

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-Second Session
April 6, 2023**

The Committee on Growth and Infrastructure was called to order by Chair Howard Watts at 12:36 p.m. on Thursday, April 6, 2023, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblyman Howard Watts, Chair
Assemblywoman Tracy Brown-May, Vice Chair
Assemblyman Max Carter
Assemblywoman Jill Dickman
Assemblywoman Danielle Gallant
Assemblyman Bert Gurr
Assemblywoman Heidi Kasama
Assemblywoman Elaine Marzola
Assemblywoman Brittney Miller
Assemblyman Cameron (C.H.) Miller
Assemblywoman Sarah Peters
Assemblywoman Shondra Summers-Armstrong

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Jessica Dummer, Committee Counsel
Connie Barlow, Committee Manager
Dylan Small, Committee Secretary
Garrett Kingen, Committee Assistant

OTHERS PRESENT:

Scott F. Gilles, representing Las Vegas Convention and Visitors Authority
Caroline Bateman, General Counsel, Las Vegas Convention and Visitors Authority
Nick Schneider, Policy Analyst, Government Affairs, Vegas Chamber
Stephen Lassiter, Manager, Public Policy, Sunrun Inc.
Paige Barnes, representing Solar Energy Industries Association
Donna Laffey, representing Dream.org
Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League
Olivia Tanager, Environmental Justice Program Manager, Progressive Leadership Alliance of Nevada; and Member, Nevada Environmental Justice Coalition
Jaina Moan, External Affairs Director, The Nature Conservancy
Bari Levinson, Member, Toiyabe Chapter, Sierra Club
Mark H. Fiorentino, representing Nevada Chapter, American Institute of Architects
Mendy K. Elliott, representing Nevada Housing Coalition
Leonard B. Jackson, Executive Director, Faith Organizing Alliance
Marlon Anderson, Clean Energy Organizer, Faith Organizing Alliance
Jermareon Williams, Manager, Government Affairs, Western Resource Advocates
Eric Jeng, Acting Executive Director, One APIA Nevada
Gabriela Olmedo, Associate, Advanced Energy United
Jeremy Newman, Assistant Business Manager, International Brotherhood of Electrical Workers Local 396
Danny Thompson, representing International Brotherhood of Electrical Workers Local 1245
Thomas Bird, President, Nevada Alliance for Retired Americans
Marie Steele, Vice President, Integrated Energy Services, NV Energy
Tony P. Simmons, Private Citizen, Las Vegas, Nevada

Chair Watts:

[Roll was called. Committee rules and protocols were explained.]

We have a work session with three bills and we will hear two bills. We are going to begin with the work session for Assembly Bill 290.

Assembly Bill 290: Revises provisions governing motor vehicles. (BDR 43-620)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from [Exhibit C](#).] Assembly Bill 290 was sponsored by Assemblywoman Brown-May et al. The bill was heard in this Committee on March 21, 2023. The bill authorizes, under certain circumstances, a dealer and purchaser to enter into a written return agreement to cancel a vehicle sale.

There were two proposed amendments from Assemblywoman Brown-May and they are attached to the work session document [page 2, [Exhibit C](#)]. The amendments:

- Remove the time restriction to enter into a written return agreement to cancel a vehicle sale;
- Add a time limit to returning the fees collected following the cancellation of the sale of a vehicle;
- Remove the time restriction to submit an application for a certificate of title from the Department of Motor Vehicles (DMV) in connection with the cancellation of a sale;
- Remove authority to request a refund of the taxes collected by the dealer and the responsibility of the Department of Taxation to refund all taxes;
- Provide for expedited and nonexpedited applications for a certificate of title;
- Provide that the prohibition against selling a vehicle that is the subject of a cancellation of sale until the dealer receives the certificate of title applies if a dealer has applied for a certificate of title; and
- Clarify that the provisions of the bill shall not be construed to prohibit the DMV from reviewing an application for a certificate of title for accuracy and completeness and conducting necessary research prior to issuing a certificate of title.

Chair Watts:

Are there any questions from the members on this work session document?

Assemblywoman Dickman:

As I understand it, these amendments have removed the huge fiscal note. I know we are not supposed to be talking money in this Committee, so I will vote for the bill because I like the policy. However, I want to reserve my right to change my vote on the floor if it goes to the Assembly Committee on Ways and Means.

Chair Watts:

Assemblywoman Brown-May, would you like to respond to that?

Assemblywoman Brown-May:

I appreciate the comment. You will note, as Mr. Stinnesbeck just reviewed, the authority is removed to request a refund of taxes, which eliminates the Department of Taxation's fiscal note that was attached. A significant amount of work has been done with DMV relative to their fiscal note as well. I feel all our interested parties have come to consensus on the policy of this bill, and I am happy to talk that through.

Chair Watts:

I appreciate your remarks, Assemblywoman Dickman, but this is not the fiscal committee, this is the policy committee. While those are important considerations, those are meant to be addressed in the fiscal committee once referred and then ultimately once the bill heads to the floor. We are trying to focus on the policy aspects as much as possible in our considerations within this Committee. Are there any additional questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 290.

ASSEMBLYWOMAN BROWN-MAY MADE A MOTION TO AMEND
AND DO PASS ASSEMBLY BILL 290.

ASSEMBLYMAN MILLER SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Brown-May. The next bill on work session is Assembly Bill 302.

**Assembly Bill 302: Revises provisions governing state-issued identification.
(BDR 43-984)**

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit D.] Assembly Bill 302 was sponsored by Assemblywoman Backus and heard in this Committee on March 23, 2023. The bill requires the Director of the Department of Motor Vehicles to issue limited-purpose identification cards to be used to provide

identification for the purpose of challenging the accuracy or sufficiency of information relating to certain records of criminal history relating to sex offenders or offenders convicted of a crime against a child. There were no amendments to the bill.

Chair Watts:

Are there any questions on the bill? [There were none.] I will entertain a motion to do pass Assembly Bill 302.

ASSEMBLYWOMAN DICKMAN MADE A MOTION TO DO PASS
ASSEMBLY BILL 302.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Backus. The last bill on work session is Assembly Bill 316.

Assembly Bill 316: Revises provisions governing motor vehicles. (BDR 43-154)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit E.] Assembly Bill 316 was sponsored by Assemblyman Miller and heard in this Committee on March 28, 2023. The bill revises the penalty for the unlawful possession of a certain number of unregistered vehicles unfit for use to be punishable by a civil penalty of not more than \$100 for each day of the violation.

There is one proposed amendment to the bill from Assemblyman Miller. It is attached to the work session document [page 2, Exhibit E]. The amendment:

- Authorizes a local authority to adopt an ordinance prohibiting the possession of more than two unregistered vehicles unfit for use; and
- Provides that if a local authority adopts such an ordinance, a person committing the prohibited conduct shall be subject to the provisions of the local ordinance, including any civil penalty, rather than statute.

Chair Watts:

Are there any questions on the bill? [There were none.] I will accept a motion to amend and do pass Assembly Bill 316.

ASSEMBLYWOMAN BROWN-MAY MADE A MOTION TO AMEND
AND DO PASS ASSEMBLY BILL 316.

ASSEMBLYMAN MILLER SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYMAN GURR VOTED NO.)

I will assign the floor statement to Assemblyman Miller. That concludes the work session. I know we have some members who need to attend to some other business. Feel free to do so as necessary. We will move on to the bill hearings for the day. I am going to take the items out of order. We are going to begin with Assembly Bill 426, and then we will hear Assembly Bill 425.

I will open the hearing on Assembly Bill 426.

**Assembly Bill 426: Revises provisions governing special event advertising.
(BDR 35-975)**

Scott F. Gilles, representing Las Vegas Convention and Visitors Authority:

In the Grant Sawyer State Office Building, we have Caroline Bateman, General Counsel for the Las Vegas Convention and Visitors Authority (LVCVA), who will be presenting the specifics of the bill today. I would like to note for the Committee, Ms. Bateman will be presenting the mock-up amendment [[Exhibit F](#)], which you should have in front of you, of the original bill that was introduced. With the changes in the mock-up, the bill is now very short mechanically, but is a significant bill for LVCVA and the sponsors who will be coming to southern Nevada for large events in the coming years. I will now turn it over to Ms. Bateman.

Caroline Bateman, General Counsel, Las Vegas Convention and Visitors Authority:

Thank you for the opportunity to present Assembly Bill 426 for your consideration. Prior to presenting, I would like to thank Chair Watts and Assemblyman Yeager for their support and guidance through this process. Thank you to the Legislative Counsel Bureau staff, specifically Kristin Roberts, Connie Barlow, and the great Bryan Fernley; Director Togliatti and his entire staff at the Department of Public Safety, as well as Director Larkin-Thomason at the Department of Transportation; and finally, the staff of Clark County for their input and recommendations through this process.

Nevada Revised Statutes (NRS) 484B.313 provides a general prohibition on commercial advertising on highways. Subsection 5 of that statute provides three exceptions to the general prohibition, and those exceptions allow for advertising on monorail stations, benches

and shelters of public mass transportation, and on touchdown structures. Assembly Bill 426, as outlined in the mock-up amendment [[Exhibit F](#)], is a proposed fourth exception to the general prohibition. It is an enabling statute that will allow public authorities with jurisdiction over highways, namely counties and cities, to permit organizers of special events to affix and maintain commercial advertising for a period of up to 14 days on highways. The advertising from these event organizers will be subject to terms and conditions that the public authorities will establish in a written agreement, including any permit or licensing fees the public authorities deem appropriate. The advertising cannot constitute a hazard and they cannot prevent the safe use of the highway by the public.

A special event under A.B. 426 is a sporting event, a concert, or a similar type of event which will provide an anticipated economic impact of \$250 million or more to the jurisdiction in which the event will occur. The economic impact must be certified by the applicable county fair and recreation board, and the event must be designated as a special event by that governing public authority having jurisdiction over the pertinent highways. The event organizers must obtain an event permit for that special event.

A highway under NRS 484B.313 means the entire width of any public right-of-way when that right-of-way is open to vehicular traffic in full or in part. Highway as used does not include interstate highways such as Interstate 15 or Interstate 80, as those highways are governed by federal law. It also does not include highways that are part of the state's major transportation network, primary transportation network, or any other highways under the jurisdiction of the Department of Transportation.

The LVCVA requests your support of A.B. 426. It is important to us and will provide us with a tool as we not only work to keep but also to draw in new special impactful events to the state. It will also provide a means for us to offset costs that LVCVA and the public authorities related incur in hosting these special events. Again, we appreciate the Committee's consideration of A.B. 426 and would be happy to answer any questions along with Mr. Gilles.

Scott Gilles:

Before we jump into questions, I would like to clarify on the record that there is currently an existing exemption to the advertising prohibition in NRS 484B.313 for the pedestrian bridge touchdown structures on the Las Vegas Strip. The existing touchdown structure exemption is found in NRS 484B.313, subsection 5(c). I want to clarify for the record that the new exemption in A.B. 426 is not intended to supersede or disrupt those existing advertising agreements in any way that would result in the touchdown structure advertisements being removed or replaced.

Chair Watts:

Thank you for that clarification. Are there any questions from the Committee?

Assemblywoman Summers-Armstrong:

It is good to see we are thinking broadly about bringing income into the county. I know we need it. These events, although they are fabulous and sound great, take a lot of work and resources to prepare for within our jurisdiction. I am concerned about something we have been talking a lot about in the Assembly Committee on Judiciary, which is sex trafficking. We know these large events draw that type of behavior to our communities.

I would like to know if the LVCVA has thought about using or would consider amending your agreements with these folks, to require that a portion of whatever advertising they put up includes information about sex trafficking and prostitution not being legal in our county, and also using some of the funds to support the organizations in our community that have to deal with the carnage of what happens with sex trafficking.

Caroline Bateman:

Assemblywoman Summers-Armstrong, in regard to the special events that occur, the LVCVA is partnering with the Las Vegas Metropolitan Police Department (Metro) and there are initiatives in place relating to sex trafficking regarding these special events. We would love the opportunity to meet with you as well as members of our operations team and with Metro to outline these initiatives we currently have in place. Hopefully, those will address your concerns.

Assemblywoman Summers-Armstrong:

I am more interested in something that is codified and required, not an initiative that could come and go depending on who is either in charge of LVCVA or the police department in our community. I think there is an opportunity for there to be a set-aside. Considering what we are facing in our community, I would like to see it solid. What are your thoughts about that?

Caroline Bateman:

This is a matter I will take back to our team, consult with you, and reach out to discuss in more detail.

Chair Watts:

It may be best if you could share some follow-up information on your current initiatives as well as some background on how the advertising revenues particularly related to this bill are allocated and dedicated.

Are there any other questions from the Committee? [There were none.] I will open the hearing for testimony in support of A.B. 426.

Nick Schneider, Policy Analyst, Government Affairs, Vegas Chamber:

We are in support of this bill as it allows for the economic development along the Las Vegas Strip, which is one of the largest revenue generators in the state, as well as providing opportunities for more of these massive projects such as the impending Super Bowl and the Las Vegas Grand Prix.

Chair Watts:

Seeing no one else in Carson City or Las Vegas, is there anyone waiting on the phone to provide support testimony? [There was no one.] We will move to opposition testimony for A.B. 426 for those in Carson City or Las Vegas. [There was no one.] Is there anyone waiting on the phone to provide opposition testimony? [There was no one.] We will move to neutral testimony for those in Carson City or Las Vegas. [There was no one.] Is there anyone waiting on the phone to provide neutral testimony? [There was no one.] Are there any closing remarks from the presenters? [There were none.] I will close the hearing on Assembly Bill 426.

I will turn the gavel over to Assemblywoman Brown-May.

[Assemblywoman Brown-May assumed the Chair.]

Vice Chair Brown-May:

I will open the hearing for Assembly Bill 425 and welcome Assemblyman Watts.

Assembly Bill 425: Revises provisions governing net metering. (BDR 58-1036)

Assemblyman Howard Watts, Assembly District No. 15:

It is my pleasure to present Assembly Bill 425. This body has done tremendous work over recent years to expand the deployment of solar energy across our communities, including revising our net metering laws in 2017 and enacting the Expanded Solar Access Program in 2019. While all of those initiatives are fantastic, one of the difficulties we run into is trying to make sure access is available to everyone. This is one of the things this body did some work to try to address in 2019 because ownership of the property is a big issue. Deploying solar power to rental communities, particularly making sure those benefits can reach the tenants in multifamily living, is a difficult thing to address. At its core, that is what Assembly Bill 425 is seeking to do.

One of the things that made me interested in providing a venue to discuss this concept is also harnessing federal funding, which has been a recurring theme throughout this session. In the recent federal infrastructure laws on solar projects, there is a 30 percent tax credit available on those projects. However, for certain federally qualified affordable housing, the tax credit increases from 30 percent to 50 percent. Essentially, the federal government is covering half the cost of these projects. This initiative is meant to focus in on affordable housing projects

to help incentivize those projects, incentivize the development of renewable resources in the development of those projects, and provide additional affordability benefits to the residents in those facilities by creating a mechanism where the energy generated and the benefits with that can be distributed to the folks living in those facilities.

We passed Senate Bill 448 of the 81st Session that took the first step to help expand access to solar power in multifamily units. I am hoping we can use this measure to help take another step toward expanding that to delivering utility bill affordability powered by clean energy to those who need it the most.

I would like to turn it over to my copresenter, Mr. Lassiter with Sunrun Inc., to provide some additional background and information about the bill. Afterward, we would be glad to answer any questions the Committee may have.

Stephen Lassiter, Manager, Public Policy, Sunrun Inc.:

Sunrun is the largest provider of solar energy systems on federally regulated affordable housing across the country. I appreciate Assemblyman Watts's inviting me to speak about this important legislation and our experience working on these projects outside of Nevada to date, and how we partner with affordable housing providers installing solar that benefits them and critically, the low-income tenants who live in those buildings.

As Assemblyman Watts mentioned, a common topic is maximizing and using the new federal funding available, particularly from the Inflation Reduction Act. Assembly Bill 425 does just that. Billions of new dollars are available for solar and solar on affordable housing in particular. As Assemblyman Watts said, the federal government via new tax credits will essentially pay for half the cost of solar on federally regulated affordable housing.

This funding will be allocated on a competitive basis. You have to apply to the U.S. Department of the Treasury to be able to use the tax credits. Without A.B. 425, most solar projects in the state on affordable housing will not be economically viable and Nevada will not receive this new funding.

Our solar projects on affordable housing in other states have saved tenants an average of \$44 per month on their utility bills. These are folks who obviously benefit from those utility bill savings the most. While some solar projects have been installed on affordable housing in Nevada, most affordable housing is not eligible to participate in the state's premier solar program and net metering program. That is because of a technical issue that A.B. 425 solves.

Today, only apartment buildings with one electric meter where the landlord pays the utility bill are eligible to participate in the net metering program. Assembly Bill 425 would allow only federally regulated affordable housing buildings with individual electric meters for each unit where each tenant pays their own utility bill to also participate in the state's net metering

program. As I said, only narrowly defined types of federally regulated affordable housing would be eligible to participate. This is a narrow expansion. This builds off of S.B. 448 of the 81st Session, the large energy bill from last session which the Legislature passed overwhelmingly.

This is how it would work. An affordable housing provider would install solar. The system would meet most of their needs for electricity for common areas, lighting, shared spaces, and things like that, and it would also generate sufficient electricity for tenants of that building to also benefit. Whatever electricity the system generates would be split equitably among tenants in the building based on the square footage of their unit, not based on how much power they consume individually, and it would be applied to their utility bill as bill credits the same way net metering works for all other participants across the state. Assembly Bill 425 will increase solar access and equity, especially for low-income Nevadans. They are the only beneficiaries of this legislation, in addition to owners of affordable housing.

I also want to address what this legislation would not do. This is not what is called community solar. It is only solar installed on-site on the roofs of affordable housing [\[Exhibit G\]](#) and the only people who can participate in the program are the building owner and the tenants who live in that building. It is also not unlimited net metering. It is only for narrowly defined types of federally regulated affordable housing. We anticipate this law would support the construction of about ten projects each year with an average size of 150 kilowatts, the equivalent of about 20 single-family homes.

That concludes my presentation. Thank you to the Committee, the Chair, and the Vice Chair for considering this legislation. I am more than happy to answer any questions.

Assemblyman Watts:

I want to make sure members are aware there is an amendment to the bill [\[Exhibit H\]](#). The amendment clarifies and tightens up some definitions and makes sure all the language is conforming with some of the existing provisions within net metering. I think Mr. Lassiter did a good job of explaining the mechanics of how the policy should work. In the interest of time, we are happy to answer any questions.

Vice Chair Brown-May:

Thank you for the presentation. We do have members with questions. We will start with Assemblyman Carter.

Assemblyman Carter:

My concern is regarding—and as Assemblyman Watts mentioned, we have worked hard at correcting it—the regressive nature of the net metering in Nevada and about how recent studies in California have shown that net metering still has massive problems with being regressive and costing ratepayers the most who can afford it the least. I am also concerned about whether we have stamped out the predatory practices that our state was preyed upon by all of these solar companies that flocked here a decade ago leaving people with marginally

operative systems and encumbrances on their titles. Finally, what is the mechanism to be sure these savings flow down to whom we are talking about and do not just increase the bottom line for institutional investors who are buying up housing projects like this?

Assemblyman Watts:

There is a lot in your question. I will do my best to try to get through those. First, the question about the overall fairness of the net metering program to other ratepayers: We have a lot of different public policies, and the impacts of those public policies will benefit some and then are socialized among other ratepayers. Here is what I will say: In 2017, when we settled the net metering regime, the tranches, and the rates, this bill does not touch any of that at all. We are still operating under that regime. We are at the bottom tranche as far as the net metering rates. That deal was essentially made for at least a period of 20 years. This is operating within that.

Second, you heard a little bit about the capacity of this. There is no limit in that current tranche. If folks have the means or the availability on single-family residences, they can keep building out tons of net metering. What this is trying to do is make sure folks who live in apartments have a chance to get some of the projects and benefits also, but focusing it narrowly on affordable housing for the overall total potential capacity of net metering programs. It is being expanded, but I think it is a fairly modest expansion in what the potential impacts across the system can be. I will just say that without getting into a debate quantifying exactly what those impacts are, it is important to note this operates within that existing system. It expands who can participate, but I think it is fairly narrow in how it would be applied. Therefore, any potential impact is going to be relatively small.

To your point about consumer practices, this is something I have been talking about with other folks in the solar industry. There are a range of actors and a range of practices. Some are upstanding and some are less so. I have had people come to my door making interesting claims about things the Nevada Legislature or Clark County has done and how great it would be if I let them put solar on my roof. They even showed up after I had solar panels installed, which is very interesting. There have been some conversations with the Attorney General about their ability to go after bad actors with the State Contractors' Board. I remain open. That is not covered in this bill. There were also some consumer protections that were addressed in 2017. On the policy or the enforcement side, there is a need for some additional work to be done. If there is a policy to be done, I welcome all suggestions on how we can do that to make sure this is done in the most responsible way possible.

Finally, I believe you asked about how we make sure the benefits actually get to folks. This is a question I will turn over to Mr. Lassiter. I will note on page 9 of the bill, section 12, subsection 10 directs the Commission to adopt regulations relating to this program. Essentially, there are some things related to the owner. Paragraph (b) on line 36 of the bill states, "A provision authorizing the allocation by the owner . . . ," so the owner of the system and the property where it is located, "the financial benefits of the electricity"

Under paragraph (b) there are subparagraphs stating:

- (1) In the case of individually metered tenant units, net metering credits are allocated among the tenant units in a manner that is equitable and in proportion to the size of each unit measured in square feet; and
- (2) In the case of master-metered buildings, residents receive such financial benefits in the form of additional property amenities or services that are equitably accessible to all residents of the property.

An equitable allocation of the financial benefits of the electricity produced by the low-income housing shared net metering system to the occupants does not preclude any allocation of the generation output to common-area accounts.

Basically, this is charging the Public Utilities Commission of Nevada (PUCN) with undergoing a rule-making process where the Bureau of Consumer Protection within the Office of the Attorney General and consumer groups—everyone would be able to participate in that process—help develop clear regulations so when a system is brought online, there is a guarantee those benefits are going to be passed through to the customer.

This is the challenge with a lot of multifamily policies, and ultimately we just choose to do nothing because it is so challenging to manage how to get the benefits. Does it accrue to the person's utility bill? Are there impacts to rent as a result? We are looking at something where there are going to be federal government subsidies to help cover some of the cost. The PUCN will be in charge of developing a structure for how these products are reviewed, approved, and implemented to do as much as possible to make sure financial benefits get to those in need.

The last thing I will say is because these are specifically aimed at affordable housing units, they are already subject to federal and state programs aimed at making those units affordable. A lot of those owners and operators are probably going to be in the mindset of, Hey, we do not want to take a loss on this, but if we can make it even more affordable because these are folks who need assistance, if we can offer reduced utility bills to folks, that is going to help make sure they are going to be stable and able to pay their rent on time. That is my response and thoughts on your concerns.

Stephen Lassiter:

Thank you for raising the questions and concerns. I appreciate the opportunity to address them. The only thing I will add, in terms of ensuring benefits, in addition to the language Assemblyman Watts read from the bill, in order to use these new federal tax credits and be approved by the U.S. Department of the Treasury to use them, there is a requirement that tenants must benefit. It is in federal law and should this bill pass, it will also be in state law. Compliance will be on whoever owns and installs the system. Part of that compliance is surviving an Internal Revenue Service audit to prove that tenants are benefiting from these systems.

In terms of consumer protections, which is a real issue, there are bad actors in the market. If you were to go to the PUCN website on the net metering page, on the top right is a consumer complaint hotline and email address where folks who have been taken advantage of can register with the State to make sure they are being treated fairly.

In terms of tenant benefits, the tenants would not be paying any solar installer. The arrangement is with the solar installer and the building owner. Tenants would simply receive credits on their utility bill. Tenants are not paying anything out of pocket for the solar; they are simply benefiting from the fact that these federal tax credits are going to pay for slightly larger systems than the building owner would have installed just for their own electric bill so those benefits can also be shared with tenants.

Assemblywoman Dickman:

I believe Mr. Lassiter said the only beneficiary is basically low-income housing. Would Sunrun not also be a big beneficiary? My real question is, is there any way this could end up costing people who do not have net metering, who do not have solar, but pay the energy companies? Is it going to cost them any more?

Assemblyman Watts:

That is similar to the question Assemblyman Carter raised around costs related to net metering that are borne by other customers. I will say there are baseline charges. I am a net metering customer, but there are still baseline charges I pay every month even if my generation exceeds my usage. There is still some skin in the game with baseline charges that every net metering customer pays. I would say it is a debate about what exactly that is in terms of potential impact to other customers. I also believe there are benefits that come from expanding the use of distributed energy resource generation throughout our community. However, the point I made to the previous question, this all exists within the existing structure for net metering. Currently every single-family resident under the existing statute can deploy solar and get access to net metering. If there is an impact to the other nonnet-metering customers, that is going to happen right now. The goal of this legislation is the benefits customers do get from net metering. We want to make sure folks who live in apartments can get some of those benefits too.

Stephen Lassiter:

Since you mentioned Sunrun, yes, absolutely Sunrun will benefit from installing these systems and partnering with affordable housing providers. There is a contract between us called a power purchase agreement. If we were not able to benefit, we would not pursue these projects, of course, as any for-profit business that has to make payroll would appreciate. Yes, Sunrun would benefit. Anyone else in the market would also benefit who is installing these projects in addition to affordable housing owners and the tenants who live there.

On the impact to nonparticipating folks, I would like to address that also. Today, the overall contribution of rooftop solar in terms of total electricity generated in the state is about 3 percent. According to the Lawrence Berkeley National Laboratory, Office of Science in

the U.S. Department of Energy, there can be impacts on the rates of nonparticipating net metering customers if the threshold is 10 percent or more. If 10 percent or more of the state's electricity is coming from rooftop solar, yes, there can be rate impacts. Nevada is at 3 percent, so it would have to more than triple for there to be a material impact on nonparticipating customers.

Assemblyman Watts:

One other thing I would like to add is certainly those who are doing installing would likely see some financial benefit; we have had some nonprofit solar installers operate in the state in the past. The one thing I want to clarify is that while Sunrun has done this in other places and has helped develop the policy, there is nothing in this policy that excludes any renewable developer from participating in this system. It could be Sunrun or any other solar developer that exists here. A new business could also get into it. It is open for all to participate. With some of the additional regulations that come into place with affordable housing, there are other opportunities if folks want to guide the standards related to who is able to participate. That is an option. This legislation leaves it open to all; any existing or new entrant that wants to partner with affordable housing to build these systems would be able to do so. It is not exclusive to any particular company.

Assemblywoman Peters:

Thank you for bringing this bill. It is very exciting. We have been having conversations about how to do exactly this for at least the three sessions I have been in this building. I appreciate the effort going on here. My question is related to the decision to distribute the benefits based on square footage. Can you tell us why you decided on that factor rather than other factors?

Stephen Lassiter:

That is how it is done in other states, and I think that is the fairest, most equitable way to allocate the benefits to all units in the building from the solar system on the roof. The credits tenants will receive on their utility bills will not wipe out their total utility bill. They will still be paying a utility bill, but some fraction of it will be taken care of from the bill credits they receive from the solar system. If there is an apartment dweller who is an energy glutton and blasts the air conditioning all the time, they are certainly going to pay more than someone who makes a conscious effort to conserve power.

Assemblywoman Peters:

I am thinking about a single-income family with multiple children. I know in my household when it is bath day, there is a lot of hot water being used. That is probably not electricity in most situations, but in some. If there are teenage daughters, the blow dryer may be running a lot. I have questions about how we socially think about equity standards, especially in the affordable living space. How do we create nonregressive systems and how do we address the factors that are not really related to choice? When there are multiple people, especially those

who are dependent on someone, or if you are caring for your mother and she is on some kind of machine system for her health, there may be opportunities where we could capture pieces like that potentially. Perhaps not this session, but I would love to explore more of how we create equity in those lifestyle implications that are not truly decisions, like blasting air conditioning beyond what your neighbors are blasting.

I have one other question. We talked about solar on the rooftops. There is a lot of money out there for microgrid programs which include battery storage. What happens in a situation in which an apartment complex has solar panels as well as a battery storage unit on the system before it goes onto the grid?

Assemblyman Watts:

I will turn it over to Mr. Lassiter to talk about how energy storage may be incorporated into a project. It is on-site, so we know there are a lot of places with covered parking as well. I think there are a lot of opportunities on the housing site for deployment of some of these resources.

I want to go back to your previous question to appreciate and note that you are right, there are a lot of potential nuances when we look at these things. The difficulty is always how we craft a policy, and trying to get policy and equity to match up is a challenge. Mr. Lassiter spoke to using square footage because, in general in a larger family there is a larger unit size. We know it is not a one to one. We know there are a lot of different situations going on. The goal was to say if someone is conserving, if we do it based on their energy use, then does it actually create an incentive to use more energy in some way, shape, or form. I certainly understand some of the dynamics you mentioned and have some experience with some of those myself. There are certain things that can dramatically change someone's energy profile that are not exactly optional. I did want to recognize that, and I am definitely open to continuing conversations about some of those issues.

I will turn it over to Mr. Lassiter to discuss battery storage.

Stephen Lassiter:

I would love to talk about batteries any time. We are the largest installer of home batteries across the country. We are increasingly coupling them with the solar systems. We can do something called a virtual power plant where we can press a button at headquarters and thousands of home batteries discharge at the same time. It is kind of like a virtual power plant providing benefits to the grid and all ratepayers. The good news is with these federal tax credits from the Inflation Reduction Act, batteries are included. The 50 percent federal tax credit can be used for the cost of the battery.

The benefit of having a battery to a multifamily housing building, should there be a grid outage on the hottest day of the year when the utility is struggling to provide enough power—say there are rolling blackouts—that battery kicks in and can provide backup power to the building to withstand outages. On single-family homes, they can withstand multiday outages because God willing, the sun will come up the next day, recharge the battery, and it can be used again that night.

One other thing we can do with batteries, including on multifamily housing installations, is when NV Energy sends out messages asking people to conserve power because it is extremely hot and they are struggling to meet demand on the grid, we can help them by pressing that button, discharging the battery either to the building or directly to the grid, to help prevent rolling blackouts. That is exactly what we did in California last September where CAISO [California Independent System Operator] was on the brink of having to issue the command to start shutting down parts of the grid.

Assemblyman Watts:

I will note, while there is some linkage if those things are connected, batteries are not directly connected to net metering, which is why there is no language specific to that. However, nothing in the bill would require or provide any barriers. If enacted, the option of incorporating storage into those projects would be on the table if the developer and property owner wanted to explore that.

Assemblyman Miller:

I think my question was addressed. I have solar on my home, and I appreciate being able to figure out a strategy in which we can actually provide direct savings to folks who need it the most on their power bills. For my clarification, which I think was addressed with Assemblywoman Peters' question, the distribution to those folks is based on square footage at the moment. It would be a scale based on the size of their particular unit as to how much credit they will get. Is that correct?

Assemblyman Watts:

I appreciate your passion and energy for this issue. Yes, that is correct. It is essentially shares, and figuring out those shares would be done based on the square footage of the unit. That is then put into proportion with the overall energy available from the system. Based on the generation, that is how the share is allocated from the benefit to be credited against the individual unit's electrical bills.

Vice Chair Brown-May:

You talked about the possibility of ten projects each year as a potential. Do you have any idea about what the anticipated size of those projects could potentially be and/or how many affordable housing units that are federally regulated would currently qualify for this program?

Stephen Lassiter:

This is a market that does not largely exist today in Nevada. It would take some time to figure out the new law and regulations and apply for the federal tax credits. We do anticipate in the next few years roughly ten projects each year would likely be constructed. The average size of those projects is obviously constrained by how much roof space is available on the federally regulated affordable housing. It would be project by project. In other states, our average project size has been 150 kilowatts. That is roughly the equivalent of 20 single-family homes if 7.5 kilowatts are installed on a single home. However much electricity can be generated from the project, as Assemblyman Watts said, will be equitably divided among however many units are in that building.

Assemblyman Watts:

I appreciate Mr. Lassiter's providing, based on experiences elsewhere, some rough projections. There is going to be some time to develop the regulations before getting this rolled out. We want to try to do that quickly in order to take advantage of the tax credits while we know for sure they are going to be in place. Ultimately, this would remain in place and depend on folks coming in who have an interest, working with affordable housing owners and developers, and figuring out something that pencils out and can provide benefits to everyone involved.

Vice Chair Brown-May:

This is certainly a supercharged and energizing topic. We have additional questions.

Assemblyman Miller:

I imagine it being Easter weekend, we could keep going, and going, and going in this Committee today. I had to get my one in. I am curious: in 2019 the Legislature passed the Expanded Solar Access Program. Does this in any way affect that?

Assemblyman Watts:

No, this only focuses on affordable housing. There are going to be a lot of other folks living in multifamily apartments who will not qualify under this bill, to be completely upfront and honest. They do qualify to potentially get dedicated solar power and potential financial benefits through the existing Expanded Solar Access Program. There is a low-income element of the Expanded Solar Access Program. Because we are not going to get every unit covered—or it may be a while—folks can take advantage of the Expanded Solar Access Program. There are still a bunch of people who can take advantage of that. We also have the Lower Income Solar Energy Program, which I believe is around \$300,000 per year, to develop some projects. However, this bill has the opportunity to complement and lead to more projects being developed. Although \$300,000 is great, it does not go extremely far in project development.

Additionally, in the Expanded Solar Access Program, over the next coming years there are going to be—if I can remember off the top of my head and I am sure the utility will correct me when they testify—around ten projects. I think that might be in each service territory.

Right now, I think there is one project in each service territory. That is to provide a little context around some of the other policies in this ecosystem. In my opinion, they all work together and are relatively discreet and small in scope. They all chain together to ultimately expand access to these resources and benefits across our community.

Assemblywoman Summers-Armstrong:

I would like a little more clarity on the benefits. In section 12 on page 9 it talks about amenities and the benefits of the amenities. If I am reading this properly, will the tenants not see a reduction in their bill, but the owner of the project could use the money for a shared exercise room. That could be where the benefit goes, and the tenant would not see a reduction in their bill. Am I misreading that?

Assemblyman Watts:

There are two aspects to section 12 on page 9. We took our first steps toward allowing for net metering projects on multifamily units with S.B. 448 of the 81st Session. That only covered master-metered units. Those are units where there is only one energy meter on site which provides energy to all the tenants. That is essentially rolled into the rent because they do not know how much an individual unit is using. They aggregate that. They either average it out and that is what part folks pay, or it is something that is apportioned out to everyone on an ongoing basis.

Then there is multifamily housing that has individual meters. In those places, each individual tenant is getting their own specific utility bill. Section 1 of the bill deals with those individually metered multifamily developments. Because we know individual customers are getting bills, that is where we are able to specifically say this has to be distributed equitably, figuring out the share by square footage, and then delivering that benefit straight to those customers on their utility bill.

This bill is building on S.B. 448 of the 81st Session by saying in a master-metered situation, we still want the tenants to be able to participate, but because those individuals are not getting a utility bill, the owner needs to demonstrate clearly—so they do not try to get around some of the requirements that are in these laws—how those benefits are going to reach customers. They can propose it based on unit size, and that is how they can apportion the benefits. They, as the overall owner of the facility, are going to be accruing the financial benefits from renewable energy. They could provide additional amenities at no charge and would have to demonstrate how they are passing the benefits on. It could be a reduction in rent. There are a lot of different options, but they will have to demonstrate how they are going to make sure those benefits do not stick at the top but go down to the tenants. That is the difference in why you are seeing some different language.

Assemblywoman Summers-Armstrong:

To clarify, for master-metered, the owner must demonstrate they are providing some benefit with some reduced cost to the benefit of everyone in the building in an equitable manner based on the size of the unit. An individually metered unit goes toward the bill.

Assemblyman Watts:

You nailed it.

Vice Chair Brown-May:

Seeing no further questions, we will move to testimony in support of A.B. 425. We will start in Carson City.

Paige Barnes, representing Solar Energy Industries Association:

We believe this bill will expand the use of solar with the benefits going to our communities that need it most. Thank you for your consideration.

Donna Laffey, representing Dream.org:

We are here in support of A.B. 425. Dream.org works to ensure all communities benefit from the shift to a green economy and the communities that have been systematically underinvested in to maximize the benefits generated by the Inflation Reduction Act. Assembly Bill 425 would enable people who reside in low-income housing with individually metered units to participate in the net metering program and increase solar access and equity. We urge your support for A.B. 425 for a greener future and thank the sponsor for bringing this bill forward.

Christi Cabrera-Georgeson, Deputy Director, Nevada Conservation League:

The Nevada Conservation League is here in support of A.B. 425. All Nevadans should be included in the transition to a cleaner and healthier future, and this bill makes strides to do just that. With energy prices skyrocketing, it is critical that residents of low-income housing have the opportunity to access affordable and clean energy. This will help lower energy bills while reducing harmful climate emissions. Additionally, this bill will allow us to access some federal funds from the Inflation Reduction Act. We urge the Committee's support.

Olivia Tanager, Environmental Justice Program Manager, Progressive Leadership Alliance of Nevada; and Member, Nevada Environmental Justice Coalition:

Both Progressive Leadership Alliance of Nevada (PLAN) and Nevada Environmental Justice Coalition are proud to support A.B. 425. At PLAN we believe everyone should have access to affordable living situations from housing to utilities. The profits of utility companies should not be put above the prosperity of people. We know community solar, including rooftop solar, is an important piece to ensuring the transition away from fossil fuels is equitable and benefits all Nevadans.

As someone who lives in multifamily affordable housing in Reno, I know what a struggle it can be to pay utility bills. My apartment does not have air conditioning, so we rely on window units in the summer, which are extremely expensive to run. Despite being someone who is extremely energy conscious, both for my wallet and because I care about the environment, our utility bill for a space under 700 square feet is often over \$200 per month. People should not have to choose between paying rent, buying groceries, or paying their utility bills.

As summers get increasingly hotter here in Nevada, the demands on our energy grid will only increase. Instead of utility companies raising our rates and building new gas plants, they should be investing money into finding alternatives to dirty, nonrenewable fuel to power our homes—like solar. With the new federal funding available, this is a unique opportunity for Nevada to join other states and ensure we take advantage of that funding to help residents of affordable housing here in Nevada. Please support [A.B. 425](#).

Jaina Moan, External Affairs Director, The Nature Conservancy:

The Nature Conservancy supports [A.B. 425](#). Climate change is the biggest threat to our mission of conserving the lands and waters on which all life depends. We support policies that will reduce greenhouse gas emissions. [Assembly Bill 425](#) would expand the opportunity for more Nevadans to benefit from renewable energy generation where they live. We support this bill because it promotes the equitable distribution of climate mitigation opportunities and outcomes, including for those in low-income housing. Thank you to the bill proponents for bringing this forward.

Bari Levinson, Member, Toiyabe Chapter, Sierra Club:

On behalf of the Sierra Club and our more than 30,000 members and supporters statewide, I am speaking in support of [A.B. 425](#).

When I moved to Reno in 2020, I was shocked and dismayed by the lack of solar panels on the roofs. I soon learned that Nevada had just recently passed net metering bills in 2017 and 2019, and the solar industry here was just beginning to boom. Being a homeowner, I was able to take advantage of the net metering policy and had solar panels installed on my roof just recently. I am now reaping the benefits of clean energy at a stable price.

As we all know, Reno and Las Vegas are the two fastest-warming cities in the country. Low-income residents bear the brunt of these effects on their health and well-being due to the high cost of cooling their homes. These residents spend a much higher percentage of their income on utilities. In other words, they have a higher energy burden. As a matter of fairness, environmental justice, and to increase clean energy use in Nevada, we need to extend the benefits of net metering to the lower income residents.

[Assembly Bill 425](#) will provide net meter solar on low-income housing, allowing the residents and building owners to partake in the benefits of solar energy at a reasonable price. This will help shelter them from the inevitable increases in the price of electric power from our utility companies and reduce the state's greenhouse gas emissions from fossil fuel power plants. [Assembly Bill 425](#) will help low-income Nevadans reduce their energy burden and participate in our clean energy future while helping our state meet its greenhouse gas reduction goals. For these reasons, we urge you to support this bill. [Written testimony was also submitted [Exhibit I](#).]

Mark H. Fiorentino, representing Nevada Chapter, American Institute of Architects:

The American Institute of Architects has submitted a letter of support for the bill [[Exhibit J](#)]. I am here to reinforce the letter and make sure you have seen it. I am here to answer any questions you may have.

Mendy K. Elliott, representing Nevada Housing Coalition:

The Nevada Housing Coalition would first like to thank the Committee for sponsoring this important piece of legislation that is encompassed in [A.B. 425](#). We would like to thank the leadership role of NV Energy and the Office of Energy within the Office of the Governor, which continues to incentivize Nevadans to expand the utilization of solar.

The Coalition has provided a letter of support [[Exhibit K](#)]. To paraphrase our letter, the current 50 percent rebate has supported 49 projects, many of which were dedicated to affordable housing which has brought energy savings to their properties and have supported the overall complex financial feasibility of the capital stack. Unfortunately, the Lower Income Solar Energy Program is sunsetting, which will greatly hinder the viability of these projects for multifamily units. With the passage of [A.B. 425](#), Nevada affordable housing developers will be positioned to share the cost even further with tenants, as many of you have asked today. In other words, our Nevada families will benefit from savings on their own utility bill. There are several more reasons why this bill passage is crucial for the affordable housing ecosystem.

In the audience today, I have Bill Brewer with Nevada Rural Housing who is a developer and who has utilized solar in some of their projects. I brought them here today, but they are not testifying. They are my phone-a-friend if there are any specific questions you would like to ask a Nevada developer. Along with Mr. Brewer is his deputy, Mishon Hurst. We are available for further questions, and we encourage your support of [A.B. 425](#).

Vice Chair Brown-May:

We will move to Las Vegas for testimony in support of [A.B. 425](#).

Leonard B. Jackson, Executive Director, Faith Organizing Alliance:

We are here in support of [A.B. 425](#). Our mission with the Faith Organizing Alliance is to increase specific participation through faith-based and civic organizations within the Las Vegas Valley area in order to advance a community and government that is caring, just, and equitable.

Let me refer back to legislative history from 2021. The Legislature overwhelmingly passed [S.B. 448 of the 81st Session](#), which allows certain apartment builders to participate in the state's net metering program. [Assembly Bill 425](#) would do the exact same thing for all the affordable housing in the state. Nearly two dozen states already have this policy in effect. Most affordable housing buildings in Nevada have individually metered units and each tenant pays their own utility bill. [Assembly Bill 425](#) is necessary for those tenants to directly benefit from solar, otherwise they have no way to participate. [Assembly Bill 425](#) simply

says that all types of affordable housing should be able to participate in the state's net metering program. Everyone in Nevada deserves the right to benefit from solar energy. This is especially true for low-income renters who stand to gain the most from utility bill savings. In current Nevada law and regulations, most affordable housing tenants cannot benefit directly from solar, but high-income residents in luxury condominiums can. Assembly Bill 425 will ensure the battlefield is level and we can all succeed in life.

Marlon Anderson, Clean Energy Organizer, Faith Organizing Alliance:

We are in support of A.B. 425. It is necessary for the community, and we support it.

Vice Chair Brown-May:

Seeing no one else wishing to provide support testimony in Carson City or Las Vegas, is there anyone wishing to provide support testimony over the phone?

Jermareon Williams, Manager, Government Affairs, Western Resource Advocates:

Western Resource Advocates is a nonprofit advocacy organization fighting climate change and its impacts to sustain the environment and economy for people of the West. Western Resource Advocates would like to support A.B. 425 mainly because it will allow low-income renters to benefit from solar energy in the state of Nevada, which is much needed. Assembly Bill 425 will also advance solar energy access and equity in our state. For these reasons we would like to support this bill.

Eric Jeng, Acting Executive Director, One APIA Nevada:

We are advocating for the fast-growing Asian community. We are here to ask for your support for A.B. 425, which addresses two of the most pressing issues we have in our state. First, affordable housing by lowering utility bills, allowing those who need it the most, affordable housing tenants, to participate in net metering. It also addresses climate change by creating more solar energy.

Our organization has advocated on the federal side for the Inflation Reduction Act and now seeing all the tax savings passing through, we would love to see state changes to take full advantage of those federal incentives and urge the Committee to pass A.B. 425 so Nevadans do not leave savings on the table. We are two weeks away from Earth Day. Thank you for letting us testify on this bill. I would like to thank Assemblyman Watts for proposing this great incentive.

Gabriela Olmedo, Associate, Advanced Energy United:

Advanced Energy United is a business association working to make the energy we use clean, affordable, and reliable. We represent over 100 companies across the diverse advanced energy industry, such as large-scale renewables, geothermal, energy storage, energy efficiency, and solar. I am calling to express support for A.B. 425, the low-income solar act. This bill makes a small change to existing law that translates into a big step forward for accessibility and equity.

As we heard, current residents of affordable housing are not able to take advantage of the state's solar net metering program because these buildings generally have individual heating units. By allowing individual net metering for only these federally regulated affordable housing units, these low-income renters will be able to benefit from utility bill savings. Low-income people and renters often have the highest energy burden and therefore the most to gain from these savings, but are currently largely unable to access them. By removing this barrier, we can lower the energy burden for those who need it most.

This bill is also key to ensuring Nevada is able to take advantage of significant federal funding. There are tax incentives in the Inflation Reduction Act for solar on federally regulated affordable housing that essentially cuts the cost in half. These credits are competitive with priority given to projects that provide the most benefit to tenants. The low-income solar act will ensure Nevada does not lose out on these benefits to the dozens of other states that already have policies like this in place.

We are excited to see Nevada join other states, leading the way for tenant-ensured solar. Thank you for your consideration and thank you to the Committee for this important bill.

[[Exhibit L](#) in support was submitted but not discussed and is included as an exhibit of the meeting.]

Vice Chair Brown-May:

Having no other callers waiting to provide support testimony, we will move to testimony in opposition to A.B. 425 in Carson City and Las Vegas.

Jeremy Newman, Assistant Business Manager, International Brotherhood of Electrical Workers Local 396:

We represent thousands of workers in southern Nevada. We are here today in opposition to A.B. 425. Many of our members are retirees or soon-to-be retirees and are on fixed incomes. The cost shifting that will result from A.B. 425 will place an unfair financial burden on them and other low-income customers. In addition to the cost shift of A.B. 425, it will also create unregulated net metering, which creates several concerns for us around safety and consumer protections. These solar projects will likely not be built by our members and will impact the quality and safety of these projects. Our members are trained to industry standards, including industry-leading training on the installation of energy storage. We are also extremely concerned about the vulnerable population because there are no safeguards built into this bill. The landlords can now act as unregulated utilities. For these reasons and many others, the International Brotherhood of Electrical Workers Local No. 396 is opposed to A.B. 425 and we urge the Committee to do the same.

Danny Thompson, representing International Brotherhood of Electrical Workers Local 1245:

We represent the utility workers in northern Nevada. With all due respect to Assemblyman Watts, the International Brotherhood of Electrical Workers Local No. 1245 is strongly opposed to A.B. 425. After similar legislation was passed in California, it was proven that

net metering costs billions of dollars to all customers who do not have rooftop solar. Assembly Bill 425 lacks oversight and regulatory control over landlords who would now have the authority to act as a utility and provide no guidelines for the proposed equitable distribution of the benefits. The bill also provides zero assurance that these projects will be constructed using a qualified workforce.

When a community solar bill passed in 2019, there were sureties in the bill that they would be constructed with qualified labor and folks could be trained on these projects. None of those great provisions are in this bill. This creates major consumer protection concerns because the quality and safety of the work will be impacted.

The other point I would like to make is since the bill defines these landlords as not acting as utilities, once these systems are set up, the PUCN will have no authority to have jurisdiction and regulate how they work and run.

Vice Chair Brown-May:

Is there anyone else in Carson City wishing to provide opposition testimony? [There was no one.] Is there anyone in Las Vegas wishing to provide opposition testimony? [There was no one.] Is there anyone wishing to provide opposition testimony over the phone?

Thomas Bird, President, Nevada Alliance for Retired Americans:

I am here on behalf of our more than 18,500 members of the Nevada Alliance for Retired Americans who are adamantly opposed to this legislation. Assembly Bill 425 will allow unregulated expansion on net metering which will exacerbate the problems we see coming out of California. The California Public Utilities Commission conducted a study on this matter and concluded that net metering costs all ratepayers billions of dollars. Our members live on fixed incomes. We should not have to burden seniors by this cost shift. The bill's language is vague, lacks strong consumer protections, and the current language allows the landlord to act as the utility without any oversight. For these reasons and many more, the Nevada Alliance for Retired Americans encourages the Committee to oppose A.B. 425.

Vice Chair Brown-May:

Having no one else on the phone for opposition testimony, we will move to neutral testimony on A.B. 425 for those in Carson City and Las Vegas. [There was no one.] Is there anyone wishing to provide neutral testimony waiting on the phone?

Marie Steele, Vice President, Integrated Energy Services, NV Energy:

I lead a diverse team responsible for NV Energy's clean energy customer programs and services, including energy efficiency, demand response, electric vehicles, battery storage, and renewable energy. The team is also responsible for integrated grid planning and the distributed resource plan, which ensures NV Energy customers in Nevada benefit from distributed energy resource deployment.

My apologies because I am actually here in opposition to A.B. 425 as introduced. With my direct oversight over NV Energy's net metering interconnections and renewable energy programs, I am very concerned about consumer protections for these low-income participants from an unregulated shared net metering system. After discussion this afternoon, I am now even more concerned about how the usage of a battery system would impact benefit allocations.

We welcome the opportunity to work with Assemblyman Watts, presenters, stakeholders, and the Committee on the bill to work on our shared objectives of supporting our low-income customers' renewable energy development and federal funding utilization.

Vice Chair Brown-May:

Having no callers wishing to testify in neutral, we do have one more in Las Vegas.

Tony P. Simmons, Private Citizen, Las Vegas, Nevada:

I am a professional engineer in Nevada. I am authorized to design the system to anticipating it. Until a legal controversy alluded to in Senate Bill 300 of the 80th Session is resolved, I cannot design anything. We need to get that controversy alluded to in Senate Bill 300 of the 80th Session addressed before anything else.

[[Exhibit M](#) was submitted but not discussed and is included as an exhibit of the meeting.]

Vice Chair Brown-May:

Are there any closing remarks from the sponsor?

Assemblyman Watts:

Thank you for your time, your consideration, and for your very thoughtful questions. NV Energy has reached out to me, and I look forward to ongoing conversations with them to look for opportunities to address some of their concerns and strengthen some of the language in the bill.

Unfortunately, some of the opponents from my friends in labor left, but I will commit to reaching out and following up with them to learn more about their concerns and figure out opportunities to address them. I will also allow Mr. Lassiter to speak briefly, but I would like to touch on a few of the things I heard.

One of the things that came up in opposition is the claim that this is unregulated or that this will be turning landlords into utilities. That is certainly not the intent. The framework that is envisioned in this bill is the PUCN is going to have a level of oversight in both developing the framework and helping make sure any of these projects conform with the intent discussed during the bill presentation. That is going to involve a diverse range of stakeholders, including the Bureau of Consumer Protection within the Office of Consumer's Advocate, Office of the Attorney General. If anyone has concerns about that and would like to bring forward suggestions to tighten some of that language, I would certainly welcome that.

There was information brought up about rate shifting. A lot of that was focused on California. Understanding that we have had net metering in its current form in place since 2017 and it continues to be deployed, we have not seen a significant increase in customer rates. One thing that is increasing all of our bills right now is an overreliance on fossil fuels. If the opponents could bring forward some information about any projected cost impact there has been and how adding this small additional group to the pool of folks who can potentially benefit from net metering may increase any of those issues, I would certainly welcome that and take it into consideration.

Additionally, there was a mention about issues with labor standards and construction standards. This bill follows the exact same format as existing net metering for single-family residences. One of the benefits of a project being developed on a multifamily scale is there is going to be more sophistication from that building owner in managing some of those things. I think that helps address some of the consumer protection issues.

I do not know enough about all the different federal affordable housing programs, but some of those may actually have some standards around construction and other labor standards. It would certainly be the intent to make sure these projects, particularly in new developments but also in others that have been subject to those standards, are held to the same standards. I would hope I can work with our brothers and sisters in labor to identify and flesh out those issues to see where opportunities exist to make sure it aligns both with the overall net metering system we do have in place and, where appropriate, some of those affordable housing programs that are putting higher standards in place to make sure we are honoring those as well.

Finally, there were concerns mentioned around some of the standards in place with the Expanded Solar Access Program. While I applaud that, one project has been developed in southern Nevada since that bill was passed in 2019. I want to make sure we are able to get these resources out to the community.

If Mr. Lassiter has anything to add, I will turn it over to him.

Stephen Lassiter:

I think Assemblyman Watts summarized it perfectly. Obviously, no one in this room needs to be reminded Nevada is not California. Solar deployment is much different in California and the California Public Utilities Commission (CPUC) did its own study. California has much more solar, and they determined, yes, it has impacted rates. I will point out that the CPUC is the very government entity that provides the state incentive for solar on affordable housing. If there was an egregious cost shift going on, you would imagine that the state would not be simultaneously incentivizing these types of installations we are talking about.

In terms of building owners beginning to operate as utilities, I want to remind everyone that this is no different than S.B. 448 of the 81st Session, which the Legislature passed overwhelmingly last session, which allowed for these types of installations on multifamily housing with one electric meter. I do not know if that same concern was raised about S.B. 448 of the 81st Session, but that legislation is now law.

Thank you for this opportunity.

Vice Chair Brown-May:

I will close the hearing on Assembly Bill 425. I will turn the gavel back over to Assemblyman Watts.

[Assemblyman Watts reassumed the Chair.]

Chair Watts:

We do have one item left on our agenda, which is public comment. Is there anyone wishing to make public comment in Carson City, Las Vegas, or over the phone? [There was no one.] We will have a significant work session on Tuesday.

This meeting is adjourned [at 2:12 p.m.].

RESPECTFULLY SUBMITTED:

Dylan Small
Recording Secretary

Lori McCleary
Transcribing Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Assembly Bill 290](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 302](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 316](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is a proposed mock-up amendment to [Assembly Bill 426](#), submitted by Scott F. Gilles, representing Las Vegas Convention and Visitors Authority, and presented by Caroline Bateman, General Counsel, Las Vegas Convention and Visitors Authority.

[Exhibit G](#) is an aerial photograph titled, "136 kW solar system serving the non-profit affordable housing organization EAH Housing & 70 low-income families at Don de Dios in San Jose, CA," regarding [Assembly Bill 425](#), submitted by Stephen Lassiter, Manager, Public Policy, Sunrun, Inc.

[Exhibit H](#) is a proposed conceptual amendment to [Assembly Bill 425](#), submitted by Stephen Lassiter, Manager, Public Policy, Sunrun Inc.

[Exhibit I](#) is written testimony dated April 5, 2023, submitted and presented by Bari Levinson, Member, Toiyabe Chapter, Sierra Club, in support of [Assembly Bill 425](#).

[Exhibit J](#) is a letter dated April 5, 2023, submitted by John Sawdon, Nevada President, American Institute of Architects, and Carlos D. Fernandez, Nevada Executive Director, American Institute of Architects, in support of [Assembly Bill 425](#).

[Exhibit K](#) is a letter dated April 6, 2023, submitted by Christine Hess, Executive Director, Nevada Housing Coalition, in support of [Assembly Bill 425](#).

[Exhibit L](#) is a letter dated April 6, 2023, submitted by Jess Molasky, Principal, Ovation Development Corporation, in support of [Assembly Bill 425](#).

[Exhibit M](#) is a proposed amendment to [Assembly Bill 425](#) submitted by Tony P. Simmons, Private Citizen, Las Vegas, Nevada.