

**MINUTES OF THE
SENATE COMMITTEE ON FINANCE**

**Eighty-second Session
May 30, 2023**

The Senate Committee on Finance was called to order by Chair Marilyn Dondero Loop at 8:16 a.m. on Tuesday, May 30, 2023, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Marilyn Dondero Loop, Chair
Senator Nicole J. Cannizzaro, Vice Chair
Senator Dallas Harris
Senator Dina Neal
Senator Rochelle T. Nguyen
Senator Pete Goicoechea
Senator Heidi Seevers Gansert
Senator Robin L. Titus

GUEST LEGISLATORS PRESENT:

Senator Edgar Flores, Senatorial District No. 2
Senator Melanie Scheible, Senatorial District No. 9

STAFF MEMBERS PRESENT:

Wayne Thorley, Senate Fiscal Analyst
Cathy Crocket, Chief Principal Deputy Fiscal Analyst
Paul Breen, Committee Assistant
Marie Bell, Committee Secretary
Dee Chekowitz-Dykes, Committee Secretary

OTHERS PRESENT:

Mandee Bowsmith, Administrator, Division of Human Resource Management,
Nevada Department of Administration

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Gabriel Di Chiara, Chief Deputy, Office of the Secretary of State
Annette Magnus, Executive Director, Battle Born Progress
Daniel Stewart, Clark County Education Association
Patricia Haddad, Clark County School District
James Settelmeyer, Director, Department of Conservation and Natural Resources

CHAIR DONDERO LOOP:

We will start the work session with Senate Bill (S.B.) 107.

SENATE BILL 107 (1st Reprint): Establishes provisions relating to contractors performing work on a highway. (BDR 35-537)

CATHY CROCKET (Chief Principal Deputy Fiscal Analyst):

Senate Bill 107 was heard in Committee on May 16, 2023, and presented by Senator Skip Daly. No amendments were presented to the Senate Committee on Finance for this bill. It becomes effective on October 1, 2023. The Nevada Contractors Association provided support. There were no comments in opposition or neutral.

Senate Bill 107 requires the Nevada Department of Transportation to establish a program to allow a contractor, who has been awarded a contract for work on a highway, to obtain a permit for the use of a law enforcement vehicle owned by the Nevada Highway Patrol. The vehicle will be clearly marked as such, is equipped with at least one flashing red warning lamp and will be rendered incapable of being driven. A contractor may only activate the red flashing light if construction workers are present and if the contractor has requested the presence of a highway patrol officer and vehicle, but neither an officer nor an authorized emergency vehicle could be made available in the area where work is being performed. The Nevada Department of Public Safety initially indicated a fiscal impact. However, on the first reprint of the bill, it submitted a fiscal note following the hearing that indicated no fiscal impact.

SENATOR NGUYEN MOVED TO DO PASS AS AMENDED S.B. 107.

SENATOR TITUS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CANNIZZARO WAS EXCUSED FOR THE VOTE.)

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CHAIR DONDERO LOOP:

I know the fiscal notes have been removed, but I hope we do not end up with fiscal responsibility. I know these cars need to be rendered inoperable. I am trusting all those who have worked on this bill.

We will move to S.B. 319.

SENATE BILL 319: Revises provisions relating to public employees. (BDR 23-953)

WAYNE THORLEY (Senate Fiscal Analyst):

Senate Bill 319 as introduced was heard in the Senate Committee on Finance on May 20, 2023, and was presented by Senator Dallas Harris and Rick McCann from the Nevada Association of Public Safety Officers.

The bill revises the definition of employee for the purpose of collective bargaining by including persons employed as category I, II or III peace officers in the unclassified service of the State. There were no amendments discussed at the hearing, and Staff is not aware of any amendments submitted, post hearing. There was testimony in support provided by the Nevada Faculty Alliance and the American Federation of State, County, and Municipal Employees, and no testimony in opposition or neutral regarding the fiscal impact.

Based on our research and discussions with the Nevada Department of Administration, Division of Human Resource Management, most unclassified peace officers in this State are with the Gaming Control Board. There are a few unclassified peace officers in the State in management positions, such as the deputy division administrator of the Nevada Department of Agriculture, Division of Animal Industries, and a small number of other State agencies that deal with enforcement or investigation.

The Division of Human Resource Management submitted a fiscal note indicating an impact of approximately \$81,000 in fiscal year (FY) 2023-2024 and just

over \$100,000 in FY 2024-2025 for one additional position and associated operating costs.

In a work session on a similar bill, S.B. 166, the Committee did not provide additional funding for the Division of Human Resource Management. Instead, the Committee instructed the Division to submit a work program, if needed, to bring funding out of reserves for the additional positions. A similar action could be taken by the Committee today, to not provide General Fund appropriations.

SENATE BILL 166: Revises provisions relating to collective bargaining by public employees. (BDR 23-556)

The Division of Human Resource Management is not a General Fund Agency. It is funded through the rates charged to using agencies for services. Another option would be to add General Fund monies to the Agency to fund the position costs for its fiscal note.

CHAIR DONDERO LOOP:

Would you confirm the amount of money the Division would need to fund the position?

MR. THORLEY:

According to the fiscal note submitted by the Division of Human Resource Management on March 18, 2023, an additional staff member is needed to implement the legislation due to the labor relations unit's increased workload.

The Division is asking for funding for a personnel analyst III position. The cost would be \$80,571 in FY 2023-2024 and \$100,556 in FY 2024-2025. This could be funded through either General Fund appropriations to the Agency, or through work reserve reductions through a work program the Agency does afterwards.

SENATOR GOICOCHEA:

Does the Division need a staff position to deal with 30 people?

MR. THORLEY:

According to testimony provided by the Department of Administration, Deputy Director Matt Tuma, this bill would impact approximately 160 full-time equivalent employees (FTE). The majority of those would be within the

Gaming Control Board. Mr. Tuma also testified there are managerial concerns that would require a new position.

MANDEE BOWSMITH (Administrator, Division of Human Resource Management, Nevada Department of Administration):

One of the issues identified is an increased complexity in terms of bringing on the 160 unclassified FTEs at the Gaming Control Board. There are probably fewer than 20 other unclassified FTEs in the category I, II, and III peace officer positions who might qualify under the language of S.B. 319.

There is a reason Gaming Control Board agents are unclassified, and the reason specifically has to do with the job they perform. The Gaming Control Board has voted to assume a few of the personnel regulations and statutes in *Nevada Revised Statutes* (NRS) 284 and *Nevada Administrative Code* 284. They do not have to comply because of the kind of regulatory body they are.

The reason the category II peace officers within the Gaming Control Board have historically been unclassified is because the Board needs to act quickly in personnel matters. If an agent is behaving poorly, or an undercover agent decides the undercover life is more for them than not being undercover, the Board needs to move quickly. There are many issues in mandatory bargaining that the State would now be subject to for these unclassified employees. This will present a more nuanced and layered collective bargaining agreement than what exists with Bargaining Unit H.

CHAIR DONDERO LOOP:

I will accept a motion to do pass S.B. 319 with funding from the work program for one position.

SENATOR NGUYEN MOVED TO DO PASS S.B. 319 WITH FUNDING FROM THE WORK PROGRAM OPTION.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS VOTED NO.)

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CHAIR DONDERO LOOP:
We will move on to S.B. 327.

[SENATE BILL 327 \(1st Reprint\)](#): Revises provisions relating to elections.
(BDR 24-892)

Ms. CROCKET:

The first reprint of S.B. 327 was heard in Committee on May 20, 2023, and presented by Senator James Ohrenschall and Teresa Melendez, an organizer of indigenous communities. There was a proposed policy amendment ([Exhibit C](#)) presented on the bill and a fiscal note submitted by the Office of the Secretary of State (SOS) for an FY 2023-2024 fiscal impact of \$1,114,755 for the purchase of equipment. The bill's effective date is October 1, 2023.

The bill requires a county clerk and city clerk to establish a polling place and ballot drop box within the boundaries of an Indian reservation or Indian colony. This will be established unless an Indian tribe either chooses not to have the polling place and ballot box established by submitting notice to the county or city clerk or does not provide certain information relating to the establishment of these places.

Senate Bill 327 creates the same requirements and conditions for the establishment of a temporary branch polling place for early voting.

The fiscal impact of \$1,114,755 is based on the cost to purchase equipment and assuming that all tribal nations would not opt out of having early voting and a regular polling place established on their land. Actual costs might be lower if any of these entities decide to opt out. Staff noted purchasing polling equipment has historically been a cost of the counties rather than the State. There is no statutory requirement for the State to provide funding for this equipment.

The Committee has a couple of options to consider. The Committee could consider amending and do passing with the policy amendment and adding funding as indicated in the SOS fiscal note or amending and do passing without General Fund appropriations and directing the counties to cover the costs.

SENATOR TITUS:

Did the individual counties submit fiscal notes?

MS. CROCKET:

Yes, several counties submitted fiscal notes and others indicated no additional cost. Those are available on the Legislative website.

GABRIEL DI CHIARA (Chief Deputy, Office of the Secretary of State):

Our staff worked with the counties to get a sense of what additional materials, technology, and ballot drop boxes they would need. We included those in our fiscal note to be sure everything was covered. The fiscal note assumes we are purchasing and reimbursing all the necessary materials to each of the counties across the State. We already know of several tribes opting out of several portions of this bill. The maximum fiscal impact would almost certainly be lower.

SENATOR TITUS:

If this bill gets funded, have you committed to reimburse the counties?

MR. DI CHIARA:

Yes.

SENATOR GOICOECHEA:

Will anyone be able to use these drop boxes?

MR. DI CHIARA:

Yes. These polling places would be available for anyone to use. Several of them are in remote locations and we expect they would be used the most by tribal members.

CHAIR DONDERO LOOP:

The counties should be bearing this responsibility whether on tribal land or in urban areas.

SENATOR SEEVERS GANSERT:

The fiscal notes are substantially different, from \$1.1 million to \$170,000. I do not know if you need to set aside funding.

CHAIR DONDERO LOOP:

If accepted, I would move to amend and do pass without funding.

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SENATOR GOICOECHEA:

I will support this because of the flexibility for the counties to put it in place and make sure it fits. It might be beneficial for other rural communities.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 327 WITHOUT FUNDING.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

We are moving on to S.B. 364.

SENATE BILL 364 (1st Reprint): Makes various changes relating to cultural remains. (BDR 33-533)

MR. THORLEY:

The first reprint of S.B. 364 was heard in this Committee on May 24, 2023, and was presented by Senator Lisa Krasner who subsequently amended the bill ([Exhibit D](#)) on the same date. The bill makes changes relating to cultural remains. The amendment addressed a fiscal note from the Office of Historic Preservation (SHPO), Nevada Department of Conservation and Natural Resources (DCNR). Director James Settelmeyer provided neutral testimony and confirmed the amendment as presented by Senator Krasner would remove the fiscal note. There was testimony provided in support from several Nevada tribes and the Nevada Republican Club. There was no testimony in opposition. The effective date is upon passage and approval.

If a law enforcement agency goes to a location where human remains are found and reasonably believed to be Indian, the bill requires the law enforcement agency to communicate with a representative of an Indian tribe located within that county. Absent communication with a representative of a tribe, law enforcement is required to notify SHPO.

Additionally, the bill requires SHPO to adopt regulations pertaining to protection of historic and prehistoric Indian burial sites. Those regulations must be adopted

no later than December 31, 2023. A fiscal note was submitted by SHPO. Based on testimony at the bill hearing and Senator Krasner's amendment, DCNR and SHPO no longer believe the bill would have a fiscal impact. The amendment would make a couple of minor language changes and include cleanup language related to the adoption of regulations.

SENATOR CANNIZZARO MOVED TO AMEND AND DO PASS AS AMENDED S.B. 364 WITH MINOR LANGUAGE CHANGES AND INCLUDE CLEANUP LANGUAGE RELATED TO THE ADOPTION OF REGULATIONS.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

We will now hear S.B. 428.

SENATE BILL 428: Proposes to exempt sales of diapers from sales and use taxes and analogous taxes upon approval by the voters. (BDR 32-1033)

Ms. CROCKET:

Senate Bill 428 was heard in Committee on May 19, 2023. The bill was presented by Senator Edgar Flores with Kim Amato, the director of Baby's Bounty. The bill provides for the submission of a question to the voters at the November 5, 2024, general election to determine whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption for diapers between January 1, 2025, and December 31, 2050. Testimony in support was provided by the Nevada Disability Peer Action Coalition and Service Employees International Union Local 1107. There were no comments in opposition or neutral, and no amendments were presented on the bill.

The bill indicates the term "diaper" applies to any diaper intended for use by a child or an adult including a disposable diaper. Sections 1 through 9 of the Act will become effective on October 1, 2023. If approved by voters in the general election, sections 2 through 9 of the Act would become effective on January 1, 2025, and expire by limitation on December 31, 2050.

Regarding the fiscal impact of this bill, the Nevada Department of Taxation indicated a decrease in revenue to the General Fund of \$5.9 million in FY 2024-2025 and \$25 million over the 2023-2025 biennium. Various local governments submitted fiscal notes indicating a loss of sales tax revenue.

SENATOR TITUS:

With the inclusion of adult diapers, as all of us are aging, I support this bill.

SENATOR TITUS MOVED TO DO PASS S.B. 428.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

We will move on to S.B. 443.

SENATE BILL 443 (1st Reprint): Revises provisions relating to voter registration.
(BDR 24-842)

MR. THORLEY:

The first reprint of S.B. 443 was sponsored by the Committee on Legislative Operations and Elections and presented by Senator James Ohrenschall. It was heard in the Senate Committee on Finance on May 18, 2023. In its first reprint version, the bill revises provisions relating to provisional ballots, proof of voter identity when registering to vote and provisions relating to voter registration preceding an election. Testimony in support was provided by All Voting is Local, Silver State Voices and Campaign Legal Center. There was opposition testimony from the Independent American Party and the Nevada Republican Party. There was no testimony in neutral. The effective date is upon passage and approval for the purpose of adopting regulations. Performing any other preparatory administrative tasks is January 1, 2024.

The measure requires the Nevada Department of Motor Vehicles (DMV) to have extended hours of operation in counties with a population of 100,000 or more during certain periods preceding the deadline to register to vote by mail for certain elections. It also prohibits the DMV from requiring an appointment to

obtain a driver's license identification card during those periods in counties with a population of 100,000 or more.

Regarding the fiscal note, the SOS indicated no fiscal impact related to the bill. The DMV submitted a fiscal note with estimated total costs of \$65,000 in FY 2024-2025.

Senator Ohrenschall submitted a proposed conceptual amendment ([Exhibit E](#)) after the hearing on May 26, 2023. The amendment makes corrections to statutory references and other changes. Fiscal staff determined it would not affect the fiscal impact. Generally, the State does not budget for overtime and asks State agencies to fund any overtime accrued through their budget savings. The DMV estimates the total fiscal impact for FY 2024-2025 is \$65,000, the majority of which would come from the Highway Fund. The cost for additional security services is only \$15,449 if the Committee chooses to fund only that.

SENATOR SEEVERS GANSERT:

I have issues with the threshold for proving residency. I will vote no.

SENATOR GOICOCHEA:

I am concerned about the 60-day time frame, the way the labor market is today. I can have three jobs in 60 days and paychecks to prove it. The way this is structured, a person could register to vote in several jurisdictions.

CHAIR DONDERO LOOP:

I would prefer to amend and do pass with only the funding for security out of the Highway Fund for \$15,449 for FY 2024-2025.

SENATOR CANNIZZARO MOVED TO AMEND AND DO PASS AS AMENDED S.B. 443 WITH FUNDING FOR DMV SECURITY FROM THE HIGHWAY FUND IN THE AMOUNT OF \$15,449 FOR FY 2024-2025.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS GOICOCHEA, SEEVERS GANSERT, AND TITUS VOTED NO.)

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CHAIR DONDERO LOOP:
We will go to S.B. 233.

SENATE BILL 233: Revises provisions governing taxes imposed on certain heavy equipment. (BDR 32-87)

MS. CROCKET:

Senate Bill 233 was heard in Committee on May 18, 2023, and presented by Senator Nicole Cannizzaro. It provides an exemption from personal property taxes for qualified heavy equipment rental property. That equipment is defined as machinery and equipment held in the inventory of a heavy equipment rental company or an affiliate of such company for sale and rental. It includes earth moving equipment, cranes, lift equipment, pumps, generators, compressors, portable power equipment, heating, ventilation and air conditioning equipment, portable offices, containers and tank trailers.

The bill additionally imposes a new tax at the rate of 2 percent of the gross receipts from the rental of this heavy equipment. This tax is to be administered by the Nevada Department of Taxation. Proceeds from the tax are to be distributed to the recipients of property taxes in the taxing district where the rental occurred.

Sections 1 through 40 of the bill become effective upon passage and approval for preparatory administrative tasks and on July 1, 2024, for all other purposes.

Only six states have Nevada's structure for this tax type and the intent of the change is to be revenue neutral. Proposed Amendment 3657 ([Exhibit F](#)) was presented at the hearing. It was primarily a policy amendment. The Department indicated there was no change to the fiscal impact. The fiscal note submitted by the Department indicates a cost of \$383,790 in FY 2023-2024 and \$350,023 in FY 2024-2025. The Department noted this would establish a new tax type that would require additional staff and system programming. They indicated two management analysts, one IT technician and associated operating costs would be necessary and one contract programmer costs for system changes.

Testimony in support of the bill was provided by the Associated Builders and Contractors of Nevada, the Independent Businesses Association, the Vegas Chamber and the Nevada Trucking Association. Comments in opposition were provided by the Nevada Association of Counties, Washoe County,

Clark County, the Clark County Assessor, and the Nevada Assessors' Association. Neutral comments were provided by the Nevada Department of Taxation.

SENATOR GOICOECHEA:

The assessors are not capturing the smaller to midrange equipment such as backhoes. They do capture the big equipment. I can understand why Clark and Washoe Counties would be concerned because right now they are getting those revenues for equipment that are shown to be based in their county.

With this bill, the equipment rental companies will have to document where a piece of equipment will reside and assess a tax. It will benefit rural counties by more accurately reflecting smaller equipment rentals in these jurisdictions, which many times are not being captured. I will support it.

SENATOR SEEVERS GANSERT:

I will reserve my right on this bill.

SENATOR NEAL:

I am a no on this bill.

SENATOR HARRIS:

I am going to reserve my right on this bill.

CHAIR DONDERO LOOP:

I will accept an amend and do pass with the proposed amendment and support the taxation cost.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 233 WITH PROPOSED AMENDMENT 3657 [EXHIBIT F](#) AND WITH DEPARTMENT OF TAXATION FUNDING IN THE AMOUNT OF \$383,790 IN FY 2023-2024 AND \$350,023 IN FY 2024-2025.

SENATOR TITUS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR NEAL VOTED NO.)

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CHAIR DONDERO LOOP:
We will hear S.B. 162.

SENATE BILL 162 (1st Reprint): Revises provisions relating to voting in county and city jails. (BDR 24-812)

SENATOR MELANIE SCHEIBLE (Senatorial District No. 9):
Senate Bill 162 requires every county in the State or every law enforcement agency that operates a jail or detention center to submit an annual plan to the SOS detailing how it will allow eligible voters in each detention center to cast their ballots in any upcoming elections or special elections.

The fiscal notes are removed by the amendment made in the Senate Committee on Legislative Operations and Elections. I have proposed one additional conceptual amendment ([Exhibit G](#)) that adds a section to the bill regarding the Effective Absentee System for Elections (EASE) voting system at the request of the SOS.

Jails or detention centers have the option to use the EASE system if that is the method any sheriff, county, or detention center feels is most appropriate or useful for their facility. I have worked with the Nevada Association of Counties and a couple of different county managers. Their election officials confirmed they are happy to comply with the requirements of this bill. Most are facilitating voting in jails already. Every county expressed concern over having a detainee in their custody who was not able to vote, and they wanted a remedy.

This is a measured approach to ensure every county gives it thought and keeps its plan updated with the SOS. The financial impact would be minimal.

CHAIR DONDERO LOOP:
Is there any fiscal impact?

SENATOR SCHEIBLE:
All the entities that I talked to said this would have no meaningful fiscal impact and not enough to put a fiscal note on the bill. The amendment would remove the fiscal notes created by the first version of the bill. With the reprint, the cost would be a couple of hours of someone's time to put the plan into writing and email it to the SOS. The function could easily be absorbed in someone's existing position.

MR. DI CHIARA:

The EASE system is already in place and in use for our service members overseas and domestically. As of the Eighty-first Session, people with disabilities can use EASE per NRS.

Every county in the State is already set up to accept votes via EASE. It is a secure transmission system. Voting on EASE is done with a simple laptop through a secure link directly to the county. It is incredibly secure and carries no additional fiscal impact. If the jail or detention facility has a laptop, there is no need for additional equipment or verification, and the counties are already set up to accept it. That is why the fiscal note would be minimal.

SENATOR SEEVERS GANSERT:

The amendment talks about a county or city jail shall not prohibit, restrict or monitor the use of the system. Does the system itself have to be monitored, and does "monitor the use" mean to watch someone vote?

MR. DI CHIARA:

I understand the system could be set up, so the EASE website would be the only website the laptop could visit. It would be secure, and no other websites would be accessible via the designated laptop. They would be allowed to enter their information, vote as appropriate and submit their ballot without being monitored.

SENATOR GOICOCHEA:

Would it be up to the jail or the county clerk to determine whether they wanted to use the EASE system or just issue paper ballots?

SENATOR SCHEIBLE:

Yes. They would be allowed to use the EASE system, or they can use a simple mail or absentee ballot if they prefer.

CHAIR DONDERO LOOP:

We will go to those in support of S.B. 162.

ANNETTE MAGNUS (Executive Director, Battle Born Progress):

We are here in support of S.B. 162. We are very excited about this bill. We followed it through the policy committee. We have been working with

Senator Scheible from the beginning and think this is a great use of the State's money to ensure every eligible person in our community can vote.

CHAIR DONDERO LOOP:

We will close the hearing on S.B. 162 and open the hearing on S.B. 308.

SENATE BILL 308 (1st Reprint): Revises provisions relating to educational personnel. (BDR 23-1018)

SENATOR EDGAR FLORES (Senatorial District No. 2):

We had a conversation with hundreds of teachers courtesy of the Clark County Education Association. We met teachers, primarily from the Philippines, who are here to teach on an exchange program. That is the Mutual Educational and Cultural Exchange Act of 1961, known as a J-1 Exchange Visitor Visa (J-1). They come here on a three-year visa with the possibility of extending it for two additional years. The average term of a J-1 teacher is three years. They talked to me about how expensive it is to be a teacher in Nevada through the J-1 program and they are not eligible for certain benefits once employed here.

The intention of S.B. 308 as introduced, was to allow J-1 teachers to participate in the Public Employees' Retirement System (PERS) with a three-year vesting schedule and to cap the fees paid to third-party service companies that bring teachers to Nevada. A fiscal note was submitted by PERS, but with an amendment to S.B. 308 during the policy committee, we were able to remove it. The stakeholders decided to direct attention to the second issue of this bill, which is to address the third-party fees associated with participation in this exchange program.

A few J-1 teachers are paying as little as \$5,000 but can pay between \$15,000 to \$17,000 to participate in this program. It seems they are being taken advantage of when they come to Nevada to teach our most vulnerable student populations. In the Clark County School District (CCSD), it was estimated 375 teachers are here on J-1 visas and most of them work with special needs students.

We have created our own model and realize there is no reason why third-party service companies cannot process these applications for \$5,000. The focus of S.B. 308 now is capping fees to ensure we are not excessively charging our J-1 teachers. Nevada desperately needs them to ease our teacher shortages.

SENATOR TITUS:

I appreciate you taking out the PERS component to this bill. We thought it would be incredibly expensive. What is the average cost of using a service company to help these teachers come to the United States? Will you lose these companies if their fees are capped at \$5,000 per teacher?

SENATOR FLORES:

We have heard of instances where the cost was cheaper and where it was much more expensive. We anticipate there will be plenty of companies the State can work with to bring these teachers to Nevada at a cost of \$5,000 or less.

This is not just an issue in Nevada. There are many lawsuits happening nationwide because these teachers are being exploited. Often, they do not realize it. There are different stories of third-party recruiters who do not tell them the visa is just for three years, or the recruiter will not tell them the whole cost up front. The way a number of our teachers have been lured and recruited has been slightly disingenuous. As a community, it is our responsibility to be sure they are not exploited.

We are also trying to find another solution or possibly assisting them through the application process. We can assist them without the legislation. I think we can look at other resources. There are multiple moving parts to helping them.

The ultimate focus and purpose of S.B. 308 is to limit the cost to \$5,000 or less, how much the State pays third-party companies. We may modify the language slightly once we move it to the Assembly where we add 3 percent growth or whatever the market dictates for the recruitment fee.

SENATOR TITUS:

To be clear, is this about capping what the school will reimburse a teacher or the agency to bring the J-1 person to Nevada? Nothing stops an individual teacher from paying an agency more if their situation is more complicated. Can a person hire a different company to do this? Is this only about the school reimbursement process?

SENATOR FLORES:

We want to ensure the schools or the district are contracting with a third-party recruiter who is capping fees at \$5,000.

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An individual teacher may decide to go through a different avenue and pay more than \$5,000. Through S.B. 308, we are asking the schools specifically to not contract with any recruitment company charging more than \$5,000.

CHAIR DONDERO LOOP:

Is PERS aware you are dropping that piece of this bill?

SENATOR FLORES:

Yes, I notified them, and they told me the fiscal note had been dropped.

CHAIR DONDERO LOOP:

Is S.B. 308 now simply a bill to allow standardization of how much someone can charge to bring a J-1 teacher to the United States?

SENATOR FLORES:

Yes. I do not want to pretend Nevada is leading this conversation. There have been many horrific stories across the Country on how we have been charging an excessive amount to our J-1 teachers. We do not want the money they are making to go to reimbursing law firms. Nevada was not as horrible as other states.

CHAIR DONDERO LOOP:

How many other states do this?

SENATOR FLORES:

I do not know, but most states have some type of J-1 program.

SENATOR GOICOECHEA:

I am concerned how this will work. I realize the school districts are capped, but what stops a third-party contractor from requiring additional fees from the teacher?

SENATOR FLORES:

I agree. There could continue to be teachers taken advantage of. If we have a standard across the State, every single J-1 teacher will know, and the community will embrace and reinforce it to empower themselves.

No one will be next to the teacher who contacts a third-party recruiter luring them to the United States and promising them everything is going to be

magical. If we create this standard as a State, hopefully this will create an informational campaign that will safeguard our teachers from these potential pitfalls.

DANIEL STEWART (Clark County Education Association):

This is a critical piece of legislation. Nearly 400 teachers in Clark County are under this J-1 program and they are employed in our hardest to fill positions. There has been much discussion this Session about our teacher vacancy crisis. This is a key component.

I want to mention the school districts will always play a key role, as they must be involved in the sponsorship of the jobs. There are rogue actors out there, but requiring the districts to contract with the most responsible parties will keep the standards uniform. We are not concerned this will effectively reduce the number of teachers who come to Nevada. We anticipate it will help increase the number of teachers because many people are, quite frankly, hoodwinked, brought to a place in bad situations. I want to commend the CCSD for standing up for J-1 teachers by filing a lawsuit on this topic. They recognize how important these J-1 teachers are.

PATRICIA HADDAD (Clark County School District):

The big question for us is putting a firm number of \$5,000 into the legislation, recognizing that costs will increase over time. Overall, we support the concept and look forward to having additional conversations with the sponsor.

CHAIR DONDERO LOOP:

Are you in support?

Ms. HADDAD:

No, not at this time.

CHAIR DONDERO LOOP:

Are you in neutral or in opposition?

Ms. HADDAD:

I am in opposition because changes need to be made.

SENATOR SEEVERS GANSERT:

How much is CCSD paying for this recruitment?

Ms. HADDAD:

I would like to get a sense of what the range is. I know a few are as low as \$5,000, but the cost can exceed that. The information I am trying to get is, how many teachers on the J-1 visa would be cut out if this limitation was set at \$5,000.

SENATOR SEEVERS GANSERT:

Is the CCSD solely responsible for the contract cost to the third-party recruiter or is any of the cost on the employee? Does a contract preclude the recruiter from charging the employee an additional amount or do the CCSD contracts require the District to pay the fee?

Ms. HADDAD:

My understanding is there are costs associated with both the individual and with the school district. There are three different sponsor companies we contract with.

This legislation is looking at the charge to the individual and CCSD's inability to contract with sponsorship companies if they are charging above \$5,000 per J-1 teacher.

CHAIR DONDERO LOOP:

I am confused as to why this would be an issue if CCSD is paying \$5,000 right now or more for a contract?

Ms. HADDAD:

The only concern is how this might impact the total pool of teachers we are able to bring to the District. If there is a limitation on contract amounts based on this new State law, it would limit recruitment.

CHAIR DONDERO LOOP:

I do not see how this is different unless you are using companies that charge more.

Ms. HADDAD:

The companies are in total control of what they are charging to bring us a J-1 teacher. This bill would cap the fees paid and limit the District's ability to hire. There are companies we contract with that do not want to drop their rate to align with this bill. This will impact the total pool of educators we are able to access. It is forcing a limitation on the market.

SENATOR GOICOECHEA:

I am familiar with the H-2A temporary agricultural workers visa program. The way I read this bill, the school districts are capped to paying \$5,000 and there is nothing to stop you from negotiating other expenses associated with using the J-1 visa program.

CHAIR DONDERO LOOP:

What we are saying is, you cannot charge the teacher more than \$5,000, although the District might pay \$15,000. That is the way I am reading the bill.

SENATOR NEAL:

I do not see this as a limitation on the candidate. I see it as a limitation on what the school district can pay. This bill does not protect the J-1 candidate from being charged additional fees by the sponsoring company. You are probably moving in the wrong direction.

CHAIR DONDERO LOOP:

I am trying to understand what the school districts are charging the teacher. I do not want the school district charging one J-1 teacher \$5,000 and another teacher \$15,000 because two different companies were used.

SENATOR SEEVERS GANSERT:

In a contract with any of your three organizations, can CCSD require the total amount be capped at \$5,000? Can the contract cap at what was paid by the J-1 applicant?

Ms. HADDAD:

I do not know the answer, but I will find out.

SENATOR HARRIS:

The whole idea of this program is to bring in teachers. It seems to me if the fifth largest school district in the Country is not allowed to enter into a contract for more than \$5,000, that may move the market. It should not limit the availability of teachers because you will not be able to negotiate a price above \$5,000.

Your testimony indicates a concern you would not be able to get teachers. Would you speak to the market power CCSD has in this situation? If we have a law which limits CCSD's contracts to \$5,000, might this drive prices down?

Ms. HADDAD:
Yes, it could.

SENATOR NEAL:

We had a hearing on this in the Senate Committee on Education. You were opposed to different pieces of this Legislation. This bill has contained the same language regarding J-1 teachers since its introduction on March 20, 2023. There had to have been thought and conversation on this bill because it was not dead. Why do you not have answers to certain questions on the bill?

Ms. HADDAD:

About 20 minutes before walking in here, I realized it was on the agenda for today. After pulling the information, I had additional questions. I am not an expert in J-1 visas or educator recruitment. I will follow up as soon as possible with answers to your questions.

SENATOR FLORES:

To be fair, I did not give Ms. Haddad a heads-up, and we spoke a minute before coming into the hearing. I am committed to continuing to work with her.

For the sake of clarity, these third-party recruitment companies match qualified teacher candidates with school districts in the United States They charge the teacher candidates \$5,000, \$10,000 or whatever to process the paperwork that enables them to work within the United States.

Prior to that, the school district will set up a contracted relationship with a recruitment company to sponsor the employment of a J-1 teacher. The

third-party recruitment company is like a broker. They set up the relationship between the qualified teacher and the school district.

We recognize CCSD is contracting with three different recruiting companies who are charging different amounts. It does not make sense to me because these companies are doing the exact same paperwork to bring every J-1 teacher to Nevada whether they are charging \$5,000 or \$15,000. I believe we would have more teachers who could afford to participate. The responsibility of payment is on the J-1 teacher. Ms. Haddad's position is, the companies CCSD contracts with at \$15,000 will no longer want to do it for \$5,000 and CCSD will lose a source for J-1 teachers. This is a nationwide problem.

I will amend the bill's language to include a growth factor of 3 percent per year or whatever we want to do. I understand the market may fluctuate with time and I pray one day we no longer need teachers from other countries to save us because we cannot fill the void ourselves. Let us set a \$5,000 limit to these contracts in Nevada. It will make a statement that we will not partner with anyone who we believe is taking advantage of the situation.

CHAIR DONDERO LOOP:

I understand what Ms. Haddad was saying. If a school district contracts with a company for services, books or anything, there is a contracted dollar amount. Why would the J-1 teacher pay anything on a contract between the school and a recruiting company? I understand that there could be a legal part to this that we cannot control. The school district would be responsible for the contract. What happens if a school district cannot find anyone for under \$8,000?

SENATOR FLORES:

We contract with at least one partner at the \$5,000 amount or less. Other firms CCSD contracts with are at an excessive amount beyond \$5,000.

The school districts are not capping these fees for any company. The districts are focused on filling positions with teachers who have specific types of training and qualifications, not what is charged to the J-1 teacher by the recruiting companies. This bill will be an added layer of protection. When the school districts shake hands with one of these firms, we are also telling them we will not work with you if you are charging J-1 teachers an excessive amount of money. We realize this can be done. We have those partners now.

We are setting the bar for the entire State. Our partners doing this work will have to do it at that price if they want to continue to be partners with us.

SENATOR SEEVERS GANSERT:

When I read S.B. 308, it seems to be capping only one side of the equation. Is this more of a transparency issue? If reporting was required for what these contracts look like, it may help you get a better feel for the market. It may change the market if there is transparency around the total cost of the contract.

This legislation as presented does not get you there because if the cost is capped at the school district, then the J-1 teacher could be paying an additional amount. We do not know what the total cost can be. We need transparency around the total cost. The contract costs for the individual J-1 teachers cannot be limited.

A further concern is the State does not get those desperately needed teachers if there are restrictions.

SENATOR FLORES:

In my opinion, if contract limits are set at \$5,000 it increases the number of teachers because more teachers can afford to pay the fee.

Regarding the transparency part, the only way we can mandate a contract is to tell the school districts what to do. We cannot direct anyone who is doing a J-1 visa for Nevada to do it at a specific company. All we can do is cap it on the side of the good partners. The school district must be the sponsor and sign off on it. They can choose to do business with companies that will work within the cap.

A number of J-1 teachers have provided us with their contracts, which is how we realized there is a dramatic difference in what one person paid versus the other. Upon comparison, we realized the difference between them was just based on who the broker was.

SENATOR SEEVERS GANSERT:

I keep hearing you say the teacher paid, but what you are limiting in this bill is what the school district can pay.

SENATOR FLORES:

No, I want to clarify this. The school contracts with a business to bring the teacher to Nevada. The teacher always pays. The school district is not paying the \$5,000 fee. The reason we want the cap at \$5,000 is because we want the school district to convey the message that the district will not do business with third-party companies who are charging the J-1 teachers more.

SENATOR SEEVERS GANSERT:

I do not see that in S.B. 308. I see the school district can only pay \$5,000, but it does not say the employee cannot pay an additional amount. Is \$5,000 the total fee for the service for both sides?

SENATOR FLORES:

State law cannot say someone cannot have a contract in the Philippines or in another country for any specified amount. We are asking the school district to be responsible for the contract amount.

SENATOR GOICOECHEA:

The \$5,000 from the school district is fine to do the paperwork and make the introduction. There are other costs, such as airfare, which would need to be negotiated and would need another arrangement.

SENATOR FLORES:

Yes, things like housing and airfare are separate. We are talking specifically about this J-1 paperwork. We already have a partner who is charging only \$5,000. We want this standardized throughout the State.

CHAIR DONDERO LOOP:

We will close the hearing on S.B. 308 and open the work session on S.B. 163.

[SENATE BILL 163 \(1st Reprint\)](#): Requires certain health insurance to cover treatment of certain conditions relating to gender dysphoria and gender incongruence. (BDR 57-129)

MS. CROCKET:

Senate Bill 163 was heard in Committee on May 23, 2023. It requires certain health insurance policies including Nevada Medicaid to provide coverage for the treatment of conditions relating to gender dysphoria and gender incongruence. It allows insurance to establish requirements for coverage of surgical treatments

for individuals under 18 years old, and prohibits insurers from engaging in discrimination based on gender, identity or expression.

The bill becomes effective on July 1, 2023, and was presented by Senator Melanie Scheible. There were no amendments discussed at the bill hearing. The Nevada Department of Health and Human Services, Division of Health Care Financing and Policy submitted a fiscal note on the bill indicating a fiscal impact of \$1.3 million in FY 2023-2024 of which \$182,426 would be General Fund monies. This would include medical service costs, actuarial rate setting and information system changes. The FY 2024-2025 cost would be \$1.3 million including \$182,654 in General Fund monies. Various fiscal notes from local government indicated the fiscal impact could not be determined.

Three people provided comments in support of the bill. Several people provided comments in opposition including Nevada Families for Freedom, the Independent American Party and the Libertarian Party. There were no comments in neutral on the bill.

If the Committee wishes to act on the bill, General Fund monies and federal funds authorization to support the Medicaid budget should be included.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 163 TO INCLUDE AUTHORIZATION FOR GENERAL FUND MONIES
AND FEDERAL FUNDS TO SUPPORT THE NEVADA MEDICAID BUDGET.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS GOICOECHEA, SEEVERS GANSERT
AND TITUS VOTED NO.)

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MR. THORLEY:

Senate Bill 225 was heard yesterday in this Committee and was presented by Senator Harris.

[SENATE BILL 225 \(1st Reprint\)](#): Revises provisions governing peace officers.
(BDR 23-651)

The bill as amended requires an application for certification as a peace officer to include an affidavit stating the applicant has not been disqualified from serving as a peace officer, has not been discharged, disciplined, or asked to resign from employment with a law enforcement agency for certain misconduct, and has not resigned from employment or otherwise separated from employment with a law enforcement agency while an investigation concerning certain alleged misconduct was pending.

The bill also requires the law enforcement agency to immediately notify the Peace Officers' Standards and Training Commission (POST) if a peace officer is charged with certain crimes or separates from employment while an investigation concerning alleged misconduct is pending. The bill states a person is not qualified to serve as a peace officer if the person has been convicted of domestic violence in this State or any other state.

The bill prohibits a law enforcement agency from requiring a peace officer to make certain attestations concerning cannabis as a precedent to employment. The bill requires a search of the National Decertification Index or an equivalent database to ensure the name of an applicant does not appear in any such index or database and requires POST to report the name of each decertified peace officer in the State.

Regarding the fiscal impact of the bill as amended, updated fiscal notes are on the Legislative website. There are no fiscal notes from any State agencies. There was no testimony in support, opposition or neutral.

Senator Harris presented a proposed conceptual amendment ([Exhibit H](#)) at the bill hearing. The amendment is available on the Legislative website. The amendment would not change the fiscal impact on S.B. 225.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 225.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS VOTED NO.)

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CHAIR DONDERO LOOP:
We will move to S.B. 342.

SENATE BILL 342: Enacts provisions relating to veterinary medicine.
(BDR 34-1012)

MR. THORLEY:

Senate Bill 342 was heard yesterday in this Committee and was presented by Senator Pete Goicoechea, and Dr. Michael Teglas and Patty Porter with Western Interstate Commission for Higher Education (WICHE). The bill exempts a participant who receives a stipend from completing employment obligations if the participant who receives a stipend participates in the program to earn a degree of doctor of veterinary medicine (DVM).

The bill provides General Fund appropriations of \$8 million to WICHE to enter into a contract with Utah State University for a program to provide stipends for out-of-State tuition for 70 Nevada residents to earn a DVM degree from the College of Veterinary Medicine at Utah State University.

The bill also provides a General Fund appropriation of approximately \$80,000 in FY 2023-2024 and approximately \$76,000 in FY 2024-2025 to WICHE for one new program officer position and associated operating costs to assist WICHE in carrying out the provisions of this bill.

There was testimony in support from the Nevada Veterinary Association, the Nevada System of Higher Education, the Humane Society, Nevada Farm Bureau, the Nevada Faculty Alliance, and the University of Nevada, Reno. There was no testimony in opposition or neutral.

The fiscal impact relates to the two General Fund appropriations in the bill: the \$8 million to pay for 70 Nevada resident students to attend veterinary school at Utah State University and appropriations for one new program officer.

The Committee discussed how the agreement between WICHE and Utah State University would be structured. The Commission testified it is still in the preliminary phase of negotiating the agreement with Utah State University.

If the Committee desires to appropriate General Fund monies for this purpose, the Committee may wish to appropriate the funds to the Interim Finance

Committee (IFC) restricted portion of the Contingency Account and instruct WICHE to come to IFC during the Interim to present the agreement with Utah State University. They would request approval to transfer funds to WICHE for the purposes of the agreement. This would also apply to the funding for the new program officer position, which would only be required if the funding for the program is approved.

SENATOR GOICOECHEA:

The bill refers to 70 students, but there are 100 program slots. It will take three years to graduate anyone. They must attend three years at the reduced rate to get the fourth year. I am fine with the amendment. It will benefit Nevada.

CHAIR DONDERO LOOP:

We felt since the agreement with Utah State University had not been done, it was better to put it with IFC in the Contingency Fund. The money will be safe until we have signed agreements.

SENATOR TITUS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 342 WITH GENERAL FUND MONIES DISTRIBUTED TO IFC'S
RESTRICTED CONTINGENCY ACCOUNT.

SENATOR SEEVERS GANSERT SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

We will now move to S.B. 350.

SENATE BILL 350 (1st Reprint): Revises provisions relating to graduate medical education. (BDR 18-553)

Ms. CROCKET:

Senate Bill 350 was heard in this Committee on May 12, 2023. It requires the Office of the Governor, Office of Science, Innovation and Technology (OSIT) to establish the Graduate Medical Education Grant Program. This program would award grants to institutions seeking to create, expand, or retain accredited

programs for residency training and postdoctoral fellowships for physicians and creates the account for the Graduate Medical Education Grant Program to carry out the program.

The bill also creates the Advisory Council on Graduate Medical Education to make recommendations to OSIT on grants for the program. The bill becomes effective upon passage and approval. The bill was presented by Senator Julie Pazina and the dean of the University of Nevada, Las Vegas, School of Medicine. Support was provided by Touro University, Renown Health, the Nevada Public Health Association, the Nevada System of Higher Education, Vegas Chamber, Sunrise Health, the University of Nevada, Reno, and the Nevada Primary Care Association.

There were no comments in opposition. There was one comment in neutral from the Nevada System of Higher Education, Administrative Services Division discussing the fiscal note, which was a cost of \$89,000 in FY 2023-2024 and \$113,000 in FY 2024-2025 to administer the program. The bill includes a \$17 million General Fund appropriation to the account for the Graduate Medical Education Grant Program. One additional staff position was funded in the budget closings. The Administrative Services Division indicated there was no longer a need for an additional position. It was removed from the fiscal note.

Senator Julie Pazina provided a conceptual amendment ([Exhibit I](#)) to staff on May 24, 2023. The amendment includes a reduction of the \$17 million appropriation to \$8.5 million. The OSIT budget, as approved by the Legislature, contains \$8.5 million in funding to support the Graduate Medical Education Grant Program, as approved. The amendment proposes to require OSIT to convene an evaluation committee of subject-matter experts who are unaffiliated with any applicants to develop a process and procedure to ensure all awards are transparent, without bias, fair, equitable and accessible. The amendment proposes to establish a tax credit against the modified business tax for taxpayers who donate money to an organization that provides grants to public or private institutions for the establishment of certain programs of residency training and postdoctoral fellowships for physicians.

If the Committee wishes to act on the bill, various pieces of the amendment proposed by Senator Pazina should be considered.

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SENATOR TITUS:

I support this bill and its amendment.

CHAIR DONDERO LOOP:

In the conceptual amendment, [Exhibit I](#) for S.B. 350, I would suggest we amend and do pass with the changes to section 5, subsection 3 in item 2, adding the following language that requires the OSIT:

... to convene an evaluation committee of subject-matter experts that are unaffiliated with any applicants for funding to develop a process and procedure for evaluating evaluations, so that the process and all procedures are transparent, without bias, fair, equitable, and accessible.

At some point, we will be able to fund this bill. We love all the concepts, but it is very expensive. We would like to put the evaluation committee into place.

SENATOR SEEVERS GANSERT:

Is this just the policy with no money?

CHAIR DONDERO LOOP:

Yes.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 350 WITHOUT FUNDING AND WITH AMENDED CHANGES TO SECTION 5, SUBSECTION 3, TO REQUIRE THE OFFICE OF THE GOVERNOR, OFFICE OF SCIENCE, INNOVATION AND TECHNOLOGY TO CONVENE AN EVALUATION COMMITTEE TO DEVELOP A PROCESS AND PROCEDURE FOR EVALUATING EVALUATIONS.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS VOTED NO.)

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CHAIR DONDERO LOOP:

We will go to S.B. 413.

SENATE BILL 413 (1st Reprint): Revises provisions relating to credits to reduce the sentence of an offender. (BDR 16-313)

MR. THORLEY:

Senate Bill 413 was presented by Senator Harris yesterday. The bill provides certain offenders, who comply with the programming and placement identified in the risk and needs assessment administered to the offender, as determined by the director, must be allowed credit for good behavior against their sentence. This credit could be against the minimum term or minimum aggregate term, the maximum term or maximum aggregate term in an amount of days that is equivalent to 35 percent of the applicable term of the sentence of the offender.

The bill also requires the director of the Nevada Department of Corrections (NDOC) to provide each offender with a list of programs identified in the risk and needs assessment and the programs available at the institution, as well as the offenders assigned, and submit it to the Board of State Prison Commissions. A second report listing the programs provided to each offender in custody and the programs offenders have successfully completed also must be submitted to the Board. The effective date is upon passage and approval for the purposes of adopting regulations and performing administrative preparatory tasks, and on January 1, 2025, for all other purposes.

The Office of the Attorney General (AG) submitted an unsolicited fiscal note, however, Proposed Amendment 3704 ([Exhibit J](#)) removed the fiscal impact on the AG. There is also a fiscal note from NDOC related to funding for one new position and programming costs for a vendor to implement information technology system changes. The Legislative Counsel Bureau Fiscal Analysis Division has received updated information from NDOC. The total estimated fiscal cost in FY 2023-2024 is \$353,721 of which \$300,000 is IT costs and \$53,721 is personnel costs for the caseworker management specialist position. In FY 2024-2025, there is \$74,198 in personnel costs.

Testimony was provided in support from a formerly incarcerated person. There was no testimony in opposition or neutral.

Proposed Amendment 3704 presented at the bill hearing on May 29, 2023, removes the AG's fiscal note. The amendment also requires a report to be submitted to the IFC no later than December 31, 2024, on the implementation

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of the new credits program and addresses the information sharing between NDOC and the AG's office.

If the Committee wishes to add funding to S.B. 413, it would be General Fund appropriations to fund the IT system upgrades and the position. You would need to amend the provisions of the proposed amendment.

SENATOR GOICOECHEA:

This is more of a policy question. Is it still the State Board of Parole Commissioners' decision to release an offender no matter how many credits have been obtained?

MR. THORLEY:

Yes. When Senator Harris presented this bill, she indicated nothing in this bill changes that process. The Board would still receive all the information related to the offender and then make the decision regarding parole.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED S.B. 413 WITH PROPOSED AMENDMENT 3704 EXHIBIT J; WITH THE NEVADA DEPARTMENT OF CORRECTIONS FUNDING IT AND PERSONNEL COSTS IN THE AMOUNT OF \$353,721 IN FY 2023-2024 AND \$74,198 IN FY 2024-2025.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS VOTED NO.)

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Ms. CROCKET:

Senate Bill 416 was heard in Committee on May 23, 2023.

SENATE BILL 416: Revises provisions relating to the Department of Corrections.
(BDR 16-322)

The bill limits the NDOC director's authority to deduct money from an offender's account, allowing deductions only for medical expenses related to offender-to-offender injuries and for medical care provided outside of the

facility. Deductions for clothing, transportation and money upon release are prohibited for offenders with certain sentences.

The bill also establishes requirements for the provision of funds upon an offender's release and regulates the operation of commissaries regarding the package program for offenders. Additionally, it provides the NDOC director with the authority to adopt regulations regarding the handling of an offender's remains and cancels outstanding debt for certain released offenders.

The bill is effective upon passage and approval for administrative tasks and on October 1, 2023, for all other purposes. The bill was presented by Senator Scheible accompanied by individuals from the Nevada Fines and Fees Justice Center.

A proposed amendment ([Exhibit K](#)) provided an update on May 29, 2023. It would amend section 3, subsection 1 of the bill to allow the NDOC director to adopt regulations relating to limiting amounts of personal property and clarify the markup in paragraph (b) regarding hygiene items. It would amend section 2 stating the director shall not adopt any regulation that authorizes a deduction of money credited to the account of the offender for medical co-pays for routine and emergency medical care and strike the rest of the section in the bill in its current form. It would also keep section 8 and delete all other sections and subsections of the bill.

Senate Bill 416 as introduced indicated a \$12.2 million net revenue reduction over the 2023-2025 biennium. The Agency has provided Fiscal staff with revised estimates based on the discussed proposed amendment, which would result in a decrease of revenue of \$1,308,472 per fiscal year of which \$482,899 relates to decreased room and board revenue. The revenue source available to offset the revenue loss would be General Fund monies. The other provisions are charges collected for medical co-pays and is broken down into two components that total \$825,573 per fiscal year in the 2023-2025 biennium.

The Committee has a couple of options to consider regarding that component of the fiscal impact. It could be supported by transfers from the Inmate Welfare Fund. However, that fund is supported primarily by fees charged to offenders and is not in alignment with the intent of S.B. 416 to reduce the cost of incarceration for individuals and their families. The other option would be to

support the medical charge cost with General Fund monies in the amount of \$1.3 million as previously mentioned.

Nine people testified in support of the bill. No individuals testified in opposition or neutral. If the Committee wishes to vote on the bill, the action will need to specify the funding sources to offset the revenue loss to NDOC.

CHAIR DONDERO LOOP:

I would accept an amend and do pass with General Fund monies.

SENATOR NGUYEN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 416 WITH FUNDING FROM GENERAL FUND MONIES.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR GOICOCHEA:

What is the approximate General Fund appropriation?

Ms. CROCKET:

The total General Fund appropriation would be \$1,308,472 per fiscal year.

THE MOTION CARRIED. (SENATORS GOICOCHEA, SEEVERS GANSERT,
AND TITUS VOTED NO.)

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CHAIR DONDERO LOOP:

We will move to S.B. 425.

SENATE BILL 425: Establishes the Commission on Innovation and Excellence in Education to develop a statewide vision and implementation plan to improve the public education system in this State. (BDR 34-1060)

MR. THORLEY:

Senate Bill 425 was heard in this Committee on May 12, 2023. The bill creates the Commission on Innovation and Excellence in Education to develop a Statewide vision and implementation plan to improve Nevada's education system. The bill details the activities the Commission must undertake. The Commission must submit an annual report of its findings to the Governor, superintendent of public instruction and the Legislature.

There are two General Fund appropriations in the bill. Section 6 appropriates \$250,000 to the Commission to contract with a vendor to assist with the work of the Commission in its statutory duties. Section 5 is a General Fund appropriation of \$12,500 in each year of the 2023-2025 biennium to pay for travel expenses for the Commission members. The Nevada Department of Education (NDE) submitted a fiscal note with costs approximating \$10,000 per year in overtime for staff-related work surrounding the Commission.

Support testimony was provided by the City of Henderson, opposition from the Nevada State Education Association and no testimony in neutral. There were no amendments discussed in the bill hearing and staff is not aware of any subsequent amendments.

If the Committee wishes to approve this bill, there are a couple options. It could fund the projected overtime cost of the Department of Education or pass the bill with the General Fund appropriation and not address the projected overtime costs of the NDE.

SENATOR GOICOCHEA:

Will this Commission study CCSD's challenges to determine a better way to deliver public education in Clark County?

CHAIR DONDERO LOOP:

For the last two years, I personally have looked for a better way. Prior to that was a project called "No Time To Lose" through the National Conference of State Legislators. We looked at world-class education and school districts in the United States and countries across the world. We looked at Singapore, Estonia, Canada, and many other countries. What we would like to do is create this Commission to develop a Statewide plan and implementation plans so we can start to develop a world-class educational system. Montana is doing something very similar.

I will not rehear the bill. I would suggest we pass S.B. 425 without the overtime and just the designated fiscal pieces within section 5 and section 6.

SENATOR CANNIZZARO MOVED TO DO PASS S.B. 425 WITH GENERAL FUND MONIES OF \$250,000 PURSUANT TO SECTION 6 OF THE BILL AND \$12,500 IN FYS 2023-2024 AND 2024-2025 PURSUANT TO SECTION 5 OF THE BILL WITHOUT FUNDING FOR OVERTIME.

SENATOR NEAL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR DONDERO LOOP:

We will go to S.B. 435.

[SENATE BILL 435 \(1st Reprint\)](#): Revises provisions relating to Medicaid.
(BDR 38-1069)

MS. CROCKET:

Senate Bill 435 was heard on May 17, 2023. Existing law authorizes the Nevada Department of Health and Human Services (DHHS), Division of Health Care Financing and Policy to impose an assessment on each operator of an agency to provide personal care services in the home. It also requires each operator of the medical facility to obtain a license, if after polling the operators, at least 67 percent of those operators vote in favor of the assessment. It limits the expenditure of the assessment revenue to provide supplemental payments or enhanced rates of reimbursement under Medicaid to operators upon whom the assessment is imposed and to administer provisions of the law governing such assessments.

Senate Bill 435 authorizes this collective money to be used to provide supplemental payments or enhanced rates of reimbursement to operators that are not subject to the assessment if such expenditures were identified as a potential use of the assessment in the polling of operators. The polling must receive an affirmative vote of at least 67 percent of the operators on whom the assessment would be imposed. The bill also authorizes the director to use not more than 15 percent of the money generated to provide additional supports and services to Medicaid participants with serious behavioral health conditions.

The bill becomes effective upon passage and approval. The bill was presented by the director of DHHS and the administrator of the Division of Health Care Financing and Policy.

There was an amendment presented by the Nevada Hospital Association that would amend section 1.8, subsection 4. The intent of the amendment is to provide long-term stability to the provider tax program by locking in the uses of

the provisions in law, and changes to State or federal law would require a new poll of operators to continue the program.

This is a budget implementation bill and is required to carry out the budget as approved by the Legislature. There were no fiscal notes submitted on the bill. However, the Medicaid budget contains private hospital provider tax revenue and associated supplemental payments.

Testimony in support was provided by the Nevada Hospital Association, Nevada Rural Hospital Partners, Valley Health System, Renown Health, Sunrise Hospital and Dignity Health. There was no testimony in opposition or neutral.

SENATOR SEEVERS GANSERT MOVED TO AMEND AND DO PASS AS AMENDED S.B. 435.

SENATOR NEAL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

We will now hear S.B. 469.

SENATE BILL 469: Makes an appropriation to the Nevada Gaming Commission for employee training and registration fees for conferences. (BDR S-1161)

Ms. CROCKET:

Senate Bill 469 was heard on May 15, 2023, and makes a General Fund appropriation to the Nevada Gaming Commission in the amount of \$17,680 for employee registration and training fees for conferences. This appropriation was recommended in the Executive Budget. The bill was presented by staff of the Nevada Gaming Control Board.

There were no amendments discussed during the hearing and there was no testimony in support, opposition or neutral.

SENATOR NGUYEN MOVED TO DO PASS S.B. 469.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

That brings us to our last work session item, S.B. 492.

SENATE BILL 492: Makes appropriations to the State Department of Conservation and Natural Resources for the replacement or purchase of certain information technology, vehicles and equipment. (BDR S-1169)

MR. THORLEY:

Senate Bill 492 was heard in this Committee on May 15, 2023. It is a one-shot appropriation for the purchase of various pieces of equipment with the Nevada Department of Conservation and Natural Resources (DCNR). It was presented by Director James Settlemeyer. There was no testimony in support, opposition or neutral.

The Committee had a work session on this bill. Fiscal staff was instructed to work with Director Settlemeyer and the DCNR staff to look at the various appropriation amounts in the bill. All the quotes were reviewed, and we have updated numbers to present to the Committee in various sections of the bill for your consideration. I will briefly go through each section of the bill and if DCNR staff has no recommended changes to the appropriation amount, I will note that.

In section 1, computer hardware and software, there is no recommended change to the appropriation amount. In section 2, computer hardware and software, there is no recommended change. In section 3, heavy equipment and vehicles, there is a recommended change from the bill as introduced. The recommended appropriation amount in section 3 is \$3,821,597. In section 4, radios, there is no recommended change to the appropriation amounts. In section 5, woodchipper; section 6, computer hardware and software; section 7, operational equipment; section 8, vehicle replacement; and section 9, computer hardware and software, there are no changes.

In section 10, the replacement helicopter, there is a recommended change from \$5 million as introduced to \$5,295,000. In section 11, replacement vehicles, there is a recommended change from the amount as introduced to the new amount, \$1,556,337. Section 12, computer hardware and software, has no recommended change. In section 13, replacement command trucks, there is a recommended change to \$1,527,446. In section 14, tool and toilet trailers, there is a recommended change to \$1,133,370. There are no other recommended changes to sections 15 through 17 of the bill.

I will reiterate, after review, most of the recommended changes resulted from increases in the quoted prices DCNR received for the various pieces of replacement equipment.

SENATOR NEAL:

It was my understanding priorities would be set.

CHAIR DONDERO LOOP:

We thought when this bill went to work session, priorities would be set.

MR. THORLEY:

We did not work with DCNR on prioritizing, but we certainly can.

CHAIR DONDERO LOOP:

I would suggest we table this and try again to prioritize these appropriations. There were many good questions on May 15, 2023, when we heard this. I recognize the costs of equipment will go up, but priorities may need to be set. The original amount for this appropriation was around \$15 million and now it is higher. We are asking to look at this differently with a goal of cost containment.

SENATOR SEEVERS GANSERT:

Would the director be able to answer questions?

SENATOR GOICOECHEA:

I was the one who was pursuing this. Regarding the vehicle purchases, I thought by obtaining them through fleet leasing, we could cut some costs rather than purchasing them outright. In a conversation with Director Settlemeyer, he stated these vehicles are not available through fleet services. This might be something to look at for future purchases. I have a problem with \$80,000 pickups driving around.

SENATOR NGUYEN:

I have concerns when we are having a difficult time voting out \$1 million to cover room and board for people who are working in the prison, and we do not have any kind of priority on this \$15 million. I realize DCNR wants and probably needs all of this, but is there any kind of prioritizing you can do?

JAMES SETTELMAYER (Director, Department of Conservation and Natural Resources):

When the bill was last heard in this Committee, I was directed to go back and look at fleet services, among other things. We have had many lean years and subsequently DCNR delayed purchasing these vehicles. Many have as much as 190,000 miles and were scheduled to be replaced at 150,000 miles of use. Because of how these trucks are used, they should have been replaced at 100,000 miles. Vehicles used to tow trailers for firefighters' meals, woodchippers or toilets need to be safe and are due for replacement at around 100,000 miles.

I was told to look through all our vehicles and none of them can be obtained by the State's fleet services. We discussed these concepts to put in use for the 2025 Session for any of our other vehicles. However, we do not have a fleet services account.

The Department of Conservation and Natural Resources traditionally had our own internal fleet services where vehicles are loaned from one division to another. We would have eight different bills for each division in DCNR if this was not the case. The LCB decided to combine all our bills together in one large bill. I wish it was different because at least one or two of them would be through already.

We can go back and try to figure out what vehicles have exceeded their mileage requirements and try to come back to this Committee, but I think this puts us in a slightly unsafe position, especially with the helicopter. The helicopter is red-tagged. We got it from the federal government but are not allowed to have a federal employee in it. If we see someone in a fire who is a federal employee, we are instructed to leave them because they are safer in the fire than in this helicopter. I will do whatever this Body wishes me to do.

SENATOR NGUYEN:

I do not have a problem with it all being in one bill. In fact, I wish some of these other allocations had been in one bill, like for computer software and upgrades.

I would have the same concerns with other agencies. I did not realize we have asked other people to prioritize what things are more important. Obviously, it sounds like the helicopter is important, but it also sounds like the woodchipper is of equal importance.

SENATOR SEEVERS GANSERT:

We have heard a couple of times that the trucks are at 190,000 miles, way beyond their useful life, in part because of how they are used. The helicopter is red-tagged. We need to remedy that. I do not think we can cut anything. This Session, we have many deferred requests that have accumulated over the years. That is why it looks like such a large amount. The Department has not been able to get anything for quite a while.

I would be supportive of moving this bill with the amendment outlined by Mr. Thorley.

CHAIR DONDERO LOOP:

What does the Committee want to do?

SENATOR NEAL:

I just have a funny feeling it will not come back any different. You might as well just move it out of Committee.

SENATOR HARRIS:

If you are amenable, I would move to amend and do pass.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED S.B. 492 WITH A VERBAL AMENDMENT TO INCREASE THE RECOMMENDED APPROPRIATION IN SECTION 3 FOR HEAVY EQUIPMENT AND VEHICLES, TO \$3,821,597; IN SECTION 10, THE REPLACEMENT HELICOPTER, TO INCREASE THE RECOMMENDED APPROPRIATION TO \$5,295,000; IN SECTION 11, REPLACEMENT VEHICLES, TO INCREASE THE RECOMMENDED APPROPRIATION TO \$1,556,337; IN SECTION 13, REPLACEMENT COMMAND TRUCKS, TO INCREASE THE RECOMMENDED APPROPRIATION TO \$1,527,446; IN

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SECTION 14, TOOL AND TOILET TRAILERS, TO INCREASE THE
RECOMMENDED APPROPRIATION TO \$1,133,370.
SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DONDERO LOOP:

We will add S.B. 162 to our work session before we close out.

MR. THORLEY:

Senate Bill 162 was heard earlier this evening and revises provisions related to voting in county and city jails.

Senator Scheible noted that with the first reprint there are no longer any fiscal notes on the bill. There was testimony in support from Battle Born Progress, no testimony in opposition or neutral.

There is a conceptual amendment, [Exhibit G](#), presented by Senator Scheible related to the use of the SOS's EASE System as a voting method for individuals in county or city jail.

SENATOR GOICOCHEA:

I liked it better without the amendment.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 162.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS GOICOCHEA, SEEVERS GANSERT,
AND TITUS VOTED NO.)

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CHAIR DONDERO LOOP:

We will close the work session and now hear public comment. Hearing no public comment, this meeting is adjourned at 9:26 p.m.

RESPECTFULLY SUBMITTED:

Dee Chekowitz-Dykes,
Committee Secretary

APPROVED BY:

Senator Marilyn Dondero Loop, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 327	C	6	Cathy Crocket	Proposed Policy Amendment Washoe County
S.B.364	D	8	Wayne Thorley	Conceptual Amendment Senator Lisa Krasner
S.B. 443	E	11	Wayne Thorley	Proposed Conceptual Amendment Senator James Ohrenschall
S.B. 233	F	12	Cathy Crocket	Proposed Amendment 3657 Senator Nicole Cannizzaro
S.B. 162	G	14	Senator Melanie Scheible	Conceptual Amendment
S.B. 225	H	27	Wayne Thorley	Proposed Conceptual Amendment, Senator Dallas Harris
S.B. 350	I	30	Cathy Crocket	Conceptual Amendment, Senator Julie Pazina
S.B. 413	J	32	Wayne Thorley	Proposed Amendment 3704, Senator Dallas Harris
S.B. 416	K	34	Cathy Crocket	Proposed Amendment, Nick Shepack