a Nevada question then. I am sorry. I probably chased you down some areas that you can't answer, but this one I think you can. What is the current unemployment rate in Clark County?

MR. AGUERO:

Sub-5 percent.

SENATOR HANSEN:

Okay. I was just wondering because in the north, we have a significant labor shortage. You know, in my mind, I am here to also represent the small businesses community, and you drive through Carson City, Reno, Sparks, about every other business has a help wanted sign. I am just kind of wondering if we add this additional layer of giant corporation employment, how is that going to impact the current labor shortage in Nevada?

MR. HILL:

Obviously, this will happen over a period of five years before [inaudible] open and play. Part of the way that we look at our job at the LVCVA is to help drive demand in order to help drive the community forward. It is hard to time these things. I mean, we all go through ups and downs in the economic environment that we are in, but in order to continue economic vitality in any community, you need some level of growth. And this will provide a longer-term level of growth that is reasonable and digestible for the community but continue it on its upward trajectory.

SENATOR HANSEN:

I got it, and I think it is honestly a great idea overall. My bigger concern though is I think in so many cases like this, we have these giant corporations that come in, billionaires that come in, and then we subsidize them through some tax abatement or tax program, and in the meantime the small business community has to make up the difference for the costs associated with the people that are employed in those things. And I do understand in the long run, it may all balance out if everything works out. But in the short term, in that 10-year window, somebody has to make up the tax revenues not being generated that is going into the actual general funds of various governments. And so that is where I think the small business community basically is being used to subsidize a form of corporate welfare for some exceptionally big people that honestly should be able to finance their own projects without the need of the Nevada taxpayers, but that is just my opinion on that. So, thank you, Madam Chair, for giving me this opportunity to ask these questions.

SENATOR DOÑATE:

I want to agree with my colleagues on some of their comments on this proposal in the session that we just completed. As you know, many of us have shared our frustration that we just finished a session, and now we are back here to consider a tax giveaway for a multibillionaire without concessions made from the Athletics in terms of the ramifications that might occur from such consideration of a proposal.

As you may know, the stadium that is proposed, and other sites that you have considered, is in my district, and I have heard from residents that there is no direct response right now as to how to address the workers that will be displaced from those who are at the Tropicana and the traffic safety concerns that will be further worsened because of this current proposal. And I understand that you documented that, but it still does not show enough progress, at least for my concern. And I do not know if any of you have ever had the chance to drive on Frank Sinatra Drive on a Friday night at 6:00 p.m., but I sure have because it is my route to home, and it is not fun.

And it is saddening that we have this proposal. And we had proposals during the session. For instance, I carried a proposal that was going to provide coverage for kids who are undocumented for their cancer treatment. We couldn't even get that done, but now we have a tax giveaway—millions of dollars. And so it is kind of frustrating, at least from my side.

Having said that, I do have a few questions that perhaps you guys could answer because I think it is important, and my last question is actually for the leadership of the Athletics because I want to hear from them directly. So if the president is here, I would prefer for him to start walking down because I think it is important for the taxpayers to have that question answered.

So my first two questions. With regard to the bill proposal, in reviewing section 20 of the bill, it states that "The Board of County Commissioners shall create a resort corridor homeless prevention and assistance fund." Can you help provide background as to why this proposal was accepted? To me, limiting it just to the resort corridor sounds like you are just finding a way to bus homeless folks from the tourist areas and instead ignoring the true root of the problem. I personally believe that because my district encompasses the Las Vegas Strip and surrounding areas, I would request that the language adds downtown Las Vegas and surrounding neighborhoods to this section of the bill because we know that this problem extends beyond the Strip corridor. There are neighborhoods, for instance, down the street from my house near Las Vegas Boulevard and Oakey that could have support services enacted in them. And so I just want to hear your background as to why this was included specifically for the resort corridor.

MR. AGUERO:

The brief answer to your question, it was originally created because there was a desire to make sure that if the project overperformed, that the community would benefit. I think there was a recognition and request by Clark County to create such a fund that would capture any of that overperformance by the project, and this is what was here. Perhaps in the drafting, I wasn't very elegant in terms of its design. The idea didn't mean that we're only going to have the money be dedicated to the resort corridor. It simply meant that the dollars were collected in the resort corridor. So to the extent that a clarification relative to that would be helpful to make sure that this intent is clear, more than happy to entertain any revision that would—homelessness is not a localized problem; the revenue generated will be localized.

SENATOR DOÑATE:

Thank you for that. I think the confusion that I had was in section 20, subsection 3. It says "Diminish the incidence of homelessness in and around the Southern Nevada resort corridor." And so I just wanted to ... as you may know, there are—downtown Las Vegas, et cetera—there are areas that feed into it, and for me it looks like you are just trying to displace individuals. But I think that is something that you should consider when there are amendments to the legislation.

And, Chair, if it is okay, so just two more questions. With consideration of the sports and entertainment improvement district, perhaps I am reading the legislation wrong, and so if you can correct it for me ... is there a sunset provision on this district, and if there isn't, why haven't you considered such a modification?

MR. AGUERO:

The answer to the question is yes. There is a sunset. It sunsets when the bonds are paid off or 100 percent of the refundable transferrable tax credits are paid back to the State in full, at which time it reduces to about 10 percent of the amount so that the Stadium Authority Board can continue operating and oversee the project. It is the same general structure that was utilized in Allegiant Stadium.

SENATOR DOÑATE:

Great. Thank you. And then, I don't know if the leadership of the Oakland is ... thank you for being here.

DAVE KAVAL (Oakland Athletics President):

Senator, yeah, it is great to be here. Thank you so much. Dave Kaval, president of the A's. Happy to answer any questions you have; if you could restate the question, it would be great.

SENATOR DOÑATE:

Sure. So this is my final question, and it is directly to you. So on page 39 of your presentation, you listed the tax revenue sources, and there is several tax revenue sources that will be included in the sports and entertainment and improvement district [*sic*]. In one of them, you have listed the live entertainment tax, and that is something that is going to be captured. And so this question is directly to you as the leadership of the Oakland Athletics and your future presence.

In the legislation before us, I find it a coincidence that there are funding considerations that will take certain tax percentages away from our county, and that is a problem. Having said that, I believe there is an equity issue that exists in our State, and I want to make sure that I get this from you directly. Given the gaps that we have seen in conversations we have had throughout this session, it is clear that not everyone pays for the live entertainment tax. For example, in my district, which is also where the stadium is going to be located, we have venues like Sand Dollar. It is a local bar that features live bands, and they pay the live entertainment tax. But considerations like yours—athletics stadiums or events—would not have to pay for it. So I want to get this just on the record, directly to you.

Would you agree that it is important to maintain equity across all businesses, and that you will commit to willingly pay for the live entertainment tax for baseball games and athletic events featured at this facility in the near future?

MR. KAVAL:

Well, I appreciate the question. Obviously, we are bringing the baseball team to Southern Nevada, over a billion dollars in private capital. We're looking for a partnership, and we want to make sure that we are going to continue to invest in a variety of ways to improve the situation for small businesses, medium-sized businesses in a variety of fashions beyond the live entertainment tax. So I think by bringing additional tourists and other ways that generate tax dollars for the community, we think our project can actually be a net positive for the community, plus the quality of life that comes with a baseball team.

SENATOR DOÑATE:

Thank you so much for that, but that didn't answer my question. So, again, it is a yes or no: will you willingly commit to pay the live entertainment tax in the near future to fix the equity issue that exists?

MR. KAVAL:

Like I said, we are committed to being a great community partner in Southern Nevada, and investing, you know, over a billion dollars to ensure—

SENATOR DOÑATE:

That still does not answer the question, sir. I am asking you directly. Yes or no, will you commit to paying the equity issue that we see in existence for the live entertainment tax?

MR. KAVAL:

The legislation as it is currently envisioned does not contemplate that. The project is based on what is currently proposed. And so we have been focusing on that as really the path forward for the team and for the community.

SENATOR DOÑATE:

Thank you. I mean, I find that disingenuous; I asked you directly. You are going to be capturing this as part of your legislation, yet you can't even commit to doing it yourself. And so I think that is something that the taxpayers must know of this State, but I divert my questions for the next round. Thank you.

MR. KAVAL:

You're welcome.

SENATOR STONE:

Thank you for what I think is a very exciting presentation, but I have a few questions for you. I represented a buyer for this site about three years ago prior to Bally's acquiring the site, so I am

very intimately aware of the value of the site and the underperformance of the site today. So 9 acres of this 35 acres is going to be given, and also we heard people say that this is just a tax giveaway, it will take away from other programs. The taxes that are going to pay the bonds and everything is only coming from this nine acres as a result of the value that you are putting in there, \$1.1 billion, which is more than any other team principal has ever invested in a stadium. Is that correct? In the United States?

MR. HILL:

Yes, that is correct.

SENATOR STONE:

Okay. So gentlemen, I am sure that you are aware that we have some mega resorts, very successful ones that people come here—over 40 million people, as you mentioned earlier. I am looking at examples like the Wynn, the Bellagio, the Venetian. So I would imagine that the owners, the REIT [Real Estate Investment Trust] that owns this 35 acres, are giving this 9 acres away—which by the way has a value of about \$100 million, which I do not know if you have reflected—that are going to become a part of public ownership. I do not know if you have emphasized that, but that is coming to the taxpayers. But a mega resort is going to be built on that 26 acres; I will guarantee you that. It is the most wonderful, prime location as people are entering, especially from California coming onto the Strip.

So my question is if we have a mega resort that is going to be built, not a matter of if but when, and I would imagine it is going to happen soon, I would say before 2030, what is the approximate—just give me a range of low to high of what the Wynn, Bellagio and Venetian as an average contributes to the General Fund of the State of Nevada every year. A guess.

MR. AGUERO:

I do not know that I can give you those specific numbers, but I can tell you that from the analysis that if we look at visitor-related activities and our resort industry generally, it is about 43 percent of General Fund revenues are either directly or indirectly related to our tourism-based economy.

SENATOR STONE:

So is it fair to say that if this becomes a mega resort, it is going to add a significant sum of money to the coffers, which you have not contemplated as a part of your economics? Is that correct?

MR. AGUERO:

That is correct, sir.

SENATOR STONE:

Okay. And then, I want to talk about naming rights. Who is going to be the beneficiary of the income from the naming rights? Will that be income that is going to be going to pay off the bonds, et cetera, or is that going to be going to the owner of the team?

MR. HILL:

That would be revenue that would be for the A's.

SENATOR STONE:

That would be for the A's. Okay. And I also want you to talk about bringing a Major League Baseball team to any city. It's my understanding that if we want a team—whether it's the A's or another team—if we have to build a stadium, that it is a Major League Baseball policy that there has to be a public-private partnership. Is that correct?

MR. HILL:

I don't know if that is stated policy at Major League Baseball [inaudible] that the proposal that we have presented [inaudible].

SENATOR STONE:

Okay. Are you aware of any stadiums that have utilized public funds that have defaulted on

their bonds anywhere in this country? I am talking about Major League stadiums.

MR. HILL:

No, I do not think [inaudible].

SENATOR STONE:

Thank you. And I think that is a testimonial—and thank you, Madam Chair, for the extra time—I think that is a testimonial to the very conservative structure that you have given this with two times the reserves. I don't think Clark County would subject their general fund to much risk, and being an investor myself, there is no such thing as a no-risk investment. But I think that you have done a very good job of minimizing the risk to the taxpayers, and the bountiful that can come in response to that. So I think you have answered all of my questions. I appreciate you being here today. I think it is a very exciting project for us to consider. I wish we had a lot more time, but we're a 120-day session, and things happen pretty fast around here. So thank you.

SENATOR HARRIS:

Mr. Aguero, Mr. Hill, thank you all so much for being here. I just wanted to start it off by thanking Mr. Aguero for answering my questions and providing any supplemental information. I have a couple of questions about the underlying assumption here that we are going to average approximately 27,000 visitors per event. Is that right? Is it 27,000?

MR. AGUERO:

It is roughly that amount.

SENATOR HARRIS:

Okay. I am going to do a little bit of math here. So, you know, pull out your calculator or trust my numbers, either way. For those who want to follow along, grab your phone, pull out your calculator. So let's assume that in year one the A's are somehow able to double their average attendance to 18,000 for 81 games. That would be 1,458,000 in attendance. In order to meet your projections, we would have to take the 2.6 million, subtract 1.458, that leaves you with 1,142,000 to be made up by the remaining 14 ticketed events. In order to do that, we take 1,142,000, divided by 14. That would be 81,572 people in attendance for the remaining 14 events. That is more than double the capacity of this proposed stadium.

So let me be a bit more generous. Let's assume the average attendance has tripled. That would be 2,187,000 people in attendance. So we take 2.6 million, subtract 2,187,000, that would only leave now 413,000 to be made up by the remaining 14 ticketed events. Four-hundred, thirteen thousand divided by 14 is 29,500 people in attendance. So that would be a required sellout for the remaining 14 events. Is it reasonable to assume that the A's will triple its attendance in years one, two or even three?

MR. AGUERO:

I take no issue with the underlying mathematics. If the question is whether the A's build a stadium in Las Vegas and are able to generate attendance in the 50th percentile of all Major League Baseball teams anywhere in the United States, yeah, I think that is reasonable. Those numbers are supported by CSL, the foremost expert in the United States relative to that. They have been reviewed by PFM on behalf of the county, who determined that they were reasonable.

So I take no issue with the challenges that exist for Oakland in Oakland today. My sense is from all the analysis that is exactly why they are looking for somewhere else to go. That even if they field a tremendous team, getting the support that's necessary just doesn't exist at that point in time. And so by building a new asset, if we look at other facilities that have been constructed, it becomes a draw. You look at what Las Vegas has been able to do in terms of its draw. It's been pretty remarkable overall. And again, you are going to tell me something that—I am sure because of the conversations that we have had before—is that there is going to be no guarantee that they are able to do that. And if we look at recent history, obviously, it's challenging. There is no doubt about that, but I think that's the big reason that we're here today.

SENATOR HARRIS:

Yeah, Mr. Aguero, I mean, I am willing to assume that at one day, it may be we reach 27,000

visitors. My question is: Do we have enough time to reach it in order to make up the average of 27,000 visitors, right? Because if we lag in years one, two, three, four and five, and we only have an extra 2,500 seats to be able to make up in perpetuity, depending on how quickly we get there, we never may be able to average 27,500 unless we start in years one and two pretty close to that number.

MR. AGUERO:

You are right; you are 100 percent right. The other part of it is those first years are probably going to be the years that it's easiest to fill that stadium. It's going to be the shiny-new project on the Las Vegas Strip. The ability to sell that place out over those first three years, yeah, I like our chances relative to that.

SENATOR HARRIS:

Okay. I will just throw out one more scenario, and then I have a question about traffic, Chair, if that is okay. So even if we assume that attendance is, on average, doubled over the first three years, that's 18,000 average for three years, so 54,000 people. Twenty-seven thousand times three is 81,000, so 81,000 minus 54,000 means we would have to make up 27,000 more visitors. Twenty-seven thousand visitors over three years is another 9,000 people over the next three years. So you'd have to then do 27,000 in the three years after that plus 9,000—36,000 people, which is beyond the capacity, in order to have an average in the first six years.

MR. AGUERO:

Again, you are starting the math that you are presenting with the estimate that they would be operating in the bottom quartile of Major League Baseball teams. If that's the premise, you are absolutely correct. The analysis that is being done suggests that they will go from where they are today—which, for the record, is dead last—to something that is in the 50th percentile by building an asset, by coming to a different location and giving the team a fighting chance at success.

SENATOR HARRIS:

And I think that is fair, but I also think it is fair for me and fairly generous for me to be assuming that they are going to double their attendance in the first three years, but that is a ... I guess a difference in assumptions. But I felt that that was a fairly generous assumption, and even with that, we've got quite a bit of work to do.

Okay. As far as traffic, I know that a lot of folks have been concerned, and my colleague from District 10 mentioned that a bit as well. In this report that I have here prepared by, it looks like, Kimley-Horn, there are several recommended infrastructure improvements, including realigning Reno Avenue curved intersection as a major four-way signaled intersection; widening Reno Avenue to provide eastbound/northbound dual left-turn lanes; widening Reno Avenue to provide westbound and southbound dual left-turn lanes; modifying the median along Las Vegas Boulevard to lengthen southbound to eastbound dual left-turn lanes at Reno; installing northbound right-turn lanes and a new project access driveway along Las Vegas Boulevard; and approximately five or six other things that are being suggested to be done to handle the traffic. Has the A's committed to engaging in any of these infrastructure projects?

MR. HILL:

This relates to the High-Impact Project process that the county goes through. That has to be completed to the county's satisfaction prior to this project moving forward, so that conversation will happen during that period of time.

SENATOR HARRIS:

Okay. I will try one more time. So has the A's committed to doing what is necessary when it comes to infrastructure, maybe even the recommendations based upon the study that they commissioned, in order to ensure that the traffic is taken care of ahead of the stadium opening?

MR. HILL:

Dave, can [inaudible] if I am wrong here, but they have committed to do what it takes to meet that High-Impact Project plan that will be put in place by the county. The County Public Works

needs to weigh in on Kimley-Horn's study in that conversation, but they have committed to do what they need to do to make it happen.

SENATOR SEEVERS GANSERT:

So at the beginning of this we talked about services. And there's all kinds of services that we want for homeless and food insecurity and all those sorts of different things, but to be able to cover those services, we need to produce revenue, right? So the State has to drive revenue to be able to pay for services for those in need. And so in thinking about that, we have to look at the return on investment. And so most recently we did another project, Allegiant Stadium. Can you talk a little about how we've done relative to our expectations and where that money actually goes, if we have a net profit or return on investment?

MR. HILL:

Allegiant Stadium, by virtually any measure, has outperformed what we had projected and what we had hoped. The key number is the number of visitors who as Jeremy Aguero describes them, incremental visitors, the ones who come to Las Vegas because of the event in the facility. We projected at the time that about 22 percent of those visitors, 450,000 visitors a year, would come to Las Vegas because of events in Allegiant Stadium. That number has been this past year, in 2022—and you've got to remember in 2022 in January and February were Omicron months—it's about 180 percent of what we projected in 2016. So it was nearly 800,000 incremental visitors came because that stadium was built. It has been a big part of the recovery from the pandemic for Las Vegas.

SENATOR SEEVERS GANSERT:

Thank you. So almost twice as many people came. And then how many events are you able to do at Allegiant versus the baseball stadium, including like the Raiders playing in the stadium and then other events and then baseball, because there are so many baseball games and then other events? So what does this look like, like events to events?

MR. HILL:

When we did the projection in 2016, we projected 40, 60 events at Allegiant Stadium: 10 of those were Raiders' games, 6 of those were UNLV games and there were 30 other events that were projected at the stadium. The number of events at the stadium is approximately that number. Targeting the ten Raiders' games, that includes a couple of exhibition games [inaudible] be playing there. What has happened though is that the stadium, because it is in Las Vegas and because the stadium is so fantastic, has been a draw for headline events, concerts, that we really did not anticipate seven years ago, but we realize it now. We have had [FC] Barcelona [versus Real] Madrid, that has been the highest generating revenue event at Allegiant Stadium. It has put the eyes of the world on that stadium and our city. [Inaudible] BTS sell out four stadium concerts in nine days in two hours—200,000 tickets in two hours. [Inaudible] the quality and the level of the events that we have had at Allegiant Stadium have far exceeded our expectation and have created that—that and the city, the environment and the experience around the events [inaudible] created that additional demand that we just didn't realize was there seven years ago.

SENATOR SEEVERS GANSERT:

So thank you. I think there's a synergy between these stadiums, and part of it is the seasonality so—well, you never finished with the events. So you have roughly like 40, 60 events there. It's a larger stadium. So what are you thinking? How many events will be driven, including the baseball games themselves, at this new stadium? And then, talk a little bit about the draw of the stadium itself like you just mentioned with Allegiant.

MR. HILL:

The projections that we have here are not from the LVCVA [inaudible] obviously project 95 events. Eighty-two of those events are the baseball games. They will happen [inaudible]. There are projections for five concerts; we think that is very likely low. There are projections for just three other sporting events; I will guarantee you that is low. We know of a number of events that if we had that stadium now, we could put in there, and they would number quite a few more than three. And then there are five ticketed community events.



I would add that our trade show customers at the convention center and also the convention centers at the Venetian and Mandalay are always looking for a different experience. A surprising number of them have corporate events at Allegiant Stadium now, are looking for other venues to have keynote speeches. Many of these large corporations will bring 30-, 40-, 50-, 60,000 people to town for one of their conventions. Finding a place for a keynote address, just a different type of experience, will be an attraction that has not been considered in the proposal.

SENATOR SEEVERS GANSERT:

Thank you. And so when you are looking at, again, incremental visitors, and so when you look at baseball games, it is off season. And when we were in Revenue—excuse me, in Finance—I asked a little bit about that. How are we going to move our capacity or maybe it is our—just the opposite—so our occupancy rates, right? So we've got some vacancies, our occupancy rates. If we move those, what does that look like? How does that affect the bottom line, like the return on investment, for the State?

MR. HILL:

The demand in months that baseball plays is oftentimes less than what you will see at other times of the year. Now, how that typically manifests itself is in a drop in room rates. Properties do a good job of keeping occupancy generally high. Our current occupancy is less than what it was in 2019 [inaudible] percent. We have additional rooms coming online. And as I mentioned earlier, a part of our job, or a big part of our job, is to drive demand in order to allow the city to continue.

SENATOR SEEVERS GANSERT:

Right. So I appreciate that. And originally, I was talking about return on investment—so you have got some numbers there. So what are the expectations as far as the tax dollars we will receive? Because when we look at abatements, it is really just about the nine acres. Those are abated, but then we are making money elsewhere because we're gonna have incremental rooms and meals and all sorts of different things.

So I know you've got some numbers, but for return on investment, what do you expect to get above and beyond what the State's investing? And when you look at what the State's investing, because there is a payback model, the net to the State is like \$90 million. So we are talking about a \$1.5 billion stadium with probably \$200 million worth of land, so like \$1.7 billion, including the in-kind that's been happening here. So what do you think about the return on investment to be able to pay for services that we talked about? Like how is this going to help people in the community directly because of revenue? And then I know that there's a community benefits plan as well, but just to the side. But I am saying sheer dollars coming to our State because of what it's driving throughout that area.

MR. HILL:

You bring up a good point. A good portion of the funding in this bill is really a loan and not a permanent commitment. So the county will be loaning the A's \$120 million; it will be paid back. The State will be offering \$180 million in transferrable tax credits but half of those would be paid back, so the \$90 million. And then the county has committed a \$25 million credit in that HIP process, that development agreement, and that would be a permanent commitment on behalf of the county. So it is that \$115 million is the only permanent commitment. Now, the math that Mr. Aguero has done is based on the entire amount, whether it is a loan to be paid back or not, and we are going to receive—the state and local governments will receive—in tax dollars three times as much as that total.

SENATOR SEEVERS GANSERT:

So three times as much. And when I think about the revenues of the State, the three top revenues are sales tax, gaming and modified business tax (MBT), right? And those taxes, where do those get distributed? Are those just to Clark County, or do those get distributed across the State, whether it be rural—I mean do they all, most, a lot of them go to the General Fund, right? So what does that look like as far as who will benefit locally and then potentially otherwise in the State given sales, gaming and MBT are the drivers?

MR. HILL:

I will turn it over to Mr. Aguero.

MR. AGUERO:

You're absolutely right. If you look at sales, gaming and MBT, the State sales tax inures to the benefit of the State's General Fund. So the incremental revenue that Mr. Hill talked about goes into the State's General Fund. It will benefit everywhere in the State. The next one is the Local School Support Tax, the LSST as we refer to it, which goes into the State Education Fund. It will go to every district in the State of Nevada. Again, incremental revenues that will go there. We have the BCCRT and the SCCRT, the Basic City County Relief Tax and the Supplemental City County Relief Tax. Some of those dollars are redistributed through the two-tier, consolidated tax redistribution system. Others of them are not, but in all being modest, it would certainly be a redistribution. To your point, the gaming tax, 100 percent of that inures to the benefit of the State's General Fund, so those dollars would come to this Legislature and be distributed throughout the entirety of the State of Nevada. And the same thing is true with our payroll tax, the modified business tax, 100 percent of that inures to the benefit of the State's General Fund, so those dollars will benefit the entire State.

SENATOR SEEVERS GANSERT:

Thank you. And if I heard that correctly, so we're expecting like a three-times return on investment for this. We have the experience of the Allegiant Stadium, where we have almost twice the visitation, incremental visitation, as we expected. And when you think about Las Vegas—in my mind when I think about the Raiders, the Knights, now we've got F1—I think this is another piece that makes it sort of the ultimate professional team sports destination. And so since you're the head of the Las Vegas Convention and Visitors Authority, do you think there is a draw for just that?

And the last thing I will say is when I think about baseball versus a lot of other sports, it's affordable. Families get to go. When you think about the local families or like a school, they can go to events like this. So it's this big destination that—and Las Vegas is really an international destination. If you ever say you are from Nevada, they always say Las Vegas. They don't say Reno; they say Las Vegas. Sometimes people know Tahoe, but the driver of it really increasing in a very positive way, the visibility and the attraction of Las Vegas and then in a local way, families. Families can go to these games; they can afford these games. So maybe you can speak a little to that. Thank you.

MR. HILL:

There are a number of benefits that are harder to quantify that are not in these numbers. The reputation of Las Vegas as one, a city who can figure out how to say yes, who can make these things happen, that matters. The message that it sends when these professional sports leagues choose our city, it highlights the city. We get better marketing from having these events, these teams, than we could ever possibly afford to buy. That value is not in the numbers either. And the momentum that we have in becoming the sports and entertainment capital of the world, this is another huge step: more energy in creating that image, that environment, that reality. And we are separating ourselves from other cities so that this can become more permanent, more stable, and we think that's important as well.

SENATOR SEEVERS GANSERT:

Just answer, too, like family, like affordability, like average ticket versus maybe some of the other sporting events we have, if you don't mind just commenting on that. Thank you.

MR. HILL:

Certainly. And we will have 81 baseball games a year plus playoff games. That allows approximately 2.5 million, maybe a little more, seats per year to be available. Seats at this stadium would [inaudible] there will be seats available in this stadium in the \$15 range, which is just not possible for other . . . I mean, the comparison is just different. There are fewer seats, or there are many, fewer games in other leagues. And so it makes it a family event that's very affordable.

SENATOR SEEVERS GANSERT:

Thank you. I appreciate all the information.

SENATOR DALY:

I appreciate the comments, questions and various things from my colleagues in I think [Districts] 2, 3, 4, 9, 10 and 11. And they all have their questions and perspectives, and I rely on some of their expertise back and forth. So I'll go to a question that ... I'm a blue-collar guy; I have a couple of different things on that. In my understanding is that there's a private sector between the A's and the construction trades' prehire agreement for this particular project. Is that correct?

MR. HILL:

Yes, the A's have reached an agreement for a project labor agreement for the construction of this site, and they have reached an agreement with the Culinary [Workers Union Local 226] for the operation of the stadium.

SENATOR DALY:

And then I had a follow-up question on a question that was asked by my friend from District 11, I believe it is, regarding the peripheral work, the roadwork and various things they need to do to accommodate that. And there is a principle in development called concurrence. So if you are having a project that then has impacts, they have to mitigate those impacts in concurrence with the project opening, and you indicated that they are committed to do whatever it is they are going to do.

So my question is, partly: Is the county paying for that? The city? Is the owners of the A's going to put in part of the costs for some of those projects and various things? Is that going to be covered by some of the things in this agreement, either the project agreement or the community, the local business purposes, et cetera, small local businesses? Is all that going to be covered, or is that separate and just goes from there? And I would hope that at least those parts of the public projects would not be excluded from the bidding provisions that you have here. I am just curious how that all meshes together.

MR. HILL:

I would imagine—well, it's more that I know—any public work project is going to go through the entire process. That's not addressed or changed by this bill. The conversation will happen between the A's and Clark County. And you're right; they will be required to mitigate all of the concerns or impacts, really, that the stadium causes in that area. The county has agreed to a \$25 million credit on the cost of that mitigation. That cost is not reflected in the \$1.5 billion number and will, other than that \$25 million, be borne by the A's.

SENATOR DALY:

Thank you for that. So following up on the other blue-collar question on somewhat I have on the small local business portion of this, which I support. I think it's a good idea. But I don't believe there was any intention in this piece of legislation to conflict, potentially, with the private agreement between the A's and the building trades on some of that stuff.

And specifically in section 26, I think you need to put a definition. I've seen some of these programs and various things before where people think they're special. I have to meet this 15 percent. So you would have some of these people that meet the qualifications otherwise say, "I am not signing any agreement in order to participate on this job. I'm special." In some of your language in here, especially I think in subsection 4, where it—I think it's on page 16—where it says: "Such a contractor that subcontracts such work shall not impose any requirements on the small local business relating to the employees selected by the small local business to perform [the] subcontracted work." Now, if they have a provision in the prehire agreement that they have that gives waivers and various things, then that was their business. That's what they did. But to put in statute that would potentially conflict with that and go against a negotiated agreement, I think is a concern for me, among others.

And like I say, I appreciate the other questions. I don't know as much about taxes as my colleague in [District] 4 and my colleagues here in 2 and 10, more plugged into some of those community-based issues. And I rely on them for those things, and I think some of them rely on

me for these questions. So if you can give me an explanation there.

MR. AGUERO:

That language is the parallel language that was utilized in the Allegiant Stadium project, which exceeded the small business threshold, employed 168 small businesses as a result of that language being included and generated just under \$300 million in revenues for Nevada-based small businesses. That's why it was carried over here, and we would expect something similar.

SENATOR DALY:

And there were no issues with somebody not wanting to sign the letter of assent that said they'd follow the agreement? I've just experienced some of those issues in the past in a similar situation.

MR. AGUERO:

Forgive my interruption, Senator. I'm not aware of any, and none surfaced on the other project that I was aware of.

SENATOR DALY:

I know you mentioned some of the infrastructure and stuff, and you mentioned the Boring Company. I'm perfectly fine picking a fight with Mr. Musk if he wants to attack me on Twitter; I suppose he could. But does he think he's special in that his Boring Company wouldn't have to comply with some of these requirements related to this project? I hope he doesn't think so because he's not.

MR. HILL:

Senator Daly, there is no public money going into the Las Vegas Loop, but the Boring Company has made a commitment to Clark County that other than the one machine that they run as [inaudible] for research and development, that and with their own employees, they will use union labor throughout that system.

SENATOR DONDERO LOOP:

On slide 38 of your presentation, I noticed that there is a one-time construction fiscal impact of I think \$38.8 million based on the estimated sales tax. So how—both of these revenue sources will be pledged to pay not the county bonds, but will the state and local governments and specifically school districts see any tax revenue associated with the stadium construction, or will it all be pledged to bond replacement?

MR. AGUERO:

During the construction, all of those dollars would be utilized for the repayment of the bonds and the creation of the reserves that we talked about before. Because there's no operations that are occurring, there would be no other revenue that would inure to the State, local governments or school districts.

SENATOR DONDERO LOOP:

Okay. Thank you. I'm trying to understand. This isn't necessarily always my wheelhouse, but can—so then after the bonds are repaid and 50 percent of those tax credits are repaid and 10 percent of all the tax revenue generated—is that right?—to the sports and entertainment improvement district, will that go to the stadium in perpetuity, or how does that work?

MR. AGUERO:

I just want to make sure that we're saying the same thing for a moment. There are really three phases of the project: there's the early phase of the project before the bonds are issued; there's the point at which the bonds are issued, the stadium is constructed and operated; and then there's a period after the bonds have been paid off and all the transferrable tax credits that are to be refunded have been fully refunded.

During the first chunk of that project, if any revenues are generated as a result of that, it goes into a tax account and would reduce the amount of the bonds. So again, if the project isn't constructed, there are no revenues because the project's being constructed, those dollars go into that account. For the, let's call it a 30-year period in which the stadium operates and the bonds

are being paid off, those revenues are all coming in, they are being used to pay off the bonds, and hopefully there's waterfall revenues that flow all the way through that, and then we've got these other revenues that we've talked about associated with visitors and something along those lines.

I believe what you are talking about is that third tranche. What happens after the bonds are paid off. What happens after all the transferrable tax credits are paid off. At that point, 90 percent of the project, 90 percent of the revenues go back to the State, local government, school district, anyone else is imposing the tax just like they would if the stadium never existed. The last 10 percent goes for, really, three things: one is the operations of the Stadium Authority Board, who still has responsibilities over the stadium; the second, it would be infrastructure in and around the stadium project; and the third would be for capital reinvestment to hopefully maintain the standard of the stadium beyond its 30-year useful life.

SENATOR DONDERO LOOP:

Okay. I think I understand that. So another question I had was in section 29. And several of the taxes that were pledged towards repaying those county bonds have never previously been authorized in law to be pledged as contemplated in the bill. And I apologize if you have answered this, but I just need some clarification. So it includes that modified business tax and the insurance premium tax. Since the revenue collected from these taxes inside the sports and entertainment improvement district would need to be accounted for separately from other revenue collected, have you considered the administrative impact that this might have on the taxpayers and the Department of Taxation?

MR. AGUERO:

Yes. We've had the conversations with the Department of Taxation in terms of how they would need to be separated to be accounted for. There are two provisions within the same section, one that essentially says state and local governments will create commercially reasonable ways in which the reporting onus is on the taxpayer to make sure that they are captured. So we believe that is a reasonable way to do it.

You mentioned the modified business tax. A business that operates both in and out of the stadium district would merely have to file some sort of addendum that says this is the portion of my taxes that are inside there. You mentioned also the insurance premium taxes. You'll notice that within the legislation as drafted that it talks about taxes that are paid directly or passed through. To the extent that the insurance premium tax is passed through to the team or the stadium operator or something along those lines, they will be recaptured, put into that account.

The second question that you asked is really about the taxpayer themselves and not creating something that is onerous. There is no doubt that there's another layer of compliance, but it's also what makes the project work. We had the opportunity to talk to the A's about some of the major structure. There is really a handful of major companies, a master concessionaire that operates all the concessions, a master operator of the stadium itself, and those two feel like their ability to comply would be reasonable in terms of being able to get that done.

SENATOR DONDERO LOOP:

Okay. I appreciate that. Thank you very much for being here.

SENATOR OHRENSCHALL:

A couple of questions. Mr. Hill and Mr. Aguero, thanks for presenting this. When we heard the bill on the Allegiant Stadium, it was a different world. We hadn't had the pandemic. We hadn't had COVID. I don't think any of us expected anything like this to happen. And I'm going back, looking at some old headlines, and I'm looking at a headline from about two years ago in the [Las Vegas] Review Journal: "County taps reserve fund to make Allegiant Stadium bond payment." It talks about how I think over two months, there was over \$23 million tapped from the stadium reserve account to try to make those payments. And, of course, I hope that we'll never have something like COVID again or another pandemic, but if this bill passes and bonds are issued for this stadium and then we still have the bonds for the Allegiant Stadium and something happens where people can't travel for 12 months or 18 months, what do you think that will do to the fiscal stability of the county?

MR. AGUERO:

I'm glad you asked the question. I think what happened during the pandemic, as difficult as it was, is a great example of exactly how the system should work. The reserves were set aside at the point at which those bonds were issued, a full year. A second year was funded through the operations and continues to be generated. Yes, the State of Nevada, Clark County had to tap into those reserves to make sure that the principal and interest on those bonds could be repaid, and today as we sit here not only have we rebounded from the pandemic but both the first-year and the second-year reserves are almost back to 100 percent funding from where they were before. The existence of the coverage, the existence of two years' reserves, is a remarkably conservative structure that's out there.

Now, you asked a question that sort of had two parts. One, what about the scenario that we're structuring here? What would've happened under the same set of scenarios, and then what happens if they both were to occur concurrently? What sort of happens to us in that particular case? As I mentioned during my opening comments, because of the two-year reserves and because of the backstop that is provided by the State, which is essentially a half-year's reserve, we would have to generate zero revenue for four years before we would have that problem. I would respectfully submit if we have zero revenue for four years, we've got a much bigger problem than not filling a stadium in the State of Nevada, something that would be on an order much larger than the pandemic we just dealt with.

It does have other risks relative to this. One is a room tax, the other one is tax increment. I don't shy away from those type of questions, but we're also talking about 2-times coverage, where under Allegiant Stadium it was only 1.5-times coverage, and there is an accelerated revenue generating the second set of bonds.

Beyond that, you asked the question about whether, if it happened concurrently, whether it would sort of create a compounding issue associated with it: we have another pandemic, now we have Allegiant Stadium that perhaps doesn't have folks in it, and we have an A's stadium that doesn't have folks in it. They have separate and distinct funding structures. There is no crossover between the two. Both of them are structured with independent revenue streams and independent sets of security overall.

Beyond that, you sort of asked I think maybe even a broader question that I think Mr. Hill was talking about, and that is, really, what is the aggregate amount of the debt that the county is taking on here relative to that? Well, the county's debt that they're taking on, exclusive of the line of credit—the credit enhancement that is created by the State—is about \$95 million overall. Now, that's a lot of money to most of us, and I don't want to suggest that it's not a huge amount of funds, and I would hope that that is never put at risk for all the reasons that I said before. But if by a horrible set of circumstances the county was required to utilize its general fund or its authority to pay that off, the financial stability of Clark County could certainly weather a \$90 million hit. And again, I only say that as a what would be an apocalyptic sort of scenario for us as a community. But you asked the question, so I wanted to take you to sort of what I think is the finality of that scenario.

SENATOR OHRENSCHALL:

Some of my colleagues have asked about the traffic situation and the challenges that intersection has with the I-15, the construction and when big events happen. Has Nevada Department of Transportation (NDOT) been consulted about what additional traffic challenges and problems need to be solved if this bill passes and if we start construction on that stadium? Because I know that in the conversation on the Allegiant Stadium, it seemed like they were here, and there were a lot of conversations about the plans they had and being able to handle the traffic going into the football stadium, and I just wonder if they're a part of this.

MR. AGUERO:

I remember those conversations; there was a lot. We talked a lot about parking and transportation and all those things. But let's recall that when we talked about Allegiant Stadium here, they didn't have a site, right? We didn't know where they were going to be located when that took place. So a lot of those were sort of in the context of building something as large as a 65,000-seat stadium. The context of those conversations are exactly why the legislation that's presented to you today is structured the way that it is. It actually requires that the developer of

the stadium go to Clark County and enter into a High-Impact Project agreement that contemplates transportation, utilities, air traffic, all of those things because they are not settled today. We don't have all of those answers.

More directly to the question that you're asking, the Nevada Department of Transportation is also reflected in the bill as drafted and requires that if there are infrastructure requirements, that NDOT identifies as being something that needs to be mitigated, that the A's—the developer in this case—have an affirmative obligation to work not only with the local government but also work with NDOT to mitigate those infrastructure impacts on the community.

SENATOR OHRENSCHALL:

Thank you, Mr. Aguero.

SENATOR SPEARMAN:

So I am going to ask some questions that are probably a little bit more elementary than some of my learned colleagues. So we talk about jobs, and if this bill goes through, then the Tropicana will be no more, yes?

MR. AGUERO:

Yes.

SENATOR SPEARMAN:

And so the jobs that the stadium, I think you said some of them are full-time, some are part-time. Do you have a percentage of those jobs that are part-time?

MR. AGUERO:

I don't have a perfect estimate, but the way a stadium is structured, I would guess the majority of those jobs would be part-time jobs.

SENATOR SPEARMAN:

So maybe 80 percent?

MR. AGUERO:

I think that feels a little high to me, Senator Spearman, but—

SENATOR SPEARMAN:

Sixty?

MR. AGUERO:

Yeah. Okay. I would certainly defer to that, sure.

SENATOR SPEARMAN:

So what is the salary? What would be the salary of the part-time employees?

MR. HILL:

To start with, the majority of those employees, many of those employees, will be represented by the Culinary Union. The A's have agreed to that. The concession employees, we have them at the convention center. We have hundreds, up to a thousand, when we have a big trade show in, and then the trade show moves out, and they move someplace else. And so those concession jobs are very mobile. It's even more portable than construction jobs are. So what having the stadium will do for all of those people—who are going to be represented by the Culinary and have all the pay and benefit that the Culinary has negotiated on their behalf—they will have a more year-round set of opportunities to move from to improve their job situation.

SENATOR SPEARMAN:

So I guess what I'm getting at is that the level of pay that the employees are currently at at the Tropicana, I'm trying to make sure that there is parity once they lose their job. And let me say this: One of the things that concerns me is the rapidity of innovation that is taking place. And so the Culinary does a great job representing its members, but I need to talk on the real, okay? If someone is at—and I don't know if they are—\$25 an hour, how long would it take them with a stadium job to get back to that level?

MR. HILL:

The question you are asking is how long they would have to go through the step process in order to do that?

SENATOR SPEARMAN:

Well, if you can calculate the hourly pay, that's what I am trying to get at, the hourly pay. So someone today is making \$25 an hour. The bulldozer comes in; next week, that's gone. How long will it take that person to get back to \$25 an hour with the stadium jobs? Because that's a lot of what we've talked about here. So how long would it take them to get to parity?

MR. HILL:

There's going to be a good amount of time between the time that the Tropicana is demolished and the time operating jobs are available on the site. While there may be an open invitation for folks who have worked on that site to come back and work at the stadium, there is real demand for that workforce in the resort corridor now, including at the convention center. So my sense is that they would move quickly to another job doing what they're doing now rather than have to wait for four years and rebuild that at the stadium.

SENATOR SPEARMAN:

So that's another assumption that we should probably include in here, because all of them may not move immediately into a job that is equal to the one that they just left.

So number two ... so the projections for construction jobs at Allegiant Stadium were 11,000. And I remember us talking about shiny-new objects; I think it was with Faraday. But the project only produced 900 construction jobs in each year of construction, so 2,700 jobs.

MR. AGUERO:

Again, we're talking about person years of employment, then we're talking about direct, indirect and induced employment overall. And I would suggest that if you look at the number of individuals that were employed in terms of Allegiant Stadium, I think they were substantial. If you look at the number of suppliers that supported that project that may not have been part of their direct payroll, they were substantial. If you look at the amount of wages and salaries that were paid on that project and the average hourly wage that was paid on that project and what the ripple effects were associated with that, it was substantial.

I know that there's been questions relative to the total number of employees and those type of things. Again, it's very difficult to measure those indirect and those induced impacts because there's no way for me to understand how many doctors or folks that are working at restaurants or grocery stores that have a job as a result of someone's secondary spending as a result of they got a paycheck. The way that the construction estimates are generated is based on the total amount of payroll that is associated with the project and what our average wage is in the community. And I would suggest both of those support—both Allegiant Stadium and this project will have a very significant impact on our construction workforce.

SENATOR SPEARMAN:

Thank you for that. And my questions are hypothetical because what we're dealing with here is hypothetical. The third one is on the 2022 LVCVA visitor profile, it shows that people said they visited Las Vegas for sporting events at about 3 percent. And let me pull that up because the ... were other things, I think it's like 60–44 percent ... for visiting relatives and friends, 12 percent; gambling, 6 percent; social event, 6 percent; corporate meetings, 5 percent; sporting events, 3 percent; passing through, 3 percent; other business, 3 percent. And so to the point that my colleague from Senate District 11 was making, if this was just last year on LVCVA's profile, 3 percent of the people said they visited to attend a sporting event.

Now please, understand as we are flushing this out, because the people that we represent don't expect us to come here and rubber stamp, and so we have to have answers to this because right now the only thing we are talking about are what-ifs or assumptions. Granted, there may be some type of actuarial table that was constructed to get to this, but we're talking about the reality now. So please talk to me about how we get to stadium attendance 2.6 million, average annual using per event estimates. And, again, estimates, unless they changed in the last couple days, estimates is another way of saying assumptions.



MR. HILL:

The number that I think you're referring to is the number of incremental visitors that are at attendance at events. So they're saying that's the reason they came to Las Vegas, and there's a variety of potential reasons that they could reply to there. So that's simply reflective of the 405,000 visitor number that Mr. Aguero has cited, not the 2.6 million total potential seats that are available for all the events at the stadium.

SENATOR SPEARMAN:

So while you all were talking, I'm getting some texts from constituents. It said, "He keeps using 'waterfall.' What does that mean?"

MR. HILL:

So as Mr. Aguero said, we've projected to use half of the revenue that will be created in this district to pay back the bonds. The other half of the revenue is directed in this legislation to go for specific uses, and those specific uses kind of in order are kind of seen as what happens when the money flows over the cliff into other directed uses. So it's generally the term that is used for the excess revenue that's generated that is not necessary to pay the bonds.

SENATOR SPEARMAN:

The other question that I got was, "Explain transferrable tax credit, and do it in an elementary level."

MR. HILL:

Transferrable tax credit is basically the State writing a check.

SENATOR SPEARMAN:

Writing a check? Who's writing the check?

MR. HILL:

To the A's, to anyone else that is the beneficiary of the tax credit itself. The transferrable part of that ... so I was trying to be a little too elementary. The State issues a certificate that says the holder of this certificate does not have to pay one of these taxes. If you issued that certificate to the A's and they were paying those taxes, they could offset their own tax expense with that certificate. If they are unable, or don't pay enough tax to get to, for example, the \$36 million that's requested in this legislation, they would have to sell that to someone else in order to receive the money that's the value of that certificate.

SENATOR SPEARMAN:

So this is my last question. Reading from a letter that Representative Barbara Lee posted today, "I write regarding the future of the Oakland Athletics Baseball Club in the East Bay. Many of my constituents in the East Bay and I are increasingly frustrated with the coming [*sic*] apparent failure of the team and Major League Baseball to deal in good faith ... " Let me jump down to the third paragraph because I think someone asked this. "I believe strongly that our community also provides value to the A's. Oakland has been the ... " site for this franchise for a great deal of time. And then she goes on to say about some things that they had already started doing in preparation, some things that the Oakland A's asked for, and they were in the process of doing that. But now the frustration is coming because they are seeking a new location. So that's part one.

But the other one would be we've heard from someone about the community benefit, but as I look at this, I think the players are very close to the bottom of the pay scale. Maybe I'm wrong; maybe I looked at it wrong, but that would be it.

And when we talked about ... and I can't remember who it was asked, what is the investment? And right now if you're asking us to give this much money, there has to be some awareness—the part of the owner and any other interested financial partners who have that fiduciary responsibility—there has to be some awareness of what the dollar amount commitment is because absent that, the only thing we continue to talk about are just hyperboles. And so as my colleague to my right said, you know, we hope not to go to another pandemic. But, the what-ifs. And if those payments can't be met, and then they fall back on the county, if that happens, then

we're left with the shrugging of the shoulders, "Well, I don't know what happened." And so my questions, and I believe that the questions of my colleagues, are really designed to say we have to do our due diligence because this is a lot of money. And the community benefits really don't make up for the lack of money for youth mental health.

Now, we passed a lottery that's gonna come back again next year, but it's gonna be like six years before that actually takes place. The now, the here and the now, we don't have the money to increase access—and not just access, affordable access but quality access—in our health care delivery system. We don't have the money right now to put towards eliminating or at least mitigating homelessness. I have a bill that was about women veterans being housed and women who are coming out of domestic violence situations, formerly incarcerated women and women who are 50-plus housing insecure. We don't have money for any of that. And we just closed out the session, so it's gonna be another 18 months unless we get called back for a third special session. So it's gonna be that long.

And so my concern—and I will tell you it with all honesty—my concern and my hesitation is based upon the lack of certainty, because those things that we could not do because we don't have the money, but we come two days after the session ends with a special session but now we have the money. But we didn't have the money for mental health; we didn't have the money for hospitals; we didn't have the money to really address homelessness. And \$5 million to me is a lot of money, but that's just because I've never had \$5 million. But in the grand scheme of things—and you look at how homelessness has become more and more pervasive and part of that is because affordable housing does not exist—\$5 million towards that problem, towards that challenge, is probably like saying, "Can you buy me a Coke?" And so we would really have to look at it through the lens of how pervasive is the problem, and if we're gonna be a good community partner, how do we come up from \$5 million so that it really, really, really addresses the problem?

Because see, if we don't do these tax credits, that means that there's gonna be money that we can do some other things with. And as far as the transferrable tax credits, that for me, if we give that to you but then you can transfer, you can sell it to someone else, here we go again because now you're talking about tax dollars that are here and now, but they are not gonna be, and in the future sometime, maybe they will be again. Does that make sense to you? These are questions from people who text me, but they're also questions that I've been trying to figure out in my head. And so I will tell you the transferrable tax credits are a problem for me.

MR. HILL:

Just to be clear, the process of redeeming those tax credits does not ever create any additional cost to state and local government. It's the original amount. That's all the cost that there will be, regardless of how they are then ultimately redeemed in the future.

I will say the uncertainty is real, but it has also been taken into consideration in a number of ways. So as we look at the bonds, the two-times coverage, as we look at the return on investment at three times what the entire amount, including what is just being lent and will be repaid, there's going to be a positive benefit here. The state and local governments and the A's interests are aligned. They want to be successful too. It is why they are looking to move. It is—the situation in Oakland is also a part of the issue that has to be overcome. They have been good very recently, and when they were good, attendance was not great. The experience that we will provide in Las Vegas, both at the ballpark and around the ballpark, will be a draw that will help the team have the opportunity to be more successful in the future.

SENATOR PAZINA:

Thank you so much, Mr. Aguero and Mr. Hill for the presentation. To piggyback a little bit off of my colleague from Senate District 11's question regards to filling the seat and realizing tax revenues—I come from the trade show industry, Mr. Hill, as I know you do, too, at the LVCVA, and we look at a CES, which brings in 115,000 attendees on average. CON/AGG-CONNEXPO [*sic*] just left in March, I think nearly 140,000. So I guess one of my questions would be will the LVCVA be actively pursuing the convention and trade show sector to fill those seats at A's games?

MR. HILL:

The answer to that is absolutely yes. And it's not simply the trade show industry and the corporate meeting industry, but our sports department will also be working with the stadium to fill the stadium.

SENATOR PAZINA:

And what percentage of the seats, and I'm just curious, in estimation would be filled by visitors versus locals?

MR. HILL:

The general projection is that about 30 percent, maybe a little less than 30 percent, of the attendees would be visitors, and then just that 16 percent of the attendees would be those incremental visitors. And that's the basis for the entire calculation about the benefit to state and local government, just those 16 percent. But just to put that in a little more perspective if I could, the 405,000 people just for 81 baseball games is just 5,000 people per game that have come to Las Vegas to attend just the baseball game portion of what's been projected. Those are the people who are going to provide 100 percent of the statewide fiscal benefit that Mr. Aguero has projected.

SENATOR PAZINA:

Thank you so much. And you have already touched on this briefly, but the last thing I would comment on is just the importance of the LVCVA and the resort partners looking at special events at the stadium in order to realize some of the revenues that are going to need to come when it comes to those corporate events, when it comes to trade shows and conventions, because those are huge for generating revenue and hopefully not really looking so much at bringing in other sporting events but other events that come up from trade shows, conventions, corporate events and ensuring that they make sure the stadium is a venue for those events as well.

MR. HILL:

Thank you, Senator. When I opened, I said that we [inaudible] broad we, including the resort partners. But at the LVCVA, when I talked about I'm going to personally work to make sure that you feel like the decision you make here today was a good one and was time well spent, we are going to be an aggressive partner in helping make this a successful project.

SENATOR LANGE:

I wanted to talk to you. I was in Finance when you did your big hearing, so I don't feel like I need to go over all those questions again. So I'm going to ask something completely different, and I would like to talk to you a little bit about the stadium board. And I know that you made an amendment to put legislative appointments on the Stadium Authority, and I'm wondering if you could talk a little bit about that and what the roles and responsibilities might be.

MR. HILL:

We have had that conversation. That amendment is not reflected in this document. It is a decision that this body would need to make.

SENATOR LANGE:

Thank you. And what would their roles and responsibilities be? What is that board, what's their responsibilities, I guess is what I am getting it?

MR. HILL:

Generally, the responsibility of the Stadium Authority is to make sure that the state and local governments get the benefit of the agreement that is in law and in all of the development agreement, lease agreements, non-relocation agreements, and to make sure that that actually happens. It's a relatively heavy lift early in the project because you have to negotiate the development agreement and the lease and all of the other documents that it takes in order for this project to move forward. We have to determine that the estimates on the revenue are actually there before we can—all of those things have to happen before we can go to Clark County and ask them to issue the bonds.

Then there is the responsibility of making sure that the stadium is maintained, that it is being

run appropriately. So we oversee that. Frankly, the Raiders have done a fantastic job of running Allegiant Stadium. It's been highly successful, and right now our job is not very difficult. The stadium is very new, so the maintenance that is required has been pretty minimal. There also has not been any money in the waterfall until just recently to contribute to that maintenance. So we will be responsible for overseeing the maintenance of the stadium moving forward, and that is kind of a summary of the responsibility of the Stadium Authority.

SENATOR KRASNER:

Thank you very much, Mr. Hill and Mr. Aguero, for your in-depth presentation. This does sound like an exciting opportunity for Nevada, and I did have the opportunity to meet and talk with the A's owner, Mr. Fisher. He seems like a fine man and a person of high integrity. And the jobs: 14,639 jobs for construction of the stadium, and then 8,010 jobs for annual operations of the stadium. And then the visitors that will come to Nevada to watch baseball games from every state because they're going to play every team from every state. And the fact that it's affordable, the families—that was a question I asked him, because some of the sports in Nevada are not affordable to a family of four. And he assured me there would be stadium seats and that a family of four could afford to go to these baseball games and buy their kids a hot dog and a soda, maybe some popcorn. And so those things are all very attractive to the State.

But just in the last few days, I have received numerous emails from the people, the people that live in Nevada, the people that live in my district. And so my question is: is there any possibility that the people could possibly receive an increase in their property taxes, homeowners could receive an increase in their taxes on their property or Nevada citizens generally could receive a tax increase? Thank you.

MR. HILL:

Mr. Aguero can correct me if I'm wrong, but no; I don't believe that that would be the case at all.

SENATOR KRASNER:

Under any scenario that would not be the case?

MR. HILL:

Senator Krasner, if, as Mr. Aguero described, the Armageddon scenario that we talked about where the county would actually have to backstop the bonds, there's [inaudible] the payments on that \$120 million bond is about a fifteenth of that. So it's \$9 million when we start, something along those lines, a year. So you might have some minor impact somewhere, but other than that, I don't think so.

MR. AGUERO:

I think that the question that you're ultimately getting at is if the county had to use its full faith and credit, could it potentially utilize *ad valorem* property tax to offset the cost? I suppose. But as Mr. Hill said, that's a pretty unlikely scenario given the order to magnitude of what we're talking about here and where you would ultimately have to get to with the State. The county pledges its full faith and credit and all the revenues that it has available to make that payment. While the options that underly the full faith and credit of the county are significant, again, you're talking about a scenario that would not only be highly unlikely but would also require a highly unlikely choice by the county to utilize such an option.

SENATOR KRASNER:

Thank you.

SENATOR CANNIZZARO:

We are still on presentation of the bill and member questions. I have a few more members who have asked to ask questions. And so we will begin with Senator Neal.

SENATOR NEAL:

I have a couple of questions. I wanted to ask the question: What's the difference between Allegiant and this particular stadium? It's my understanding that Allegiant only had one revenue source, which was room tax, and it was pledged. This one has 17. So why is there a need for the

second public stadium to have more revenue sources in order to pencil it out?

MR. HILL:

The revenue source at Allegiant Stadium is not dependent, as you point out, on Allegiant Stadium. It is dependent on the room tax throughout a 25-mile radius that incorporates most of the rooms in Clark County. So that revenue source is broad and large. This revenue source is just what will be created on that nine-acre site, and so having all of the revenue sources that are created on that site was necessary to just produce the roughly \$15 million a year of average revenue that it takes in order to support that bond measure.

SENATOR NEAL:

Thank you for that. Second question is on a revenue on page 19, which is the—you guys discussed it—which is the basic city-county relief tax (BCCRT). But have you guys discussed what are the C-Tax [consolidated tax] implications for that particular revenue source? Because it's my understanding that there are certain C-Tax implications because a certain amount of that—well, liquor runs through C-Tax, and you have liquor as a pledged revenue, and you have the BCCRT. And the alcohol that runs through C-Tax affects ... there is a 22 cent that goes to DPBH [Nevada Division of Public and Behavioral Health], which is an alcohol treatment program, and it's distributed through this particular source. So what's the tax implications of pledging those two sources?

MR. AGUERO:

Because those revenue sources would be taken off the top before they ever go into the two-tier distribution structure within the consolidated tax, it won't affect consolidated tax at all. From a revenue generation standpoint, but for the existence of the stadium, there'd be no revenue going into the consolidated tax. And I guess from an aggregate revenue standpoint, the visitors that are going to come to Las Vegas are going to purchase alcoholic beverages throughout the community just like any other visitor would, and that would generate revenue that would go into the consolidated tax, including funding the program you just alluded to.

SENATOR NEAL:

Let me say this because I like both of you. I just think we are at a philosophical difference because I haven't come to the belief that we need a second publicly funded stadium. And so of course my concerns are with the revenue and how the revenue comes down.

So on page 20, the way that it's written where—and this is after the franchise fee language that's in here—basically, with agreement, the county and the Stadium Authority are then allowed to then attach other taxes as agreed. And then on top of that, the way I understand that this would work is that if the State was to pass any new tax, that could then be pledged within that stadium improvement district, and it would be sucked into it. And so in my mind, I guess I see that as like this slippery slope where although there's 17 revenues here, there's also other future taxes that could be drawn into this project. Can you talk about that?

MR. AGUERO:

You're right. I mean, the idea here is to capture all of the revenues that are created by the project. We've made every effort to work with everyone involved to try and identify as many of them as we can, but you know sometimes there's revenues that we may or may not be able to see, most notably at the local level. It's a little more difficult to have the same level of transparency. Those revenues are likely to be minor.

You are also correct, if there was some other revenue source that was created by the Legislature, unless the Legislature chose not to do it, it would potentially be captured if both the Stadium Authority Board and the county agreed that it should be captured. The idea being simply to pay those bonds off as quickly as possible by utilizing whatever revenues are generated as a result.

SENATOR CANNIZZARO:

I am going to interrupt. I think that our Fiscal staff and Mr. Nakamoto may have had something to potentially add to the last question. And so, Mr. Nakamoto, if you would like?

MICHAEL NAKAMOTO (Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

Thank you, Madam Chair. For the record, Michael Nakamoto, chief principal deputy fiscal analyst with the Fiscal Analysis Division. Just for some clarification on the liquor tax issue that Senator Neal raised, there is a portion of the tax on alcohol above 22 percent alcohol by volume that goes to the consolidated tax distribution. It is 65 cents per gallon of that tax. The distribution of that on the first tier of the consolidated tax to each of the 17 counties is per capita. So absent any additional tax that would be generated from that, each amount of that particular portion of the tax would reduce the consolidated tax distribution from the liquor tax to all 17 counties and then it would flow through the second tier to the cities and towns and other special districts within that particular county. Thank you, Madam.

SENATOR CANNIZZARO:

No, thank you. Senator Neal, did you have anything to follow up on that? I want to make sure that that question had been answered and that Mr. Nakamoto was able to provide some clarity there.

SENATOR NEAL:

I'll ditto Mr. Nakamoto.

SENATOR CANNIZZARO:

I just wanted to make sure you didn't have any additional questions.

SENATOR NEAL:

I do, but I don't know how far this rabbit hole I want to go. So okay, I'll just ask my final question then. So you guys have also on the revenue ... theoretically, I think you guys have—you mentioned that Department of Taxation—you guys have had a conversation, I guess, to discuss the mechanisms in order to move the taxes. And so the interesting thing is the one that's on page 19, which is 372B.140, which are the TNC [Transportation Network Companies], basically Uber and Lyft, fares. And I guess I was wondering, mechanically, how will the TNC fares be pledged since it's being used from the point of origin or the destination in the sports entertainment district. So that means it could be derived from a ride that's happening or to the area. And so when it says TNC fares, I just want to get a true understanding about how an Uber fare would then be pledged within this context.

MR. AGUERO:

Preliminary conversations with the providers have indicated that you can geofence those specific locations. So if they are geofenced, we know who gets dropped off at the stadium and can direct those fares into the sports and entertainment improvement district.

SENATOR FLORES:

Thank you, Majority Leader, for recognizing me a second time. And thank you both for hanging out so late. I know it's late. And it's hard to be on camera; everybody is looking at you, and you gotta stay sharp. So I do appreciate that. I understand that's hard.

I wanted to follow up and kind of continue the conversation where I left off my first line of questioning with the community benefits agreement. And one of the things that I've had an opportunity to hear now during the line of questioning multiple times is that, well, we have that section in there because that mimics what we did in 2016 during the special session. And I'm not suggesting that it's apples to apples or are identical. But some of it has carried over, and that is just reflective of the fact that we've learned. I mean, we've done this once; we've done this dance. I think a lot of electeds here have learned a lot from that, too.

But if I can go back to that time, and then maybe we can kind of walk through this together. I had previously mentioned that one of the things that occurred at that time is—I mean there was ongoing conversations for about a year at that time. And also, 2016 we're just coming out of a recession. Particularly in my district, there was a lot of folk who, in the construction industry, who were not yet back at work, and they really wanted to get back to work.

And then on top of that, when we talk about community benefits, you know if you look Senate Bill No. 1 of the 2016 session, I think "university" is on that bill like 65 times or

something like that, 50 times. And I say that because so much of that conversation had to do with investments and what we already have currently. There is a lot of extensive conversation about the [Las Vegas Convention and] Visitors Authority, the convention center. There is a lot of conversations about UNLV [University of Nevada, Las Vegas]. Because something new was coming, but we were also equally investing in something that was already here. So part of that community benefits analysis, and what all of us who were thinking of supporting that idea, we were thinking we're also investing in something that is already here and kind of saw that partnership.

And so I'm curious why that didn't carry over in the conversations when we started talking about the A's are coming here. We are sitting down with the folk that really made this kind of deal work back in 2016. Why not at that moment, say let's simultaneously ensure that what we do in this Senate Bill No. 1 reflects something very similar to what we did the first time in 2016, which is immediately ensure that we're simultaneously investing something presently and what that looks like. And maybe it doesn't add up, whether it's allowing UNLV to play baseball, you know, have their games there, or CSN [College of Southern Nevada] or whatever that looks like. But I am just trying to understand why we didn't necessarily add that component or why that was left out. Or did we try it, and obviously within the conversations you were having, it is just—unfortunately, it just didn't pencil out the same way? I just wanted to get kinda into that discussion that none of us were a part of.

MR. HILL:

I will give you a couple different viewpoints on [inaudible]. In 2015, during that session, those two major projects you discussed, the expansion of the convention center and the stadium, were leading down the path in parallel and causing difficulty during that session. And obviously Governor Sandoval put together the Tourism Infrastructure Committee to try and figure out a solution because that couldn't happen during the session. And also, obviously, you've done some great work during this session that wasn't required to be paired up with this project. Most of the time these projects are probably best reviewed and analyzed as a single project. We think it makes sense in this situation and allows the best view of the project.

Separately, I will say we've heard you through this hearing and are doing work to respond to some of the concerns of this committee, and we will be getting back with you shortly with responses to community benefit topics and concerns that you have.

SENATOR FLORES:

And thank you for that. And what I would add to that is, I think something very similar is happening now in that when you talk about Allegiant—and you alluded to it in your response—there was conversations that were happening prior to the Allegiant conversation that were left unfinished, and we couldn't get them across the finish line. And it wasn't until we tied them into Allegiant that all of it collectively worked. I think that is also true presently.

There has been a legislative session that just ended, and there is a lot of legislation there that also didn't make it all the way through that finish line. And attaching it to this conversation is very prudent, and I think can allow for this conversation to move further. I think we're in a very similar situation.

But I also wanted to talk about the different, kind of that deal and this deal. What did we do in that deal and what did we put in the NRS then that we've learned from and have improved and is no longer here and/or we've improved in what is in front of us now?

MR. AGUERO:

I think Senate Bill No. 1 has worked pretty darn well. In terms of constructing a development agreement and a lease agreement, I think the novel structure that was created that was called the Stadium Authority Board has done a pretty remarkable job in terms of ensuring that the deal that was structured was actually brought forward. I think oftentimes when we look back at what happened before, we look at Senate Bill No. 1 and we look at the section that is where the community benefits plan, for example, is included. At section 23.5, you will notice that—I'm sure you know—oftentimes you don't have a half provision, right, a half major section of a bill, and that's because that section was added at the eleventh hour as folks were talking about things that we needed to do better relative to that bill to get it across the finish line. There was not a lot

of conversation about a community benefits plan throughout that process. It sort of came up during the legislative session. To your point, we probably should have had some more time. We probably should have thought about it a little bit more.

You mentioned the fact that the university, for example, is mentioned 50, 60 times in that bill. The reason for that is that the way Senate Bill No. 1 is structured, that in the event the stadium wasn't constructed that it would essentially pivot over and UNLV would receive the money, who was going to build a stadium for their football team anyway. And to the extent the NFL didn't approve the project, we would've had that. So I don't know that that's something I would necessarily change or think differently about.

In terms of the structure for the community benefits plan, I think you make an excellent point in terms of being a little bit more structured around it, respecting the fact that both the legislation that you are contemplating now and Senate Bill No. 1 from 2016 includes language that requires us to think about what would happen. I can tell you we pressed the Raiders pretty hard on that community benefits agreement. We went out and we looked at other community benefits agreements that had been around the country, and we asked them to put the highest thresholds of any one that we could find in terms of minority and women hiring for both the construction phase and the operations phase. And they beat every estimate that we put in there.

Are there things we could have done better, the things that you brought up here today that we could have done better? Yes, sir. There are absolutely things we could have done better relative to that. There are a couple of provisions that are in this legislation that were not in that last one, things like making sure that we, the public remains the third-party beneficiary of any agreement that exists. That sort of came up from time to time. I think that there are provisions relative to how agreements are renewed and things like that that are better.

But, Senator Flores, I'll be honest with you, I think Senate Bill No. 1 from 2016 is a real example. That's why the folks that are in Buffalo utilized the structure that we created to do that, including some elements of the community benefits and how it was structured into the agreement. The folks in Nashville utilized a lot of our documents and reached out to ask how we did things that were there.

If you're asking the thing that I think is probably most important, it is within the document that you have today, the bonds cannot be issued until a community benefits agreement is in place. That did not exist in Senate Bill No. 1. All they had to do was create it and then it had to exist in order for things to move forward. That is not how this legislation works. And I know we use words like "accountability" and we use words like "enforcement," and we want it to be some of those things. I think those provisions will—perhaps not with the level of specificity that's being requested here—but will get you a lot further than maybe we were able to get with the language that was originally created.

SENATOR FLORES:

Thank you. And I appreciate you referencing UNLV as a plan B in case it didn't work because I remember we spoke about that extensively. And I also appreciate you mentioning that we think we did a really good job on the first bite. Not perfect, but it was good. To the first point, the plan B is I guess a different form of that. I think it would make people feel a little bit more comfortable, but it's not here and who's gonna fill the stadium if the A's don't come because the A's will come if this deal goes through, right? It's a different scenario.

But there is this notion that links both of those comments that you made that we did do very well and we did exceed projections and the stadium is outperforming what we even suggested it would. But if we are so confident that that is true today, then I think there is an opportunity for us to consider having some clawbacks here in saying we feel so confidently that we're going to exceed the expectations that we can push in the other direction and say if we don't meet the expectations we're talking about, that there are some clawbacks where the team will have some responsibility there of what we are asking you to kind of hold the bill on.

And it's not something that you have to answer the question now. This is a conversation you have to think about, and I'm not going to put you on the spot in that way. That is not my intent. But I just think these are the type of things that allow for folk to have a little bit more comfort because it's demonstrating that we've seen this in the past; we've done this plan; we think we're going to do what we've done before, which is beat what everybody thinks we can actually do



because Nevada can deliver. And we're so confident that there's language in there—and we're not calling it a plan B, we're calling it here an assurance of our confidence that we're gonna create all these jobs, that we're going to have all these benefits to everybody, that we're willing to put some clawbacks in there that if we don't meet those expectations, the A's will [inaudible]. And that's just for you to think about. I'm not trying to put you on the spot and force you to answer that question, but I just wanted to throw that out there. And I thank you again.

SENATOR DOÑATE:

I feel like my remarks from the live entertainment tax were not completely there, so I want to try again. I don't know if Mr. Kaval is here to answer questions or if I can direct them to you all. Is he still here or ... I will direct them to you all. Okay.

So—and you'll understand what my final conclusion point is. So by no means did I mean my line of questioning as a sign of disrespect or trying to downplay the presentation that you have today. I believe that many of the residents perhaps would welcome you, would welcome the Oakland A's to Las Vegas if the circumstances were right, including myself. The question that of course comes into play is using tax dollars and the ramifications that exist with such a particular outcome, and as my colleague mentioned just shortly, the potential clawbacks if we fail to meet the requests of, say, projected jobs, projected revenue, should we hit a downturn, what are the ramifications or the steps in place to provide such proposal? And so just a simple question: If I purchased food and merchandise on this site, would I have to pay sales taxes?

MR. HILL:

Yes.

SENATOR DOÑATE:

Okay. That's what I figured the answer was. And so if you have to pay sales taxes for food and merchandise, I don't know why we would ignore paying either a sales tax or a live entertainment tax for the ticket sale to get into the facility. I would request either one of two things: one, that we specifically add or remove the exemption for athletic events, specifically for baseball games, from the live entertainment tax and add it into this bill proposal; and if that's not accepted, then I would request that we remove it from the tax revenue sources because it's not fair that you're taking advantage of it, but you're not also paying it. I think it's unfortunate that's not ... in terms of capturing something that is not equitable to the other businesses that do pay into it, and I think that's something that you should consider. I appreciate your time today.

SENATOR NGUYEN:

This is kind of following up from some of the earlier comments from my colleague from Senate District 4 about how the funding model and some of the provisions around the money differ from the Raiders' stadium. But specifically if we can talk about section 30, that's the credit enhancement section. So I have some concerns because in there we are taking, in addition to the tax credits and the \$35 million a year, we are starting that fund off with \$25 million in general funds. It's my understanding it's proposed to be put into that infrastructure bank. And am I correct in understanding that the intent is to allow Clark County to get better terms on bonding?

MR. AGUERO:

Yes.

SENATOR NGUYEN:

And then just to follow up on that, I haven't really seen that anywhere. And I just am trying to—can we explain why that section is there and why that \$25 million is needed in that project? Can Clark County not seek this bonding without having that backstop in the infrastructure bank and that \$25 million in general fund dollars in that infrastructure bank?

MR. AGUERO:

The answer to your question is that Clark County would like to have two-times coverage on the bonds. For every \$1 that's available for principal and interest, another \$1 that's available to make sure that if revenues come in short, that there's a backstop. If we had two-times coverage only on the revenues that were there, it wouldn't be enough to generate the revenue. It would be

too little. And so by creating a line of credit from the State, it allows us to take the bonding amount from \$95 million, roughly, to about \$120 million overall. By having those dollars sit in that account in the event that they are needed, it creates an additional level of security referenced in the bill as a credit enhancement that instead of the county needing cash coverage of two times, we get cash coverage of .5 and a credit line of .5, and it gets us to the same place.

SENATOR NGUYEN:

But they're able to seek these bonds without having these allocated funds. The terms just are not as, I guess, favorable for them, and they don't have the security of knowing that we're backing them up.

MR. AGUERO:

I think the answer to your question is that's exactly right. To the extent that there is no line of credit, we wouldn't be able to yield as much from the bonds because, you're right, the structure wouldn't be as favorable.

SENATOR NGUYEN:

And that \$25 million, it would never revert back to the State; it would just stay in that infrastructure bank indefinitely under the terms as written out here.

MR. AGUERO:

Yes, that is the case. At the end of this process, assuming they were never used, I would hope that you, the Legislature would find a good use for them.

SENATOR NGUYEN:

I'm gonna to switch off to another topic in section 20, subsection 3. And this is the section where Clark County has been tasked in statute in essentially moving people experiencing homelessness off the Strip. While I understand why it might be necessary or why we want to move people out of this tourism corridor, if you could explain better what your vision is for this, I am just concerned for—I have heard from some of our city jurisdictions, like the City of Henderson or the City of Las Vegas, in particular the City of Las Vegas, that currently many of our services for those that are unhoused are located in downtown Las Vegas or in the City of Las Vegas city limits. So I just have some concerns and would like to know if you could clarify what your intent was in those statutory directives on the county to—you know, I'm worried that we are just moving people that are unhoused into the city—and if there is any communication on a plan to coordinate with that.

MR. AGUERO:

The answer to your question is, there is no broad-based plan there. That was just to capture some of the money if the project beat expectations to help what is an identified problem. This Legislature passed A.B. 528, which deals with identifying and thinking about a more comprehensive solution to homelessness. There have been other legislation that this body has undertaken. Local governments are spending upward of \$100 million plus on this problem in Southern Nevada alone.

This doesn't even attempt to solve that. It just said, if there is some extra money, we've got a problem that we could use some additional resources for, and if the project overperforms, we should be dedicating them to that. I don't think there was a whole lot more in terms of what was included there.

Relative to A.B. 528, there's a requirement that to participate in that project, each local government have a navigation center that's there, much like what exists in the courtyard around the Corridor of Hope for the city of Las Vegas. Obviously, that's critically important. No one has ever brought up or suggested to me for a moment that what we want to do is round up homeless folks and essentially take them to the city of Las Vegas. Number one, I don't think there would be sufficient funds to do that given the magnitude of the problem. But even as a matter of policy, no one's suggesting that.

SENATOR NGUYEN:

And I didn't want to suggest that that was it. I just knew that there were some statutory

provisions talking about moving unhoused people outside of that Strip corridor, and I just had some concerns that the natural movement would be into these other jurisdictions where there are services. But I appreciate your answer and thank you.

SENATOR LANGE:

So I want to just change and talk a little bit about the naming rights of the stadium. Do you know the anticipated revenue that the A's would get from the renaming of the stadium?

MR. AGUERO:

Look, we can look at what other stadiums have done. Some of those data are public, Senator, some of those are not. But, no, we don't have with the level of specificity what the naming rights would be three years from now.

SENATOR LANGE:

Do you know when that would happen in the process?

MR. AGUERO:

Likely it would be during the construction process by the time it gets opened. We think about that in terms of contractually obligated revenue. As the stadium comes up, there're going to have all kinds of things that they are trying to sell: naming rights, rights to pouring and food and beverage and catering rights and some of those type of things that exist. Normally, that will happen during the development period so when the stadium opens, that contractually obligated revenue comes through. There are some examples where those things happen a little earlier than later, but generally speaking it's after the physical asset is in place.

SENATOR LANGE:

And so I think you just kind of said, but I just want to make sure I heard it correctly. So would the money from the naming of the stadium come in in one lump sum, or does it usually come in over time?

MR. AGUERO:

Generally speaking, it's oftentimes talked about this big number, but it's usually spread over a 10 to 20 year period that there is a contractually obligated amount of revenue that inures to the benefit of the project.

SENATOR LANGE:

Great. Thank you.

MR. AGUERO:

You're welcome. Thank you, ma'am.

SENATOR HARRIS:

Mr. Aguero, I am hoping you can level with us a little bit. And I know your job is to pitch this, but I wanna pick your brain as an economist for a second. So it's my opinion that what we have before us might be what are maybe the rosier projections of how this might work out. What is the worst-case scenario?

MR. AGUERO:

The worst-case scenario is that we begin to build something and it doesn't get completed. We run into a pandemic like we saw before, and it has a compounding effect associated with our community and it shuts the Strip down like what we saw before. To be honest with you, in my career I suppose we dealt with the events of September 11th and what that ultimately meant, and I'll be honest with you, I thought, "Well, that's probably as bad as it gets." And yet we rebounded from that. And then we had a great recession, and it was pretty bad for our State: a lot of foreclosures, a lot of things. I thought that was pretty bad. And then we had a once-in-a-hundred-year pandemic. I don't know what this world is going to throw at us next, but something that would essentially interrupt the ability for us to attract visitors to our community, for people to go to work, for people to be in areas that they can be together would be devastating not only for this project but for our State as a whole.

SENATOR HARRIS:

So in my question, I'm assuming that there is no large intervening *force majeure*. I'm talking, let's say we set up this deal and things just don't work out. What is the worst-case scenario because the A's can't produce, or we don't attract because there isn't any investment in the team, or because visitors don't come in the way that you suggest that they're going to come? I assume that when you modeled you had a high, middle, low, right? What would that low be? Not assuming a recession or, let's keep an even keel, but I mean 27,000 people on average is probably like things are going really well. What is the worst-case scenario if things don't go well? How much is the State, the county, going to be on the hook for?

MR. AGUERO:

I think you and I are just gonna have to disagree on this a little bit. I don't believe that the project achieving 50 percent, the fiftieth percentile, is somehow setting the world on fire relative to attendance. I don't believe that eight events happening at the facility in any way suggests maximizing the utility of the asset. I just disagree with that. But to your point, are there scenarios in which the project could generate less revenue? Sure there are. The stress tests that were done by the PFM report looked at minus 10 percent, minus 20 percent. Still, in which case, there was sufficient revenue to essentially secure the bonds as they were issued. Do I believe that those scenarios could exist? Of course they can. And I acknowledge your question; it is a good one.

I have no doubt that there are scenarios that we could imagine. This project is not without risk. It is not without risk for the A's; it is not without risk for the State of Nevada. If those things happen that you just laid out, the A's will have invested over \$1.1 billion. They are going to have a massive financial problem, and the reality is that they could have financial issues that would lead to some kind of turnover there. Again, I feel like the scenario that's been painted is not here to try and suggest to you that the best-case scenario is what is possible. I did not produce those numbers. The folks from CSL produced those numbers. They are very good at what they do, and I will tell you that the A's actually carved back the projections that CSL had estimated because they wanted to be a little bit more conservative.

If we had come here and suggested to this body that what was gonna be built was a 40,000-seat stadium, and they were gonna put 27,000 people in it and it was gonna be 60 percent occupied, my guess is people would say, "Well, that doesn't seem inherently unreasonable." But because it's being sized at roughly the size of demand for Major League Baseball today—and when it's constructed, it will be the smallest venue in Major League Baseball—I would suggest to you that it is not a scenario in which there's this sort of aggressive nature in terms of the demand that's gonna be created. We look at what folks said before the Golden Knights came, that no one was going to go to hockey in the desert. And yet they are selling out every night. Now granted, they are performing incredibly well, which I think you and I talked about a little bit, right? But I do believe in our community. I do believe in what we can do. I think there is a huge benefit in having 40 million visitors and the ability to attract them to an asset like this. I do believe the ballpark will be iconic and the ability to draw folks that will gravitate to that.

SENATOR HARRIS:

In this particular line of questioning, I am not trying to necessarily disagree with that, but I think that we should have all of the information before us as to what the level of risk is and what we're putting on the line: How it could work out if things went well, but we should also know what it would look like if things didn't, right?

Has anyone calculated the opportunity cost and offset that with the investment so we know if we take the money, what we might generate? But what's the opportunity cost for this? If we took the money and spent it on, I don't know, something like education or infrastructure, which generally economists tend to prefer because it increases productivity, right? Has the opportunity cost of this been calculated and considered?

MR. AGUERO:

Opportunity cost is obviously a complicated sort of concept because what is the opportunity that you're giving up, right? I mean, we all value education. And you're right: Infrastructure builds capacity that generates it. The reverse is essentially what's been done here. If we take all of the cash flows, the State of Nevada is \$366 million to the good. So the opportunity cost is that

the State of Nevada will have \$366 million less in a net present value by not constructing the project. So if that opportunity cost, you're going to use that \$366 million for education or infrastructure or the countless other needs of the State of Nevada, I believe that the State of Nevada is in a better place than it would be if the project was never constructed. The opportunity cost of not building the project is you get nothing.

SENATOR HARRIS:

Except we get whatever we would benefit from spending those dollars on something else.

MR. AGUERO:

Certainly, but you're going to have 366 million fewer dollars to spend.

SENATOR HARRIS:

So it's my understanding that, I don't know, approximately 86 percent of economists agree that government should eliminate subsidies. Are you generally on the side of 14 percent of people in your profession, or is this just a one-time, 86-percent-of-economists-are-probably-wrong thing?

MR. AGUERO:

Obviously subsidies take any number of different forms. We subsidize everything in this State. It's what governments do: They provide services by collecting revenue and providing services to offset costs for things that wouldn't otherwise be provided. There are very different types of subsidies. If we're talking about a subsidy that essentially generates greater revenue than it offsets, that's not a subsidy; that's an investment.

SENATOR HARRIS:

But I don't think most of the people in your profession agree with the statement that you just made: That it, in fact, does create more revenue for local governments than it would otherwise. I think in this instance you're probably in the minority here of people in your profession.

MR. AGUERO:

Look, I have read all the articles that have come out recently about stadiums and subsidies and all those type of things. I am not in the minority of my profession as much as we are in the minority relative to the structure of our economy and our revenue system. There is nowhere else in the United States that has the level of visitor contributions that we have here. It is what sets us apart from everywhere else. Those economists that are talking about the fact that the subsidies that are provided to public assets like stadiums and arenas—I want to be clear about this—they are 100 percent correct.

If you go and you build a stadium in Des Moines or Tallahassee or other places that don't have the level of visitation, where you are building it only for the residents that are there, you are building a community asset. I get that. It has a net negative economic benefit. If you build it in Southern Nevada, Allegiant Stadium of the—I would even use T-Mobile, respecting the fact that it did not get any public money—the fact that you are putting all of those visitors in and every one of those visitors stay in our hotel rooms, eat in our restaurants, generate all of that revenue, can put me in whatever minority of people in my profession that you'd like to, and I will stand there happily. The difference is not that I am different. The difference is that we are different as an economy, which sets us apart.

SENATOR HARRIS:

You're a smart guy, and you do your homework, so I am assuming that you've seen pitches for these public stadiums in other cities. How often is the sell that that city is different?

MR. AGUERO:

Senator Harris, I appreciate the compliment. I've seen some of the analyses that have been done. I don't know that I've seen ones that would suggest the level of visitor volume is gonna be the offsetting factor. I have had some of those conversations, most recently with folks in Nashville around what they thought was actually going to generate in terms of, you know, they have a pretty robust and growing visitor-based economy. So I have had some of those conversations, but I'm not an authority in terms of what other arguments have been made. And I

can tell you I have never made such an argument in another jurisdiction.

SENATOR HARRIS:

I just want to make sure that I've got this understood on the record. Your testimony is that a public stadium is a bad idea everywhere else except for Las Vegas?

MR. AGUERO:

That is not my testimony.

SENATOR HARRIS:

Okay. I thought that's what I heard, but I'm out of time to clarify, so—

MR. AGUERO:

I'm not intending to be clever or argumentative. I have not analyzed everywhere else around the United States. My point is, when we do the analysis here, in the State of Nevada, in Southern Nevada, and we look at the three components—construction, operations and visitors—what I am suggesting is that the fact that our visitor economy is more robust than almost anywhere else in the United States allows us to do things and benefit from things differently than other areas. I cannot opine to everywhere else.

SENATOR SCHEIBLE:

I know that it's late, we've already asked a lot of questions, but there is one thing that I think that we have not discussed thoroughly enough, which is the—what we've kind of been euphemizing as infrastructure—but the traffic flow and the parking situation there. I'm assuming that an urban planner or a traffic specialist has been consulted, and what's the plan?

MR. HILL:

Yes. The A's have engaged Kimley-Horn, which is an engineering firm that is a traffic specialist that [inaudible] report, and the county will weigh in on that if this moves forward. Their public works department is also an expert in this. They work with Kimley-Horn. Kimley-Horn is the traffic engineering firm in Las Vegas. There are a number of different thoughts in that plan. The restructuring of Reno road that is behind the Tropicana is an important part of that traffic mitigation plan.

The work that is already going on at the intersection of I-15 and Tropicana, which will expand that intersection for future growth, is a big part of that. There is also a major planned project just east of this site—there at Paradise and Thomas and Mack and the entrance into the airport—that will also add capacity at that intersection. As I said before, a lot of people are gonna walk to the events at this stadium. And there is the Boring Company loop system, the underground transportation system, has land use approval at that site and down Tropicana, south on Las Vegas Boulevard, and it will ultimately be able to connect the parking garage at Mandalay Bay, for example, to this stadium. MGM's parking garage ... there are 20,000 or so parking spots and structured parking on the four properties on that corner now. So those will all be available to use and being able to disperse that traffic so it's not actually centered all at the stadium sites, an important part of reducing congestion. And in addition to that, that site, once the Tropicana is demolished and the stadium is built but before anything else is developed on that site, that other 26 acres will be available for development as well.

SENATOR OHRENSCHALL:

I am piggybacking on a question my colleague from Senate District 11 had asked earlier regarding the contribution of the developer partner into the infrastructure, and I am looking at section 22(2)(h) on page 9. It says that the developer partner must "[p]rovide for an adequate contribution by the developer partner for the construction or improvement of any infrastructure off the site of the project that is determined to be necessary for the project by the Department of Transportation, the County or any municipality ... " And I like that it provides for the contribution, but I am just a little worried that "adequate contribution" seems kinda fuzzy. And I am wondering what's an adequate contribution? Who determines whether the contribution is adequate enough? Is it 5 percent, 10 percent of the project, 50 percent? Is there any history with the Allegiant Stadium as to what an adequate contribution is or ... wonder if it will be the

Stadium Authority Board who decides what's an adequate contribution if this bill passes? I wonder if you could speak to that subparagraph (h) of subsection 2 of 22.

MR. HILL:

The definition of adequate contribution will be made in large part because of the location by Clark County through that high-impact project process. NDOT will also be part of that conversation and will have that authority as well.

SENATOR OHRENSCHALL:

Thank you. Just a brief follow-up. So it will be the Clark County Board of Commissioners or Clark County staff that will determine what is an adequate contribution for this infrastructure?

MR. HILL:

Yes. The public works department will work with the developer partners to determine what needs to be constructed. And generally the A's will pay for all of that, less the \$25 million that Clark County has offered as a discount in that development agreement as a part of this plan.

SENATOR OHRENSCHALL:

Thank you, Mr. Hill.

SENATOR SEEVERS GANSERT:

Since we were talking about Las Vegas and its ability to bring in visitors and the success, I am looking at a *Billboard* article that talks about the top-grossing stadiums. Allegiant Stadium ranked as the top-grossing in the world—in the world. The numbers were, between November 1st of 2021 to October 31st of 2022, \$182,503,000, with over a million attendees. Then you go SoFi, then you go Foro Sol in Mexico City, then MetLife in East Rutherford. Further, in the *Billboard* list of top arenas that can hold 15,001 people or more, T-Mobile Arena on the Strip comes in at number 4, with 124,684,713.

I think Las Vegas drives shows. And just in this discussion, it's unique; Las Vegas is so unique. It's one of the places—I mean, these numbers prove it. This is a recent article. It's from last year, again, November 1st of 2021 to October 31st of 2022. So I think to the point of whether Las Vegas is uniquely situated, I think the answer is yes. And I also think when you look at the deal, I think that there was some discussions about the attendance was 180 percent of what the expectations were. So it ended up being the model when those folks who passed that bill, it was conservative—180 percent of what the model was. And I think it was—I can't remember if that was 3 to 1 ROI or if that's what you expect from this one—but I think there's been great success in Las Vegas. And so I think we need to keep that in mind, that the evidence is here; it's in writing. *Billboard*—if you just google it, you'll find it. Thank you.

SENATOR DONDERO LOOP:

I do have one last clarifying question. In section 29, subsection 4, it says that state and local governments who collect the pledged taxes are required to determine commercially reasonable procedures to separate the pledged revenues from other collections. So what happens if there is no commercially reasonable procedure that the Department of Taxation, for example, can isolate those insurance premium taxes? I am starting to think about the bigger picture. How is this all gonna work if we make it work?

MR. AGUERO:

If there is no commercially reasonable way to do it, they will not inure to the benefit of the district.

SENATOR DONDERO LOOP:

Okay. That was pretty succinct. I expected a bigger answer than that. I guess I was overthinking it. Alright. So with that I want to thank you for being here today and answering the questions. I'm assuming that we will have some amendments to Senate Bill No. 1 that we are looking at now. We've heard this procedure now twice. We've had two hearings. We heard Senate Bill No.509 [of the 82nd Session] in Finance and Ways and Means, and now we've heard it tonight as a Committee of the Whole. So I am assuming that there will be some amendments that we will see coming forth. And so thank you for being here. I look forward to seeing those

amendments.

SENATOR CANNIZZARO:

I too just wanna thank you for being here and presenting. I know it is late. Thanks, everyone, for staying with us, but I think it's important for us to be able to ask questions, and I think that you've obviously heard that there are some concerns and some things that I think we can have some further discussion about. And so like my colleague, just looking forward to seeing some amendments and working through some of the pieces of this.

With that everyone, we are going to move to testimony on the bill. So we'll thank you for being here. We are going to start here in Carson City. We will go with support first. We will then go down to Las Vegas. If you are down in Las Vegas, and I think there are some people still hanging out in the room with us. So if you are here to testify in support, you are welcome to take those first three chairs there at the table. We will go back and forth between here in Carson City and Las Vegas and then finish up on the phone lines.

I would remind everyone that we will be taking two minutes per person. If you have additional comments, we would be happy to receive those. Please submit those in writing to our Senate staff. You can find the information on how to do that online, on NELIS, and we will move on from support to opposition. And I think there were some folks looking to testify in support making their way down here in Carson City to the floor of the Senate. And whoever would like to go first can come up to the podium.

Mr. Saavedra, it is good to see you. I will be letting you know once you get close to that two-minute mark. We are gonna take support testimony for a bit, we will then move to opposition after that, and then neutral finally. But we will start here in Carson City with you, Mr. Saavedra, when you are ready.

VINCE SAAVEDRA (Executive Secretary Treasurer, Southern Nevada Building and Construction Trade Unions):

Thank you, Madam Chair and members of the committee. And thank you all for being here in these late nights; we really appreciate it. Obviously, we urge your support. It brings jobs to Nevada. I represent roughly 30,000 members and hardworking Nevadans.

Make no mistake, blue-collar workers are the community. And I represent those 30,000 hardworking families, and they all want these jobs. What it does for the community, for their kids, words can't describe. But I'm not gonna sit up here and talk about the economical impact and the jobs it brings. We already know what that is. But please take in consideration that the blue-collar worker is the community, and they are Southern Nevada. Thank you.

GREG ESPOSITO (Nevada State Pipe Trades UA Local 525):

There is freedom waiting for you,  
On the breezes of the sky,  
And you ask, "What if I fall?"  
Oh but my darling,  
What if you fly?

That poem came to mind as I was listening to everyone's questions. As somebody who represents the economic interests of 2,200 families in Clark County, I truly appreciate the fact that we have representatives that are picking this bill apart. I wouldn't respect you if you didn't. However, I hope that you don't lose sight of the fact that there are a bunch of people that are hoping that you try to fly.

Since the Raiders' stadium broke ground, my organization has taken in almost 200 apprentices. Those are 200 careers started. I know a lot of people are talking about the jobs; just my organization has taken in 200 apprentices that will now have lifelong careers. Not all of them worked at the Raiders' stadium, but as we discussed here on the floor seven years ago, Resorts World [Las Vegas] kicked back up because of the economic benefits of the stadium; Fontainebleau is getting finished up because of the economic benefits of the stadium. These sorts of projects drive our economy. Transitioning and offering new entertainment options are how we've thrived for the past 30 or so years.

And so the members I represent, and the ones I don't represent yet, hope that you fly. There are 17-year-olds right now who don't know that there's gonna be an apprenticeship opportunity



out there for them, but once this stadium kicks off, there will be. There are service members in the military right now that are gonna go through Helmets to Hardhats, Veterans in Piping. And they're hoping that you fly. And there are people in the community who would benefit from the money that the A's are gonna bring to town. So I appreciate your time, and I hope that you support this bill. Thank you.

MARK ELLIS (President, Communication Workers of America Local 9413):

It seems like we've been here a long time today, so I will keep this short and sweet. We support the bill.

THOMAS MORLEY (Laborers Locals 169 and 872):

Good evening, everyone. Thank you for taking the time to ask all the questions and get the valuable information that you need to help make the right decision on this issue. I represent Laborers Local 872, Laborers Local 169, and the men and women of those two organizations need these jobs. We need these jobs for apprentices so that we can continue to keep growing the construction industry. Thank you.

PAUL CATHA (Culinary Workers Union Local 226):

The Culinary Union supports S.B. 1 now that the involved parties have come to an agreement that's good for workers in Southern Nevada. While the union avoids picking sides between different unionized employers, the union supports the A's decision to partner with the Tropicana Las Vegas. The Culinary Union will negotiate to ensure the Tropicana's workers' rights under the contract are strictly followed so that workers have additional compensation, health care coverage and pension benefits when the property is closed for redevelopment.

Culinary Union contracts include strong language on layoff, recall, seniority, training and placement so that unionized workers will have access to free job training and continued benefits during closure, seniority rights of first access to job openings if the property reopens and placement into other job opportunities as they are available. The Culinary Union applauds the A's on agreeing to card check neutrality language to allow the workers of the stadium to freely choose whether to unionize, and the union looks forward to the labor-management relationship that will come with Major League Baseball coming to Las Vegas. The Culinary Union urges the Nevada Legislature to support and pass S.B. 1.

JASON GRAY (Vice President of Government Affairs, MGM Resorts International):

Madam Leader Cannizzaro and honorable members of the committee, MGM strongly supports the Southern Nevada Tourism Innovation Act, which would facilitate the construction and operation of a world-class Major League Baseball stadium in Las Vegas. We welcome Major League Baseball and the A's and believe their relocation to Las Vegas would cement our destination status as the premier sports and entertainment destination in the world—an unthinkable proposition to many not long ago but certainly not to this body and not to those of us who know what is possible in Nevada and what Las Vegas is capable of creating when opportunities present.

A Major League Baseball stadium would bring material, positive economic impacts to state and local governments and to the resort corridor. We have seen this with T-Mobile Arena and Allegiant Stadium. Home games drive accretive visitation and spending from spectators and fans. This means more guests staying in hotel rooms. This means more people dining in our restaurants and taking in the overall Las Vegas experience with state and local governments sharing in those incremental revenues.

In addition to a robust schedule of Major League Baseball games, a venue of this size and structure would enable our destination to welcome entertainment, sporting and other special events that may not otherwise come to Southern Nevada. As the largest private-sector employer in Nevada and a significant contributor to the State's hospitality industry—Nevada's top economic engine—MGM Resorts strongly supports responsible investments that enhance and spur the growth of tourism to our destination. We appreciate your consideration and urge your support. It means a great deal to us, our 41,500 Las Vegas-based team members and their families and the State's tourism and hospitality industry. Thank you.

PAUL MORADKHAN (Senior Vice President of Government Affairs, Las Vegas Metro Chamber of Commerce):

Good evening, Chair and members of the Senate. The chamber is in support of Senate Bill No. 1. This bill is an important step investing in the future of Southern Nevada and will help solidify our role as a global sports destination city. For Las Vegas and Nevada to maintain its position as the premier global destination for entertainment, we need to continue to invest in world-class infrastructure projects that will make sure we're staying ahead of our competitors. We will also be setting new entertainment standards that will be unmatched anywhere else in the world.

This bill will also spur economic development and diversification within our economy. By securing a Major League Baseball team with this new stadium, we will open access to a new market of sports fans that we have previously not tapped into. The stadium will also provide a new entertainment venue option, which will attract new leisure travelers both internationally and nationally. Equally as important to our local economy, this project will create good-paying jobs in both construction and the hospitality industries. This new stadium and team operations are projected to create 5,400 direct new jobs in Southern Nevada and will generate over \$440 million in wages and salaries paid to local workers in our economy over the next 30 years.

Investment and the construction of this project will also help insulate us against any future economic changes that may occur in the future. The chamber believes this project will replicate the success we have seen with Allegiant Stadium, which this body approved. The chamber also supports this legislation because of the accountability measures created with the financing mechanisms and the fact that the Las Vegas Stadium Authority will have oversight of the stadium like it does with Allegiant; it is a proven model. Another important factor is the public financing structure does not require new taxes or doesn't increase any existing taxes.

In closing, the chamber asks this body to support Senate Bill No. 1 and pass this bill so we can chain to our investment of our future for Nevadans. Thank you for your time and consideration this evening.

ANDY DONAHUE (Southern Nevada Laborers-Employers Cooperation and Education Trust):

Thank you again, Chair Cannizzaro. I'd like to begin by thanking the committee for being here on account of a measure that is consistent with our shared goals that we all have—namely, energizing the workforce development at an unparalleled level. The legislation here today represents a new foundation that will endure through the next generation of construction workers. And I want to thank you for being part of building it today.

RANDY SOLTERO (Soltero Strategies):

Madam Chair and Cole, members of the committee. Randy Soltero with Soltero Strategies here today to support S.B. 1 on behalf of Teamsters Local 986, who does work traditionally in hotels. Similarly, we'll be doing that in the stadiums. Also, after conversations with President Dave Kaval, on behalf of International Alliance of Theatrical Stage Employees, also will be support after speaking with Mr. Kaval and talking with him. And he is assuring that he is going to be working on a memorandum of understanding to do the work on the stadium as well. At this time we are in support of S.B. 1. Thank you so much.

AARON IBARRA (Southern Nevada Building Trades Unions, Local 797 Operative Plasterers and Cement Masons):

Good evening, Chair and members of the Senate. I'll try to keep it brief. I wanted to just give a quick perspective from the local education standpoint. I was born and raised here in Las Vegas, and a lot of my friends, when I graduated from Canyon Springs High School, didn't really see an opportunity in the university setting.

And I want to just emphasize the fact that we do have a provision that would require that 15 percent of the construction workers within this project be apprentices. It's more specifically 5 percent of that has to be first-year apprentices. That first-year apprentice provision is really, really important, especially for a lot of our locals that might not feel that university is right for them. Opening up our apprenticeship gives a lot of more opportunities for folks to really just grow our workforce in Nevada, and it will allow us to actually do more outreach with our local schools and really just talk about these opportunities available that many may not even know. I

know I didn't know about apprenticeships when I was in high school, and I think a lot of my friends and people that I graduated with would have benefited from these opportunities. Instead, they're doing something else, not getting paid as much and not growing their pension.

But I'll keep it short. I appreciate your time, and I urge you to vote "yes" on this bill. Thank you.

JIM GIBSON (Chair, Clark County Board of County Commissioners):

Thank you very much, Madam Chair and members of the committee. We appreciate the time and the energy that you are expending to get to the right place. I recognize and we recognize the importance of the decisions that'll be made over the next day or so. As you consider the legislation before you, which reflects input and collaboration among many—the county, the Governor's Office, the Treasurer, members of the Legislature and the A's organization—it's important that I ensure that you are informed about the role that Clark County has played in these discussions.

Our sole focus has been to uphold the prudent financial practices of Clark County. This legislation compels the county to issue bonds for the financing of the stadium, and throughout our conversations with the A's, it has been imperative that the terms of a bond issue meet the standards that the county would require for any similar county bond issued—specifically to the amount of bond funding the revenue-to-debt service coverage requirement and the amount required to be held in reserve. County manager Kevin Schiller and chief financial officer Jessica Colvin—whom many of you know well—have briefed each and every member of this board individually throughout the entire process and have carried the perspectives of each of them forward as the county has worked to negotiate a deal to reflect the financial practices of our county.

It is the perspective of the county's financial experts and Kevin and Jessica that the deal before you is fiscally sound. The county's commitment to issue about a \$120 million in general obligation bonds was not agreed to lightly. Clark County's ability to fulfill this request is possible only because the terms of the bonds require three things: a debt-service ratio, coverage ratio, of two times—that has been critical, and it has been our position from the very beginning: a debt-service reserve equal to two years of average annual debt service; and the replenishment of the reserve fund throughout the life of the bonds. These terms are in place to reduce the risk of a default to the investor and more importantly to prevent any burden to county residents. Additionally, the county will provide up to \$25 million toward the cost of infrastructure associated with utilities, roadway or pedestrian improvements, fire, police or other requirements to be identified as we get together and develop the development agreement between the A's and the county. That agreement will be comprehensive. There will not be an issue—

SENATOR CANNIZZARO:

Commissioner, if you could go ahead and wrap up.

MR. GIBSON:

We ask you to give serious thought to the effort that we've made. And might I just say on the homeless issue, it's a pittance. It doesn't come close; \$5 million doesn't solve anything. But as you know, Clark County budgets and spends hundreds of millions of dollars addressing homelessness because we are, by statute, solely responsible to address homeless, housing and indigent care challenges. Thank you very much.

VIRGINIA VALENTINE (Nevada Resort Association):

Good evening, Leader Cannizzaro and members of the Committee of the Whole. The addition of a Major League Baseball team and the state-of-the-art baseball stadium to Las Vegas' iconic skyline will expand our reputation as a premier professional sports destination, offering visitors another reason to travel here and to extend their stay. And as we have seen with other professional sports leagues in Las Vegas, the home games drive increased visitation and visitor spending, as fans want to stay and experience the destination's newest attraction. We appreciate your time, your questions and your consideration and urge your support of S.B. 1.

EMILY OSTERBERG (Henderson Chamber of Commerce):

Thank you, Chair Cannizzaro and members of the Senate. On behalf of the Henderson

Chamber of Commerce and its 1,900 members, we urge you to support S.B. 1. Structuring a means for Major League Baseball to come to Nevada will shepherd further and diversify economic development. Additionally, S.B. 1 will encourage employment in both short-term construction jobs and long-term operations employment. For these reasons, we join with the unions and the business community in support of S.B. 1. Thank you.

ANN BARNETT (CEO, Nevada Contractors Association):

Good evening, Chair Cannizzaro and esteemed members of the Senate Committee of the Whole. Ann Barnett, CEO of the Nevada Contractors Association, here to express our support for S.B. 1. Our association is comprised of skilled contractors and subcontractors who have successfully constructed monumental projects in Nevada, such as the Allegiant Stadium and the recent Las Vegas Convention Center expansion. Passing this legislation will provide for the creation of thousands of high-paying construction employment opportunities on yet another world-class venue as well as support for small and diverse businesses and contributing to Nevada's overall economic growth. Taking these substantial benefits into account, the Nevada Contractors Association strongly supports S.B. 1. Thank you.

ANA WOOD (Government Affairs Chair Member of Board of Directors, Las Vegas Asian Chamber of Commerce):

Good evening, Chair Cannizzaro and members of the Senate committee. Since 1986, the mission of the Las Vegas Asian Chamber of Commerce has been to serve and represent the professional interests of Nevada's growing AAPI [Asian American and Pacific Islander] business community. With a population of more than 355,000 Asian Americans, AAPI is the second largest minority in Nevada. The Asian Chamber of Commerce supports the creation of the sports and entertainment improvement district. This addition to our city will not only bring national baseball to Vegas, it will strengthen businesses and build community.

Currently, there are more than 22,000 Asian-owned businesses in Nevada. S.B. 1 will enable Asian small businesses and entrepreneurs to grow and succeed through connectivity and opportunity. It will provide employment, growth and leadership, engage community by enhancing mentoring programs to youth and seniors program development, showcase diversity and new talent and various other ethnic groups to our city as well as attract additional tourism from Southeast Asia and worldwide and increase overall productivity, which will further Nevada's economic growth. Public and private partnership is a win-win for all.

With more than 20 years in community development program experience, I can assure you that the A's previous commitment to community is solid, as shown by their commitment and engagement in Oakland: coordinating lunch and learns with community members; A's teams donating time; programs and scholarships to schools, such as Lincoln Elementary [School], Lincoln [Square] Park and organizations like Oakland Asian Cultural [Center], Oakland Chinatown Chamber of Commerce, Asian-Pacific Environmental Network, Stop Asian Hate, Family Bridges and many other countless ones. Collaboration and working in unity towards the good of our community is number one and should be number one for Nevadans, our youth, seniors and all residents. I respectfully ask you for your support of Senate Bill No. 1. On behalf of the Las Vegas Asian Chamber of Commerce and Board of Directors, the members, I thank you for your time and consideration.

JAMES HALSEY (International Brotherhood of Electrical Workers Local 357):

Chairwoman Cannizzaro, baby Cole and committee members, my name is James Halsey, and I represent 4,700 members and baseball fans at IBEW Local 357. I can hear your frustration with the presentation of this bill and what is contained in it. I can only ask you to look at the overall benefit of having another form of entertainment in the number one entertainment city in the world. In the end, on behalf of our 4,700 members and their families, I hope you're able to support S.B. 1. Thank you. Let's play ball.

MATT LYDON (Business Manager, Plumbers and Pipefitters Local 525):

I represent 2,256 members and their families, and we rise in support. And we ask that you consider this project. Thank you.

ALFONSO LOPEZ (Sheetmetal Workers Local 88, Arrow of Transportation Workers):

We have over 1,600 families that we represent, and we will gladly look for your support on S.B. 1. Thank you very much.

DANIEL LINCOLN (International Union of Painters and Allied Trades):

Good evening Madam Chair, members of the Senate. We represent over 1,700 painters, glazers and floor coverers in Southern Nevada. I am testifying in support of S.B. 1, and I would urge you all to also support this investment in good-paying jobs for the hardworking, middle-class workers of this State. Thank you.

DANIEL HAGUEWOOD (Heat & Frost Insulators & Allied Workers Local 135):

We're here on behalf of the members and their families in support, and we urge you to as well. Thank you.

JIMMY SCHWARZ (Ironworkers Local 433):

Good evening, Chair and members of the committee. We support this bill and urge you to do the same. Thank you.

NICK DiFRANCO (International Union of Operating Engineers Local 12):

Good evening. On behalf of the Operating Engineers Local 12, we support S.B. 1. This will not only bring good-paying jobs but also benefits to workers on the project during and after construction. Thank you.

AMBER STIDHAM (Las Vegas Global Economic Alliance):

Good evening, Majority Leader and Senate members. We've witnessed firsthand how our superior stadium projects transform our community. They have proven themselves to have a multiplier effect, especially when positioned among our unique Las Vegas market. We support S.B. 1. Thank you so much.

DIONNE KLUG (United Food and Commercial Workers Union Local 711):

Good evening, members of the committee. We urge you to support this bill. Thank you.

RANDI BLACK:

Good evening. I have been working with unions for over 10 years, and my husband has been a union member for around 30 years. Building another stadium in Nevada guarantees my husband work at fair wages and benefits at home, instead of having to travel to another state to work. The other sports that have come into town have opened up so many opportunities for my children already, and I believe bringing baseball here will do the same. I am in support of S.B. 1.

TODD INGALSBEE (President, Professional Fire Fighters of Nevada):

We support S.B. 1. We look forward to partnering with the A's and working in that community to keep our millions of guests safe along with our citizens in the area we serve. Thank you.

PETER GUZMAN (President, Latin Chamber of Commerce):

Thank you for allowing me to testify this evening. I am here to testify on behalf of my incredible members. Those members include the laborers' union, the carpenters' union, the plumbers, IBEW and many, many others who built Allegiant Stadium. I witnessed lives being changed because of that stadium, and now we have the opportunity to do it again. I also want to state that I am honored with the questioning tonight; it was very, very good and important questions.

But I want to share with you, when it comes to community benefits, I was there in the inception of community benefits. I helped come together with the community benefits, and I sit on the community benefits committee today; I have from the inception. I can tell you that people that reflect and look like me and all minorities in our community have benefitted from that stadium in terms of construction, concessions and beyond. We could do this again. We should do this again. And the Latin Chamber of Commerce is in full support of this stadium being built in Las Vegas. Thank you.

LIZ SORENSON (President, Nevada State AFL-CIO [American Federation of Labor and Congress of Industrial Organizations]):

Good evening, Madam Chair and members of the Senate. I am here this evening in full support of S.B. 1, and I urge all the members of the Senate to also support S.B. 1. Thank you for your time and all your hard work.

STAN O'DAVIS:

I am in support of S.B. 1. It'll create a bunch of good-paying jobs with great benefits for our community, Nevadans in general. Also, it's gonna create apprenticeship to growth that's gonna create the future and construction going forward and start these younger people off with a great career for their future for them and their families. Thank you. Have a nice night.

SUSIE MARTINEZ (Executive Secretary Treasurer, Nevada State AFL-CIO):

Good evening, Chair and members of the committee. On behalf of over 150,000 members and 120 unions, we are in full support of the bill. Thank you, and thank you for all your hard work. Have a good evening.

RAY COURT:

Good evening. I am just here to say that I am in full support of S.B. 1. Bringing the A's and the stadium to Las Vegas will be a great thing for future employment and an economic value. And I urge the committee to help us support this. Thank you.

UNIDENTIFIED TESTIFIER:

Hello. Good evening. My name is Diego, and I am calling from Henderson. I would like to start off by saying I am in full support of S.B. 1. I think it would be an amazing opportunity for us to bring baseball to Las Vegas. Don't let these online fools trick you. A lot of it is outside persons telling you how to voice our opinions. I have talked to many Henderson locals who would love to see this happen and would support the team. I am a lifelong A's fan and would be one of the first to buy season tickets, so let's make this happen. Thank you for your time.

ROBERT SUMLIN (International Association of Machinists and Aerospace Workers Local Lodge SC711):

Good evening, Madam Chair. I am here in full support of S.B. 1, and I urge the committee's support as well. Thank you for your time.

RUSS JAMES (Nevada AFL-CIO):

Good evening, Chair Cannizzaro and members of the committee. I'm a longtime member of the painters and allied trades. For all of the reasons already stated, I am in full support of S.B. 1. Thanks for your time.

NATE DOMSKY (Local 12 Operating Engineers):

Good evening. I am here in full support of S.B. 1 because the proposed project will create great-paying union jobs for our building and construction trades and service-industry workers. I urge you guys to pass this bill. I appreciate your help. Thank you very much.

MARK THOMPSON:

Hello. My name is Mark Thompson, and I am a local Las Vegas, Nevada, resident. And I am in full support of the bill, and I believe it will bring more people to our city and that it will also create lots of jobs for the people that live here. And I am looking forward to attending baseball games and also getting a season ticket so I can go to as most games as I can.

CLARENCE MCCARTHY:

Good evening, Chair Cannizzaro. I rise in full support of S.B. 1, and I urge the committee to support S.B. 1. Thank you.

BOB HORTON (Business Agent, Ironworkers Local 433):

My members are in full support of this. We are all sitting at a roundtable right now, and I want you to look at two things. I'm talking to everybody on the board. Good evening, everybody. We have an opportunity to create jobs. We have an opportunity to bring wholesome, all-

American entertainment for working families here to Southern Nevada—not just Las Vegas: Henderson, Indian Springs, Pahrump, all that.

So the baseball games are more reasonable than Knights games. And I have personally been to Knights games and met tourists and conventioners that were here that came to the games and spent their money because they did not have that opportunity at home. It's a win-win. I worked on the Houston Oilers Astrodome back when, and we had Supercross in there, rodeo, everything. The opportunities are endless. I know time is short. Thank you everybody. Thank you for your time given and wish you well.

DAVID PETERS (Founder, Black Liberation Walking Tour):

I have also served on the Howard Terminal Community Benefits Steering Committee here in Oakland. And so I have no input into which way you weigh on this matter. I simply would like to share some of my experiences as a member of the community here with those of you here in leadership in the State of Nevada and also very—and maybe perhaps most importantly—with people in the communities here, there and all of Northern and Southern Nevada as someone who participated in the long-term process with both Mr. Kaval and Ms. Aker—hey, Dave; hey, Catherine—in the process here in Oakland.

So I wanted to just remember that the words of Maya Angelou, who told us, "When somebody shows who you are" the first time, believe them. So I want to first thank Ms. Aker for providing a donation to the Black Liberation Walking Tour. I founded a nationally recognized and historical, cultural and artistic walking tour here in West Oakland. I also am on the board of directors of an affordable housing organization here in Oakland as well as a 30-year CPA here in this community. And so Ms. Aker provided a grant to the walking tour several years ago when they were rallying support here in Oakland.

And then Mr. Kaval was part of the community benefits process here in Oakland in which hundreds of Oaklanders spent tens of thousands of hours developing over a hundred community recommendations for Mr. Kaval. And this was a process sponsored by the A's. Eighteen months in, Mr. Kaval came to the community and said despite all the work that we had done and the promises that had been implied, but not made—

SENATOR CANNIZZARO:

If you could please go ahead and wrap up. Sir, we are at about two minutes, so if you could just go ahead and wrap up.

MR. PETERS:

Thank you, ma'am. I'll wrap it up—had been made, when it came down to signing an agreement, he told us that there would not be a dollar from the A's, much less a penny. And so we were sold a \$12 million economic project. So I would suggest to you in the words of my grandfather—

SENATOR CANNIZZARO:

Sir, we're gonna go ahead and ask you to submit the rest of your comments in writing to the committee, and we'll move on to the next caller.

UNIDENTIFIED TESTIFIER:

Hi. I'm just a local, Las Vegas. I've been in the sports business. But we're not a desperate town. This is a pathetic thing. My name is Stu [inaudible]. I'm from New York; I've lived here for 15 years. We are not a desperate town. We don't need any team, and if you look at the history of the A's owner, if he comes here and doesn't [inaudible]—

SENATOR CANNIZZARO:

Sir, we are [hearing testimony] in support of Senate Bill No. 1, and it sounds like you might be in opposition.

UNIDENTIFIED TESTIFIER:

I am, because—

SENATOR CANNIZZARO:

Sir, we are gonna go ahead. We are still in support of Senate Bill No. 1. If you are here to

testify in support of S.B. 1, we are still on support testimony.

If you were here in support and didn't manage to make it onto the line there with that caller, you can always submit your testimony in writing to the committee. We are going to go ahead and move on to opposition.

CHRISTINE SAUNDERS (Policy Director, Progressive Leadership Alliance Nevada):

Good evening, Chair and members of the committee. My name is Christine Saunders, and I'm a policy director with Progressive Leadership Alliance Nevada, here in opposition to Senate Bill No. 1. We've spent the last few months in Carson City discussing an unprecedented state budget and the opportunity to fund education higher than ever before. And yet, once again, we are talking about a stadium scam in a special session, a risky corporate welfare proposal that will leave Nevada taxpayers on the hook, rather than revenue and funding programs Nevadans need. We don't do this for regular people in Nevada. Meanwhile, we are telling corporations to come here, and we'll foot the bill. The "Nevada Way" is always business first at the expense of what our communities need most, like public transit, high-quality education, tenants' rights, safe air quality and health care.

We are not opposed to good-paying union jobs or diversifying Nevada's economy, but we shouldn't have to be giving tax incentives and handouts to billionaires to do so. It's irresponsible of the State to prioritize new corporate development over the needs of Nevadans. If the A's want to come to Nevada, they are more than welcome to on their own dime, but it's time for the State of Nevada to prioritize what Nevadans are asking for. We urge you to oppose this bill. Thank you.

ANNETTE MAGNUS (Executive Director, Battle Born Progress):

Good evening, chairwoman and members of the committee, including "Senator" Cole. My name is Annette Magnus, and I am the executive director of Battle Born Progress, here today in opposition of S.B. 1. We have been very consistent on this issue over the years, and by the way, I am born and raised in Las Vegas. And we have mobilized our 22,000-plus subscribers today, who live in Nevada, against this bill.

I have joked, as I come to the end of my time with Battle Born Progress, that this has been like The Eras Tour of all the worst ideas I have seen in this building, but this specific walk down memory lane might just be the worst for me. I was standing right here, in this exact spot, in 2016 when Allegiant Stadium was ran through in a very similar fashion during a special session.

Somehow, though, reading this bill we have managed to bring forward an even worse deal than the last one, and now we have wasted taxpayer dollars, thanks to the Governor, twice in a week with two special sessions. This deal will leave taxpayers on the hook because, as you heard, there are no new revenue sources to back these bonds. I don't care how anyone tries to spin this. The A's are a failure of a team and should not be given our tax dollars when their owner is a billionaire and doesn't need this cash. Just look at the deal the same owner went back on with the Quakes and the stadium that the public built for them. They are still last in their league and have not invested in the team as promised, even with their new stadium.

We have been here before. I have seen this in my entire life in this State. We went through this with Allegiant Stadium. And I hate to break it to you, but the Raiders are still a losing team, and their record has gotten worse since they moved to Las Vegas. And they still make UNLV pay to use it, which is a joke. The bill is just another example of this. And like I said in 2016, if this team wants to build a stadium, their billionaire owner can build it with his own money.

I would like to know why the A's management is hiding in the gallery today and not down here fully answering questions to why they deserve our tax money, especially after the stadium management has previously been quoted ripping public funding for stadiums.

I will end by saying this: I am an avid sports fan. I grew up watching baseball with my dad. On Saturday, I was at the first Stanley Cup game that the Knights won. Not only are they an actual winning team but they also somehow managed to play in a privately-funded facility. Imagine that. I urge you to vote "no" for this scam. Thank you.

ERIC JENG (One APIA Nevada, Asian Community Development Council):

Thank you, Chair, and members of the committee. First, I want to acknowledge, yes, this will create good-paying union jobs and also a great opportunity for AAPI [Asian American and



Pacific Islander] small businesses in our community. And I also believe that the wisdom, "If you build it, they will come."

However, as grassroots advocate and representative of provider of direct services for our most underserved members of the community, I am here in opposition due to how the current community benefits agreement is written. Although from the last hearing until now, we do see that one more slide for more of the intent. It is encouraging in its intent, but we would like to see greater community involvement with accountability and specificity written in statute that support our most marginalized community in a meaningful way.

And for that to see a community-based return on investment, we are also in opposition because if we cannot write it in statute because it will lock in and not be adaptable, then the current language of five years review and update should be shortened to more frequent intervals, so like annually or two years to report to this Legislature. That will be more nimble, adaptable, accountable and equitable to Nevadans. So I urge you to oppose how it's currently written. Thank you.

CYRUS HOJJATY:

Good evening, everyone. I'm glad this party has been extended, beautiful weather outside. This is really a regressive move. We have seen the Allegiant plan and how it was short on its promise. I oppose this because I don't want the Tropicana Hotel to be replaced. I'm not a fan of its location. The Senators made very good points, Krasner about taxes, Pat Spearman about other priorities we should have. The veterans' housing was a really good one; I didn't know about that. There's other investments we can do, particularly in transit. When I was at the Target protest last weekend, both sides agree that that's a good idea. I'm concerned about parking, because remember after the Golden Knights was built, they started to charge for parking. I'm concerned, yes, about another COVID era.

Let's talk about the jabs. The two Senators talked about it. People from all over the aisle have talked about stadium subsidy issues, such as John Stossel, John Oliver. Not to mention, you talk about taxes funding this. Room taxes, which people are paid through Siegel Suites—Senator Neal brought up this—this is a regressive tax. A lot of low-income people live there, and they also use ridesharing programs because they don't have a car.

When we also talk about subsidies, for a lot of different industries, subsidies for food and transportation is not the same as stadium because these are necessities. Entertainment is not something we need to live and survive. And I believe this is just a desperate approach to pump up the economy, to gouge prices, and it's perhaps another reason why we need to restructure our local government. But other than that, I will ditto all the other excellent testimonies. Great to see that we have a lot of agreements, and I will yield my time. I hope this session continues; enjoy this. Thank you.

STEVE PASTORINO:

Senator Cannizzaro, members of our State Senate, my name is Steve Pastorino, and I live in Senator Dondero Loop's district. But from 2014 to 2018, I was a senior executive for the Oakland Athletics, living in Oakland, California. I worked for Dave Kaval and two desks over from Catherine Aker. There are so many holes in what the A's are trying to sell us that I can't cover it in two minutes, but just a few.

First of all, the walking, talking bobblehead known as Dave Kaval can't even answer Senator Doñate's questions today about whether the A's will participate in the live entertainment tax. You cannot trust Dave Kaval. My former colleague Catherine Aker sent here to do John Fisher's bidding meekly offering a million dollars in community support, how many fields does a million dollars build? Those of us in Clark County who have seen our high schools redo all their football fields in recent years, a million dollars is a drop in the bucket. The A's community programs are a joke in Oakland, and they're gonna be no better here in Las Vegas.

When asked by Senator Flores how much time, money and effort the A's put into developing or drafting one player, no one could answer because the A's representatives aren't here talking to you. While the answer is years and years and millions of dollars, and yet they are gonna try to cram a \$380 million stadium scam in ten days before us. Please, I urge you to give this more proper consideration. It will not be priced for Vegas families.

And lastly, the smallest modern Major League Baseball park is in downtown Minneapolis. It

sits on eight-and-a-half acres. The A's have nine acres. There is no land left over for ancillary development to generate tax revenue to pay these bills that are gonna accumulate over the next 30 years. Again, there are so many holes in this proposal.

Las Vegas is built on philanthropists and families with great integrity and history and tradition in this town: the Gaughan family, the Boyds, Kerkorian, et cetera. I could go on and go on. My last question is: Where is John Fisher? Where the hell is John Fisher? The corner of Tropicana and Las Vegas Boulevard is great real estate. It's a great place for a ballpark. I'd love to see Major League Baseball in my town. John Fisher does not need a penny of our dollars, and let's figure out a way to get them here.

SENATOR CANNIZZARO:

If you could go ahead and wrap it up.

MR. PASTORINO:

I'd love to wrap it up, and I'd also love to join a stadium advisory board if there is an opportunity. You need someone who knows what's going on inside the A's front office. Thank you.

ALEX RODRIGUES:

I am also in Melanie Scheible's district. I oppose S.B. 31 [*sic*]. If billion-dollar corporations, the A's, the casinos, utility companies, CEOs, stockholders ... we all know that in this town they have the money to invest. If they really believe in this project will be profitable, why don't they invest it in themselves? If potential investors are cheap and possibly don't see value in this for themselves, then what makes the public believe this is a value to us? The taxpayers involved here, there is no trust from the people about who the contractors will be, which union workers or nonunion workers will get the jobs, the cost of supplies, the cost of labor—the costs usually tends to be a little higher sometimes than projected. For example, whenever tax dollars are involved, sometimes the quality of union workers are not the best of the construction. Just for example, like the Yankee Stadium, it had structural concrete issues. Look at the Washington Redskins stadium, the FedEx Field, it's had structural issues on their upper-middle levels and their higher levels with pipeage leakage, concrete structurals, all kinds of damage that lack of the construction from the workers.

Take a look at example of public funding projects that have failed. San Francisco 49ers stadium, projected to be \$700,000 [*sic*] to be cost; it ends up being \$1.3 billion. City of Detroit, they went bankrupt after they built the Lions' stadium. The St. Louis Rams and the Miami Marlins, both cities are still on the hook with the tax dollars. Actually, the City of Miami is actually in default of the payments of their stadium right now that was built.

We all know privatization always works because we will get the quality of workers of their choice, the quality contractors, the quality supplies and get the stadium built in a faster, timelier manner if the A's and investors have to worry about the tab, not the taxpayers. I am in strong belief that if the A's will come along with the jobs, that the people who testified earlier in support regardless ... if we tell them no—it worked for the San Francisco Giants, the Boston teams. They have their own privately funded arenas and stadiums. The LA Rams and Chargers—

SENATOR CANNIZZARO:

If you could please go ahead and wrap it up.

MR. RODRIGUES:

Okay. Go get private investors. Stay out of our pockets. This is a project of failure. Let the private investors fail. If they're profitable, then let them have the profits. We the taxpayers are fine with that.

DECLAN PASTORINO:

I am a diehard A's fan. I love the A's, and even with that said, I cannot, I cannot support this bill. The A's have been saying this stadium has very little risk, no risk. There's always a risk in investments, and this is an extremely big risk. The A's don't care about their team. John Fisher is a crook; he only cares about profit. The A's last year were in the top five most profitable teams

in baseball. That is with the worst team in baseball because they don't pay their players, they don't field a good team, they don't sell tickets. They get TV contracts; that's all they do.

And a stadium won't fix this. They might draw fans in a year. But the Twins, they built a stadium in 2010. They had 40,000 fans in their first year. Ten years later, they're down to half, 20,000 fans a game. And the Marlins, they built a stadium in 2012. Now they're down to 11,000 fans a game. The A's are saying they are gonna have 27,000 fans a game. That's not gonna happen with the worst team in baseball.

And it won't be cheap to go to these games. The Aviators, their tickets at the lowest are \$18 for a Minor League team. This is a Major League team in a brand-new ballpark. There is no way they're gonna be selling tickets for \$15 to be affordable to families like mine. We're not gonna pay for these games. And they make it sound like a safe investment, that the A's will be here for 30 years and pay back the money, but the Rangers built a stadium and left after 25 years. What happens when the A's leave Las Vegas, and they leave money on the table? What are we gonna do?

There's no reason to take this risk. We have bigger priorities. We have mental health problems, education, affordable housing, public transit. You've heard all of it. We know what we need, and we don't do it. So don't put money in the hands of John Fisher; he's a crook. If he wants a stadium, he can build it himself. Thank you.

HAL GORDON, PH.D.:

I'm a recent econ Ph.D. graduate from U.C. Berkley who did part of my dissertation on sports economics. I just want to defend sort of the economics industry from some of the things that Jeremy Aguero has said. First, I'd love to quote from Assemblymember La Rue Hatch's op-ed. She writes, "[s]tudy after study has shown that publicly financed stadiums do not boost local economies. In fact, they regularly have a negative effect on local businesses. According to a 2017 article by the" St. Louis Fed, "one economist noted 'that a baseball team [...] has about the same impact on a community as a mid-sized department store.'"

So Assemblymember La Rue Hatch is absolutely correct. In 2017, the University of Chicago polled academic economists—liberal and conservative—and found that 83 percent of those who expressed an opinion agreed that providing state and local subsidies to build stadiums would not pay back local taxpayers. Three percent of economists disagreed; 15 percent said it was uncertain.

Now, I know the A's have told you all this tax money that you're gonna give them is "but for" tax money. It only exists because the A's are coming, which it sounds great. Why do economists still oppose this? It's tax dislocation. If a new team enters a market, residents' leisure budget is unlikely to expand. So instead of spending money at the movie theater or restaurants or shows that pay taxes, they spend that money instead at the A's stadium, which doesn't pay taxes. That means that all that money that you would have gotten from tax money at movies, theater, putt-putt courses, you no longer get it because people aren't spending it there. They're gonna spend it at the A's stadium.

Mr. Aguero has made numerous other mistakes with his modeling that academic economists have pointed out for the last 20 years to be foolish, including counting huge amounts of indirect employment benefits, which economists have never found evidence for from stadiums, and huge increases in tourism, which economists have also found have no effect from stadiums. The A's seem to be searching for the right community benefits to Vegas; I suggest the community benefits that they provide are to just simply pay their taxes like any other business.

Finally, please, I didn't hear any questions about the first-rate stadium provision, which will require the State of Nevada to pay hundreds—

SENATOR CANNIZZARO:

If you could go ahead and wrap up your comments, we're right at about two minutes.

MR. GORDON:

Sure. Sure. It would require the State of Nevada to pay hundreds and hundreds of millions of dollars in maybe 20 years to improve the stadium. That's not gonna be paid for by anything. You're gonna be on the hook for that. The State of Wisconsin is now on the hook for \$500 million because of the same provision—

SENATOR CANNIZZARO:

Okay. We're gonna go ahead and ask you to go ahead and put the rest of your comments in writing.

MR. GORDON:

All right. Thank you so much. I really appreciate it. Thank you.

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

On behalf of Americans for Prosperity, we urge you to vote "no" on S.B. 1. Americans for Prosperity strives to advocate for policies that help create an economy that works for all, empowering people to earn success and realize their potential. Businesses, entrepreneurs, innovators and individuals should be rewarded for the value their goods and services create for their customers.

Although we welcome sports and all the industries into our great State, we disagree with S.B. 1 and the corporate welfare that it demands. Corporate welfare creates barriers for some businesses and entrepreneurs when politicians and government bureaucrats tilt the playing field by providing special benefits to specific industries, companies, activities, products and services—in this case, a stadium. Whereas our State and local economies are still fiscally recovering from the government shutdown, these types of economic developments, subsidies in S.B. 1, would not lead to greater prosperity but rather threaten our State and local governments' physical health with more financial burden.

For example, we recently saw during the government shutdowns due to significantly reduced revenue from the Las Vegas Raiders' Allegiant Stadium, Clark County commissioners had to use more tax dollars when they had to utilize their reserves to cover the bond payments. Also, research by Mercatus Center, George Mason University, shows—much as everyone has shared here—economic growth, state per capita gross domestic product or job growth do not fare better with such programs. The most impactful way government can spur economic growth is by easing regulatory burdens on enterprises, not providing subsidies. We should focus on eliminating regulatory barriers that prevent industries such as sports from coming into the State without tax dollars. And for these reasons, we urge every Legislator to please vote "no." And again, if the A's want to come here, then choose private funding, and let's do it the right way. Thank you.

PAULA LUNA:

I've lived in Nevada for over 20 years, and I'm a constituent of Senate District 8. I just wanna echo the statements of those in opposition of S.B. 1, and I hope you all stay focused on the real needs of Nevada. Thank you so much. Please oppose S.B. 1.

MARIA-TERESA LIEBERMANN-PARRAGA:

Good evening, Chair and members of the Committee of the Whole. I'm from Nevada, representing myself in strong opposition to S.B. 1. Here's why. One, as we heard, Allegiant Stadium generated fewer construction jobs than promised. Over 10k was the promise, 2,719 was the result. But most importantly, once again, studies from economists like at the Brookings Institute and others were dismissed because we can't compare Vegas and its visitation numbers to those cities. What are these other cities? We're not talking places like Boise; we're talking Chicago, New York, Miami and Orlando. In 2022, Orlando had 74 million visitors, New York had 54.6 million, Miami had 50.6 million, Chicago had 48.9 million and Las Vegas, 38.8 million. I think those cities are definitely comparable to Las Vegas in terms of visitation.

And finally, I was talking to my mom about this a while back. For 35 years she did the backbreaking work of cleaning rooms on the Strip. And she asked me, how could the state that took six months to simply process and pay me my unemployment during COVID even consider giving millions in my and our tax money for a stadium? Couldn't that money go to fixing DETR [Nevada Department of Employment, Training and Rehabilitation] alone and other things that we need? Please oppose S.B. 1.

SUSAN PROFFITT:

Giving tax credits to billionaires for an additional sports team that we don't need in Nevada is an irresponsible use of our tax dollars. We already paid for Raiders stadium, but we have not

seen the benefits yet. I know how we could. Why not use it to house the illegal aliens the Democrats are still inviting to Nevada? Housing these immigrants at Raiders stadium would be a good use of our tax dollars and protect us from diseases until the Democrats' new voters have been screened for diseases and vetted. Again, this is an irresponsible use of our money, especially when we lack adequate medical facilities and a nonexistent education system, which is failing our children today. You will not attract jobs and businesses to this city until you fix both of them. So please, I urge you to not pass this bill. Thank you very much for your time.

JEREMY KOO:

Thank you. Good evening, Chair and members of the committee. I reside in Sacramento, and I'm testifying against S.B. 1 as an Oakland A's fan of 30 years that grew up in the East Bay area. I'll trust that you've been briefed on the economic arguments for and against public sports stadium funding, but even if you believe the fantastic optimism exuded from the LVCVA, Mr. Aguero, Mr. Kaval and the rest of the A's staff today that the stadium will somehow pay for itself over the 30-year lease period in the bill, I suggest you ask what's next.

In 30 years, will the A's be asking for hundreds of millions more in public financing for renovation, just as the Milwaukee Brewers are now with their 22-year-old stadium? In 30 years, will the A's come back and ask for hundreds of millions more for a brand-new stadium, like the Texas Rangers did for their 22-year-old stadium in 2016? In 30 years, will the A's cry that their stadium just doesn't meet modern needs to secure hundreds of millions of dollars to replace or renovate their 17-year-old stadium, just as the Atlanta Braves did with Turner Field in 2013? And these are just the three most recent examples in Major League Baseball. I am not even talking about the NFL or any other sport because you have to know that that is what you are buying into. Know that these asks never end. They never end, and I urge you to oppose S.B. 1. Thank you.

JANET CARTER:

I'm calling to testify in opposition to this bill. I said this in testimony during the regular session. It's not about the fact that the A's are a bad team. I've been a Cubs fan for almost 40 years. I get bad teams, and I'm still a fan. It's all about the money. If we have this kind of money to spare in the State of Nevada, there are just so many needs that are so much greater than building a stadium that could be privately financed. And all of the things that we could do would bring just as many good jobs to the State as a stadium would. I am talking improving our public transit, which is abysmal in Clark County. I'm talking about improving education, and I'm talking about working to mitigate the effects of climate change. All those things are gonna cost money, and all those things could bring us good jobs just as much as a stadium. So please oppose the stadium and spend the money where it needs to be spent. Thank you.

DAELA GIBSON (Planned Parenthood Votes Nevada):

Thank you, Majority Leader Cannizzaro and members of the Senate. We are in strong opposition to S.B. 1. Once again, Nevadans are being asked to finance a stadium we don't want and can't afford. There is so much else we can accomplish with these hundreds of millions of dollars, including free access to preferred birth control for people of reproductive age, including IUDs, oral contraceptives, et cetera, free access to menstrual products for incarcerated people, free access to menstrual products for students, free access to Plan B at colleges and community health centers, free breast pumps for new parents, free parenting classes and other support programs for new parents, free STD and STI testing and treatment, paid leave for new parents, investing in affordable and accessible health care or housing or education would be a much better use of this money. So we urge your opposition. Thank you.

BRYAN HARRIS:

Good evening, Majority Leader Cannizzaro and committee members of the whole. I am calling in opposition of S.B. 1. I've been a Nevada resident for going on four years now. And I just wanted to personally say that I think that Nevada doesn't need another stadium paid for by the public, and we really should be focusing on things that matter to those that live in Nevada. I'd also like to ditto the comments that were made by the previous individuals who testified in opposition. They all were stating things that are very true. And thank you for your time. Enjoy

the rest of your night.

SHAUN NAVARRO:

Hello. Good evening. You know, I think folks forget just how bleak things were looking during COVID, about how a lot of people said Vegas wasn't gonna be able to come back from it. And a lot of good people lost their jobs and still haven't found new jobs, but we came back from that.

I think we're all in agreement, there's no casino like a Las Vegas casino, but more and more states are building their own casinos. There's some pretty decent ones only a few hours away in California. And with apps and the internet, gambling has been pretty much legalized online, and you can gamble anywhere in the country now. But despite all that, despite a pandemic, besides ups and downs in the economy, Vegas has survived all that, I think against all odds. There is something special about Vegas that brings people here. There is something undefinable about this place. And as a Nevada resident for seven years, I can confirm that. There is something special about this place, this glorious, weird oasis in the desert.

So I get a little heated, I feel some sort of way, when these people with nothing but a record of failure, who have alienated the good people over in California, who have turned off one of the most loyal fan bases in America, come to us and treat us like a bunch of country rubes and tell us that we need them. When the worst team in baseball tells us, "You know what, you need us," well, on behalf of everyone in Nevada, let's get it clear: We don't need you; you need us. The records are clear. The Oakland A's are 14 in 50, and Las Vegas is undefeated. Every challenge, every problem, we have overcome it, and we have come out stronger. Mr. Aguero said it himself, there is no other place in the country, maybe in the world, like Las Vegas. More and more people are coming. People are still drawn to the State, and we do not need the Oakland A's.

If you like baseball, we have a great baseball team already. They have a, what's it, about 10, 11 sellouts in a row? The Aviators, who, by the way, draw as many people now as the Oakland A's do. You know, I don't blame the owners for hiding out in the gallery. I would hide my face, too. I'd be too embarrassed to show my face if my Major League team—

SENATOR CANNIZZARO:

Okay. We are gonna go ahead and ask you to submit the rest of your comments in writing.

WAYNE COY:

Hi there. My name is Wayne Coy, resident of Nevada's first district, and Congresswoman Titus is my representative. First of all, I just can't believe you're being asked to stay there and do this at quarter after ten at night. I think Cole Cannizzaro has probably made more sense than anybody today. Congrats to you, by the way, Madam Chair, and also to Nate.

I am from the East Bay originally, but I live here now. You'd think I'd be doing cartwheels because my Raiders and possibly my A's might be here, but I'm not because as I pull over to make this call tonight, I'm watching a homeless person snuggle up next to a tree trying to stay warm, and I passed three or four more just like them as I pulled into this parking lot.

There's blight here. There's money to be spent on things that it should be spent on. This is not the way to bring Major League Baseball to Las Vegas. It's rushed; it's clandestine. It was all last minute. They're trying to push it past you like a game of three-card monte. To ask Nevada and Clark County to gift a billionaire with \$400 million in public funds—and by the way, it'll be more than that—that just means to me that if you're gonna do this, you're not paying attention to what's around you like I am right this second. You're not paying attention to what your constituents are telling you, and the current public opinion on your own website shows that over 80 percent of the people are opposed to this. If somehow this passes after all that, that just tells me that you are not doing what you were elected to do. And at that point, all we can do is wait for you to run for reelection again and let you know that we are indeed paying attention.

As much as I love the A's, vote "no." Let's get a Major League team the right way here in Las Vegas. Thank you.

AMBER FALTOUT:

Hello Chair, committee members and baby Cole. I am a resident of Senate District 15. I was born and raised in Reno, Nevada. I am absolutely and vehemently opposed to S.B. 1. I urge you

to vote against it.

The Oakland A's can and should pay for their own stadium; that is very clear. I am a San Francisco Giants fan. I've been a fan since I was a young child as my family hails from the Bay Area. The Giants paid for their own stadium after they left Candlestick Park. No public funding was used, and that is how it should be. If the Giants chose to move to Nevada and asked for public funding, I would still be calling you in complete and utter opposition because, plain and simply, a publicly-funded stadium is corporate welfare. Public funding should not be allocated to fund a private stadium for any team.

Until every family has access to childcare, until every Nevadan has access to good-quality food, until residents are no longer struggling to afford rent or purchase a home, we have no business footing the bill for a millionaire's stadium. My youngest son is two years old; he will be nearly my age 30 years from now when residents might see a return on this horrific investment. Please vote "no." We argue over welfare programs to help the most vulnerable in our community. We cannot in good conscience support corporate welfare for billionaires. This is a grossly irresponsible way to use public funds. Thank you.

JOHN JOHNSON:

I'm a resident of North Las Vegas. Senator Spearman is my Senator. First of all, I'd like to say good evening to the Chair and the rest of the Senators. I am in strong opposition. I was in opposition with the Raiders stadium but more for the A's stadium. It's the funding mechanism for me. When it comes to the Raiders, at least the funding was a revenue source that was tied to raising the taxes on the rooms so that there would be rooms. This is dealing with the attendance of the people that's attending the A's stadium and that whole tax district. So from my understanding, the revenues that's generated from the people that's coming to see the game and all that stuff will go help pay for it.

Well, unfortunately the history of the Oakland A's is not a history of them investing in their team. At least the Oakland Raiders, they invest in their team. They have some pro bowlers; they have some good teams. They may be losers or they may not have a good winning record, but they have players that fans come and, you know, wanna see. The A's don't have that. So you're telling me that they're gonna go from having the worst attendance record but now magically they are gonna move to Las Vegas because it's Las Vegas, their numbers are gonna skyrocket? No. You have to invest in your company. You have to invest in the product for your fans to come, and I don't see that with this team. And I just see it's a bad deal.

And when their attendance rates are not what they say, once again, Clark County is gonna be stuck just like they were stuck with paying the bond when we got shut down. But once again, we're back open, and I'm pretty sure they got paid back for what they had to spend and it's business as normal. But once again, that's off of room taxes; that is not off of whether or not Allegiant Stadium [inaudible].

SENATOR LANGE:

Caller, please wrap up your testimony.

MR. JOHNSON:

So yeah. For that reason, I would definitely vote "no." Thank you.

LISA LYNN CHAPMAN:

I live in Henderson, Nevada, and I am here testifying on my own behalf. I am here in opposition of S.B. 1 for several reasons. I believe the use of public funding for building stadiums is poor use of taxpayer funds and rarely benefits the community as a whole, as you have heard from Senator Harris and also the Ph.D. in economics. They testified and gave some statistics. I have already submitted my testimony that has all of those footnoted in it if you would like to see.

So I would like to move forward to where stadiums are also very bad for the environment. The congested roads, delays in traffic and additional miles translate to a cost of over \$7 million per year in social costs.

Finally—and this has been stated before but I do believe it bears repeating—John Fisher, the owner, has a history of dealing in poor faith with the City of Oakland. As part of the Waterfront Ballpark District project, John Fisher and the A's negotiated with the community and the City of

Oakland on a comprehensive benefits plan. The project would deliver over \$450 million in affordable housing, environmental remediation, infrastructure improvements and jobs for locals. Dave Kaval, speaking for Fisher, acknowledged that he never intended to pay for any of those benefits.

Additionally, as the person stated before, John Fisher refuses to invest into the A's to develop a winning team. Their current payroll is approximately \$37.9 million as compared to \$20 million [*sic*] invested by the New York Yankees and the Mets. How is this bottom-barrel team an attraction for tourists or locals?

SENATOR CANNIZZARO:

If you could go ahead and wrap up your testimony, you're at two minutes.

MS. CHAPMAN:

Thank you very much. For these reasons, I am opposed, and thank you for your time.

SHELBY SCHWARTZ:

Thank you, Majority Leader Cannizzaro and Cole. I am a constituent of yours, Majority Leader. I am calling in opposition to S.B. 1. As long as I can remember, having lived in Las Vegas since 2002, our schools and public services have suffered and been chronically underfunded. Now, our Governor has called a special session to not only give away \$380 million in our taxpayer dollars, but every single day that this special session continues takes more resources that could be allocated elsewhere to support our community. All session long we've seen the Legislature work to pass quality legislation that will invest in our communities only for many of those to be vetoed on the Governor's desk. Now, he has the gall to ask for a special session to throw away hundreds of millions of our public dollars. That's a slap in the face and a horrible look for the Governor and the Legislature if this measure passes. Thank you so much for your time.

ZACH BARRIOS:

Hello. Thank you, Senators, for being here at this special session when I know many of you had planned to be at home with your families by now. I am a teacher from North Las Vegas. First, I want to thank you for advancing education spending in the new budget; it's a step in the right direction. I can appreciate the need for great-paying union jobs but not on the backs of our education, health care, homelessness and the many other needs for Las Vegas.

I'm not a sports guy, but I started doing research, and the results are pretty ugly. The A's are calling you to come back and revisit, frankly, nothing new. No specifics, undefined community benefits, there's just too many unanswered questions and some frighteningly candid answers which cast doubt on the numbers and how this project pencils out and affects the residents. But, hey, give us \$300 million, and we'll figure it out later. You know, just trust us.

MLB and the Athletics wants you to believe that relocating the A's are the way to bring baseball to Las Vegas, but this isn't right. It sets a terrible precedent for other sports. Every other sports league is going to come in with their hands out looking for money, and they're already lining up, most recently Formula 1. Just look at how the ownership has treated its fans and the very team that they wish to bring to our city has me worried that it'll just be business as usual. The A's owner has a soccer club. They lobbied for a new stadium in San Jose; they still underperformed in their league for both spending and attendance. And they want to move to Las Vegas because they abused the people who supported them for over 50 years, and they're running to us to save them from themselves.

Just like Las Vegas has a different economy, baseball does too. And it's not just the NFL, not 8 games; it's 81 home games. Plus, arguably, NFL's the most popular sport in the world. You know, it's not the Knights, a homegrown team with great success who are playing for a championship right now. In what world is like 30,000 seats a world-class ballpark? That sounds ridiculous to me. I have been to several MLB games at the Aviators Las Vegas ballpark, and it's never been well-attended. The A's have acted in bad faith with Oakland, and I have a hard time believing they are doing this in Las Vegas. They plan \$12 billion—

SENATOR CANNIZZARO:

Okay. We are gonna go ahead and ask you to submit the rest of your testimony in writing,



and we will go on to the next caller.

KEITH BROWN (Executive Secretary Treasurer, Alameda Labor Council):

Yes. Thank you. I am the executive secretary treasurer of the Alameda Labor Council, representing 135 unions and 135,000 workers in Alameda County, and I am here to speak in opposition to S.B. 1. Labor in Alameda County has worked tirelessly with the city, state and federal elected officials to keep the A's and thousands of jobs in Oakland. And I do wanna acknowledge my labor siblings in Nevada and that S.B. 1 may be good for Nevada workers, but I am here to share that this will be devastating to the workers in Oakland and Alameda County. My council, we represent unions that work at the current Oakland Coliseum. These are thousands of union members. The majority are workers of color and many are Oakland residents, and without a stadium, they will lose their jobs. These are good union jobs that provide benefits, so that's what's at stake for us in Oakland and in Alameda County. Thank you for listening.

DONNA WEST:

Good evening, Majority Leader Cannizzaro and "co-chair" Cole, members of the committee. I'm a resident of Senate District 21. The proposal before you has been rushed. It seems that the A's simply believe they can follow the Raiders move to Vegas. The A's spent more time on site selection than on the details in the bill before you tonight. While I support adding union jobs, this deal does not diversify our economy, nor does it add jobs that raise our income levels. We need to say "no" on S.B. 1. Tell the A's to complete a solid, detailed plan that addresses the many issues that you have all raised tonight. We need specifics on how the stadium will impact the quality of life for those of us in Clark County and details on how the A's stadium will benefit our community and address the issues our community has raised tonight. I urge a "no" vote on S.B. 1. Thank you.

MAIA MARSHALL:

Good evening, Chair and members of the committee. I am proudly Las Vegas born and raised. However, I am not proud of this bill, and I strongly oppose it. There are so many better ways we could and should spend this money in a way that would actually benefit Nevada taxpayers. I would definitely go over my two-minute limit if I talked about all of these ways, so I'll just focus on the issue that's important to me: education.

As a 2021 high school graduate, Nevada's education is ranked 49th out of 50 states. We are getting Fs, and we're trying to get A's but not A grades, baseball A's. The very same baseball A's that are now on track to be the worst team in MLB's history. I took AP [Advanced Placement] U.S. Government in my senior year of high school. One of the things my teacher emphasized was that we can make a difference in the issues that are important to us by using our voice. I called my Senator, Senator Dondero Loop, and Assemblywoman, Assemblywoman Kasama, this morning and have filled up the 2,000-character limit twice now when submitting my opinion to this bill. That S.B. 1 opinion currently stands at 92 percent against—yes, 92 percent—by the way. Nevada voters are obviously very against this bill.

The A's were willing to build a new stadium in Oakland using just private funds. Why can't they do the same here? Why do they suddenly want our money? Why has John Fisher not spoken to us directly? Why did Dave Kaval flee after fumbling one simple, direct question? Why are the A's rushing this bill and move? Nevadans deserve a say in this bill. It's our money. Las Vegas should not be a go-to destination for handouts, not for film studios, nor Formula 1, nor the A's. Las Vegas, Nevada, do not need the A's. As others have said, they need us.

We're making our voices clear. Support education and not California carpetbaggers. I strongly urge you to vote against this bill. Nevada students and teachers deserve better. My younger siblings deserve better. Your children and grandchildren deserve better. Listen to the voters, especially the voters in my generation, or come next November, we will make our voices and votes loud and clear against you. Thank you.

ERIK STENHOLM:

I oppose this bill, and I would like to inject a little common sense into the discussion. Jeremy Agüero is not an economist; he's an attorney, and his only degree is in hotel administration. This is the best guy John Fisher could find to trot out there to give you this supposed [inaudible]. So I

don't know how that hasn't been brought up yet in questioning. You'll notice that everyone that supports this bill [inaudible] is just doing the bidding of a billionaire or a special-interest group. No matter how many times Dave Kaval tells you he went to Stanford, no matter how many times Jeremy Aguero says he is an economist, just remember that this bill is not smart policy. [Inaudible].

UNIDENTIFIED TESTIFIER:

Good evening, Madam Chair and Senators. Thank you for staying up late to hear us regular folks, us non-billionaires. I begin by paraphrasing Rockapella's question about Carmen Sandiego: Where in the world is Oakland A's owner John Fisher? Where is he? He couldn't bother to present himself today to answer questions about the \$380 million handout that he's asking for, and the best he can do is send Dave Kaval, who couldn't even give you direct answers to simple questions. I'm insulted as a Nevadan, and I hope you are equally insulted by the indifference and the arrogance put on display by Oakland A's management and ownership today.

John Fisher's lobbyist, Jeremy Aguero, concurs with the general rule that publicly-funded stadiums are generally bad policy, but he says we're the exception. And I ask you this: If Las Vegas is so unique and the demand is so great, why is there a need for public funds? T-Mobile Arena was built without public funds, why should this be any different? Let me say that again: If Las Vegas is so unique and the demand is so great and we're so exceptional, why is there a need for any public funds? T-Mobile has already proven it can be done with private funds.

Let's look to Miami, a comparable situation. My research tonight indicates they had 26.5 million visitors to Miami. Miami-Dade County just issued \$500 million in bonds for a new ballpark for the Miami Marlins, and this last year the Marlins finished 29th out of 30 in attendance, 11,000 per game and 900,00 total for the year. It's a total, unmitigated disaster. Miami is a big tourist hub just like we are. It was a disaster for them; it will be a disaster for us.

John Fisher will not spend on a team, and that's his business model. He only spent \$59 million on payroll last year [inaudible].

SENATOR CANNIZZARO:

Okay. You are at two minutes. If you could go ahead and wrap up, sir.

UNIDENTIFIED TESTIFIER:

Sure. He uses revenue-sharing from MLB and a low-ball payroll [inaudible].

SENATOR CANNIZZARO:

Okay. We are gonna ask you to put the rest your testimony in writing and go ahead and submit it to the committee.

ADRIAN MURRAY:

Hello. I oppose this bill. Conceit of this bill is that in order to make productive use of this property, we need to take hundreds of millions of dollars of taxpayer money and commit it to build a stadium for the benefit a billionaire in John Fisher, heir to the Gap fortune. The revenues from this bill are speculative; research shows that stadiums have little positive economic impact on local economies and are a poor public investment.

We're being told that our State and city is completely unique from others in terms of how stadium economics works and are also being told that despite this completely unique situation, we can accurately predict the revenues and other impacts from this project. That alone sounds strange and raises an eyebrow, and it demands more explanation. So if you'd really slept on that, if our situation is truly unique from every other stadium deal, then what is the historical data that we are basing these projections on? Perhaps they're making some creative assumptions [inaudible]. As I heard one of the presenters [inaudible] we would get a 200 percent return on investment. I'm sorry, but does that raise any flags for you? Nevadans have a lot more sense than that. The revenues are speculative, but the costs are real for Nevada taxpayers.

The money committed to this could instead be invested in programs that we know will benefit our economy and the people of Nevada. We have multiple crises that are currently harming our economy and will continue to snowball in harming our economy. These include correcting homelessness, health care and education. We know about the conflicts associated with these

crises, and we know that our state budget is failing to provide the necessary funding to address them. Please oppose this bill. Thank you.

ERIC OCHOA:

I am a lifelong resident here at Senate District 12 and Assembly District 41, and I'm calling in opposition to Senate Bill No. 1 not only for all the reasons that are mentioned regarding waste of taxpayer money on public stadiums but also because Kaval and Fisher have only seemed interested in stealing public money. Just look at the example of San Jose Earthquakes; they still remain at the bottom percentile of wage spending for the MLS [Major League Soccer].

But not only that but Kaval and Fisher have only demonstrated that have been negotiating in bad faith with the City of Oakland from the beginning. The community benefits thing that they highly lauded, three-quarters of the way through it they dropped the bomb that they are not gonna spend any money towards any of those benefits. It was all a waste of time, just a waste of everybody's time. They have been purposefully tainting the A's for years now. Also, the arguments today that the City of Oakland does not support their team and attendance, I don't believe that that's the case. I just believe the City of Oakland just actually got smart, and they realized that John Fisher and Dave Kaval are some of the worst ownership in all of American sports. They make the Washington Generals look like the 1930s Yankees. For those reasons, I strongly oppose, and as well as the fact that expansion is inevitable in the MLB, we do not need to reward really crappy ownership. Thank you. Thank you for your time.

TURNER HOENIG:

Hi. I am a lifelong A's fan from Hayward, California. I currently reside in New York City, where it is currently 1:41 a.m. Do not dismiss me because I am an Oakland A's fan from California. Everyone calling in here is calling in to warn you about John Fisher and Dave Kaval because despite how amazing you think Vegas is, you are tying your taxpayers to snakes who have no thoughts other than what's best for themselves.

You're being rushed because the A's have screwed themselves in Oakland, and now their only hope is that you're foolish enough to give them taxpayer dollars to forgive their ineptitude. John "Harpo" Fisher is a failure. If you don't believe me, google the Gap stock right now. Why would you give hard-earned Nevadans' taxpayer money to someone who has ran his franchise into the ground for 20 years? Since he came on board, Dave Kaval endeared himself to A's fans in the East Bay. "Rooted in Oakland," he proclaimed. He turned his back on that in an instant. He talked about community benefits. Go ask the people in East Bay about the community benefits they have seen when Fisher inherited a winning ballclub in 2005; they don't exist. Why would you force your taxpayers into business with such a man? It's not befitting of Vegas. You are better than Dave Kaval. You are better than the Athletics and their lies, and they are lying to you. Do not fall for it. Vegas deserves a baseball team, and there are going to be 50,000 fans at the Oakland Coliseum on June 13th that are showing up to give the middle finger to John Fisher. Take that into account because it means something. Thank you.

And Senate Majority Leader, you are a badass mom for doing all this with your baby at your side, and the world deserves more moms like you. Thank you.

BETHANY LEE:

Good evening, Senate Cannizzaro and the committee. First, I want to congratulate you on your new baby Cole. I'm a kindergarten teacher in Las Vegas. I've lived here my entire life and am proud to help educate our future for our State. However, we have been teetering on the verge of an educational famine. We are ranked 49th out of 50 in state education, and Clark County is losing almost 3,000 teachers this summer. And as you all know from the veto of A.B. 282 [of the 82nd Session], we are going to have a hard time finding substitute teachers.

What are we doing about this? We're trying to rush a bill to give over \$380 million in tax credits to an out-of-state billionaire to build a stadium for a team no one wants. If this bill is passed, it shows that we hold no value in our educational system. Experts, polls and analysts and reporters all say that the stadium is a bad deal for Nevada, and yet we continue to entertain John Fisher's scheme to get our money. Have you seen one article that contends that this is a good deal for Nevada? No, that's because it isn't a good deal.

Kaval left in the middle of this meeting, and the only time Fisher showed up is last week

when he wanted to ask you for our tax dollars. He hasn't spoken to the media or public once to try to get our support. Why? Because he knows that no one wants to support it. Did you notice how none of the presenters showed the level of public support for this move? Shouldn't the most important thing be, do Nevadans want this? News polls all show massive opposition. If we pass this bill to give him over \$380 million in tax credits, what sort of message are we sending to our teachers and children?

One last thing: did you notice that the stadium funding comparison slide they showed was not adjusted for inflation? And it also conveniently is missing the San Francisco Giants stadium, which was built entirely with private dollars. So if those numbers are wrong and if you can't trust that slide, can you trust their other slides? Please vote "no" on S.B. 1.

UNIDENTIFIED TESTIFIER:

Hi. Good evening, everybody. I know it's been a long day for everyone. And I want to again congratulate the speaker for carrying a baby. The baby is beautiful, and I think ... I am not a Nevada citizen, but I am very concerned with what this means for the State Legislature. If Mr. Lombardo, the Governor of Nevada, has vetoed a bill but he is okay with forcing a bill with holes through the Assembly in a special session, what does that mean for the Nevada citizen? What message does that send? This is ... I have work tomorrow morning, and I'm here because I'm giving my time to make sure that I would recommend leaning towards ... I'm—okay, a little bit of backstory. I'm in opposition of it, but I can't say that. So [inaudible].

SENATOR CANNIZZARO:

Okay. So I would love to have you tell us the rest of that, but I did say if we are in opposition, we are going to politely let you get on with the evening. You can watch us online. We would like your testimony in writing. If anyone else on the phones who is listening to us right now didn't hear me the first time, we are going to take neutral testimony because we've got to get through that. If you are in opposition, we would love to hear your testimony, but we are going to need it in writing. You can submit that to us.

LORENA CARDENAS:

So my name is Lorena Cardenas from Senate District 8, and I don't know a lot about sports. I just know that Las Vegas stands for casinos, that's the attraction. So I don't—the question is, I guess, is replacing a casino with the stadium a good idea? Is that what we want? Is that the identity of Vegas?

I also want to ditto the previous caller for Senator Cannizzaro and for her baby because I hope when she sees the baby, she realizes that not a lot of babies have the chance to be born the way she's choosing. Abortion for thee, but not for me, and she's calling for abortions for babies that look exactly like her baby. So I just wonder—I hope when she sees her baby, she remembers all the babies that she wanted to be aborted just at the same time [inaudible].

SENATOR CANNIZZARO:

So we're actually gonna ask for testimony, and we appreciate you calling in and staying with us, such a late night. But we are actually gonna ask for testimony that is related to this bill. We are on neutral testimony. If you are on the phones and want to give neutral testimony, we would love to get your neutral testimony, and a reminder that we are going to keep our testimony to the matter before the committee.

UNIDENTIFIED TESTIFIER:

I just think it's an incredibly difficult decision whether you should give money to education or to a billionaire for a stadium. When I tried to weigh the moral value of the two, they seemed exactly the same in my mind. Maybe it's because I was educated in Nevada.

JACOB VE:

I am calling with a neutral stance on the bill. All other stadiums make up their average attendance by having large-capacity ballparks so that a 12,000-attendance weekday game can be offset by a 45,000-attendance weekend game. The current capacity of 30,000 is not only the smallest but would not allow for the seats to make up the difference. The lowest numbers and worst-case scenarios were asked, but not addressed by the A's mouthpiece because the reality

does not fit the narrative. Furthermore, the way this has transpired for the people of Oakland leads me to believe that there will not be a lot of fans that follow the team on TV or single-game vacations, leaving our community propping up the A's—a community that, I'll remind you, has an 80 percent disapproval rate. I don't know much about Kaval, but I do know that the way he spoke today was disingenuous and did not leave a good impression on me. I encourage you to not vote on this bill at all and maintain a good standing with MLB for an inevitable future expansion. Our community does not want the A's to be rotted in Vegas. Thank you.

UNIDENTIFIED TESTIFIER:

My name is Michael. I'm from Nevada. And we heard from Mr. Aguero all day long, and he is a lobbyist, not an economist. And I was hoping if this was a court of law—

SENATOR CANNIZZARO:

Okay. We are going to actually ...

UNIDENTIFIED TESTIFIER:

—we would hear both sides of the story, but we are only hearing one.

SENATOR CANNIZZARO:

Okay. We are actually going—we are still in neutral testimony. I would remind everyone who is still joining us—

UNIDENTIFIED TESTIFIER:

I am neutral.

SENATOR CANNIZZARO:

—that our comments, our testimony, has to be limited to the bill before us. There are rules of decorum, so we are not going to entertain any personal attacks on anyone who is testifying or not—

UNIDENTIFIED TESTIFIER:

No. There's no personal attacks—

SENATOR CANNIZZARO:

—and so if you have some neutral testimony about the substance of the bill, we would love to receive that from you. Otherwise, we are going to move on.

UNIDENTIFIED TESTIFIER:

Yes. All I was trying to say is I was hoping to hear both sides of the argument in front of the Legislature, not just one side. So I am neutral. I just hope that you guys hire an economist who knows sports economists and have them testify in front of this Legislature so that you can hear both sides and not just the side from one party. In any court of law, you hear both and then you make a decision, but today, all day long, we have only heard from one side. So I am neutral, and I hope before you make a commitment, that you hear from an economist so that we can hear both sides of the story and also learn more about who you are getting in bed with before you make a decision that can affect people in Las Vegas and their education and their lives for the long-distance future and not just for a quick buck. Thank you.

RICHARD GRAY:

Hello. I'm from Hayward, seven miles from the Oakland Coliseum. I'm trying to be neutral, and I will try to stay neutral. My questions for the group are, the slide presented by Mr. Aguero said 405,000 direct visitors would visit the stadium per year, generating \$570 million in direct money to the city. That's \$1,400 per person, per event. Now, I don't know about you, but when I go, I usually like to go with a person—well, with my significant other—and we like to spend three or four days. I know I'm not going to spend \$1,400 at a game for two people. Is that affordable?

My second point is, the Oakland Coliseum is a publicly-financed fail. Somebody asked this question earlier—I think it was Ms. Harris asked the question—are there any public-private stadiums that are fails? Well, the Oakland-Alameda County Coliseum spent \$120 million on the

Oakland Raiders, which Alameda County and the City of Oakland are still paying for and will be paying for the next 14 years.

Then, the history of John Fisher and the Oakland A's. He took over ownership of the team in 2006. He has not put any money into the team, and two years ago, he doubled the ticket price for the fans, which made it unaffordable for the fans to go anymore. He's made it impossible to get tickets except for online, which costs a fee of \$8 to \$20. My suggestion to you, just like the previous caller, is that you listen to both sides. I appreciate your time. Have a good night.

JOSE HERRERA:

Hello. I am a resident for over 19 years now, and I would like to suggest ... I have been in private enterprise of my time in Nevada, and when I usually go for a loan for my business, I usually get terms, I covenant, from the bank as to what requirements I have to fulfill in able to keep those loan requirements. Maybe we need to look at the same way, where basically we can reimburse the A's if they meet certain covenants, but we should not put the money up front. We should definitely put the money in reserve. If they meet their end of the bargain, we can certainly go ahead and reimburse them for their investment, and they're keeping the promises that they've said that they will keep. It's just much easier than trying to put the money up front. We can reimburse them, but definitely I don't think that we should be funding it for them up front. Thank you.

UNIDENTIFIED TESTIFIER:

I have a few questions as a neutral attendee. First, there seems to be a discrepancy between Mr. Hill and Mr. Aguero's testimony. Mr. Hill seems to indicate that there will be efforts to get normal attendees to conventions and trade shows to attend the ballpark and fill seats at games. And that seems to me to take away from potential past revenue, to cannibalize it, because they could have been going to other things that would have produced tax revenue that could have funded things. But instead they're spending the money that they would have spent elsewhere in the tax district. That seems counterproductive to me. It seems like it almost would counteract whatever incremental visits we got from the supposed—and I find this hard to believe—4,000 per game or so tourists who came just for baseball. I feel like with all the attendees from the different conventions, if they were spending their money at the ballpark instead of at other tax revenue-generating businesses, that we would simply be cannibalizing potential revenue and at the same time giving money to a decidedly corrupt and dishonest billionaire. I just don't understand what's in it for us. It seems like they are double counting. But if you can make up that, I appreciate it.

Also, shout out to Senator Cannizzaro. I hope some of this money goes to help working families, working mothers, working parents, instead of supporting a billionaire. Thank you.

UNIDENTIFIED TESTIFIER:

I'm a national economist based out of California. I have a Ph.D. in applied economics, and I wanted to call and just to speak on the merits of S.B. 1 as it's currently presented in front of the Senate floor. I am here to represent facts and nothing more. As a lifelong A's fan, anything that will allow my team to succeed, I'm all for. I want my team to win a World Series. If that means moving to Vegas, so be it. I'm opposed to them moving out of Northern California for personal reasons, but I understand this is neutral, so I just wanted to speak to some of the things that were presented throughout the day.

Any economist can spin quantitative numbers any which way, left to right, whatever narrative you are looking to spin. With all due respect to the union leaders that spoke before the committee, if the Tropicana gets tore down, something else will be built. Vegas is notorious and glorious for reimagining itself every decade it seems. So there will be job growth and creation at some point, whether this gets built or not. I honestly believe Vegas will be a great community for baseball, but I implore you guys to consider waiting until you guys have a bill before you, whether it's S.B. 1—a lot of Senators spoke to the fact that it needs to be modified and vetted, which is fantastic because it should meet your short-term and long-term goals.

I have no skin in the game; I do not reside in Clark County. Something that has been tossed around by local journalists for a while is that Clark County is currently in functioning debt, which is a myth. Debt is debt. Due to economic variables, things shift, whether it is inflation ...

you're spending 2023 money that's gonna be extrapolated out to 2033, 2043. We have no idea what the dollar is gonna do. You guys are tying yourselves down potentially to long-term debt that you guys might not be able to satisfy, or at least the team itself.

With this current ownership group, the reason that Fisher cannot privately finance it is he's broke; he's not liquid. As a previous caller said, Gap stock is down 56 percent since December of 2022. It's dropped from \$16 down to \$9; he can't leverage that; he can't sell it, nobody wants to buy it. It's gonna continue to decline. It's probably gonna hit \$4 or \$5 by the end of this year. So he literally cannot sell it. He cannot. He needs Vegas to give him the \$380 million handout, which if I was looking at the numbers, if I had them all before me, it'd be considerably more than \$380 million.

And another thing to keep in mind is the date of January 15th. If John Fisher and the Oakland A's do not have a stadium—whether it's at Howard Terminal in Oakland, Vegas, Nashville, Montreal, doesn't matter—as of January 15th, if the A's don't have a commitment from some city and some county somewhere in North America, they lose revenue sharing, and that's why they are a top-profitable team year over year because he's just pocketing free money from his 29 partners.

So, once again, if you guys want to consider S.B. 1, fantastic, just make them rewrite the bill so you guys can properly vet it and make sure that it meets Clark County and the City of Las Vegas' short-term and long-term goals. As elected officials, that is your obligation to do right by your constituents respectively and make sure that you guys are doing what's right for them and the taxpayers.

I would say spend this money on education and other things. I know you guys are spending \$250,000 a day on this special session. A previous caller said there was a homeless man; I bet just using a little bit of that money here, there and everywhere spread out would be much more beneficial than handing it to somebody that literally is broke. It's a pump-and-dump scheme. He's looking for you guys or somebody to give—

SENATOR CANNIZZARO:

If you could go ahead and wrap up. You are at two minutes.

UNIDENTIFIED TESTIFIER:

Yes. Fantastic. Once again, I appreciate all your guys' time for staying so late. Thank you so much.

CHRISTINA QUATTRONE:

Hello. I bawled my eyes out last Memorial Day, but I'd like to take a step back and examine some facts. I don't care about baseball. I am not a transplant. I am born and raised a daughter of Nevada, and I'd like to offer, respectfully, shared perspective and reference facts.

One, the bill says Nevada residents are going to be preferenced first and get these jobs. In actuality, a born-and-raised Nevadan has no more of an advantage as someone who registers within 30 days per state law after moving here. Nevadans have no advantage over a month-long resident. Does that seem fair? This is the antithesis of [inaudible] diversifying our already diverse community. It will only stifle and erase it. Qualified Nevada-educated people all the time are routinely passed up for great jobs in favor of out-of-towners.

Two, month after month for years, we've continued to have the highest unemployment rate in the nation particularly in the ZIP codes that will be directly affected. The Department of Training and Rehabilitation, DETR, is still forcing still-unemployed people to pay them back for their mistakes, so how exactly are we going to afford this when we're broke?

Someone asked Senator Spearman a very simple question earlier about transfer taxes that Steve Hill couldn't answer, so I'll do his job for him as a proud CPT [Curricular Practical Training] graduate of gifted teachers. The A's want the location to be exempt from paying transfer taxes. Those taxes mean special state resources like teacher—

SENATOR CANNIZZARO:

So I'm gonna go ahead and stop you because we are in neutral testimony at this point. We are still taking neutral. If you're here to testify in neutral, not in opposition, then we will go ahead and take your testimony. If you want to submit your testimony in opposition, please go ahead

and do so in writing.

MATTHEW WILKIE:

Good beautiful evening, Leader Cannizzaro and members of the Senate. I am a constituent of Dr. Titus. After being on hold for as long as I have, I'm gonna do my best to be neutral. If this bill does pass, we have heard all the things that Clark County is going to benefit from, but one thing that I haven't been able to understand is how the other 16 counties are going to benefit from this. As a Northern Nevada resident, we will be paying for this as well and reap no benefits. So that's where I stand in my best to be neutral. I appreciate your guys' time. Thank you.

SENATOR CANNIZZARO:

I am just going to remind everyone, again, it's neutral testimony. If you are not neutral, please submit your testimony in writing so that we can continue with neutral testimony.

ANNA BINDER:

Good evening, everyone. Thank you all for hanging in here, and from what I've seen, I know we're not over the night. We're going to be back at this tomorrow.

So I'm not an economist—I'm not a lot of things—but I'm a mom, and I have a lot of kids. I'm a cofounder of Let Them Play NV, which was the uprising of sports parents during the pandemic who had been playing privately all through the pandemic and then hit all of the barriers when public schools wanted to open again and how hard that these parents fought to get any support in this community to get their kids back to their regular activities when they had no restrictions during private league but had tremendous restrictions coming back into their public schools. And through these years, the parents that I've had to meet whose children committed suicide or battled suicide or survived ... and we begged the Raiders and we begged the Golden Knights and we begged Clark County School District. We begged everyone that we could to stand with us to get these kids any resemblance of their lives. And I can count, and I know—because I kept track—of who helped.

And I'm sorry it's late, and I'm trying not to cry because for how hard our parents had to fight to get anything for those kids during the worst time of their lives that they're still recovering from. Most of them are in college now, thankfully, and we still have students that—

SENATOR CANNIZZARO:

We are at two minutes, so we are going to ask you to submit the rest of your testimony in writing. And we will move on to the next caller. We are still in neutral testimony.

KATRIN IVANOFF:

Hi. My name is Katrin Ivanoff, aka Mrs. Fix it. I will do my best to be neutral just because that's the position I am forced after you guys let people from New York to talk, people from California to talk, on a bill that's gonna be spending my money, Nevadans' money.

Nevada will not allow me to talk. So now I'm gonna be neutral about the fact that with the decisions you made during COVID, you killed small businesses, and this money can be used for small businesses. I'm gonna be neutral on the fact that our schools are in appalling shape. I'm gonna be neutral on the fact that over 80 percent of Nevadans do not want this bill to pass. I'm gonna be neutral on the fact that this would not help the rest of Nevadans—maybe Clark County some, maybe not. I'm gonna be neutral on the fact that all the things presented to you for that bill, how good it is, there is no proof of that. All the economists say stadiums are no good investment. I'm gonna be neutral on the fact that this is our hard-earned money, or not even, it's actually my grandkids hard-earned money because we talking investment for 30 years, okay?

It is appalling to me—how can you even consider voting "yes." And yet, we are watching, we are listening. You see how late it is. We've been staying on these phones and on Zoom for hours. I'm gonna also be neutral on the fact that everybody in support of the bill were not your constituents. They were representatives—

SENATOR CANNIZZARO:

Okay. And you are at two minutes. I will ask you to submit the rest of your testimony in writing. And, again, we are in neutral, which means you are not in opposition or support of the



bill but actually neutral. We will move on to the next caller.

UNIDENTIFIED TESTIFIER:

Thank you very much. I stand in solidarity with the previous two callers. You have a momentous decision before you. And I and my wife, we come to the Strip every other month, and you have the best hand. This is very complicated. Why rush into a decision? Take your time and wait and get everything in writing from the Athletics. There is nothing wrong with taking your time; you have the best hand. Why settle on the fly when you can wait for the river, and you can make the best deal for the people in Nevada?

I don't know what to tell you to do. There is an opportunity here for small businesses, for the Strip casinos, for everybody in Nevada to benefit, but the best deal is not tonight. The best deal for the people of Nevada will come in three months. Take your time. Take your time. Ask questions. This is very complicated. The owners of the Oakland Athletics are asking you to make a serious commitment.

My grandfather owned a small corner store, and his best decision about who to give credit to was based on what he heard from other merchants. If he had heard from others that the customers asking for credit were trustworthy and honored their commitments to every other business in the community on his neighborhood strip, he was much more comfortable offering credit.

So I don't know what to tell you, either positive or negative, but I would suggest to you there is no need to make a decision tonight. The Oakland Athletics have already said they are not going to stay in Oakland. You have the best hand. I love to play Texas hold 'em; I love to play blackjack, and I've done it many, many times in the State of Nevada. And I would encourage you and the Legislators who have stayed so long to listen to your constituents and take the time to make the best deal for the people of Nevada.

SENATOR CANNIZZARO:

And we are at two minutes so we're gonna ask you to submit any remaining testimony in writing.

UNIDENTIFIED TESTIFIER:

Hi. This is Brian. Thank you all for staying up so late. I just wanted to urge the Senate to consider on the naming rights issue. I was a little surprised when the Athletics representative didn't know what the naming rights were worth because, in fact, in 2006, when the Oakland A's were considering moving to Fremont, they signed a \$120 million naming rights deal with Cisco Systems. And so obviously that's worth a lot of money. This deal is obviously putting Nevada taxpayers at risk, and I think that those naming rights have a lot of value. And so if taxpayers are contributing that much money to the project, I think that Nevada taxpayers should get to participate in the money gotten from the naming rights. Thank you very much. That's all I have to say.

JAVIER GOMEZ:

Yes. Good evening. This is Javier Gomez from District 16 in Nevada. I'm calling in neutral in the fact that I live in Carson City, and the drive to Vegas or the flight to Vegas just seems a little too much for us over here in Northern Nevada when I could just drive three, four hours to the A's and the Giants. So I don't really see the benefit to us in the North, if that makes sense.

While I do agree that Las Vegas is a baseball city, but this deal is not right. It's just coming out the chamber too fast. We need to really think this out if we're gonna make a commitment for 30 years with no property taxes. And I'd like to thank you guys for staying up and having to [inaudible].

UNIDENTIFIED TESTIFIER:

Yes. Hello. Thank you all for taking this time to listen to us. So I've been on with you most of the day, so I feel your pain, and I want to just say that, yes, there's a lot—from my vantage point—of pros and cons to this. But what we're thinking about doing, we're thinking about bringing Major League Baseball to Nevada. We know that sports work in Nevada. It's a great town, and it certainly would be a great product. But it's just so difficult to wade through the actual ramifications of this without doing our due diligence, without truly vetting what we're

getting into.

I should say that Senator Seevers Gansert had cited a *Billboard* article. Obviously, Mr. Jeremy Aguero has been giving his input all day. But neither of these people are veritable sports economists. J.C. Bradbury, a sports economist researcher out of Kennesaw State University, has published many studies on this topic about public subsidies for sports arenas as such and over [inaudible] 20 years research surveys. That's the kind of information, that's the kind of data points, that we need to be looking at.

And of course we can't do this all in one night and certainly not in a month even. So while it does seem like a good idea to bring MLB to the State of Nevada, I just think that we need to be vetting who we're getting into bed with, who we're going into business with. There has been a lot of talk of Mr. John Fisher, and I think it's right on the money to say that we need to really dive into what kind of owner, what kind of community participant this person is and his organization—

SENATOR CANNIZZARO:

And you are at two minutes, so we are just going to ask you to submit the rest of your testimony in writing.

DANIEL MCFARLAND:

I'm from the Bay Area, but I currently live in San Luis Obispo. And I'm neutral because I'm not a taxpayer of Nevada. But since I'm from the Bay Area, I am very passionate about the A's, and I wish for them to stay in the Bay. So please find another investor to build a ballpark in Las Vegas. Thank you.

UNIDENTIFIED TESTIFIER:

Thank you very much. My name is Alexander, and I've just got a few quick neutral points I'd like to make. First off, the budget was passed yesterday, so if this bill doesn't go through, there isn't going to be magically \$380 million to spend on other priorities. Secondly, I know a lot of folks mentioned that they'd like to have a baseball team in Vegas, but this isn't the right time. Well, unfortunately I think this is the opportunity—

SENATOR CANNIZZARO:

So we are actually on neutral testimony. So I am going to go ahead and ask you to submit your testimony in writing. For those of you who are joining us, we are in neutral testimony, which means you are not opposed or supportive of the bill before us but rather have neutral testimony to offer. If you are in opposition, please type up that testimony and send it on in to us in written form.

DANIEL LANE:

Hi. I'm well aware of what the meaning of neutral means, so I will stick to that. Here's my only question, and this has not been brought up. And I don't know what people that are not aware of the economics of baseball, if they are aware why this is important. We have set a standard for what we expect our teams here in Nevada to be, whether it's the Golden Knights or the Raiders, and regardless of their success, they have spent money to win. This is an organization that has not spent money, not just in the last three years or last five years. I can go back to the year 2000, and they're still in the lower half of Major League Baseball in spending. So my point is: I can't make a decision. I know that they want us to invest in them; I just need to know that John Fisher is going to invest in us when or if he gets a stadium here. If he is refusing to do that and he wants to spend \$70 or \$60 or even \$40 million on the payroll, then that's not the type of Major League team that we want here. I think—

SENATOR CANNIZZARO:

Okay. So we are in neutral testimony. We are going to ask you to submit your testimony in writing to the committee. I will remind everyone else who is online with us right now that we are in neutral testimony, which means we are not here to testify in opposition, but rather to offer some neutral point on this piece of legislation.

UNIDENTIFIED TESTIFIER:

Hi. My name is Jack. And I'd just like to say that John Fisher is the worst owner in baseball history. He's an awful person—

SENATOR CANNIZZARO:

Okay. We are also in neutral testimony, and I will remind everyone you can submit your testimony in writing. I will remind everyone, again, we are here to talk about the piece of legislation if we can limit our testimony to that. If you are in opposition and have strong opinions, you can certainly submit that in writing.

JOHN MAJORS:

John Majors, Reno, Nevada. Just measuring in how the Rays and the A's, they have stadium things that are up in the air. The commissioner has already talked about the opportunity for two more teams. It doesn't seem like we're in a time crunch if we're actually trying to get a team. So the Oakland A's are the only ones who are underneath the time crunch, where we can put together a great proposal that makes sense for the State and not have to deal with being held over a barrel by a person who is trying to railroad us into giving us an answer right now. I think we have four opportunities to come up. It could be the A's, it could be the Rays, it could be two expansions in the future. I don't think that there is a need to rush through a special bill. Thank you very much.

ROBERT STERN:

I work at the Data Science Institute at the University of Chicago. I'm neutral because, on the one hand, I greatly support the idea of Major League Baseball in Las Vegas. I think it's a strong market; I think it deserves a team. I would note that this bill does not specify that the team has to be the Oakland Athletics. Unfortunately these days, some would have you believe the only way to attract a Major League franchise is to succumb to borderline stadium extortion by billionaires. This does not need to be the case. It's entirely possible to get this deal done in a way that favors Las Vegas and favors Nevada, but as currently written, I think this bill has major flaws which should be addressed before passage.

SENATOR CANNIZZARO:

Okay. We are actually in neutral testimony. So we are going to ask you to submit your testimony in writing.

UNIDENTIFIED TESTIFIER:

Hi. My name is Stu. I just have a couple of questions because everything changes. Baseball changed like they did this year. And if the A's don't love the A's the way they want us to love the A's, can we put any stipulations in that they have to spend in the top 12 of all the teams, or something that can make the penalties heavy? And I think you should also consider, just make them earn it. Or make the Tampa Bay Rays come here, because they are only the best team in baseball. I'm okay with either.

UNIDENTIFIED TESTIFIER:

For starters, shout out, Brodie Brazil. I have a couple questions. One: Is the Nevada Legislature able to put any constraints on the A's to be able to make sure that they fulfill the needs of the community, et cetera? Thank you.

SENATOR CANNIZZARO:

Great. Thank you so much BPS for all of your hard work. And thank you to the committee; I know it is very late. We are going to, at this point, go ahead and close the hearing on Senate Bill No. 1. I, again, just want to take a moment to thank all of our staff who have been here with us all day and have been doing really hard work of keeping us on track. So thank you for bearing with us through this very long hearing. I know it has been a long day for all of you. And I want to thank you, members of the committee.

At this time the last item we have to consider as the committee is public comment.

UNIDENTIFIED TESTIFIER:

Good evening, everyone. Sorry to keep you out really late at night. Thank you so much for

everything that you have been done. This meeting has been done very professionally. Congratulations Senator Cannizzaro. I can agree with Senator Pat Spearman that we could possibly use yearly session because I heard about that good bill. However, I think we can compromise where we can cap the number of bills at 400.

We've got to really invest in a lot of things to improve our tourism, particularly in transit. I'm working on a project that would mix heavy rail and personal rapid transit into one. We need to restructure our local government, such as adding county commissioners or possibly breaking up the county. By the way, it is a cool 67 degrees out here; It feels like it's Carson City. I would appreciate it if we could have more town hall meetings after this session. Not tomorrow but maybe next month. We can talk about, I don't know, I've heard some money went to private unions. I don't know about that.

But I am really concerned about the economy because I heard there's a lot of rumors that there is a real estate downturn coming along, and I remember 15 years ago—oh, boy. And according to *Nevada Current*, Mr. Aguero did not predict that crisis very well. I could be wrong. Other than that, great pleasure. Thank you so much, and best of luck for all of you and our State.

MS. IVANOFF:

Hi. This is Katrin Ivanoff, aka Mrs. Fix it, Assembly District 42, Senate District 9. I'm a little bit disappointed about how opposition went because the support was given 50 minutes because they were given all the people that they had and 50 minutes went up, but then the opposition was not given all the people that they had. So, the only reason everybody got 50 minutes because they only had 50 minutes of support. And I don't believe that's fair.

Also, congratulations to the Chair for their lovely baby, but honestly, I don't believe the Legislature is a place for babies. This is a little bit disappointing to me to see that she bring that little baby over there, instead of either getting a babysitter or having someone of the family help her. Or you guys have my number, I'll be willing to babysit instead of having that baby there. It's just that's not a place for babies. I don't know how you feed it. And people saying, "Oh, she's a badass." No. No. This is not a place for babies.

And thank you for staying so late, but I hope that you guys listen to the constituents. They are not very happy with this, and if this money were given to a small business owner, we wouldn't have lost one-third of small businesses in Nevada after what happened, after you guys forcefully closed us. You decided who was essential and who wasn't essential, even though the businesses were doing the same thing. The small papa and mama shops were closed and—

SENATOR CANNIZZARO:

And we are at two minutes. Thank you so much, you can submit an additional public comment in writing.

MR. RODRIGUES:

My name is Alex Rodrigues, once again. I spoke earlier on here on behalf of the Libertarian Party. I just wanted to give my overall feedback on this legislative session. There was some good things that I was happy with, some bad things that I was not happy with. The good things are, I did not vote for Governor Lombardo, but I do want to thank him for vetoing the most bills of all time, one of them as the Governor.

The bad thing is, I was disappointed how many bills were just proposed. We have so much government. Our small businesses are hurting. We've hurt throughout the shutdowns, picking winners and losers, who can stay open and who can't stay open. I would like to get the commerce tax repealed that the Republicans voted in place back in 2015. I'd like to start getting rid of some of these taxes, getting rid of these regulations. Some of our health departments are some of the most strict in the country, why a small business owner cannot operate.

That's all I really gotta say. Just next legislative session, please guys, I'm sending emails, and I feel like I'm being ignored. I'd like to see you guys next legislative session start getting rid of laws before you start adding any more. Thank you, have a good day.

CRISTIANE MERSCH:

Hello. Thank you so much for staying so late. I was trying to give you my testimony in opposition, and I'm a little frustrated that I was giving time for so many people outsiders that are

not Nevadans to speak against, and I didn't have a time. And then you could see that so many people step up to speak in the neutral because it shows for you—and you are commenting that a lot of Nevadans are mad and don't want approve this bill, S.B. 1.

So I am just giving a little bit insight that I worked a long time here in the hospitality industry as a special events planner. I saw the beauty of Nevada. We are unique. We attract so many conventions from everywhere in the world. We're the number one in trade shows. We attract so many visitors. We don't need a stadium; they need us. This billionaire behind—

SENATOR CANNIZZARO:

And I'm gonna go ahead and remind everyone who is with us for public comment that public comment is not a chance to speak on legislation that is pending before the committee, but rather an opportunity to give public comment generally. So we will move on to the next caller. You can certainly submit your testimony on Senate Bill No. 1 in writing.

MS. QUATTRONE:

Okay. May I please say what I was going to say earlier, or do you just want me to kind just be really fast. Respectfully, I ask you. Okay. I guess I will just start what I wanted to say. So I am testifying in opposition. I have a deeply moral civic duty. My papi was a dealer at the Tropicana, came from Italy by boat. My family [inaudible] 100-plus years on the Strip. I don't care about baseball. I am not a transplant. I—

SENATOR CANNIZZARO:

Okay. And we're gonna thank you for joining us. Public comment is not for testimony on the bill but rather public comment before the body generally.

UNIDENTIFIED TESTIFIER:

Hi. It's Jack again. I just want to say I hate John and I hate Dave. That is all. We are rooted—

SENATOR CANNIZZARO:

Okay. Thank you. Next caller.

AUTUMN CORONA:

Hello. If these sessions are really costing \$250,000 per session then it really seems like a waste of money. And if this is going to cost two sessions of time, then that's half-a-million dollars, and I think there's better things to do with this money. Thank you.

UNIDENTIFIED TESTIFIER:

Hi. I want to thank you guys, first of all. You're doing a great job. Some of these callers are getting a little out of hand, and it's getting late for everybody. Great job on everything. I really, truthfully, see both sides of the situation that's going on, from the Oakland people to the Vegas people to Nevada people. I just wanted to say that I just hope and pray that we get a fair shake, a fair vote, there's no shenanigans when it comes to the voting. And that's all I really hope for. Either way, the vote [inaudible].

SENATOR CANNIZZARO:

Okay. And we are gonna ask you to submit your testimony in writing. Again, public comment is not for substances of the bills that are pending before the committee.

UNIDENTIFIED TESTIFIER:

Hi. I don't know if I was already unmuted, so I probably said this before. But if these sessions are costing \$250,000 per session, and we're gonna have to do two of them, it seems like an awful lot of waste for taxpayer dollars that we could be doing with other things. Thank you.

UNIDENTIFIED TESTIFIER:

Hi. My name is Rocky [inaudible]. I'm a former Vegas resident, current Oaklander. And I will say if the junk fee/resort fee issue isn't solved, then the 5,000 predictions for Twins, Royals, Blue Jays, you name it, fans coming in probably not gonna get across the finish line. [inaudible] for the federal legislation, get rid of that problem. Thank you.

On the motion of Senator Lange, seconded by Senator Dondero Loop, the Committee did rise and report back to the Senate.

## SENATE IN SESSION

At 11:46 p.m.

President pro Tempore Spearman presiding.

Quorum present.

## REPORTS OF COMMITTEE

*Madam President pro Tempore:*

Your Committee of the Whole, to which was referred Senate Bill No. 1, has had the same under consideration, and has taken no action.

## UNFINISHED BUSINESS

## SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Resolutions Nos. 1 and 2.

Senator Cannizzaro moved that the Senate adjourn until Wednesday, June 8, 2023, at 11:30 a.m.

Motion carried.

Senate adjourned at 11:47 p.m.

Approved:

PAT SPEARMAN

*President pro Tempore of the Senate*

Attest: BRENDAN BUCY

*Secretary of the Senate*