

**THE TWELTH DAY**

---

CARSON CITY (Sunday) July 19, 2020

Senate called to order at 2:30 p.m.

President pro Tempore Denis presiding.

Roll called.

All present.

Prayer by Senator Scott Hammond.

Our Heavenly Father, as we bow our heads at this time, we, first of all, would like to reflect upon the time we have spent together. I am grateful for the sustained strength we have received from Thy hand. I am grateful, Father, for the inspiration we have received in the time we have been here, together, to collectively think about, meditate on and find help for those in the State.

We are grateful, Father, for the opportunity to lead and be out there amongst all of our constituents to do what is right. We are grateful for the opportunity this day to culminate all of this work and do so with the intention of making the lives of those who live within this great State a little bit better.

We pray these things, humbly, in the Name of Jesus Christ.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President pro Tempore and Secretary are authorized to make the necessary corrections and additions.

## MOTIONS, RESOLUTIONS AND NOTICES

Pursuant to Senate Special Rule No. 4, Senate Majority Leader Cannizzaro has authorized Senator Pickard to use remote-technology systems to attend, participate, vote and take any other action in the proceedings of the Senate and the Committee of the Whole.

## MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, July 19, 2020

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bill No. 3.

CAROL AIELLO-SALA

*Assistant Chief Clerk of the Assembly*

## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 3.

Senator Ratti 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 Assembly Bill No. 3 with Senator Cannizzaro as Chair and Senator Ratti as Vice Chair.

Motion carried.

## IN COMMITTEE OF THE WHOLE

At 2:42 p.m.

Senator Cannizzaro presiding.

Assembly Bill No. 3 considered.

The Committee of the Whole was addressed by Senator Cannizzaro; Gabrielle Clark, Student Body President, Western Nevada College, Chair, Nevada Student Alliance; Stacey Curcell, Board President, University of Nevada, Las Vegas, Alumni Association; Chris Daly, Deputy Executive Director, Government Affairs, Nevada Education Association; Bob DeRuse, Director, Academy for Career Education, Reno, Nevada; Calen Evans, President, Empower Nevada Teachers, Nevada State Education Association; Susan Fisher, McDonald Carano, Nevada State Society of Anesthesiologists; Stephanie Goodman, Executive Director, The Dr. Robert Hunter International Problem Gambling Center; Michael Duff; Dom Hall, Student Body President, University of Nevada, Reno; Victoria Harris; Alex Hartz, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau; Rachel Herzel-Vetz, Incoming Interim Director, Writing Center, Nevada State College; Robert Hollowood, Clark County Education Association; Karli Kelly, Student Body President, College of Southern Nevada; Senator Kieckhefer; Mark Krmptic, Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau; Alexander Marks, Communications Specialist, Nevada Education Association; Shantal Marshall, Chair, Department of Social Sciences, Nevada State College; Janis McKay, Immediate Past Chair, Faculty Senate, University of Nevada, Las Vegas; Laura Naumann, Chair, Faculty Senate, Nevada State College, Nevada System of Higher Education; Joshua Padilla, President, Consolidated Students of University of Nevada, Las Vegas; Dan Price, Clark County Educator's Association; Suman Randhawa, President, Nevada State College; Senator Ratti; Vicki Rosser, Chair, Faculty Senate, University of Nevada, Las Vegas; Alexis Salt, National Education Association of Southern Nevada; Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada; Maria Schellhase, Chair, Faculty Senate, College of Southern Nevada; Senator Seevers Gansert; Senator Settlemeyer; April Tatro-Medlin; Bill Welch, Nevada Hospital Association; Senator Woodhouse.

SENATOR CANNIZZARO:

We will open the hearing on Assembly Bill No 3.

MARK KRMPOTIC (Principal Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

Assembly Bill No. 3 is the primary bill to implement the plan to address the shortfall in the State General Fund budget for Fiscal Years 2020-2021. Sections 1 through 15 generally reflect reductions to one-time appropriations to assist in addressing the budget shortfall as recommended by the Governor's Finance Office (GFO). These sections primarily identify one-time reductions and associated language put into bills to allow for reversions of those appropriations originally or transfers between fiscal years.

Section 15 is one of the first key sections to point out. This section provides the ability for the Supreme Court of Nevada to transfer General Funds within the Supreme Court between Fiscal

Years 2020-2021. It will also transfer appropriations within the budget account of the Supreme Court of Nevada. The Supreme Court has no authority in working with its budget or in the Authorizations or Appropriations Acts. It was added to this bill in light of shortfalls the Supreme Court of Nevada was experiencing in Administrative Court assessments, which is a significant funding source for the Supreme Court of Nevada. This would be new language for Fiscal Years 2020-2021 only, to allow the Supreme Court of Nevada to make those General Fund transfers with the approval of a three-Justice panel.

Section 56.5 is also new language. It provides the authority for the Department of Health and Human Services (DHSS) to transfer appropriations within all budget accounts within that agency. This is similar to what was provided to that Department in the 2010, 26th Special Session to address the shortfalls associated with the Great Recession. This would be available for Fiscal Year 2021 only. It would provide flexibility to DHSS to address unforeseen issues that may arise this fiscal year. These are the two new back-language sections to appropriations.

Sections 16 through 81 primarily identify reductions to operating budgets previously approved under the General Appropriations Act from the 80th Legislative Session, including the Education Funding Bill, and the State Authorizations Act as it pertains to the Gaming Control Board and the Gaming Commission. Page 24 of the bill lists specific reductions to the Nevada Medicaid and Nevada Check-up programs due to reduced appropriations in those two budget accounts. This bill proposes to restore optional services originally proposed for elimination by the Governor. The reductions to those remaining programs are listed in bold language on page 24 of the bill.

Section 56.5 is language included in the State General Authorizations Act each biennium. The interpretation of this language is often misconstrued. In short form, the language "as is" states if an agency is funded with Highway or General Funded appropriations and other funding sources such as federal funds, to the extent other funding sources exceed what was approved by the Legislature, the agency is required to revert those General Funds or Highway Funds in their budget.

This language expands this authority for Nevada Medicaid and Nevada Check-up, with some nuances I will not go into. In subsection 2 to section 56.5, the language is extended for the Supreme Court of Nevada for the reasons previously mentioned. This will provide flexibility to Nevada Medicaid and Nevada Check-up in the event additional funds, commonly associated with the extension of the Federal Medical Assistance Percentage (FMAP) increase, are received, which goes along with the Declaration of Public Emergency. This will allow those programs to consider restoration of some of the budgets in those accounts or to address other issues that may be unforeseen at this time. They will be able to use General Funds no longer necessary to fund that program.

Section 118.5 was added to address any additional funds received by Nevada Medicaid and Nevada Check-up programs. Those are received in accordance with Chapter 353 of NRS, which includes the State Budget Act. This section is linked to section 56.5 previously discussed. These two sections work in conjunction, to allow Nevada Medicaid and Nevada Check-up to spend General Funds no longer necessary to fund the Medicaid program as a result of federal matching monies coming forward.

Section 117.5 was recently amended in the Assembly. This section directs the Chief of the Budget Division, Office of Finance, to transfer \$50 million from Budget Account 3127, the account into which the \$836 million of CARES Act was received. This directs the transfer to the Account for Programs for Innovation and the Prevention of Remediation, commonly known as the Remediation Trust Account, within the Department of Education to provide for services and uses as indicated in subsections 3, 4, 5 and 6. This is a new section added in this bill.

Section 123.5 is language previously included in Assembly Bill No. 1. This language would increase the maximum of annual leave that can be accumulated by State employees. It was requested in anticipation of employees exceeding the 30-workday maximum, originally included in statute, because of being placed on administrative leave at the peak of the COVID-19 crisis earlier this year. Under current law, if an employee accumulates 240 hours of leave or exceeds it, and does not use it by the end of the year, they would lose the portion that exceeds the 240 hours of the annual leave. This allows a State employee to accumulate up to 320 hours of annual leave and not lose it. This section is in effect through January 1, 2022.

Section 131.1 is another section amended into the bill from Assembly Bill No. 1. It provides for a Public Employees' Benefits Program (PEBP) State-subsidy holiday. The State agencies have paid for 12 months of subsidy for the PEBP. This bill calls for 11 months of subsidy. Other actions would require GFO to realize the savings associated with this measure in each of the State government budget accounts in the General Fund. Those would come in the form of budget revisions, which we call work-program revisions, which would pay this money. This is estimated at \$12 million, which would go toward addressing the shortfall left by 2021.

Section 131.2 implements furlough leave. Section 131.2, subsection 1(a), sets the period as beginning on January 1, 2021, and ending June 30, 2021. Forty-eight hours of furlough leave would equate to 1 furlough day per month, so 6 furlough days will be in the second half of 2021 under this provision.

Section 131.3 holds employees harmless from the loss of Public Employees' Retirement System (PERS) retirement credit as a result of taking furlough leave.

Section 131.4 provides certain exemptions to allow employees to be exempt from furlough leave. Under this section, employees exempted from furloughs would be required to take a salary reduction. It indicates 4.6 percent for the remainder of the fiscal year. The annualized decrease is 2.3 percent. To make this work for the later 6 months of the year, it would represent a 4.6-percent reduction. Under these sections, authority is provided to various government entities to determine the method to implement the furlough. Under the University system, it would reside with the Board of Regents. Under the PERS, it would reside with the Public Employees' Retirement Board. Under the Judicial Branch, it would reside with the Supreme Court. Under the Legislative Branch, it would reside with the Legislative Commission, and under the Executive Branch, with the Personnel Commission. The furlough leave does not apply to employees of the Department of Tourism and Cultural Affairs, whose workweeks are 32 hours or less.

Section 131.6 is commonly known as "trigger language." It relates to the State of Nevada receiving money from the federal government authorized to offset State revenues in fiscal year 2021 for various purposes. It originally included a potential increase resulting from the mining tax that was, at one point, included in Assembly Bill No. 4. The priority order first disburses funding to Budget Account 101-2677, The New Nevada Education Plan, commonly known as the S.B. 178 of the 79th Session program. Funding for this program was eliminated in its entirety for \$70 million. The second priority is disbursement to Budget Account 101-2699. This contains funding for the Read by Grade Three program, which had funding entirely eliminated in the reductions. The third priority is elimination of the unpaid furlough leave. The fourth and fifth priorities are broader. Number 4 is disbursement for any other budgetary reductions in the act, and number 5 is disbursement for any other purpose authorized by law.

Section 135 works with section 131.6. Section 134.5 becomes effective and repeals the furlough provisions if the Chief of the Budget Division has certified to the Governor on or before that date, that the State of Nevada has received an amount of federal money, and if that federal money is equal to the General Fund savings anticipated from the anticipation of savings from furlough leave. This is approximately \$24 million, and it repeals the furlough leave provision. Beginning on line 40 of page 84, the proposed bill says, "... of this act and has been applied for this purpose pursuant to subsection 3 of section 131.6 of this act ....," which is the trigger language in this bill.

In total, the provisions of this bill, which include operating reductions, reductions to one-time appropriations and fund sweeps, provide an additional \$656 million to the General Fund. That is in this bill. It is based on staff going through each section and determining the total of the aggregate reductions.

SENATOR KIECKHEFER:

Does the PERS hold harmless relate to the other furloughs? Does the hold-harmless language in section 134 also apply to essential employees and given a salary reduction through a furlough?

MR. KRMPOTIC:

It does not appear the PERS hold harmless would apply to employees who receive a reduction in salary in lieu of a furlough.

SENATOR KIECKHEFER:

Previously, when we have done PERS hold harmless, we have been able to capture those employees. I thought the intent was to hold everyone harmless.

MR. KRMPOTIC:

Past policy, over three Legislative Sessions, has not held employees harmless who were exempted. I understand there were not many employees who exempted from furlough leave.

SENATOR KIECKHEFER:

Section 65 of the bill is a reduction to the Distributive School Account (DSA) for the current fiscal year. Please outline what the \$22 million reduction is.

MR. KRMPOTIC:

That reduction represents the Class Size Reduction (CSR) program. Within DSA, along with basic support for public education, are two, large categorical programs, CSR and Special Education. This reduction relates to the CSR program. Another section in this bill addresses the transferred amount to the CSR program at a reduced-dollar level.

SENATOR KIECKHEFER:

Sections 56.5 and 118.5 offer flexibility to DHHS to book additional revenue and transfer between agencies. Is there a requirement the agency first restore cuts made in this Fiscal Year? We maintain 6-percent, across-the-board cuts to rate reimbursements and NICU rate reimbursements. Is there a requirement those cuts be reinstated first before moving available funding to other Divisions?

MR. KRMPOTIC:

There does not appear to be that requirement. The language in sections 56.5 and 118.5, and the ability of an agency to transfer appropriations, would provide, for the most part, total flexibility to the agency to transfer and use those funds in any manner, subject to the approval of the Interim Finance Committee (IFC).

SENATOR KIECKHEFER:

Is it true transfers between departments and interagency transfers would still have to come before IFC for a presentation?

MR. KRMPOTIC:

That is correct.

SENATOR KIECKHEFER:

There is a relationship between the trigger language in section 131.6 and the language in section 135. Does section 135 allow the restoration ... (unintelligible statement) ... to jump the line related to reinstatement priorities based on a choice of GFO?

MR. KRMPOTIC:

The revision to this language now applies to section 135 for the purpose pursuant to subsection 3 of section 131.6. This would only apply when the State or GFO got to number three under section 141.6. It addresses a previous staff concern that the two sections would possibly go into effect simultaneously, which is not the intent of the Legislature in regards to trigger language in the bill.

SENATOR SEEVERS GANSERT:

The one-month PEBP holiday, the Highway Fund, the General Fund and other sources are discussed in section 131.1. This section says those are reverted or the money passes through. Will the State provide a subsidy to retirees who used to be paid by the Highway Fund? It looks like part of the money is from the Highway Fund.

MR. KRMPOTIC:

The intent of this section is to reduce, from 12 to 11 months, the number of months the State subsidy is paid. In current agency budgets, State budgets are funded for 12 months of State subsidy. When the agency pays 11 months for each of its employees, there is one month of savings

realized. This would be in all budget accounts; Highway Funded, General Funded and in a multiple of other funding sources used as well. The intent would be for GFO to execute transactions and book the General Fund savings and Highway Fund savings only back to their respective funding sources. The Highway Fund piece is important. We talked earlier in this Special Session about addressing the Highway Fund associated with the Government Services Tax (GST) distribution increase. Other funding sources would not go to the Highway Fund or the General Fund because they are not necessarily intended for that purpose, and they are restricted for various uses under statute. Therefore, those funds would remain in those budget accounts. There is an associated savings in the PEBP budget that is allowing this to happen.

SENATOR SEEVERS GANSERT:

Do you know what portion of the almost \$12 million in savings is from the Highway Fund?

MR. KRMPOTIC:

The \$12 million is entirely from the General Fund on an estimated basis.

SENATOR SEEVERS GANSERT:

Do you have an estimate for the Highway Fund?

MR. KRMPOTIC:

I do not have one. We will not know until all of these transactions are processed, and we determine what will go back to the Highway Fund. This was not part of the information previously included for the Committee, so we do not know what might be coming back to the government in lieu of GST coming out.

SENATOR SEEVERS GANSERT:

What happens with retiree subsidies? Is the fee transferred or something else?

ALEX HARTZ (Principal Deputy Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

The subsidy received by retirees would not change. This bill only changes the funding mechanism for one month for the State to share. The retiree would still receive their subsidy. It would be paid out of PEBP.

SENATOR SEEVERS GANSERT:

I would like to figure out what piece of it is related to the Highway Fund.

ALEX HARTZ:

I need to look at that.

MR. KRMPOTIC:

Once these transactions are processed, our staff will revisit the Highway Fund and General Fund and report back at a later date.

SENATOR SEEVERS GANSERT:

We anticipate getting another quarter of enhanced FMAP, possibly a quarter or two. The 6-percent Medicaid cut was \$54 million. It appears the language does not require those cuts be restored. If we have a couple of more quarters of enhanced FMAP, that will surpass what the cut would be. It sounds like the discretion is up to the Department of Health and Human Services. Can you please confirm that? Also confirm that if we get an additional few quarters, it would potentially exceed the amount needed to restore the Medicaid cut of 6 percent.

MR. KRMPOTIC:

Regarding FMAP, or federal matching percentage, from the Center for Medicare and Medicaid Services, it is the understanding of staff that if the increase is extended through December 31 of this year, it will free up approximately \$30 million in General Funds to be used for other purposes. That money could be used to restore some of the rate reductions. There is not enough to restore all of the rate reductions indicated in bold language, page 24, in section 31. It would be up to the agency healthcare financing policy and Mr. Whitley to determine what the restoration might look like. It is required to be presented to IFC for its review. If it were extended for 2 quarters, that

would be \$60 million in total for the fiscal year. This could go far toward restoring a large portion of the reduction in the Check-up and Medicaid Check-up programs this Fiscal Year, possibly rate reductions, possibly other things. Staff indicates it is ultimately up to the Executive Branch of State government to determine or to propose the use of those General Funds and for what purpose. It would be restricted to within the DHHS and not outside of that agency. They can go outside the Medicaid program to other divisions in the Department or could restore reductions in the Medicaid and Check-up programs for the fiscal year.

SENATOR SEEVERS GANSERT:

Everyone is concerned about access to care with Medicaid-rate cuts and whether people will be able to see practitioners in their office or need to utilize emergency services instead. When DHHS makes proposals for how money will be used if the FMAP enhancement is extended, it would be helpful to know the utilization or if there is a way to measure individual's access to care to ensure they are getting access to care. Lower rates may lesson many practitioners to provide those services. This is a concern for everyone. If there is a way to measure that and see if there is a decline in access to services, it would be helpful so we are assured money is spent where it needs to be to ensure individuals get care.

MR. KRMPOTIC:

Staff can look at that. We receive reports and information on utilization, and it might be an important measure you would be interested in seeing once these rate reductions go into effect. It is also important for staff to report when they would go into effect following approval of the State Plan amendment, which would put them into effect as well.

SENATOR SEEVERS GANSERT:

That would be helpful. I know utilization is down because individuals have not wanted to get care due to fear of COVID-19. It is one of the metrics, so thank you for that.

SENATOR RATTI:

I echo the sentiments of my colleague regarding the significant level of work done by Mr. Krmptic and his team. I would like to go back to the furlough language. I was trying to walk it through all of the sections and could not do it. We reduced the furloughs to six, and we are set to implement them for a January start. I want to make sure the January start also applies to any exempted essential workers and that the 4.6-percent salary reduction that is the equivalent of 12 days of furloughs gets pushed into January so they do not see the reduction in their salary until then.

MR. KRMPOTIC:

In section 131.2, under subsection 1(a), it states, "For the period beginning January 1, 2021, and ending on June 30, 2021, each employee shall ..." and then goes into the 48 hours of furlough. That language is key in implementing when the furlough takes effect and when it ends under this bill.

The exemption language you referred to is found in section 131.4. It states, "It is the intent of the Legislature to limit exceptions to the requirement of furlough leave for employees of the State pursuant to section 131.2 of this act ..." This section specifies the dates this is in effect. Subsequent language in this section discusses who decides who would be exempt if requests are forwarded. The 2.3 percent is what typically would be identified for 12 furlough days over the entire year, but if an employee was to take an equivalent reduction for the second half of the year, the percentage would need to be increased to 4.6 percent. Staff did the math to ensure this would not yield a larger dollar amount, and it does not. A percentage of 4.6 for 6 months is equivalent to 2.3 percent for 12 months.

SENATOR RATTI:

The end effect of this is, whether you are a furloughed employee or an essential employee who takes a pay cut, this starts in January. The value of the money that will not be in a paycheck will be the same, correct?

MR. KRMPOTIC:  
That is correct.

SENATOR WOODHOUSE:

I want to express my deepest appreciation to Mr. Krmpotic and his staff. You have stood tall in helping us once the pandemic hit, and we knew how bad this would be. I appreciate it and hope you will extend our appreciation to your staff.

I would like to address the question of the reversion in the Class Size Reduction (CSR). I do not want anyone to come away from here feeling we are raising class sizes. As I understand this reversion, it results from supplemental CSR funding. We had calculated this based on charter schools being involved, but they are not eligible. That is what much of this reversion is. I would appreciate any further information you can provide on the CSR reduction.

MR. KRMPOTIC:

You are correct. Reduction of the appropriation to CSR in Fiscal Year 2020-2021 equates to approximately \$18 million. All enrolled students were included in the calculation for funding required for CSR during the 2019, 80th Legislative Session. That calculation included students who attend charter schools. The CSR program is not available to charter schools under current legislation; therefore, an amount of money not required to carry out the CSR program in public schools was associated with students enrolled in charter schools. The \$18 million represents the amount not necessary to carry out the CSR program in both Fiscal Year 2020 and Fiscal Year 2021. It would be available for supplemental programs for certain at-risk schools but would not be necessary to carry out the CSR program as currently laid out in the education funding bill, Senate Bill 555 of the 80th Legislative Session.

SENATOR WOODHOUSE:

Thank you. I wanted to make sure that was on the record.

SENATOR CANNIZZARO:

I would also like to acknowledge the team of people working with Mr. Krmpotic and who have helped us get through this bill with the information before us.

SENATOR SETTELMEYER:

I share your appreciation of Mr. Krmpotic and his staff for being able to digest all of these budget numbers and be able to explain it to us. My question is about section 131.5. If we get the FMAP enhancement, will it go to healthcare, or does it automatically fall within this section as well? Would go to education before it goes to health? Does that section only apply if we get more federal dollars?

MR. KRMPOTIC:

Section 131.6 contemplates funding authorized to offset State revenue shortfalls or funding that is somewhat unrestricted in its use to assist states during the COVID-19 response and the budget crisis. The FMAP piece, which pertains to additional Title 19 funds used to fund the Medicaid program, would be limited in use for that purpose.

SENATOR CANNIZZARO:

We will now open the hearing to those in support of Assembly Bill No. 3.

STEPHANIE GOODMAN (Executive Director, Dr. Robert Hunter International Problem Gambling Center):

I want to thank this Body for its time and effort. I am grateful for this bill. I run the largest problem gaming center in Nevada. We are helping people and changing lives. Problem gambling is a huge problem in our community. This problem affects 6 percent of our residents. I am grateful and hope this bill passes.

SENATOR CANNIZZARO:

We will now open the hearing to those in opposition of Assembly Bill No. 3.



MICHAEL DUFF:

I am opposed to Assembly Bill No. 3. Nurses and nurses' aides are, at this moment, intubating patients, putting them on ventilators and risking their lives on the frontlines of our war against COVID-19. Here are the names of four healthcare workers who have given their lives so others may live. These include Kevin Leiva, age 24, an EMT in New Jersey; Pamela ... (unintelligible statement) ... 50, a nurse's aide from Truckee; Jeff Rios, age 37, a registered nurse from Tennessee, and Vianna Thompson, age 52, a nurse from here in Nevada.

This bill has been made possible by the refusal of 35 percent of the Legislature. In fact, the revenue increase ... (unintelligible statement) ... industry that can afford it. (Unintelligible statement) ... a time of great need to cut the pay of frontline workers who are prepared to make the ultimate sacrifice to their State by 6 to 10 percent through the Medicaid cut. This is even more galling when you realize that one of the ... (unintelligible statement) ... from this bill makes \$200,000 a year, actually a little over that ... (unintelligible statement). Our State was Battle Born, yet we seemingly lack the political will to win this, the most important battle in our State of the 21st Century. Nurses, nurses' aides and other healthcare workers will treat you no matter ... (unintelligible statement) ... because they are true to their word ... (unintelligible statement) ... the medical. There are 735 other names on that list, which is available on The Guardian website.

I hope one of you will move to ... (unintelligible statement) ... this Special Session. I hope you will continue to think of these nurses, who are sacrificing their lives so others might live, as we go back to our normal lives. Hopefully, there will be a Legislature with new members and with attitudes for the people, especially the nurses of Nevada in a few short months to undo what is being done here this weekend.

CHRIS DALY (Deputy Executive Director, Government Affairs, Nevada Education Association):

Entering this Special Session, the Nevada State Education Association (NSEA) called for any budget-balancing plan that would put at least a dollar of new revenue to any dollar cut from public education, a shared sacrifice. Assembly Bill No. 3 would make deep and difficult cuts to public education without raising revenue. NSEA is opposed to this bill. On the opening day of this Special Session, hundreds of educators, wearing red shirts and masks, lined the street from the Legislature to the Capitol. They had a clear call to fund healthy schools. Educators chanted, "Be brave, be bold, new revenue is the way to go." While we appreciate Assembly Bill No. 3 preserves per-pupil-based K-12 educational funding, Zoom and Victory schools, and now it addresses inequities related to continuing distance learning, all NSEA priorities, it also includes over \$156 million in painful cuts to K-12 public education, class size, Read by Grade Three, weighted funding to improve educational equity and other programs.

Any budget-balancing plan passed by the Legislature should include at least one new dollar of revenue for any dollar cut. We recognize raising revenue has not proven to be easy but not doing so will make it impossible for schools to reopen following State health and safety guidelines. Nevada has the largest class sizes in the country. The proposed cuts to K-12 schools are funds that could otherwise help schools figure out physical distancing in overcrowded classrooms. Money cut from school-equity programs will erase years of work related to meeting the needs of our most vulnerable students.

Despite the theatrics from yesterday, new revenue is possible. While hundreds of thousands lost their jobs during this pandemic, 11 Nevada Billionaires saw their combined net worth jump by over \$11 billion. We all now know about Nevada's gold mining industry, the fifth largest in the world. Gold prices recently hit a nine-year high, yet the mining industry here pays little in State taxes.

We offered alternative cuts, including \$16 million in General Fund appropriated this year for student assessments. This is an example of a cut that would make policy sense. The old accountability systems of student assessment with star ratings and evaluations have failed to foster the intended improvements in achievement or student engagement. With a continued reliance on these old schemes, under COVID-19, students and educators will have counterincentives to come to school when sick, or to teach to the test instead of teaching and reinforcing health and safety.

We will have maximum numbers attending and in the classroom, even when that goes against State guidelines.

I know it is late, but you still have a chance to be brave and be bold. Reject this budget proposal and start anew.

ALEXANDER MARKS (Communications Specialist, Nevada Education Association):

As we approach the final hours of the 31st Special Session, one of the takeaways by educators was the extraordinary care taken to keep everyone inside that building safe. Things such as acrylic glass, hand sanitizers, free masks, hands-free faucets, foot pulls on doors, top of the line HVAC systems, antimicrobial coating on surfaces the last 90 days, and plenty of room to keep everyone safe and distant have been added. Our children, and the adults who work with them, deserve similar precautions, and every school building needs to receive that type of care before reopening. Today, we learned there would not be a second Special Session after the budget work concludes. The Governor stated, "I have serious reservations about having our lawmakers convene again for a similar or longer period of time in the midst of the spike in our State." This statement was made just weeks before many educators will return to schools. This directly ties into what NSEA has been stating this Special Session; cutting the budgets while safely reopening is just not possible. We need to fund what is necessary to ensure the safety of students, educators, our families and our communities. Even with all of the safeguards in place in Carson City, which every school should have, you are sent home from work.

Educators in Nevada want to get back to their classrooms and school sites more than anyone, but the phrase "back-to-school" now means something entirely different. It means returning to schools that are better and safer for educators and students. Educators understand there is no replacement for face-to face, one-on-one instruction or interaction. We need time and resources to reopen safely so we can get back to that. School districts are still determining plans for reopening while Legislators return home after making millions of dollars of cuts to K-12 education. There is still time to be brave, be bold, reject this budget proposal and start anew.

JANIS MCKAY (Immediate Past Chair, Faculty Senate, University of Nevada, Las Vegas):

I am opposed to the proposed cuts to higher education. Any further cuts to the UNLV budget are unfairly and disproportionately damaging to our students and staff. UNLV is already taking an additional \$62-million hit from loss of revenue and costs related to COVID-19 not accounted for in current budgets. Our students are struggling with the fallout from the virus. Many have lost jobs or have family members who have lost jobs, and some have incurred significant medical expenses. There is a planned surcharge to classes due to the planned cuts. Further cuts will not only increase this surcharge but also impact services directly, such as advising, critical to student success. It will disproportionality impact first-generation students, students of color and students from low-income families. Forty-two percent of UNLV students fall in the category of being low-income students, significantly more than most universities. We have students who live in their cars or support their entire family. We have students who work multiple jobs and go to school, and many first-generation college students rely on our support services. During this crisis, UNLV students and faculty have stepped up to serve the community by providing COVID-19 testing and contact tracing. Our medical, engineering and science technology, psychology, law and other experts have helped our State as well. This crisis highlights the need for experts and the increasingly urgent need to diversify our State's economy. Our students are the future of our State. Now is not the time to cut higher education.

JOSHUA PADILLA (President, Consolidated Students of University of Nevada, Las Vegas):

COVID-19 has hit our State drastically. Difficult and hard decisions are being made in reference to what gets cut. I am aware of the discussions and decisions that have been made up to today. These relate to the budgets of NSHE and, more specifically, to UNLV. The University cannot afford to take more budget reductions. We got the short end of the stick on this conversation and many other ones. Any significant budget cuts will do more damage to students already affected by this pandemic.

There were over 600 public comments for Assembly Bill No. 3 when it was heard in the Assembly. There are many students and community members disagreeing with the additional reductions, and plenty expressed concerns for reductions that would hit UNLV. Students like

I, voicing their concerns, as blunt as they may be, understand there is a must for budget cuts. These cuts are significantly larger than they should be, specifically the additional amendment that came out for the reductions. I understand everyone has to make sacrifices right now, but UNLV is already absorbing \$41.2 million in general cuts and \$45 million in cuts for capital projects. That equals about 7 percent of the \$1.2-billion shortfall, from one organization. We have lost our engineering building, our medical building, and with the current cuts, students have a student PERS surcharge already in the pipeline. The University needs to keep its limited resources and academic services it has. This affects all institutions of higher learning, but UNLV students are disproportionately affected due to the unique and diverse places from which they come. In this and previous conversations, UNLV has sacrificed enough. Any additional reductions in the budget cannot be worked around by the University and would harm students directly. Please, from a desperate UNLV engineering student, make no more budget cuts to UNLV. Students know these are tough decisions. Please, no more budget cuts for UNLV.

CHRISTINE SAUNDERS (Policy Director, Progressive Leadership Alliance of Nevada):

We are opposed to this bill. The State deserves more than trickle-down economy. We ask the Legislature to be bold. This Special Session could have been used to find revenue to fill budget holes and not just make cuts to public programs or our State's social safety net, yet many Nevadans were let down yesterday. We hope the debate over the last few days has made it clear that corporations, like the mining industry, can no longer escape responsibility. This is not the end of the conversation. We will continue to call for real revenue reform to prevent drastic cuts like these from happening again in the future.

MARIA SCHELLHASE (Chair, Faculty Senate, College of Southern Nevada):

I am opposed to Assembly Bill No. 3, any proposed additional cuts to NSHE and, specifically, any cuts to the College of Southern Nevada (CSN). Budget reductions continue to be a concern and would have a devastating effect on our students, faculty and staff. Any additional budget cuts would significantly affect our ability to provide exceptional programs and our ability to offer much-needed and much-used student services. Reductions would also require our faculty and staff to do much more with significantly less. Budgetary reductions have required faculty to make sacrifices and long-awaited pay increases were replaced with furloughs. Faculty are concerned about how additional cuts will affect their work-life balance, class size and workload. Faculty are also concerned about how they will manage additional college responsibilities requested of them due to budget cuts.

Imagine you are a student whose graduation will be delayed because you are unable to get the classes you need due to a decrease in human resources. Imagine you are a disadvantaged student who depends on CSN for services it offers including the computer lab, tutoring, advising or the Disability Resource Center. Imagine you are told these services are no longer in existence or are limited because of budget constraints. Imagine you are a disadvantaged student who is unable to attend classes because of increased tuition and fee costs and extra fees due to budget reductions.

The CSN depends on its business partners to provide a direct pipeline of skilled workers to satisfy existing workforce demands and provide employee training. This partnership with CSN helps businesses flourish while providing a viable career path for our students. Businesses will experience a decrease in available skilled employees due to these budget constraints.

We understand this is a challenging time for everyone. Faculty on the frontline serve as advocates for students. They are committed to the personal, academic and professional success of our students. We hope you are committed to the same.

ALEXIS SALT (National Education Association of Southern Nevada):

I am a teacher in Clark County and a mom. I would like to thank Chris Daly and Alexander Marks for saying what many are thinking. As a teacher in Clark County, I am afraid to go back to work. Our safety cannot be guaranteed with these budget cuts. The Clark County School District HVAC systems cannot be shut down over the summer. They are so old there is concern they would not restart in the fall.

I implore you to try again. I understand politics is politics. I am running for a schoolboard seat in Clark County, and it is harder than I thought. Try again for our kids. These cuts are to the bone. Teachers cannot keep making do with less and less. There is no slack and nothing else we can do

without. We are going to have students and teachers entering the building without proper personal protective equipment and cleaning supplies. Reconsider this bill. If you will not reconsider it, consider reallocating the money earmarked for standards and testing, like the Smarter Balanced Assessment, to much-needed supplies for teachers so we have a shot this year. Many people will get sick otherwise.

SUMAN RANDHAWA (President, Nevada State College):

Thank you for your time and effort trying to find other forms of revenue. As the Nevada State College (NSC) student body president, I am here to represent and echo the voice of our student government body and approximately 4,000 students. I speak as a parent of two boys, a 6 year old and a 4 year old. I oppose this bill. These are long-standing issues. You have an opportunity to not only change history but also do what is just and fair for all members of a society that continues to keep the poor, poor, and the rich, rich. Please find revenue elsewhere, such as defunding the police or revisit taxing mining to pay their fair share.

As a parent, I worry about the safety, well-being and future of my children. I am afraid to send them back to school. How can I have faith in foundational institutions with these types of cuts made to institutions already suffering? Please give our kids a fighting chance. This will put more strain on everyone.

I strongly oppose this bill and any additional budget cuts to K-12 and higher education. As a leader, a parent and a student, I urge you to think twice. Be bold and choose to pull revenue from elsewhere. More now than ever, our students at NSC need support. Proposing these additional cuts will affect the quality of life for students and professors. This will result in tuition increases that will affect student retention and success and cause delays in graduation. Additional cuts could potentially lead to faculty and administrative layoffs when we already suffer from a shortage of professors. This issue will perpetuate the burden on current professors already spread thin. I appreciate your efforts and hope you look elsewhere.

CALEN EVANS (President, Empower Nevada Teachers; Nevada State Education Association):

We all understand the budget crisis. We understand the need for tough cuts. How is it, given the crisis, that education and all of the available public services cannot generate a single dollar of new revenue? Is this the best we can do? We are letting down the majority of Nevadans due to no courage in Nevada politics. There are no creative ideas, no bipartisan work, just egos and budget cuts. Do the majority of you truly understand that education in Nevada is already broken due to underfunding and lack of resources? Now, we are going to cripple it even more. At the end of the day, not only students and educators will suffer but also our communities and Nevada's entire economy. Public education has a direct impact on our economy, prime rates, socio-economic trends, and the mental and physical health of its citizens. We continue to overlook the value of public education and continue to underfund and under resource it. We then wonder and look at each other and ask why we are consistently ranked at the bottom of the national average related to educational output. This ranking is due to Nevada's failure to value educators or provide them with resources and support our students' needs to be successful. All educators, and the general public, oppose this bill which does nothing but cut our budget and fail to provide any support for public services.

DAN PRICE (Clark County Educator's Association):

I am a career and technical education teacher in Clark County, and I oppose Assembly Bill No. 3. I appreciate the efforts by Speaker Frierson and Majority Leader Cannizzaro to find additional CARES Act money to offset budget cuts to education. This bill is devastating to students and education. The COVID-19 crisis has shown how vulnerable our economy is. I hope all lawmakers and the Governor will work to expand the economy moving forward into the 2021 Legislative Session. Make this a top priority. We need new industries that can help all Nevadans make a commitment on funding education. Our lawmakers must lead the way. Moving forward, think of new ways to expand Nevada's economy and properly fund education.

LAURA NAUMANN (Chair, Faculty Senate, Nevada State College, Nevada System of Higher Education):

We oppose additional cuts added to NSHE in Assembly Bill No. 3. It is a difficult day for Nevada. Many agencies across the State will incur deep cuts to their budgets, making it difficult to serve the citizens of Nevada effectively. Higher education is incurring cuts that will prevent each institution from guaranteeing our students an affordable education, quality instruction and the support services needed to achieve their dreams. These reductions will disproportionately affect our first-generation students, students of color, students from low-income backgrounds and other underrepresented students. All NSHE institutions will be forced to increase tuition fees, limit course availability and reduce student academic support services. This will negatively affect graduation times, especially for our most vulnerable populations who are the majority of our system.

The eight institutions that make up NSHE are responsible for educating students across the State: young and old, rural and urban, ethnic majority and minority, and the first in their family to go to college. The institutions in our system bring national recognition and essential grant dollars to the State of Nevada through our innovative research. Time will tell how quickly we can rebound from these cuts. We must collectively work to keep the door of opportunity wide open for our future teachers, nurses, doctors, engineers, therapists and beyond. Our State depends on it.

SHANTAL MARSHALL (Chair, Department of Social Sciences, Nevada State College):

I am testifying against Assembly Bill No. 3 because of the deeper cuts NSHE has been asked to make in addition to cuts we have already made. If there are any more cuts, we will not be able to avoid layoffs and cuts to essential programming needed by our students. I am disappointed no one had questions about the NSHE cuts. Senators in this Body publically stated they would defend higher education during this Session.

I love my job because of our students, one of whom just testified and demonstrated how amazing our student body is. Our State and Community College students have made explicit decisions to go to college and prevent the impacts they now suffer in our devastated economy. Students come to class at 9:30 a.m. after working the graveyard shift in a casino kitchen. Homeless students still manage to turn in their assignments on time. Students, who work 40-plus hours a week, take 15 course units to acquire their education while our economy plummets. These students want to be business professionals, nonprofit directors, teachers, therapists, lawyers, artists and elected officials. They want careers, not jobs, and are doing the hard work to make it happen knowing many of their classes will only be online in the fall. They are doing their part to keep higher education a cornerstone of Nevada's future economy, and we need to do ours. We need to keep every person on our campuses employed. It takes a village, an entire State, to graduate every student. Further cuts to our budget will make it harder for students to do what is right for their lives, their communities and our Great State of Nevada.

SUSAN FISHER (Nevada State Society of Anesthesiologists):

I am testifying on behalf of the Nevada State Society of Anesthesiologists. We appreciate the work you have been doing and know there are many buckets to fill. You have had some creative solutions between your House and the Assembly, and we appreciate that. Our healthcare providers work all hours of the day and night. They put themselves at risk of exposure to infective diseases, including COVID-19, to care for the indigent and unemployed for free. They already lose money on Medicaid rates, and now, these rates are cut more. When the reason we are having this Special Session and this discussion is a public-health crisis, what is a bigger priority than paying for healthcare services? Nevada State employees are the fifth largest employee group in the State who use Medicaid. The Clark County School District comes in second in the top-10 Medicaid users list, with employees using over \$14 million per year in medical costs. You pay the bill.

Ten years ago, during the Recession, the Legislature made some inequitable cuts to Medicaid rates. We had to make inequitable cuts. At that time, rates for anesthesiologists were cut 40 percent while other providers were cut 5, 10 or 15 percent. Over the last ten years, most rates have rebounded to some degree, but not the rates for anesthesiologists. Now, they are cut even more. This will create a physician and provider shortage in an already narrow network.

Fifteen years ago, we saw a mass exodus of healthcare professionals from Nevada due to frivolous lawsuits and uncapped medical-malpractice suits. Fortunately, the people of Nevada spoke loudly on a ballot measure. They took action to keep doctors in Nevada by capping medical malpractice. The provider numbers began to level off, then began to increase. Now, they will again begin to decrease.

We need to ensure the most vulnerable citizens on Medicaid in Nevada, including Nevada State employees, educators and their dependents, have access to healthcare. Last week, we provided you a list with several valid suggestions. I urge you to consider them. If nothing else, I urge you to prioritize reviewing and reestablishing Medicaid rates when we have another infusion of support from the federal government. Assembly Bill No. 3 is lumped into consideration of refunding all other cuts as No. 4 on our list of 5 under section 131.6, subsection 4. Next Session, take a deep dive into Nevada's Medicaid rates and ensure they become equitable.

DOM HALL (Student Body President, University of Nevada, Reno):

I am opposed to the cuts to higher education in Assembly Bill No. 3. Take accountability and value education in Nevada. Students are tired of making up for the State's fallout and being the State's punching bag whenever money needs to be made. Your demand is counter-reciprocal to economic conditions. When economic conditions are bad, you come to higher education. We, as a system, want more students ... (unintelligible statement) ... to cut funding. Do not make long-term decisions to get past a short-term problem.

This is a false economy. You may save money now, but it will negatively affect our State for years. Students have already lost jobs due to this pandemic and do not need additional stress added to their return to campus. To suggest raising student fees, without talking about financial aid, means you are missing half of the equation. Nevada has already been deficient regarding financial aid. Raising fees, without addressing financial aid, is not solving the problem.

These cuts will affect academic degree completion for many students. Classes will be cut, and academic support services such as tutoring centers, advising centers and the like will suffer. We need you to address what is going on with the \$200 million in CARES Act funding just sitting there. It is negligent not to address different solutions to these important cuts, especially during a global pandemic. Consider working together to come up with different solutions by not passing this bill. Uphold your commitment to Nevadans.

VICKI ROSSER (Chair, Faculty Senate, University of Nevada, Las Vegas):

We know these are tough times, and we know the State Legislature has to make tough decisions. Know that the UNLV faculty members are giving their hearts and souls to our students and our community. I absolutely oppose Assembly Bill No. 3. The UNLV is already absorbing \$95 million in reductions. We estimate an additional \$62 million in expenses and lost revenue outside the State budget process because of COVID-19. This equates to 8 percent of the \$1.2-billion shortfall.

Budget cuts will hurt our students who are desperately trying to improve their lives through a college education. These cuts will result in a tuition increase or a higher, one-time surcharge for each credit hour; limited class offerings; less sequential course offerings to graduate, and will trim student and social services programs at UNLV. This will affect student achievement, retention and completion.

Do not forget the daily contributions we make to our community. The UNLV Medical School Tropicana parking garage sites have tested more than 61,500 southern Nevada residents for COVID-19. The School of Public Health is working with public-health agencies on contact tracing of the virus. These are a few of the many services provided by our faculty and staff. We are in this together, but we are doing more than our share to support these budget deficits.

KARLI KELLY (Student Body President, College of Southern Nevada):

We are experiencing an economic crisis due to COVID-19. Cuts are necessary to fill the financial hole our Country is facing. I oppose the proposed cuts to the NSHE, and, specifically, CSN. Coming from an ethnic minority and a single-parent household, I chose to attend CSN because it was what my family could afford. Even while receiving financial aid and working part-time, I, like many of my constituents, can barely afford the cost of college. The proposed

additional cuts will only lead to a tuition increase. This will burden me with more financial debt before my undergraduate degree is completed.

It is difficult being a black woman pursuing an education and career in the Science, Technology, Engineering and Math program. The College of Southern Nevada provides an abundance of needed resources to complete my degree effectively. Once budget cuts are made, a handful of those resources will disappear and further pause my graduation date of Spring 2021. College of Southern Nevada has promised to aid students' academic success, even while on lockdown. I appreciate my college opens its doors to community members wanting to re-enter the workforce. This institution lives up to its mission statement of putting students first. Keep in mind the proposed budget cuts will negatively affect 35,000 students and future leaders at CSN.

VICTORIA HARRIS:

I am a graduate student at the University of Nevada, Reno. I strongly oppose the cuts you have made to higher education and to K-12 education in this State. We are already underfunded and stretched thin on the services we should provide to support students of all types and ages. This especially applies to students from single-parent households, first-generation students and minorities.

We struggle with the losses we have already sustained, and we will be expecting more as tuition fees drop off due to students being unable to afford college. You are not only just making a cut for now but also making a cut for Nevada's future economy, against Nevada students who will contribute to Nevada's economy after they graduate and go on to careers. When you make a cut like this, you are not just cutting today; you are cutting tomorrow and future years. This will cost us more than the cuts you are now proposing.

As someone long-involved with the mining industry, I can say mining is not going anywhere. They will not be leaving our State and can afford to pay extra tax to help compensate for the budget holes we currently face. Mining has shown for many years, decades and a century that they support Nevada with jobs. Now, it is time they support our State through taxes.

GABRIELLE CLARK (Student Body President, Western Nevada College, Chair, Nevada Student Alliance):

I am opposed to Assembly Bill No. 3. I commend NSHE for their efforts to minimize the impact of students during this tumultuous time and recent cuts to the budget. Additional budget cuts on the horizon will adversely affect students financially as institutes of higher education increase student fees and tuition in order to compensate for these cuts. Students may face the inability to pursue their educational goals due to classes no longer being offered as resources are overextended, thus, not be able to graduate. As the Student Body President of Western Nevada College (WNC), I want to mention that even during a global pandemic and financially troubling times, WNC has done a tremendous job of transitioning to online learning with short notice. They have been financially thoughtful and thorough by directly supporting students in diverse communities, both rural and urban, north and south.

My concern becomes deeper with these ongoing budget cuts. Western Nevada College will not be able to serve with fewer students. Students who pursue higher education are not only bettering themselves and their future but also contributing to a greater Nevada. That merits careful consideration and creative thinking to develop different ways for retrieving revenue.

RACHEL HERZEL-VETZ (Interim Director, Writing Center, Nevada State College):

I am opposed to Assembly Bill No. 3. As the Interim Director of the Writing Center at Nevada State College, I oversee a staff of 20 including students, coordinators and recent graduates. In that community, 80 percent are 1st-generation college students, and 85 percent are students of color. We support more than a thousand writers each year. Programs like ours, that ensure every student can succeed in college, will be the first to feel the higher education cuts you are voting on today. These students are from our communities; they are your children and grandchildren, your nieces and nephews. They desperately want to earn degrees in nursing, education, biology, math, deaf studies, criminal justice, psychology and more so they can give back to our community.

We know budget choices are difficult but choose to invest in our students. Trust in them and give them a chance to create a diversified economy that will protect our State for years to come.

ROBERT HOLLOWOOD (Clark County Education Association):

I speak in opposition to Assembly Bill No. 3. I am an educator, the husband of an educator and the parent of two Clark County School District students. I appreciate the efforts of Speaker Frierson and Majority Leader Cannizzaro to find more money for education through the CARES Act, but the cuts to the education budget and other essential services provided by the State of Nevada in Assembly Bill No. 3 are something I cannot support. These cuts come as education funding in Nevada has finally begun to turn the corner after the devastating cuts during the financial crisis and Great Recession. By decimating funding, Assembly Bill No. 3 will undo a decade of hard-fought-for education funding and policy progress. It will also disproportionately affect the most at-risk, socio-economic and disadvantaged communities and students. During the 81st Legislative Session, Nevada needs to broaden its revenue stream beyond those who simply plummet in an economic downturn. As a member of the Clark County Education Association, we will be advocating for significant revenue increases when Session opens seven months from now. We cannot continue this way. Nevada needs to build a new economy.

STACEY CURCELL (Board President, University of Nevada, Las Vegas, Alumni Association):

In 1990, I graduated with a degree in hospitality from the UNLV. I am calling to express my support for UNLV and to oppose Assembly Bill No. 3. After working in the hospitality industry for 30 years, I know these are difficult times for our State and communities. I agreed to become president of the UNLV Alumni Association because I believe in our students and alumni as the future. I support and stand for what UNLV has already done for southern Nevada's economy and its future. These cuts will hurt UNLV and the students even more. We are already doing our share to help the economy by absorbing \$95 million already taken this Special Session. This is in addition to the \$62 million we have already lost due to COVID-19. This totals a \$157-million impact on UNLV. We want to be good partners with you and preserve our relationship with our Legislators. We know we are all in this together and doing our share. Can I count on you to help UNLV in the future? Continue to think about UNLV. We want to work with you when more funds become available to restore UNLV for our future.

APRIL TATRO-MEDLIN:

I am in opposition to Assembly Bill No. 3. I do not want dental programs for veterans cut; money should be added to this budget. Legislators can look to get more money at [irregulators.org](http://irregulators.org). There is a lawsuit, *Irregulators v. FCC*, and money from the telecom companies is going back to every state. You just have to know about it to get it. Please look into this.

I would appreciate if you would look at federal OSHA document OSHA 3990-03 2020, entitled "*Guidance on Preparing Workplaces for COVID-19*." There is nothing extreme in this document. It presents a completely different way than OSHA is dealing with COVID-19 in Nevada. None of you should be wearing masks. They are harmful. OSHA has not tested the area between the facemask and the human face as a confined space. I implore you to get an OSHA-approved, indoor air-quality monitor and test the air inside your facemask. There are engineering controls in place. None of you should be wearing a mask. Good luck.

BILL WELCH (Nevada Hospital Association):

I would like to acknowledge the challenge before you and the actions necessary to resolve the budget. We appreciate Assembly Bill No. 3 now provides for restrictions to the moneys that will be received from FMAP enhancements or other savings for use within DHHS. We look forward to working with you, DHHS and the Department of Healthcare Finance Administration on how these potential monies can be utilized to restore the cuts to the provider community created by the passage of Assembly Bill No. 3.

BOB DERUSE (Director, Academy for Career Education, Reno, Nevada):

I support Assembly Bill No. 3, section 117.5. The Academy for Career Education (ACE) is a 200-student, Career and Technical Education (CTE) charter high school in Reno. Section 117.5 adds funding from the CARES Act to education for district and charter schools. This additional money, targeted for education, will help all schools and, if given the opportunity to access the funds directly, will certainly help ACE.



We are a CTE high school focusing on essential careers in construction, manufacturing, engineering and transportation, and our graduates work and contribute to Nevada's economy. The shutdown has had a dramatic impact on ACE students and their ability to access our unique, hands-on learning environment. During the shutdown, our students could not build at their jobsites nor could they create, design or repair in our diesel and manufacturing labs. An important part of the educational and instructional hybrid model which will be used when they return next month, is students accessing curriculum remotely.

A considerable population of students in our school receive free or reduced lunches, are on Individualized Learning Plans or are English Language Learners. These students have limited access to computers, the Internet or supporting supplies needed to support remote learning. In surveying our students and families, approximately 70 percent do not have the full complement of tools needed for functioning in a remote environment.

Being a small charter high school, ACE is not a one-to-one school due to financial constraints. The teachers at CTE are trying to bridge that gap by planning in-person instruction and remote learning. They are also creating a hands-on, student experience at home through videos, simulations and other online specialty, interactive curriculums in designated fields. It is our hope section 117.5 allows for essential schools like ACE to submit grants to help our students, who represent many underrepresented groups, and help them have a high-paying, successful career upon graduation. We are supporting the section 117.5 amendment. It is our desire in the final mark-up of Assembly Bill No. 3 that small, district-sponsored schools, such as ACE, will have the same access to grant funds as do our larger counterparts.

SENATOR CANNIZZARO:

We will now open the hearing to those neutral to Assembly Bill No. 3. Hearing none, we will close this Agenda.

Senator Ratti moved to do pass Assembly Bill No. 3.

Senator Kieckhefer seconded the motion.

Motion carried unanimously.

On the motion of Senator Woodhouse, seconded by Senator Parks, the Committee did rise and report back to the Senate.

#### SENATE IN SESSION

At 4:49 p.m.

President pro Tempore Denis presiding.

Quorum present.

#### REPORTS OF COMMITTEE

*Mr. President pro Tempore:*

Your Committee of the Whole, to which was referred Assembly Bill No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

NICOLE J. CANNIZZARO, *Chair*

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 3.

Bill read third time.

Remarks by Senators Woodhouse, Kieckhefer, Seevers Gansert, Woodhouse, Settlemeyer, Cancela, Parks, Harris, Ratti, Spearman, Pickard, Denis and Cannizzaro.

SENATOR WOODHOUSE:

Assembly Bill No. 3 makes various changes relating to State financial administration and revises certain provisions of public employment.

The Legislature appropriated various sums of money for the support of the government of the State of Nevada and for other specific purposes during the 2019 Legislative Session. Sections 1 through 8, 10 through 13, 16 through 56 and 81 of this bill reduce certain appropriations for Fiscal Year 2020-2021.

Section 15 makes the sums appropriated to the Supreme Court of Nevada for specific budgets available for either Fiscal Years of the 2019-2021 biennium and also provides authority to transfer those appropriations between Fiscal Years 2019-2020 and 2020-2021 as well as between identified budget accounts. Section 15 authorizes the transfer of certain sums appropriated to the Department of Health and Human Services among the various budget accounts of the Department in the same manner and within the same limits as allowed for revisions of work programs in NRS 353.220.

Section 82 of Assembly Bill No. 3 reduces the current amounts of General Fund appropriations budgeted for Fiscal Year 2020-2021 for certain programs and services of various State agencies and provides for the reversion of those amounts to the State General Fund at the close of Fiscal Year 2020-2021.

Sections 83-107 of this bill require the State Controller to transfer various sums of money from certain funds and accounts in Fiscal Year 2020-2021 to the State General Fund Budget Reserve Account to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Section 108 provides for the reversion of the amounts identified in sections 833-107 to the State General Fund at the close of Fiscal Year 2020-2021.

Sections 109-118 of this bill authorize the expenditure of additional monies not appropriated from the State General Fund or from the State Highway Fund by various State Agencies for certain purposes.

Section 118.5 authorizes the Division of Health Care Financing and Policy to expend additional funds not appropriated from the State General Fund or State Highway Fund during Fiscal Year 2019-2020 and Fiscal Year 2020-2021.

Section 119 of this bill suspends the transfer from the State General Fund to the Account to Stabilize the Operation of the State Government of 1 percent of the total anticipated revenue projected for that fiscal year to be made for Fiscal Year 2020-2021 that is otherwise required to be made at the beginning of Fiscal Year 2020-2021.

Sections 9 and 120-131 specifically authorize uses and transfers of certain funds into provisions in existing law.

Section 123.5 temporarily amends existing law to increase by 10 days, from 30 days to 40 days, the number of days of unused annual leave a State employee can carry forward from December 31, 2020, to January 1, 2021, and from December 31, 2021, to January 1, 2022, under certain circumstances.

Section 131.1 reduces to 11 months the number of monthly contribution payments State agencies are required to make in Fiscal Year 2020-2021 to the PEBP toward the health insurance premiums for active and retired State employees fund officers. Section 131.1 further provides that for those State agencies for which its monthly contributions are funded from the State General Fund, the amount that an agency would have otherwise paid to the PEBP for that one month is to be reverted to the State General Fund. Section 131 also clarifies that the amount of the 1-month contribution in an agency budget account funded with a revenue from other than the State General Fund remains available and authorized for expenditure in an agency budget account.

Sections 131.2 through 131.4 establish the requirement, conditions and process by which full-time State employees are required to take, or to be exempted from taking, 48 hours of unpaid furlough leave between January 1, 2021, and June 30, 2021. Part-time State employees are also required to take unpaid furlough leave in the amount of the average number of hours worked per working day multiplied by 6. Section 131.5 provides for the reversion to the State General Fund those amounts of General Fund monies which result from implementation of the unpaid furlough leave requirement. Section 131.5 clarifies that in an agency budget account funded with a revenue from other than the State General Fund the amount not expended as a result of the furlough requirement remains available and authorized for expenditure in an agency budget account.

Section 131.6 establishes the order of priority to restore budgetary reductions in Fiscal Year 2021 and authorizes the allocation of any additional, qualifying federal funding should such funds become available.

Section 132 of this bill provides that the provisions of the act do not apply to the extent that they would constitute an impairment of the rights of holders of bonds of similar obligations issued by the State.

Assembly Bill No. 3 is effective as follows: sections 1 to 134.1, inclusive, and section 135 are effective upon passage and approval; section 134.5 becomes effective December 31, 2020, upon the certification of available, qualifying federal funds by the Chief of the Budget Division of the Office of Finance; sections 125 and 126 expire by limitation on June 30, 2021, and section 123.5 expires by limitation on January 31, 2022.

SENATOR KIECKHEFER:

I would like to thank the Majority Leader, the Assistant Majority Leader and the Senate Finance Chair for the first few days of this Special Session. We demonstrated we can work together to do the work of this State in a collaborative manner. We got together, shared ideas and came up with solutions. I hope as we go forward, there are more days like those in this building than like the day we had yesterday.

This bill reflects many of the decisions made that constitute our shared priorities. These include restoring optional Medicaid services; restoring personal care services; supportive living arrangements in job and day training programs; personal assistant services; the Community Options Program for the elderly; housing support for mental health patients; problem gambling treatment, immunizations; the Adopt-A-Vet program; We the People and many others. It importantly adds back \$50 million in K-12 funding using CARES Act dollars we think are available to back-fill some of the cuts to education.

There are still gaps in the priorities of this bill when it comes to using some of our existing resources to support and pay for K-12 programs. The Senate Republicans put out a list of priorities to represent our priority list. This list included the Read by Grade Three Program; fully restoring teacher supply reimbursements; restoring cuts to college and career readiness programs; and fully funding the State's pre-K and Jobs for America's Graduates programs. These are programs we thought were important and we, as a Legislature, should have prioritized over some of the other restorations represented in this bill.

I recognize negotiations are a give-and-take. It would take a palatial estate on "Ego Island" to think any one party deserves 100 percent of what they would like, especially when you are in the minority in the building. Despite some of the objections to choices reflected in this bill, I am prepared to support it. It reflects the reality of our COVID-19 ravaged economy and fulfills the mission of why we gathered here under the Governor's call. This is, overall, a significant improvement on the proposal sent to us by the Governor.

I appreciate the work done by this Body to make it so. It is the first step to address what will be a long series of budget problems. If we are not here again before next February, the start of the next Legislative Session will bring significant budgetary challenges that will likely surpass this and other things we have previously considered. To solve that problem, we need to approach our work in the same way we started this time, in collaboration and cooperation. I look forward to working with all of you as we move forward in that spirit.

SENATOR SEEVERS GANSERT:

My colleague from Senate District 14 made a number of helpful remarks. Bipartisan solutions are the best solutions. Working together with those having different perspectives can yield outcomes that will benefit all Nevadans. While this Special Session was longer than expected and tensions ran high, the debate and give-and-take compromise resulted in a better solution. I thank my colleagues for their hard work and diligence as we tackled difficult decisions. Each of us recognize there are no good choices, and it was imperative to make difficult choices. Listening to the public comments we heard today reminds us of that. We agreed education should be a priority. Today's amendment, that included \$50 million in CARES Act money, was welcomed, and I am grateful. I appreciate the prioritization of the Read by Grade Three Program if we receive additional federal funds. I remain concerned about cuts to Medicaid and appreciate that we will track access and utilization. We need to make sure Nevadans have access to care.

One area I disagree with is the partial restoration of furloughs. We have hit an unemployment rate as high as 30 percent in the State of Nevada. A less than 5-percent cut in public employee pay pales in comparison to being unemployed, a fair and necessary action that ultimately was watered down. I disagree with that.

Nevada, now, needs to reset its trajectory towards a path to recovery. We have faced economic downturns before, but this is unlike any other, due to the closure of Nevada's largest industry and businesses across the State. We must take further action not to lead the Country in unemployment, bankruptcies and foreclosures, again, as we did in 2010. We need to help families in Nevada survive, and we can only do that when our employees regain their footing and jobs are once again provided to Nevadans. Nevadans want to work and must be able to return to work for our economy to recover. Not increasing a tax burden on employers was needed, and we held the line this Session.

If we have a second Special Session, we need to look at protections from frivolous lawsuits related to COVID-19. Safety protocols, established by federal, State and local entities should be followed, and businesses should be able to operate.

I want to thank the staff who have worked hard, day and night, during this Special Session. We could not assess the vast amount of material involved with the budget and the numerous pieces of legislation without you.

SENATOR WOODHOUSE:

As we arrived in Carson City two weeks ago to deal with our responsibilities as Legislators and address the cataclysmic damage done to the State of Nevada budget for this biennium due to the pandemic, we came in with heavy hearts. Our hearts are still heavy due to the huge deficit that has wiped out a quarter of that budget and, more importantly, the damage done to our Nevada families and our business community.

The good news, as we began this work, was the Governor's budget plan preserved DSA and funding for Zoom and Victory programs in K-12 education. These "saves" are important to the educational instruction provided to students across the State of Nevada by their teachers. Zoom and Victory programs provide additional resources for our students who are English learners and students who live below the poverty line. Assembly Bill No. 3, as amended with CARES Act funding, also provides support and resources through a grant program for our most-underachieving students.

In this amended legislation, we have been able to address the desperate need across our State for more teachers to receive training and work in our classrooms. We added back the Nevada Institute on Teaching and Educator Preparation. This is a rigorous teacher-training program, housed at the College of Education, UNLV. We also added back Teach Nevada, which prepares teachers in all of the teacher colleges within NSHE. These programs provide scholarships to students who have indicated a desire to enter the teaching profession and have made a commitment to teach in Nevada upon graduation.

In addition, we are adding back funding for: financial literacy, so our students become prepared for the world in which they will live in as adults; Computer Science and Technology, which provides experiences for our students as they fill much-needed positions in the 21st Century and beyond; and We, the People, a program for middle and high school students. In the We, the People program, students study the *United States Constitution*, culminating in team competitions where they debate and answer questions on the Constitution, what it means, ramifications of historical and present-day issues. This prepares students to be well-informed individuals, utilize critical thinking skills, work with their colleagues and be caring and successful citizens and leaders in their communities.

Unfortunately, after much digging through the numbers across the education spectrum, we were not able to provide additional funding for Jobs for Americas Graduates, Career and Technical Education and many other programs of value. What really hurts is we had to ask NSHE to take a larger cut so we could shore-up the programs we did. I do not disagree with the NSHE personnel who are writing and calling me—and you as well I am sure—especially regarding the \$25-million ask on their programs, especially UNLV, Nevada State College (NSC) and our community colleges. As we move forward and times are better, I hope the Nevada Legislature will review and address the ramifications of these cuts. It is important to note NSC and our

community colleges are experiencing growth in enrollment, and they must be able to provide the coursework and experiences necessary for their students to be successful.

I will be brief regarding the add backs to DHHS, as I am sure my colleagues will address them in detail. The add-backs to the Medicaid Optional Services, Pediatric Intensive Care Units, mental-health services across the State, immunizations, and behavioral health, to name a few, are a positive move for our citizens. In adding back these provisions, we are especially addressing the needs of our children, seniors and those who are disabled. Many more services need to be addressed, such as Neonatal Intensive Care Units. My heart and soul bleeds for these very tiny babies who need such specialized care in order to grow and be healthy. Assuming we receive the FMAP enhancement funding from the federal government, we must prioritize funding for the Nevada Medicaid budget. When Nevada's economy improves, I implore my colleagues to consider providing the services we were not able to add back into the budget.

I would like to thank the Majority Leader and Assistant Majority Leader for their leadership. I also thank my caucus colleagues in this Chamber and the Assembly for their support and help in researching these cuts and sharing their concerns. I thank the Governor and his staff for all they have done to put a plan on the table we could address. At the top of my "thank you list" are the Legislative Counsel Bureau, Fiscal Services, Legal Services, the DHHS staff and the Nevada Department of Education. These professionals answered every email, every text and every phone call with accuracy and efficiency. I urge you to support Assembly Bill No. 3.

SENATOR SETTELMAYER:

I echo the sentiments of my colleagues in giving thanks to the Departments and staff that were able to get us answers. Sometimes, it took a little longer than expected, but it was a fascinating exercise to work with the other side and look at the different budget accounts and existing reserves. As you talk to agencies, it is interesting to find out how many accounts they have. It is, in some respects, problematic to try to figure out that number. I understand why they have so many, but I also understand why it took some time to get us some of those answers.

I am glad we worked together to avoid the Draconian cuts sent over to us. I could not go along with the idea of taking away the prosthetics program for individuals. I do not know why it was in the budget to begin with. With my dad being a veteran, I could not support cutting the Adopt-A-Vet program; it would be wrong. We were luckily able to restore these programs and funding for problem gaming and other programs of that nature. I am glad we were able to see movement from the other House in agreement for utilization of some CARES Act dollars. I know and believe there are hundreds of millions of dollars still there we could use to help any of these concerns. Then again, we may be back here.

COVID-19 tests are a point-in-time test, as we all know from taking them. What we have, is a point-in-time budget analysis. If the economy changes, it means we will have to come back. I hope that it changes for the better. I appreciate the provisions in the bill that will put funds where they are necessary to prioritize those cutbacks. I am concerned about NSHE. In the past, we have seen what happens when we cut NSHE. Traditionally, due to the weighted formula, smaller institutions end up taking a larger brunt of the cut. It saddens me, to say the least.

I appreciate the flexibility we have asked for from the federal government. I wish we could do the same thing for schools districts; it seems we are micromanaging them. I am concerned about what we have done to the Autism Treatment Assistance Program, Gifted and Talented program and other programs. That is why this Body wisely put in provisions to ensure that if we do find extra funds, we can take care of this without having to come back. I appreciate the time to lend my support to this bill, but I still have concerns.

SENATOR CANCELA:

I appreciate the seriousness and deliberate nature of our discussions this week. I am proud to be a member of this Body, based not only on discussions we have had and the questions we asked, but also landing a difficult set of necessary decisions to protect the most vulnerable Nevadans.

I would like to address the effect this bill will have on our State employees. It is important we did not balance our budget on the backs of State employees. They have been asked time after time to sacrifice when economic conditions are less than ideal in this State. I appreciate the work our essential employees have done not only to ensure our lights are on and the wheels are moving in this Special Session but also every day in our State agencies. Our State agencies and employees

ensure people have access to benefits and provide the services upon which Nevadans rely. I am grateful we found a compromise to ensure they do not feel the brunt of the most difficult decisions.

I echo my colleagues' comments on some of the more painful cuts taken as part of this budget relating to higher education. It is an honor and privilege to have UNLV located in the heart of my District 10. It comprises the Country's most diverse student body and is an essential piece of our local economy. As a recent graduate of the Boyd School of Law, I would say it houses thinkers that are more creative and some of the brightest, future leaders in our State. It is difficult to leave this Special Session knowing that UNLV has particularly been hit hard by these cuts. I make a public commitment to work hard to ensure that as the economy of our State improves, the University will get its fair share. I acknowledge the countless professors, students and staff who have contacted us and made their voices heard during public comment. We hear them, and their voices and thoughts are upmost in my mind as we move into a potential next Special Session and into the 81st Legislative Session.

SENATOR PARKS:

I would like to speak about the importance of reinstating merit pay for State employees. We sometimes confuse cost-of-living salary adjustments with employee merit increases. Cost-of-living adjustments compensate for the changes in overall costs everyone experiences. Merit increases are motivational. They help retain experienced employees and act as an incentive to boost employee morale. Merit adjustments often pay for themselves by helping retain experienced staff from leaving for higher pay elsewhere. Employees take merit pay, unlike our cost-of-living adjustments. I am pleased to see we are able to retain funding for merit salary adjustments.

During the Great Recession, we asked State employees to withstand the worst of hard economic times. Only recently have we begun to return their pay and benefits to what they should be. Our State's frontline workers and other hardworking employees do not deserve to be penalized as a result of this economic and health crisis. We are still asking State employees to sacrifice by taking six days of furlough time.

SENATOR HARRIS:

Before I take this vote today, it is necessary for me to address the citizens of Nevada and my constituents directly. We hear you; these cuts are devastating. We are asking much from those who have very little, while neglecting to ask anything from an industry that happens to be doing very well during this pandemic. The only way I can justify voting in favor of this bill today is because I know with certainty this fight is not over. We have historically underfunded services in this State, and it is clear, now more than ever, this is not sustainable. I am encouraged by indications that my colleagues across the aisle are open to a discussion on how we fund our government during the next regular Session. I intend to hold them to that.

I do not take this vote lightly. We must and can do better.

SENATOR RATTI:

I want to make sure credit is given where credit is due. We have thanked our staff and the Directors of the executive agencies who were prompt when getting us information so we could be well informed and make the best decisions we could given a terrible situation. I also want to thank the Governor's Office and his small, but mighty and talented, staff. They have been working under tremendous pressure for a number of months to deal with an unprecedented pandemic that affects the lives of many Nevadans in devastating ways. These might be those who lost a loved one, those who have lost their jobs or those of us who are experiencing depths of depression due to isolation or unaccustomed changes in the way we approach our lives. There are many challenges, and those decisions weigh heavily on a team that has done the hard work of listening to medical professionals and making difficult decisions that will inevitably affect an economy. Their team did a significant amount of work to look at what is important and what Nevadans value. They sent us a proposal that, as some of my colleagues have acknowledged, protected some very important things. In education, they protected the DSA, core funding going to every school and every student to provide a basic education. They protected Victory schools and Zoom schools to ensure our lowest-income students, English Language Learners and others who need that extra support still get that support. They protected the gains we have made in Certified Community Behavioral

Health clinics. This is a new and important part of our behavioral-health infrastructure. The Autism Treatment Assistance Program will make long-term improvements in the State of Nevada. They did the important work of protecting our health-regulatory infrastructure to ensure people working with our hospitals and long-term care facilities are as safe as they can be. They protected our pharmacy programs. Pharmaceutical drugs have been an important topic of conversation in this Body, and they protected that. They protected home-delivered meals for seniors, where we had to invest funds because we knew so many seniors were going hungry. All of those protections were in the package sent to us.

I am a health and human services advocate; that is where I spend most of my time. Our State received a terrible diagnosis. Any time you receive a terrible diagnosis, you want the best doctor on your side. Even if you have that—which is what we have in our Governor's Office with the talented staff he has—you also want a second opinion. We did that work as a body. It was our job to take a second look and figure out if we could do more, even with the protections in place, and determine if we could become part of the care team for the State of Nevada and ensure we were doing the best we could for our citizens.

The work we did in helping with the \$1.2-billion shortfall gained \$188 million; it is not a silver bullet to save us all. It will not avoid some of the still-devastating cuts, but the 12 days we spent here have been worthwhile in saving other things. Medicaid has optional services, such as dental, vision, prosthetics, behavioral health and private-duty nursing. Private-duty nursing is needed when a person is no longer able to care for a loved one in the home without the help of a nurse. Many of these are families with seriously disabled children. If we do not provide this service, they end up in institutions. We have had many discussions about what is happening in the pandemic and the possible next baby boom. Family planning dollars are an investment that would be smart to keep. People with developmental disabilities go to Regional Centers to receive respite care, personal care services, assisted living and everything they need to be successful. We are talking about behavioral-health professionals, housing for people who are seriously ill, tools for our Mental Health Courts to make sure people do not end up homeless, and triage centers that help those in a behavioral-health crisis. We are talking about problem gaming and vaping prevention. It may seem like it was forever ago, but not so long ago the biggest problem this Country was talking about was our children dying from vaping. Leaving that investment in place, if we can, is important. We are talking about the Child Welfare dollars our counties depend on to make sure children in foster care have the services they need and dental programs for our veterans.

With all of that, have we done enough? We have created a bridge. The bridge is a little shaky and maybe is not as solid as we would like, but it gets us from here, today, to February when we will be together for the regular Session. We will do the hard work then of reevaluating our budget under likely challenging circumstances.

I have been contacted by many constituents who would like me to fight for one thing or another. I have heard from eloquent and wonderful students and faculty at the University system and have 2,000 emails in my inbox from teachers, principals, students and families. I have emails from State employees who talk about how they have not recovered from previous furloughs and things that happened in the last recession. Unfortunately, I do not have a ton of emails from people regarding health and human services, because low-income families who are struggling to survive or caring for a loved one probably do not have the time to follow what we are doing here. It is impossible for us to choose between all of these programs. I have constituents who want me to make an impassioned speech about the part they care about most, the piece that affects them. All I can say is we did the best we could to balance all of those needs. Unfortunately, this was without the opportunity to add more revenue.

I am saddened we were not able to find our way to a place where we could add more revenue. I was optimistic we could get there, but we did not. I will continue to maintain optimism that, in a short time in the future, we will be able to do that. I appreciate the advocacy of those watching today in helping us make sure we understood what we are doing today and how it will affect you; those of you sighing in relief because we managed to protect something you deeply care about, and those of you who are deeply devastated because we could not do more for you. I ask you to stay engaged with that advocacy and stay in touch with us. Start thinking of how we can all work together to figure out the right revenue package so we do not find ourselves in this place again.

I thank my colleagues here, on the other side, and in the Governor's Office for helping us get to this place. I look forward to working with you on, what one caller today said, is just the beginning of the conversation.

SENATOR SPEARMAN:

I would like to comment on our support for veterans. The program is called Adopt-A-Vet Dental Program, but many people do not realize if a person does not retire from the service or is medically retired, much of their healthcare is Medicaid. I thank you all for working hard to make this happen. Everything in this budget helps not just our civilian population but also our veterans, and I am appreciative of that. We have had to make hard choices, but I am glad we were able to make sure our veterans are covered.

SENATOR PICKARD:

I appreciate the compromises reached today that could not be made yesterday. It is a good sign that in the future we will be able to move forward, hopefully in a collaborative way. I appreciate the efforts of all involved and am supportive of this bill.

SENATOR DENIS:

I appreciate the fact we have people interested enough to come to the Special Session as advocates and that we have committed Legislators. This process is not easy, but at least we have been able to hear different voices and do the best we can for now. Moving forward, there are many commitments to work on.

SENATOR CANNIZZARO:

I could not say things any more eloquently than my colleague from Senate District 13 did. I acknowledge the decisions before us, when entering into this building and even now, are heavy. I am proud of the work we were able to do, as Legislators, and work with our colleagues. I thank my colleagues for being willing to sit down and talk about the decisions before us. I echo the comments made earlier; there are no easy answers to what we are facing. This pandemic has changed our daily lives and created a new normal. There are no easy answers. It can be exceedingly isolating and difficult to live day-to-day. The pandemic is having devastating impacts on the health and welfare of our friends and family. It is having devastating impacts on the education of our children, and it is having devastating impacts on the economy of our beautiful State.

I am grateful for the leadership of the Governor in making decisions that have kept us in a position to be safe, and those are difficult decisions to make. I am grateful these decisions are made by individuals who are guided by science and keep that in the forefront of their mind.

I am grateful for all of our staff who have done incredible work. This includes not only the amazing Senate staff who have kept us moving in the right direction but also the staff of the Legal and Fiscal departments in this building. They have helped us, and given us the chance to ask the questions needed to make decisions. This allowed us to ease some of the pain even if we cannot relieve all of that pain. I am also grateful for the Executive agencies and their hard-working staff who have operated in a tumultuous time. They looked to see how we could fill a \$1.2-billion budget hole in a State budget that is not much more than that overall.

There are decisions here that rest easier on this than they did on the first day. I am please we were able to work together with the Speaker of the Assembly and the Governor's Office to dedicate CARES Act dollars to address the real needs driven by people reaching out to us. Teachers and students, who know this year will be more difficult, need support. I am glad we were able to come up with a solution to provide block grants as well as \$50 million to ensure students disproportionately affected by the pandemic can get additional resources to continue their educational goals.

Reevaluating the health and human services concerns in Nevada is critical. People reaching out and hearing testimony about some of these programs was heartbreaking. We have not solved the problem, but some of our decisions have eased that pain. We have made decisions that will ease the pain across the board, but they are not easy. There are still difficult decisions left in the vote we are going to take. Everyone in this Body realizes this and is committed to continue the fight to bring those things back.



I remain hopeful we continue to work together and find solutions for our beautiful State and all of its wonderful people. Nevada is my home. We will recover and come out in a better spot.

I cannot say enough about how grateful I am for everyone who has participated in this Special Session—even under strange circumstances—to call in and make their voices heard. We will continue to do what we can to address those concerns.

Roll call on Assembly Bill No. 3:

YEAS—21.

NAYS—None.

Assembly Bill No. 3 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

#### MOTIONS, RESOLUTIONS AND NOTICES

By Senators Cannizzaro, Brooks, Cancela, Denis, Dondero Loop, Goicoechea, Hammond, Hansen, Hardy, Harris, Kieckhefer, Ohrenschall, Parks, Pickard, Ratti, Scheible, Seevers Gansert, Settelmeyer, Spearman, Washington, Woodhouse; Assemblymen Frierson, Assefa, Backus, Benitez-Thompson, Bilbray-Axelrod, Carlton, Carrillo, Cohen, Daly, Douglass-Boone, Duran, Edwards, Ellison, Flores, Fumo, Gorelow, Hafen, Hambrick, Hansen, Hardy, Jauregui, Kramer, Krasner, Leavitt, Martinez, McCurdy, Miller, Monroe-Moreno, Munk, Neal, Nguyen, Peters, Roberts, Smith, Spiegel, Swank, Titus, Tolles, Torres, Watts, Wheeler and Yeager:

Senate Concurrent Resolution No. 1—Expressing appreciation to persons and organizations who offered their services and assistance during the 31st Special Session of the Nevada Legislature.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senators Cannizzaro, Settelmeyer.

#### SENATOR CANNIZZARO:

Senate Concurrent Resolution No. 1 expresses appreciation to a number of individuals who have taken on the task of addressing the COVID-19 pandemic here in the State of Nevada. We have had many discussions about the extraordinary and unusual circumstances that have come about because of this pandemic not only for the State of Nevada but also for our Nation as a whole.

When we came into this Special Session, we knew there were many individuals who could have come into the Legislature Building and, perhaps, pose a risk for all of us. There were so many who stepped in to ensure we could do the State's business and do our job as Legislators to address the budget shortfall before us in a way that was both safe and made sense. It was not only safe and made sense for all of us but it allowed for participation from the public and those who were concerned about the decisions we make in this building, despite the fact we had to make decisions to operate differently.

Senate Concurrent Resolution No. 1 specifically thanks the State Epidemiologist for ensuring the legislative staff and this Body could be tested for our safety. It thanks the National Guard who ensured we were safe coming into this building. We also thank the Division of Emergency Management of the Department of Public Safety and the Carson City DHHS for helping us be safe in this building.

We thank everyone who worked together to ensure we were able to do our work in the Senate. I would like to read into the record the names of some of the people, as they deserve extra kudos for the work they have done. We specifically thank Richard Whitley from the DHHS. We also thank Melissa Peek-Bullock, the State Epidemiologist and the other employees in her office who have assisted in the needs of the Legislature; Lenita Magee, the Operations Supervisor of the Division of Emergency Management of the Department Public Safety; Major-General Ondra

Berry of the Nevada National Guard; Colonel John Week, Director of the Joint Staff Nevada National Guard Joint Operations Center and the many other members of the National Guard who have responded to the Legislature; Carry Rue, Public Health Preparedness Planner for Carson City; Dawn Ahner, Chief Operating Officer of Acute Services, Renown Health; and Tim Stephens, Vice President of Ancillary and Support Services, Renown Health. We also thank the many employees of Renown Health who have assisted us to provide testing and ensure we are safe. We want to extend our thanks to George Togliatti, the Director of the Department of Safety; Nicki Aaker, Director of the Carson City Department of Health and Human Services, and all of those who have ensured our safety and that of those here with us in the building including our staff.

SENATOR SETTELMEYER:

I echo the comments of the Majority Leader regarding all of the individuals who have kept things flowing within this building. We know we had troubling times when someone tested positive. What was done here to step in and scrub this place, as well as getting private industry to ensure everyone in this building, from staff to Legislators, were kept safe, was beyond remarkable. The daily efforts to follow the protocols we have, from a simple temperature test to the request for wearing masks, to keep everyone safe is remarkable. Thank you for the concept of the resolution, which ensures everyone who has done such a remarkable job is appreciated.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

By Senators Cannizzaro, Brooks, Cancela, Denis, Dondero Loop, Goicoechea, Hammond, Hansen, Hardy, Harris, Kieckhefer, Ohrenschall, Parks, Pickard, Ratti, Scheible, Seevers Gansert, Settelmeyer, Spearman, Washington and Woodhouse:

Senate Resolution No. 5—Expressing appreciation to the Senate staff for their service during the 31st Special Session of the Nevada Legislature.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senators Cannizzaro, Settelmeyer and Parks.

SENATOR CANNIZZARO:

I want to sincerely thank the incredible staff we are so grateful to have with us. They have helped us maneuver during this Special Session under different circumstances that often required adaptations to allow us to be here. Without them, we would not be able to carry out the business of the Senate, and we are exceedingly grateful. We would like to thank our Secretary of the Senate, Claire Clift, and her amazing staff who have been here in this Chamber and allowed us to get to business organized and to have all of our agendas, bills and other things needed to keep operations smooth. They helped ensure I remembered all of the things I needed to do in the Committee of the Whole and, generally, kept us on track. We are eternally grateful and cannot say enough. The Sergeant at Arms and their staff helped make this Chamber a place where we could be and do our business. We are grateful for all of your hard work. There have been some late nights and periods of waiting, and I know that is taxing. We cannot thank you enough for all of your hard work; this would not be possible without you. You have my sincerest thanks.

SENATOR SETTELMEYER:

I echo the comments of the Majority Leader. I have had the pleasure of working under different Senate staff, and I never want to not have you around. Thank you for putting up with us.

SENATOR PARKS:

I would like to give a shout-out to the Nevada National Guard for the assistance they provided to the staff.

Resolution adopted.

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

Senate in recess at 5:48 p.m.

#### SENATE IN SESSION

At 7:03 p.m.

President pro Tempore Denis presiding.

Quorum present.

#### MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, July 19, 2020

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1; Assembly Concurrent Resolution No. 2.

CAROL AIELLO-SALA

*Assistant Chief Clerk of the Assembly*

#### MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 2—Expressing appreciation to the staff of the Legislative Counsel Bureau for their service during the 31st Special Session of the Nevada Legislature.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senators Cannizzaro and Kieckhefer.

SENATOR CANNIZZARO:

Assembly Concurrent Resolution No. 2 expresses our sincere appreciation to the staff of the Legislative Counsel Bureau for their services during the 31st Special Session of the Nevada Legislature. We are eternally grateful for the incredible work of our Legislative Counsel Bureau staff, perhaps more so during this Special Session given the nature of how preparation for this Special Session occurred. They took quick action to ensure folks were not only safe in the building but also that building preparations were made so we could properly do the business of the Legislature in a way that made sense and kept everyone in a good place.

I cannot say enough about the wonderful work done, even during the Interim, by our Broadcast staff to get to this point. They enabled remote participation by the public. This meant even though the building was closed to people being here physically, we could still hear from them and communicate with them about what we were doing here in the Legislature. What they have been able to accommodate is remarkable.

I would like to thank our Legal staff, who are always adept at preparing our legislation. They do wonderful work to explain the legal precepts and get the language right for us.

In the midst of a large budget crisis, our Fiscal staff has been outstanding in being able to make sense of numbers, make sure we understand where the numbers are coming from and what they mean. They got us information so we could make informed decisions. There would be no way for us to do this job without their help.

We know there were long hours, long days and a lot of work to get to this point. We are grateful for the tremendous work done by our Legislative Counsel Bureau staff.

SENATOR KIECKHEFER:

I want to express our thanks for the help we received during this Special Session. We have put incredible pressure on our Fiscal staff, Tax and Economic staff and our Legal staff. They continue to do everything for us, in the background, and help us look good. It is tireless work, and they spend far more hours in this building than we do. Let us all be thankful and appreciate their work.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS  
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 1; Senate Resolution No. 5; Assembly Bill No. 3; Assembly Concurrent Resolution No. 2.

MOTIONS, RESOLUTIONS AND NOTICES

President pro Tempore Denis appointed Senator Parks as a Committee to wait upon the Assembly and to inform that honorable Body that the Senate is ready to adjourn *sine die*.

President pro Tempore Denis appointed Senator Scheible as a Committee to wait upon His Excellency, Steve Sisolak, Governor of the State of Nevada, and to inform him that the Senate is ready to adjourn *sine die*.

President pro Tempore Denis that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 7:09 p.m.

SENATE IN SESSION

At 7:10 p.m.

President pro Tempore Denis presiding.

Quorum present.

A Committee from the Assembly composed of Assemblyman Watts appeared before the bar of the Senate and announced that the Assembly is ready to adjourn *sine die*.

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

Senate in recess at 7:11 p.m.

SENATE IN SESSION

At 7:12 p.m.

President pro Tempore Denis presiding.

Quorum present.

Senator Parks reported that his Committee had informed the Assembly that the Senate is ready to adjourn *sine die*.

Senator Scheible reported that her Committee had informed the Governor that the Senate is ready to adjourn *sine die*.

Senator Cannizzaro moved that the 31st Special Session of the Senate of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Senate adjourned *sine die* at 7:12 p.m.

Approved:

MOISES DENIS

*President pro Tempore of the Senate*

Attest: CLAIRE J. CLIFT

*Secretary of the Senate*