

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON EDUCATION**

**Eighty-Second Session  
March 2, 2023**

The Committee on Education was called to order by Chair Shannon Bilbray-Axelrod at 1:33 p.m. on Thursday, March 2, 2023, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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](http://www.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Shannon Bilbray-Axelrod, Chair  
Assemblywoman Angie Taylor, Vice Chair  
Assemblywoman Natha C. Anderson  
Assemblyman Reuben D'Silva  
Assemblywoman Alexis Hansen  
Assemblywoman Melissa Hardy  
Assemblyman Gregory Koenig  
Assemblywoman Selena La Rue Hatch  
Assemblyman Richard McArthur  
Assemblywoman Erica Mosca  
Assemblywoman Clara Thomas  
Assemblywoman Selena Torres

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Shea Backus, Assembly District No. 37  
Assemblyman Howard Watts, Assembly District No. 15

**STAFF MEMBERS PRESENT:**

Alex Drozdoff, Committee Policy Analyst  
Asher Killian, Committee Counsel  
Nick Christie, Committee Manager

Minutes ID: 325



Funmi Shetty, Committee Secretary  
Ashley Torres, Committee Assistant

**OTHERS PRESENT:**

Markie Wilder, Coordinator, Indigenous Student Services, University of Nevada,  
Reno  
Jennifer R. Lanahan, representing Reno-Sparks Indian Colony  
Dale A. R. Erquiaga, Acting Chancellor, Nevada System of Higher Education  
Renée Davis, Interim Vice Chancellor, Academic and Student Affairs and  
Community Colleges, Nevada System of Higher Education  
Kent M. Ervin, Ph.D., State President, Nevada Faculty Alliance  
Annette Magnus, Executive Director, Battle Born Progress  
Chris Daly, Deputy Executive Director, Government Relations, Nevada State  
Education Association  
Marla McDade Williams, Private Citizen, Carson City, Nevada  
Morgan Biaselli, representing Pyramid Lake Paiute Tribe  
Anthony Ruiz, Deputy Chief of Staff, Office of the President, Nevada State College  
Constance J. Brooks, Vice President, Office of Government and Community  
Engagement, University of Nevada, Las Vegas  
David Gomez, representing Nevada Peace Alliance  
Teresa Melendez, representing Nevada Native Solutions and Tribal Nations  
Douglas Unger, University of Nevada, Las Vegas, Chapter President and Government  
Affairs Representative, Nevada Faculty Alliance  
James Phoenix, Chairman, Pyramid Lake Paiute Tribe  
Laurie Tom, Private Citizen, Yerington Paiute Tribe  
Warren Graham, representing Duckwater Shoshone Tribe  
Petra Wilson, Private Citizen, Oglala Sioux Tribe  
Paul J. Moradkhan, Senior Vice President, Government Affairs, Vegas Chamber  
Francesca Petrucci, representing Clark County Education Association  
Gina Bongiovi, Private Citizen, Las Vegas, Nevada  
Warren B. Hardy II, representing Nevada Health and Bioscience Corporation  
Maureen Schafer, representing Council for a Better Nevada  
Lindy Shumacher, representing Fulfillment Fund Las Vegas  
Christina R. Giunchigliani, Private Citizen, Las Vegas, Nevada  
Emily Persaud-Zamora, Executive Director, Silver State Voices  
Janine Hansen, representing Nevada Families for Freedom  
Joseph C. Arrascada, Regent, Board of Regents, Nevada System of Higher Education  
Karen Stephens, Private Citizen  
Byron Brooks, Chair, Board of Regents, Nevada System of Higher Education

**Chair Bilbray-Axelrod:**

[Roll was called and meeting protocol reviewed.] Welcome to this meeting of the Assembly  
Committee on Education for the 82nd Session.

We are going to hear two bills, and we are going out of order. We will begin with the hearing on Assembly Bill 150, and then we will hear Assembly Bill 118, which I think a lot of you are here for. Please note, I will be limiting testimony to 20-minute windows for each bill. We will take 20 minutes of support, 20 minutes of opposition, and 20 minutes of testimony in neutral. I will now open the hearing on A.B. 150. This measure revises provisions governing the waivers of certain fees by the Board of Regents to the University of Nevada. To present this measure, we have our own Assemblywoman Anderson.

**Assembly Bill 150: Revises provisions governing the waiver of certain fees by the Board of Regents of the University of Nevada. (BDR 34-88)**

**Assemblywoman Natha C. Anderson, Assembly District No. 30:**

It is my honor to represent Assembly District 30. Today I am joined by Markie Wilder of the University of Nevada, Reno (UNR) to present Assembly Bill 150, which proposes changes to *Nevada Revised Statutes* (NRS) 396.5449. The proposed changes are based upon numerous discussions I have had with tribal students, leaders, and educators from the Nevada System of Higher Education (NSHE). First, I want to touch upon the success we had and when I say we, I mean our body. We passed Assembly Bill 262 of the 81st Session, and it was almost unanimous. Of notable success, there are 140 students who are now attending either community college or university because of this waiver. We have been able to take away a small portion of the financial concerns that face many first-time students. Finally, there is the recognition of a strong tribal nation as Arlan Melendez, the chair of the Reno-Sparks Indian Colony, stated in our 2021 presentation: "When tribal nations are strong, then the state of Nevada is strong also." There is a reciprocal sharing of knowledge which is a win-win for the university and the tribes as we try to help each other to make the state of Nevada and our country a better place. Many of the universities and community colleges have worked on helping students navigate the difficulties of applying for school and also staying in school. I would like to ask Markie Wilder to continue the presentation, as she works daily with our students. I have asked her to prepare a four- or five-minute discussion about some of the difficulties she has experienced and that some of our students have experienced as well as the successes.

**Markie Wilder, Coordinator, Indigenous Student Services, University of Nevada, Reno:**

I am here today on behalf of the University of Nevada, Reno to show our support for the proposed amendments brought forward by Assemblywoman Natha Anderson. For the last three years I have served the University of Nevada, Reno Multicultural Center as the coordinator for Indigenous Student Services. This role focuses on retention, persistence, and graduation services and programs. This role inherited the labor of the Native-American fee waiver. In the first year of implementation, the University of Nevada, Reno had the largest number of students within the Nevada System of Higher Education utilizing the Native-American fee waiver with 72 students, a little under half. In the initial eligibility process, my role was to make sure students submitted all appropriate documents, which included proof of tribal membership or a letter of descendance from a federally recognized Nevada tribe. If a student did not have proof of their tribal enrollment or descendance, I helped connect them to their tribe's enrollment departments to help attain appropriate

documentation. Once all materials and applications were submitted, I would hand off to our wonderful team that consists of the registrar, financial aid, admissions and records, and the cashier's office. They handled all logistics pertaining to the Native-American fee waiver. If there were any issues or barriers, I would work closely with the student to help resolve them. In the first cohort of students who utilized the Native-American fee waiver, the challenges of implementation became very apparent. First it was the residency requirement—they must be residents of the state of Nevada. Students who were enrolled members of our Nevada tribes but lived in Oregon, Idaho, Utah, and California were excluded. For example, our families in Owyhee—although enrolled in Owyhee, had residency a few miles over the Nevada border in Idaho—could not utilize the waiver.

The next challenge we faced was the self-supported courses and the state-supported courses. Assembly Bill 262 of the 81st Session says it can only fund state-supported courses. We had students who were eager to take the online Pearson graduate courses for business, public health, social work, and other programs. The majority of these programs are exclusively online and make sense for our educators who are living in our rural communities and cannot access our physical campus. These students enrolled, excited about the Native-American fee waiver, and later found out that the waiver would not cover their tuition, and their expenses were all on them.

Another challenge that was very defeating for our Indigenous students was that Assembly Bill 262 of the 81st Session stated that our students must be degree-seeking. This affected our families and community members who wanted to take some of the certificate programs NSHE offers. An example is our tribal communities' Head Start programs. Native teachers could not qualify for the waiver to get a Certificate of Achievement in Early Childhood Education through Western Nevada College because that program is not degree-seeking. So my child's Indigenous teacher could not get a certificate in early childhood education.

One of the last challenges I bring forward is the waiver being used as the last dollar in. The students who need this waiver the most are getting the least amount of dollars toward their tuition. For example, a student with an estimated family contribution of zero would receive \$6,000 in financial aid. All of those federal dollars would be applied toward their tuition first and then the waiver would be applied after. Thus, these students do not see any of their Free Application for Federal Student Aid (FAFSA) scholarships that have traditionally helped pay for books, housing, or food. Our students in the higher socioeconomic status range receive no federal dollars from their FAFSA, so the majority of their tuition is covered with this waiver.

There have been many challenges, but I am happy to be here today to present and give reason to the necessary changes. We are so thankful to Assemblywoman Natha Anderson for keeping UNR involved in the conversations.

Before I end, I would like to share some highlights of this waiver. In the UNR Multicultural Center we have the honor of hosting an Affinity Graduate Celebration in the fall and in the spring for all our students. We have Indigenous students graduating with big plans to give

back to our community or continue their education into graduate school. It has been so amazing to see the power this waiver has given to our future generations. Our community will have more Indigenous doctors, Indigenous lawyers, Indigenous psychologists, Indigenous social workers—all working for our tribal communities. My favorite success story is of my colleague, Kari Emm, known today as Dr. Kari Emm of the Walker River Paiute Tribe. She was able to utilize this waiver for the last few semesters of her doctoral degree at UNR. Now we have students who look up to her and see that if she can be a doctor, then they can too, especially because of the accessibility of this waiver. This waiver is an investment for our future generations of Indigenous people of the Great Basin. Our Indigenous students are now able to bring their research, traditional knowledge, and can share it with our institutions to help make Nevada a better place.

**Assemblywoman Anderson:**

I would like us to now walk through the bill, with the Chair's permission.

**Chair Bilbray-Axelrod:**

Are you going to discuss the amendment?

**Assemblywoman Anderson:**

Yes, I will be utilizing the amendment I provided [\[Exhibit C\]](#). There is some information that came from the Nevada System of Higher Education [\[Exhibit D\]](#). I have not had a chance to sit down and talk with them since it came in this morning. However, I believe many of the issues are addressed in the amendment. I am looking forward to that conversation.

I will be walking through the amendment I proposed, the "N. Anderson Proposed Conceptual Changes for AB 150" [\[Exhibit C\]](#). The first item I would like to add in is to recognize "members and descendants of members of federally recognized Native American tribes, who do not otherwise meet the criteria of this subsection, and who currently reside on tribal lands located wholly or partially within the boundaries of the state of Nevada." If you look at the map provided, you will notice many of the tribal lands go beyond our state borders [\[Exhibit E\]](#). So, we have individuals who are members of a tribe—who are part of the tribal culture and go to a Nevada school—yet they do not live in Nevada by just two miles. With this proposed change we would be able to allow that. If you look at the map, you will see, in particular, there is the Duck Valley area up around Idaho, there is an area right around California, and there is an area around the Arizona-Nevada border as well, where we have students who want to come to the University of Nevada, but they actually live in Arizona or they live in Idaho based upon the tribal land they live on. So that is one reason why I am bringing forward the language of "members and descendants of members of federally recognized Native American tribes, who do not otherwise meet the criteria of the subsection, and who currently reside on tribal lands located wholly or partially within the boundaries of the state of Nevada." In that way we are able to address that very issue. This language is also much more consistent with the Nevada System of Higher Education language. This was actually proposed by them earlier last month.

The second proposed conceptual change is to say the tuition waiver may be utilized for all programs, including dual credit courses for our high school students, summer classes, winter classes, non-degree courses, and self-supporting programs, of which there are nine at this time. Those self-supporting programs are oftentimes online and so we are unable to get those fees covered at this time. I realize, again, that NSHE has proposed an amendment; I have not had a chance to look through it, but I am looking forward to the discussion with them.

The third proposed conceptual change is that I would like to remove any sort of mention of FAFSA at this time. I believe Markie did an excellent job of bringing up why: it has become a barrier. We had a tribal leader who simply wanted to take a class and was told you cannot do this because of FAFSA. With the FAFSA, you must have only degree-seeking programs, and that is not the point of this tuition waiver. The other issue that was coming forward with FAFSA was that it was hurting the people who needed it the most. Because what would happen is the FAFSA money would come in, take care of the tuition, and then the students would still be required to pay the additional fees as opposed to being able to use the FAFSA in a different fashion. So, at this time, I am requesting to remove that requirement. However, again, I realize NSHE has a proposed amendment, and I am looking forward to those discussions to be able to continue to fix that.

Number four: "If a student has lived in Nevada for at least a year, graduates from a Nevada high school and is enrolled in any federally recognized Indian tribe or nation (or a descendant of a member of any federally recognized Indian tribe or nation) the waiver shall be granted" [\[Exhibit C\]](#). We have numerous students who attend our schools who are self-identified as Native American, yet the tribe they come from might be in Wisconsin. It might be in Indiana. I have a student this year who transferred into my class late, and we were talking about some things. She just moved from Wyoming, and her mother was a member of one of the nations there. She asked, Does this work for me? I said, I do not believe it does right now, but let us try to find something that does. We were able to find one or two programs that could help her in other states. I believe Nevada graduates should be able to get this tuition waiver. If you live in our state for a year, if you are Nevada graduate, it should be able to help you out.

Finally, I am asking for funding. There are some individuals who believe there may be matching funds available. I am more than happy to start searching for those, and try to find some ways to match the funds because if we can leverage this and help our students attend higher education, how much better can we be as a state, and also as a nation? It currently costs \$450,000, which is why I utilized that number.

In closing, I would like to bring forward the words of a Truckee Meadows Community College student who is planning on becoming an elementary school teacher. Her name is Alyssa Sweet. I have never met Miss Sweet; she is a descendant of the Lovelock Paiute Tribe, and her words are from an article in the Nevada Current which was written by Jennifer Solis. This is a direct quote from Ms. Sweet: "The only reason I'm able to go to the university is because of this waiver . . . . And it's because I'm Native. It makes me feel good about who I am . . . . Without the fee waiver I honestly would have had to drop out this

semester. I've been having a lot of financial issues and I can't rely on most help," Sweet continued. "This has been life-changing for me just because I can rely on something else, something I know that's going to be there." Thank you for this opportunity and presenting Assembly Bill 150. I am looking forward to our discussions, and I think we are both available for any questions you might have.

**Assemblywoman Torres:**

I have a couple of recommendations. I understand the need for us to allow for individuals who are applying for certificate programs to receive it, but I hope we can work toward a solution that allows us to continue to mandate that qualifying degree-seeking students apply for the FAFSA because it will allow for this money to go more places so we can continue to fund more and more students who would be eligible for the scholarship.

Also, I did not hear any discussion regarding dual credit programs in your presentation. Can you speak to that?

**Assemblywoman Anderson:**

Under number two in my proposed conceptual amendment: The tuition waiver may be utilized for all programs, including dual credit courses [[Exhibit C](#)]. Those would be for our high school students who are able to also attend college at the same time. My intention is to make sure our dual credit courses are covered because currently they are not, and they should be.

**Assemblywoman Torres:**

Thank you. I would be happy to take this conversation offline, though, because I do have some questions regarding that, because dual enrollment students enroll through their high school. I am wondering how that would work when the students enroll late. Students often enroll late; they will enroll at the beginning of that semester, so I am wondering what the process would look like through the Department of Education and for high schools that are enrolling those students in those programs. I have concerns that this would require them to go through NSHE. I want to make sure it is consistent, and that those students would not have to apply a semester ahead of time. I do not know what the current process is for a student to receive these funds, but if they must apply significantly earlier than that semester, they might not be eligible for those funds. I want to make sure they would be able to receive them immediately. Also, we need to make sure schools know this program exists and would be able to claim that for their students. I know it is indicated on Infinite Campus, but I think that would really be on the school leaders to have access to.

**Assemblywoman Anderson:**

I completely agree, and I am more than happy to work with you on how we can elevate this program for our dual-credit students.

**Assemblywoman Taylor:**

My question is also surrounding dual credit. I think those will be good conversations to have because dual credit already exists, and they should be able to do something going through the

existing program. Do you have an idea of how many of our Native students in the state already take dual credit? Do we have a record of that from our school districts or from the university? I know dual credit is growing like crazy across the board and across the state, which I believe we all think is wonderful because that gets us more college graduates. I am wondering if you have any information on that.

**Assemblywoman Anderson:**

I agree a hundred percent. I think I know whom to ask in most districts as well as in the university setting, so we will get that information. And if not, we will continue to ask for it and make sure the entire Committee gets that information, because I agree.

**Chair Bilbray-Axelrod:**

Assemblywoman Anderson, follow up with me. I can get that for you.

**Assemblywoman Anderson:**

I will be speaking with the Chair to get that information.

**Assemblywoman Hansen:**

I appreciate that in your conceptual amendment you are including Fort McDermitt in Humboldt County, which is over the border, and also Owyhee, which goes over into Idaho as well. Could you help us understand the fees in the college system in general? Could you explain what fees would be covered and maybe what fees are not?

**Assemblywoman Anderson:**

I have a listing of just a few of the fees. The fees this would cover are only the per-credit fees because those are all we can cover with it. There are other fees required of students. I have this list from fall 2020, and I will just go through a few of them. This, I believe, is for the University of Nevada, Reno, and I do not believe this is all of the fees. I can also find the University of Nevada, Las Vegas student fees and get them to you. There is an undergraduate student per-credit surcharge of \$6. There is an ASUN [Associated Students of the University of Nevada] fee per credit. There is a technology fee per credit. If you are taking more than six credits, there is a health center fee and a counseling service fee. There is a performing arts fee, which I believe is only if you are in performing arts, but I need to double-check that. If you are taking fewer than four credits, there is a different student union fee. There is a fitness center fee which was voted upon by the students. And there is an academic success fee. If you are a first-time student, you also have other types of fees including a new student fee, which is applied the first semester of enrollment. There is also an online-learning fee. Students who have attempted credits equal to or less than 50 percent of their credits are given a different fee. Then there are some other differential fees and lab fees that are directly attached to the major a student has decided to go into. For example, for nursing there is a differential fee of \$156, and for engineering the fee is \$85 per credit. There are some differential fees as well that are part of it. This bill, though, would only be able to pay for the per-credit fee.



**Assemblywoman Hansen:**

Wow, that is exhaustive and it is not even the complete list. Can someone from NSHE address fees? I would like to understand that whole layer of the fee structure a little bit more. Having been to the Legislative Commission last night and the audits on NSHE, I really would like to know a little bit more about the fee structure.

**Chair Bilbray-Axelrod:**

I think we will have someone talk about that.

**Assemblyman Koenig:**

You earmarked \$450,000 in the amendment [[Exhibit C](#)]. Is that what the current program costs, or are you expecting an additional \$450,000 on top of that?

**Chair Bilbray-Axelrod:**

A reminder that we are a policy committee. We just want to see if this is good policy.

**Assemblyman Koenig:**

I do not need specific numbers.

**Assemblywoman Anderson:**

Thank you for bringing that up; I will try to skirt around the policy-funding thing for you. At this time there is no money coming from the General Fund for this. This is something that is currently being mandated by the Legislature, but it is not being funded by the Legislature.

**Assemblyman D'Silva:**

So this would be a true tuition waiver across the board now—not just undergraduate programs but also doctoral programs, juris doctor degrees (JDs), professional degrees, so on and so forth, correct?

**Assemblywoman Anderson:**

This has always been for everything—whether it is a two-year associate of arts degree, a professional development certificate such as a childcare certificate, or up to JD, as well as doctor of medicine. Any program that is offered by the Nevada System of Higher Education should be covered.

**Assemblywoman Mosca:**

Can we get the persistence data to show the impact, as well as the specific numbers on young people who were not able to actually access the tuition waiver because of these different barriers?

**Assemblywoman Anderson:**

I am able to acquire how many people are able to access it. As for the number of people who were not able to access the tuition waiver due to these barriers, the difficult thing is there are so many people who have not come forward to tell us that. I can easily put out a call to different tribal areas and different leaders, though. I can request the information and do my

best to get that information for you. Most of the information may come back anecdotally. For example, again, there was a tribal leader who said they did not qualify.

**Chair Bilbray-Axelrod:**

Thank you very much. We are going to open it up to support. We are going to do 20 minutes of support, 20 minutes of opposition, and 20 minutes of neutral for both bills.

**Jennifer R. Lanahan, representing Reno-Sparks Indian Colony:**

We thank Assemblywoman Anderson for bringing this bill forward, and we are in full support.

**Dale A. R. Erquiaga, Acting Chancellor, Nevada System of Higher Education:**

I will try and be as brief as I can in respect for the others, recognizing that my office will be working with Assemblywoman Anderson on the conceptual amendment provided to her [[Exhibit D](#)], and the questions that I have heard today. So let me try to just do a couple of quick things. One, NSHE is happy to support this fee waiver. I will also let you know there are additional fee waiver bills coming in your house to your Committee. My request of this body is that you involve us in the conversation so these bills are treated equally. If we have a programmatic decision implementation in one bill, I would like us to do the same thing in the other bills because you heard some of the challenges with implementation of a program like this across my institutions. I have seven institutions, and some of those institutions have someone who can be dedicated to this; most do not. The person who does it might also handle financial aid. Grants and financial aid are completely different from this tuition waiver. Hence, the confusion over FAFSA—what is degree-seeking, how does FAFSA play into this, et cetera. So, my request of you, Chair, is as we continue to work with Assemblywoman Anderson, and as I am working with other bill sponsors, we kind of all come together with these measures.

Now, a few points I think are important from the NSHE perspective that allow us to support this. One, this kind of fee waiver is an access mission for us. You have heard me speak about that in this Committee. We very strongly support the clarifications around residency. From our perspective there must be a nexus to Nevada residency—high school graduation or geography. We understand the boundaries of the tribal lands versus the boundaries of the state territory. So, we are with you there. We very strongly support residency.

In the original passage of [A.B. 262 of the 81st Session](#), the FAFSA application was placed first, so it is first dollar. There is another fee waiver program adopted by the NSHE Board of Regents, and I should say the vice chair, Joe Arrascada, is in the room today. He is my boss. In that program, the FAFSA is last dollar and so we seek to standardize that as well. It was pointed out to me in a meeting by, I think, someone who is here today. My staff would like to work with the bill sponsors to be sure we are, again, applying those uniformly.

And then there is the issue of degree-seeking. This bill originally used language about program. In my world, program means a thing. And the FAFSA application requires degree-seeking. Those terms mean something to someone who sits behind a registrar's desk or

a financial aid desk. We have our own language in higher education. We really want to work with the Committee and the sponsors to be sure we are standardizing that language when we talk about degree, when we talk about program, and when we talk about state-supported. We recognize it causes hiccups.

Which leads me to a financial question. If I can speak about the policy of funding and not about dollars, I will do that. It is, in my view, appropriate for the Legislature to mandate that the Board waive fees on state-supported courses. You give us a set amount of money, weighted student credit hours per state-supported courses. We have dozens, if not hundreds, of self-supporting courses—you have heard about online courses. So let us say it is a master's degree in social work which is done online. That course has a designed budget based on how many students attend it. The course does not receive any state money. So, with due respect to the body, your waiving fees in that bucket, which are under the jurisdiction of the Board separate from your jurisdiction over the Board, kind of rubs us and the lawyers in a scratchy place. What I would like to do is work with the bill sponsors on differentiating state-supported programs versus self-supported programs, which is not to exclude self-supported programs from the benefit here. This body could mandate that the Board provide waivers in that space over which they have control.

Lastly, I said to Assemblywoman Anderson that I appreciate her suggestion of an appropriation. My institutions absorb this cost. It is not a grant; there is no money. They take the money from somewhere else. You have heard me say that means they likely take it from another student. I think we could come together to create a program where the state might, by policy, provide funding and the Board might, by policy or fee, provide funding. I will give you one example. The largest financial grant and aid program in the state is the Regents' Higher Education Opportunity Award program. About 25 percent of that money—it used to be more—is state money. The rest is student money. So, I will say it again: the largest financial aid program in the state is funded by students to help other students. I have all kinds of feelings about that. I offer that as an example of a way in which the Board of Regents has, I think, rightly worked out a blended mechanism, given the complexities of what our budget looks like. My commitment is to work with all the sponsors—those on this Committee and those not on this Committee—I know there is another Assembly person who has a bill—to make these fee waivers work both for the very deserving students and for my institution so we can continue to provide these programs.

**Chair Bilbray-Axelrod:**

These are important conversations because you are absolutely right; I see what is coming over in the Senate and having uniform language is going to help.

**Renée Davis, Interim Vice Chancellor, Academic and Student Affairs and Community Colleges, Nevada System of Higher Education:**

I wanted to add one thing to Assemblywoman Mosca. We have some early persistence data we are going to be sharing with the Board next week. We will share that with you as well, and with the whole Committee.

**Kent M. Ervin, Ph.D., State President, Nevada Faculty Alliance:**

We support A.B. 150 for all the reasons already stated, probably soon to be stated, and those provided in our written testimony by Professor Doug Unger [[Exhibit F](#)]. In general, we can be more enthusiastic in support of fee waivers for deserving populations if they are funded through some sort of state reimbursement mechanism or matching grants.

**Annette Magnus, Executive Director, Battle Born Progress:**

We are here today in strong support of A.B. 150. We thank Assemblywoman Anderson for her continued work on this issue. We supported the bill last session, and we are proud to continue to support this in 2023. These updates just make sense and anything we can do to make higher education or continuing education easier and more accessible to our Indigenous communities across the state is the right thing to do. Please pass this commonsense measure [[Exhibit G](#)].

**Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association:**

We also are in support of A.B. 150. We supported, I think Assembly Bill 262 of the 81st Session. I want to make sure that any implementation issues are worked out to expand opportunities for our Native-American students.

**Marla McDade Williams, Private Citizen, Carson City, Nevada:**

I just want to go on record in support of the proposal from Assemblywoman Anderson, as well as extend my appreciation to Chancellor Erquiaga for being willing to come forward and work with the bill sponsor to make this better. It has benefited so many people—so many students. Someone received an email yesterday and they emailed me in a panic thinking that the State of Nevada was trying to undo the waiver process; they were really upset. So, I am trying to explain to people who have never really had access to the system, how it works and is really making a difference with people. I look forward to this continuing to move forward.

**Morgan Biaselli, representing Pyramid Lake Paiute Tribe:**

We appreciate the bill that was brought forward by Assemblywoman Anderson, and we support this bill.

**Assemblywoman Shea Backus, Assembly District No. 37:**

I am in complete support of this bill. I had the proud opportunity to speak in support of it in 2021 and you did a great job with that bill. This amendment makes it even better. Ditto to what everyone has said previously and to come.

**Anthony Ruiz, Deputy Chief of Staff, Office of the President, Nevada State College:**

We are proud to support this bill. What we like most is it is a student-centered bill. It takes existing law and makes some changes to make it easier and hopefully will bring more students into our higher education system—hopefully to Nevada State College.

**Constance J. Brooks, Vice President, Office of Government and Community Engagement, University of Nevada, Las Vegas:**

I represent the University of Nevada, Las Vegas (UNLV)—the second-most diverse institution in the country. We appreciate the attention paid to underserved populations on our campus. We thank Assemblywoman Anderson for her efforts, and we also thank NSHE for their amendment [[Exhibit D](#)]. We look forward to working both with NSHE and Assemblywoman Anderson on refinement opportunities. In particular, our enrollment management team would appreciate working closely with NSHE to refine this bill. I would also like to say we appreciate the previous legislation from the 2021 Session. We had ten students take advantage of it for the 2021-2022 academic year. We saw that number triple to 33 students in the 2022-2023 academic year. We expect this legislation will create even more opportunities for students. We expect our numbers to continue to grow, and we look forward to working with this body and with NSHE for refinement of this policy.

**Chair Bilbray-Axelrod:**

Do you know what the most diverse university is, if we are the second-most diverse?

**Constance Brooks:**

It is an institution in California. I do not have the name right off the top of my head, but I can certainly get that for you.

**Chair Bilbray-Axelrod:**

Is there anyone in the room in Las Vegas who wants to testify in support of [A.B. 150](#)?

**David Gomez, representing Nevada Peace Alliance:**

I am in support.

**Teresa Melendez, representing Nevada Native Solutions; and Tribal Nations:**

I am calling in support of [A.B. 150](#): the NSHE Native-American fee waiver cleanup bill. We have heard some really great testimony, and we are grateful for all the people who have shown so much support for this bill. We continue to be excited about the opportunities to improve this bill and to support more students so that more Native students can have access to higher education here in Nevada. We know a lot of students stay in the state where they attend college. We want to make sure we are graduating and retaining the best and brightest Native professionals and that they stay right here in Nevada. We want them to continue to work for our 28 proudly recognized tribes and colonies and continue to serve Native people.

I would like to point out that there is a trend in states adopting Indian tuition waiver bills. In Nevada, we made state news with the passage of this tuition waiver in 2021. I am very proud of that. In practice, we found some loopholes—ways to improve it. I am so grateful to Assemblywoman Anderson for finding ways to close those loopholes so we can continue to support more students. We know that using a tuition waiver of first dollar in is most effective and the best practice. I would like to see that change move forward. We would also love to see all Natives who call Nevada home be eligible to take advantage of this fee waiver. When we talk about Indian tuition waivers, something that is unique in the

conversation when talking about tribal sovereignty and Native people is we often talk about Native people as a political group. Native people are not just racial or ethnic groups, but also political groups in this country. When we think about Indian tuition waivers and land grant institutions, we realize that land was taken from the Indigenous people of this state to help support education for, at that time, predominantly white men. So, when we think about Indian tuition waivers, I want to remind folks to think about what still can be done to help heal relationships between Indigenous people of this state and our state institutions.

**Douglas Unger, University of Nevada, Las Vegas, Chapter President and Government Affairs Representative, Nevada Faculty Alliance:**

[Unintelligible] I will just excerpt from my written statement to say that A.B. 150 is a compassionate corrective to a very good existing law and that [Unintelligible]

**Chair Bilbray-Axelrod:**

Unfortunately, you are breaking up.

**Douglas Unger:**

Southern Nevada Faculty Alliance. We are very strongly in support of the bill [[Exhibit F](#)].

**James Phoenix, Chairman, Pyramid Lake Paiute Tribe:**

I am the chairman of the Pyramid Lake Paiute Tribe in northern Nevada. I am also an alumnus of the University of Nevada, Reno, and I am in support of the amendment to A.B. 150 [[Exhibit C](#)]. Why? It allows Native-American students who have been residents of our great state of Nevada and surrounding states, and who reside on qualified tribal lands—whether located within or outside of our state, or any combination thereof—to go to school at one of our institutions, to earn and achieve an education just like everybody else. We have also heard the testimony today from Markie Wilder, a Pyramid Lake tribal member who provided an overview of the issues and opportunities for the Native students. Please take the time and consideration for our Native-American students now and in the future. I thank all of you Committee members for your time and efforts, and I support this bill.

**Laurie Tom, Private Citizen, Yerington Paiute Tribe:**

I am a citizen of the Yerington Paiute Tribe. I am calling in support of A.B. 150. I believe this bill is very important for the future generations of our Indian people, and I was lucky enough to be able to testify on this bill when it first came through and came into fruition. I appreciate all the legislative workers and the elected officials who support this bill. I believe the amendments being done are just cleanup verbiage, and I support the approval of the language from Assemblywoman Anderson being presented to you.

**Warren Graham, representing Duckwater Shoshone Tribe:**

I am the tribal chairman for the Duckwater Shoshone Tribe. The Duckwater Shoshone Tribe supports the amendments submitted by Assemblywoman Anderson in regard to A.B. 150—the NSHE Native-American fee waiver bill cleanup. Access to higher education and the costs associated are barriers for the Native-American students who typically suffer from socioeconomic disadvantages. This bill provides relief from the stressors associated with

sourcing college funding. We hope the Committee is strongly considering supporting the efforts being made to strengthen this already historic legislation.

**Petra Wilson, Private Citizen, Oglala Sioux Tribe:**

I am an enrolled member of the Oglala Sioux Tribe in Pine Ridge, South Dakota. I have, however, lived in the state of Nevada for about 27 years, and six of my nine children are battle born. I am calling in support for this bill, and I also wanted to share briefly my own experience as a Native student. I am currently attending a tribal college online. They offer a complete tuition waiver to cover my books and any tools I need, such as a laptop. Without that support I probably would not be close to graduating with my associate of arts degree. I am a mother of nine children, and finances have always been one of those things which is hard to overcome. It is not always the case where our tribes will completely cover our ability to attend college. I think this is important as a factor in looking at who we are as Nevada. Many of us are from other nations throughout the country, but Nevada has become a home for us, and having the ability to have our children attend locally is a positive for us as Native parents living here.

**Chair Bilbray-Axelrod:**

With that, we will move on to opposition. Is there anyone in opposition to A.B. 150? [There was no one.]

We will close testimony in opposition and open testimony in neutral. Is there anyone wanting to offer neutral testimony on A.B. 150? [There was no one.]

Any final comments, Assemblywoman Anderson?

**Assemblywoman Anderson:**

Nevada Indian Commission Executive Director Stacey Montooth has provided me with some information about the dual credit. I will report that and send it over to the Committee manager. For dual credit for 2021 and 2022, we had 84 students who self-identify as American Indian and Alaska Native who were able to participate, which appears to be about a 115 percent increase. In 2022-23 it did go down to 63 students. I am going to do a little more research so when Assemblywoman Torres and I get a chance to talk about this more, we can figure out why.

In closing, I would like to highlight one of the most important people in this room today, and it is none of us who are sitting at the dais. It is actually Leanna, who is Markie's daughter. She has joined her mother for this presentation today. I am not sure exactly how old Leanna is, but this is really whom this bill is about. It is not some words on a page. It is about ensuring we are able to provide an education all the way up to 20 years old for more and more of our students.

[[Exhibit H](#), [Exhibit I](#), [Exhibit J](#), and [Exhibit K](#) were submitted but not discussed and will become part of the record].

**Chair Bilbray-Axelrod:**

I will close the hearing on A.B. 150 and open the hearing on Assembly Bill 118. This measure revises provisions relating to the Nevada System of Higher Education (NSHE). To present this measure, we have Assemblyman Watts and Paul Moradkhan, senior vice president of government affairs for the Vegas Chamber.

**Assembly Bill 118: Revises provisions relating to the Nevada System of Higher Education. (BDR 34-127)**

**Assemblyman Howard Watts, Assembly District No. 15:**

I have the pleasure of representing Assembly District 15 in the heart of Clark County. I am a proud graduate of the University of Nevada, Las Vegas (UNLV) and the Nevada System of Higher Education (NSHE). I am honored to now represent the main UNLV campus in Assembly District 15. Assembly Bill 118 proposes to reduce the size of the NSHE Board of Regents from 13 to 9 members and reduce the length of their terms from 6 to 4 years. The shift is designed to not affect any term or district to which a Regent is currently elected. Section 2, in particular, illustrates how the phased implementation would work over the next six to eight years so future candidates for regent understand how the change—in terms and districts—would be implemented. I will not talk too much about the bill because that really is the summary of what it does. I will talk a little bit about why I feel it is important.

A six-year term only requires a member of the Board to stand for reelection once before they reach a 12-year term limit. By comparison, school boards, State Board of Education members, county commissioners, city council members, and state senators all have four-year terms. And I think every member of this body knows how long the term length for an Assembly member is. Reducing term lengths to four years provides greater accountability of regents to the people—in line with other public servants and particularly other public servants in the education realm. Similarly, a board with 13 members is also out of step with governing organizations, particularly those overseeing education. Thirteen members is substantially larger than any county commission, city council, school board, and the State Board of Education. Smaller boards tend to be more collaborative, decisive, and accountable, and the hope is that a smaller board will encourage more qualified individuals to serve and enrich the overall quality of the body. Larger boards, in comparison, tend to be more fragmented, which can lead to providing less effective oversight.

Additional accountability and collegiality are needed for the Board of Regents. Board of Regent members have been the subject of repeated ethics complaints. The Board's handling of personnel issues has led to financial settlements and the hiring of outside law firms to assist with potential litigation. Just to name a few recent instances, the former chancellor filed a hostile work environment complaint and received \$610,000 in severance pay after a year and a half on the job. Board Chief of Staff Robert Kilroy received a \$110,000 settlement and left after three months on the job. He replaced Dean Gould, who resigned in 2020 following a scandal.



Additionally, the recent audit, which was commissioned by the Legislature through Assembly Bill 416 of the 81st Session, uncovered multiple issues of financial mismanagement; issues, which in my opinion, the board has since attempted to downplay. There have been multiple attempts in the past, including Senate Joint Resolution 7 of the 81st Session, which will be before us again, and Assembly Joint Resolution 5 of the 79th Session, to remove some of the board's constitutional status which has been used as a defense to thwart attempts at gaining greater oversight and accountability. The frustration from this throughout many sessions, including before I joined this body, has resulted in a level of distrust from the Legislature, resulting in cutting funding and not approving projects because there is a lack of trust about how some of that is going to be managed. At the end of the day, I think all of us recognize this is punishing students. It is punishing the wonderful educational mission that NSHE has for the sins or oversights of the board members. Those are the issues we are hoping to address by providing a leaner and more frequently accountable NSHE Board of Regents to the people. I had the honor of being one of the cochairs of the Good Governance Committee in the Southern Nevada Forum, which is convened by the Vegas Chamber. The cochairs are bipartisan, bicameral, and this was one of the recommendations, which is why I am honored to bring it forward for consideration. With that, I would like to turn it over to Mr. Moradkhan.

**Paul J. Moradkhan, Senior Vice President, Government Affairs, Vegas Chamber:**

I thank the bill sponsor for facilitating this bill and the dialogue today. You may wonder why the Vegas Chamber is involved in this conversation. It is because for the last several decades our members have seen some of the challenges that have occurred in higher education in our state. It stems from the fact that our organization, as a large employer organization in the state, believes that higher education needs to be focused on our students every day. We believe some of the things Assemblyman Watts reported highlight that sometimes that focus has been lost. Twenty years ago, in a noble experiment, the NSHE Board of Regents was expanded from 11 to 13 members. From the Vegas Chamber's perspective, that board size is not manageable. It has not allowed for great collaboration; it has instead allowed for a board, at times, that the public has viewed not to be the most effective. In the last 20 years we have seen a high turnover of chancellors and presidents of the campuses, and that is a concern to the business community.

From our perspective, leadership needs to be stable and predictable, not just for our members but for our community, our residents, and our students. That is one of the most important qualities of leadership—in any organization, in this body, in the state, and in higher education. Our organization believes that for the sake of Nevada students, this reform bill must move forward. It is an issue that affects every single one of our institutions—from the university structure, our state college, and our community colleges. It mostly impacts those students who are trying to secure a better career for themselves, and we believe this reform initiative is important in that process. When you talk about effective governance—and Assemblyman Watts alluded to that—small boards are typically more collaborative; they are more efficient and can respond better to issues at hand. It also allows for better response to constituent needs. That is one of the reasons why the bill, as proposed in section 2, moves terms from six years to four years. As Assemblyman Watts highlighted, every other position

in the state, except for judges, is four years or two years. In our research, we could not find why it was originally set at six years. For accountability to constituents, we believe moving from six to four years makes a lot of sense. And again, to the points that have been made by Assemblyman Watts, this is a bill our community believes is important. We know there will be some folks who believe this is not the right course of action, but the current method is not sustainable for our students and our faculty. We understand change is not always the most accepted idea and can be scary for all of us. But we do believe we must have the conversation today, and we very much appreciate the work that was done by Assemblyman Watts. I am happy to answer any questions from the Committee today.

**Chair Bilbray-Axelrod:**

We have several questions from the Committee.

**Assemblyman Koenig:**

Mine is more of a statement than a question, but I received a surprising amount of conversation from my constituents who were concerned the bill will skew everything more towards the south and away from the north, especially the rural districts. At this point we have 3 out of the 13 regents who represent the rural districts. We have districts 8, 9, and 11, so 3 out of 13 is 23 percent. In the new proposal we would have two out of nine, so we would lose a seat, but percentage-wise that is 22 percent. With this bill, we would go from 23 percent to 22 percent. So yes, my rural constituents are being underrepresented by 1 percent, but I think that is manageable.

**Assemblyman Watts:**

I appreciate that comment and would like to note that yes, there are always some quirks, and that is why we do redistricting periodically, to try to readjust that. And regardless of the size of the body, there is always going to be a little bit of a differentiation, but no matter what, the goal is to provide a proportional representation. We want to make sure we provide that representation at the same kind of percentage level that exists today.

**Assemblywoman La Rue Hatch:**

My question is about the redistricting. Who would oversee the redistricting, and when would that take place?

**Assemblyman Watts:**

There is no redistricting contained in this bill. Again, because of the fact that we do not want to impact the terms to which regents have been elected to this point, the way that redistricting has typically been conducted, the maps ultimately have to be approved by the Nevada Legislature. The Nevada System of Higher Education has typically held a public process to gather feedback. They have compiled draft maps, received feedback, and then compiled final maps—based on that feedback—as recommendations. Then they are reviewed, potentially modified, and adopted by the Legislature. My understanding is that a similar process would take place. However, we would have—in terms of a legislative timeline—up to two sessions for that process to take place. But ultimately, maps would come back before this body for approval for folks running for the nine districts six years down the line.

**Assemblywoman Taylor:**

We are eliminating four districts, correct? So, for those regent seats that will be eliminated, will those areas just go to an adjacent area?

**Assemblyman Watts:**

I cannot answer in complete specificity because we do not have maps yet to understand. But similar to when congressional redistricting and reapportionment happens—this has not been a problem Nevada has had to face in terms of congressional districts—but other states have lost congressional seats. And when those new maps are drawn, sometimes there are multiple members who end up in a fewer number of seats than existed prior. And they have to determine what course of action they are going to take—if they are both going to run, if one is going to run, if somebody new is going to run. That is how it would get sorted out. So that is how this is envisioned as happening. Again, over the next few years we are going to maintain those districts.

As we start to phase this in, we are providing complete transparency to anyone running in the future as to what the terms are. And they do get modified a little bit as we do this implementation. Then once we have the new districts drawn, folks will have to decide what their course of action is going to be moving forward. If all the 13 decide they want to keep being regents, then that is going to involve a couple of instances of running for the same seat.

**Chair Bilbray-Axelrod:**

For clarification, the effective date of this bill is 2028. So, the Legislature—both the 2025 Session and the 2027 Session—would be tasked with performing that redistricting.

**Assemblywoman Anderson:**

I really appreciated the comment that was made about how the university's focus should be on students. Although this is not in the language, was there any discussion about possibly having a student representative on the NSHE Board of Regents? I know there have been some students from up in the north who have shown an interest in that.

**Assemblyman Watts:**

I am a big believer in student voice. I am personally of the opinion that we should have voting representation for students on bodies that are governing education. That said, that is not contemplated in this bill. One of the reasons is again, we still have some constitutional limitations that need to be sorted out. To be 100 percent clear, this still maintains full election of all of the Board of Regents. I am more than glad to have conversations about the qualifications. Mr. Moradkhan mentioned that judges are the only other elected position that serve six years. They at least have to be lawyers. But I think that is an additional conversation for us to have moving forward. Right now, we are just looking at some very high-level structural changes that we hope will improve the effectiveness of the Board.

**Assemblywoman Mosca:**

Can you share the background of where the nine came from and why that was the number chosen?

**Chair Bilbray-Axelrod:**

Asher Killian, our committee counsel, is not in the room, but he is watching the meeting virtually and he just sent me information regarding this. He stated that Assembly Bill 736 of the 56th Session was the bill that increased regent terms from 4 to 6 years, and incidentally decreased the number of regents from 11 to 9. The regents were increased back from 9 to 11 in the 1991 redistricting cycle, then again increased to 13 in the 2001 redistricting cycle. I just sent that information around to the Committee if anyone else wants to see that.

**Assemblyman Watts:**

Ultimately, we looked at some of the other governing bodies in the state. The State Board of Education currently has seven members. County commissions are currently limited to seven members. So even with nine members, this is one of the larger governing bodies. But we felt that was the number that would be comfortable, and again, there is some historic precedent for the board being at that size.

**Assemblywoman Hansen:**

I hear you saying we need functionality. Has it been harder to function with 13 regents? Do we have some sort of history that shows we were more effective when we had 9 regents? But then they moved it up and then they went back two. It seems like we have had a lot of back and forth. I am just questioning: Is it personalities or is it truly the number? We see this in school boards. We have had the argument—maybe we go to a hybrid, maybe we have some members appointed versus elected. And my question always is: Are we trying to solve a personality issue with something that is not going to solve that problem? Then I will follow up with something else.

**Assemblyman Watts:**

That is a great question, a very valid one. Yes, there are certainly some issues that are personality issues. That is representative democracy—sometimes folks are elected, and they do not always get along and that is not necessarily something that can be structurally addressed. However, we will follow up because there has been some research done, and some of that may be discussed during some of the testimony following the presentation. There has been some research to try to figure out some of these things, and what are some systematic tweaks that are linked to better effectiveness. That research has shown that having a smaller body tends to be more collegial and more effective. I completely understand the issue you have raised. It is not a guarantee. It all depends on who runs and who gets elected, but in general, there has been some research that has shown that moving to a structure like this provides some greater accountability and is more productive.

**Assemblywoman Hansen:**

I will look forward to that information, and I see a place that we have common ground: smaller government is always a good thing. I agree with you on smaller governing and closest to the people is a lot of times the most effective way. I will say, just for the record, my constituency is nervous about redistricting. I have six counties, and any dilution of rural influence is always going to be a concern. Have I been convinced that is going to happen? I have not been convinced yet, but I will say on the heels of looking at legislative

redistricting, there is ample reason for that concern on the part of the rurals. We saw redistricting in a lawsuit in 2011, and we saw a lot of people dissatisfied with the last redistricting. I think that is going to be a hurdle for me to understand. Also, we are talking about this structure, but we do not see maps. Essentially, we are being asked to pass the bill, and then we are going to have maps later, but I have to agree to that now.

**Assemblyman Watts:**

I always enjoy the issues we do agree on, and there are some, and even when we disagree, we are not disagreeable, which is something I think other bodies should definitely learn from. In terms of the concern about redistricting, Assemblyman Koenig brought this up. You are correct; we do not have maps. One of the things, though, that we do have in statute is trying to protect that—we do the redistricting based on populations. I understand some of the concerns that the absolute number of representatives for an area may change, but ultimately, when we look at how many representatives represent rural areas as a portion of the body overall, our redistricting is set up to ensure that on a percentage basis there are always going to be a certain number of representatives. Putting aside other concerns or disagreements that we may have about redistricting, when we look at the proportions of the population and the proportions of the representation, we have a framework in place to make sure that lines up.

To your other concern about the maps, I understand that. Again, this is a six-year implementation process, so these districts are not going to change in the immediate future. I would say that if you believe, after hearing all the testimony and some of the evidence, that reducing the size of the Board and making them more accountable to the voters is a good way to move forward, there is plenty of time for us to do what we have done previously, which is to have the system go through a public process to gain feedback from every community in the state about what a nine-district map looks like. And that map will come back before the Legislature where it can be discussed and modified further before being voted upon by this body.

**Paul Moradkhan:**

As you know, the Vegas Chamber has members throughout the state. We see this as a statewide reform effort, not a southern Nevada or northern Nevada or rural. To the comments that were made by Assemblyman Watts, we believe that you have to have rural representation; they are part of our community, our state, and absolutely their voices need to be heard. Our perspective is that this is good for all of our communities and our community colleges that serve in our rural communities. We view this as a statewide reform because we have members throughout the state. I just want to reassure you, from our perspective, we believe the bill will benefit the entire state.

**Chair Bilbray-Axelrod:**

We will open it up for support on A.B. 118.

**Francesca Petrucci, representing Clark County Education Association:**

Accountability has become the theme of this session, which we think is a really good thing. Clark County Education Association is in support of A.B. 118 as it continues to try to enforce

more accountability on the Board of Regents. A successful board is first and foremost focused on students and student achievement. Whether it is your K-12 board or your NSHE Board of Regents, we think this opportunity moves us in the right direction when it comes to making sure the Board is focused on what matters. We also look forward to upcoming discussions around school board governance for K-12 as it relates to this session.

**Gina Bongiovi, Private Citizen, Las Vegas, Nevada:**

I am a proud UNLV alumna, former member of the UNLV Alumni Association Legacy Board, as well as a member of the dean's advisory board for the Lee Business School and the Honors College at UNLV. I am in support of A.B. 118 to improve the way the Board of Regents functions. Specifically, reducing the terms of regents from six years to four years gives voters the right to evaluate their candidates more frequently and requires the regents to answer for their conduct more than once during their maximum term, therefore increasing the regents' accountability to the public. Additionally, reducing the size of the board from 13 members to 9 will bring the board in line with other organizations which govern schools, counties, and cities. From smaller boards we have seen more decisiveness, accountability, and collaboration. This bill will create a more nimble and collaborative board, better able to work with the community toward our lofty goals related to higher education across the state.

**Warren B. Hardy II, representing Nevada Health and Bioscience Corporation:**

Nevada Health and Bioscience Corporation (NHBC) is a support organization for the University of Nevada, Las Vegas. We built the medical school, and we are very proud of that. A strong higher education system is extremely important to our mission. We have seen a lot of success on this in the past couple of years with regard to what we have been able to accomplish. We believe this bill is essential to continue us on that path towards strong coordination on higher education. My first session here was in 1991, and I have noticed the higher education process in Nevada was designed by our framers to be a collaborative effort between the Legislature and the Board of Regents. In fact, the Legislature creates the Board of Regents. That is what the *Nevada Constitution* charges you all with doing. And I have watched over the course of the past 30 years or so as the Legislature sort of quietly slipped to the background in that effort. That is not right. The Legislature is the one that holds the purse strings. The Legislature is the one that should hold the accountability. In order to get accountability started, you have to start with accountability to the people, and this bill is a start. There is a lot of work left to be done with regard to getting the Legislature back in the copilot's seat on higher education in Nevada. But this is a start, and on behalf of the Nevada Health and Bioscience Corporation, we recommend your approval.

**Maureen Schafer, representing Council for a Better Nevada:**

I am here in support of A.B. 118. This bill seeks to increase accountability over the NSHE Board of Regents, and we support this bill because in all aspects of the operations and success of public, private, and nonprofit organizations, governance matters. We know and understand that fact. When it comes to the business of higher education, the professionals in this sector have been watching the trends and know major shifts are beginning to occur.

United States birth rates are beginning to decline for the first time in decades, and college and graduate applications are, for the first time, beginning to decline. This means the fight for students will increase among institutions across Nevada and the U.S. writ large. In addition, for the first time the top 20 universities worldwide—which have always been U.S. based—now have two international universities in those rankings. The world is catching up to us in competitive higher education offerings.

Here in Nevada, what are we doing with a board and a system that has failed to police itself, has been the subject of repeated ethical complaints, and has largely become a system of people we let control us who clearly have no business being in control? To clarify, there are very good and qualified people who have been and are regents today. However, when you have a broken and corrupt system that attracts certain types of people and has caused good and qualified people to perform poorly, it is incumbent on the rest of us to change the system. Otherwise, the outcomes will never give us the return on investment we expect for the vast investment we make for our students, families, and economy no matter who we ask to serve within the archaic governance model to do what we expect it to do.

Assembly Bill 118 begins to modernize that governance model. The world is changing around us and will continue to do so. Most states already have a different higher education governance model and are ahead of us in taking advantage of the changing demographics in the world. Please support A.B. 118 to enable Nevada, its limited dollars, our students, and economy to benefit and keep up.

**Lindy Shumacher, representing Fulfillment Fund Las Vegas:**

I will speak on behalf of the donor population of southern Nevada. We are in support of A.B. 118. Smaller boards equal more effective boards, more transparency, and more accountability. Unequal treatment of the donors of this town by the regents has pulled down the students. Unequal treatment of the leaderships of this community has pulled down the students. For a group of people who say everything they do is for the students, all I can see is the damage they have done in the south.

I have hundreds of examples, but I am going to just use one: the NHBC's building of the Kirk Kerkorian Medical Education Building, home of the Kirk Kerkorian School of Medicine at UNLV—the regents told us we did not need it. They told us we could not build it; and then they told us they would not allow it. If I had taken those words to heart, we would not have a medical school. Instead, we built it for \$125 million. The regents told us it would cost \$280 million. We provided our anonymous check, and they displayed it. They embarrassed us. They humiliated us. They made this nearly impossible, and we kept coming back for the community and for the students. No one says "for the students" and actually means it, except for this donor pool that keeps pulling up their bootstraps and continuing to support what we need to support. It should not always need to be a workaround.

Why can we not work with our university? We cannot work with our university because we have to work with the regents. It is exhausting and it is sad. There has to be a better way to do this. I am going to leave you with one example: after putting in \$100 million to build this

building that cost \$125 million—and the rest of the generous support that came through the state—we asked the regents if we could put Mr. Kerkorian's name on the school. The response we received from the regents was, You are going to need to give us \$10 million. I said, That kind of sounds like extortion. They said, If you want to put his name on this building—and you need our permission—we are going to need \$10 million. After giving \$100 million, you are going to hold me captive to another \$10 million. That was the deal. We were able to get past that. But after the humiliation, the extortion, exposing the anonymous donor time and time again—it has just been unheard of—the damage they have tried to cause the people, let alone the students. It is time for change. I cannot tell you that making it smaller is going to make it better, but I can tell you it certainly could not make it worse.

**Christina R. Giunchigliani, Private Citizen, Las Vegas, Nevada:**

I had a similar piece of legislation back in the 2000s, and I started out my testimony with "size does matter," and it does—whether it is in the public sector or in the corporate world. They have done studies over the years that have proven that there is better efficiency of resources, there is better guidance, there is coordination, there is communication, there is better collaboration, and overall governance is more focused on what their job should be rather than personality. I completely support this piece of legislation.

Back in 2003, the Legislative Counsel Bureau Research Division had an excellent study and synopsis on governance of boards of higher education that might be very informative for you. In 2015, I also served on the interim committee that looked at state and community college governance. The Legislative Counsel Bureau Research Division has that study as well. We recommended, at a minimum, that we explore the idea of setting up an advisory board or someone else separate to oversee the state and community colleges so their voices do not get drowned out and lumped into a huge behemoth of a university system. I would urge you to take a look at that part of it. Finally, there was a hybrid model. I think I had something similar I put in qualifications in my legislation. Senator Woodhouse carried a similar bill, Senate Bill 354 of the 80th Session, that included nine members. It did not pass, but that may be another area to take a look at. Most of them went back to nine members.

Since the 1800s there has been a size—I think it was Senator Raggio who last did the increase to 13 members. He was always very passionate about the university system and especially the University of Nevada, Reno area. But maybe as you ponder this, there could be some language that says folks who run for this, if we do not go to an appointed process, need to possess knowledge and experience in higher education. Maybe even have attended higher education and have backgrounds in businesses and represent the diversity of the state, including geographic regions, gender, and ethnicity. I think this is a simpler bill, but there is information out there, which you have within your own research department, that can be very helpful.

**Chair Bilbray-Axelrod:**

We will close testimony in support and move on to opposition.



**Emily Persaud-Zamora, Executive Director, Silver State Voices:**

I am the executive director of Silver State Voices, which leads the Nevadans Count coalition. On behalf of the coalition, I am here to express our opposition to A.B. 118 [[Exhibit L](#)]. Three years ago, our coalition worked tirelessly to ensure every Nevadan responded to the census and participated in the redistricting process to ensure all communities were seen, heard, and represented in the process. At the time, we took pride in our state's diversity, which due to the results ranked us third in the nation. This bill, as we see it, will inadvertently diminish the representation we have been able to achieve. While we agree with reducing the term from six years to four years, we do not support reducing the size of the Board. The reasons mentioned for why the bill was brought forward seem logical. It may improve efficiency and even save money. However, we believe such arguments oversimplify the issue. The impact of this bill on our communities' representation would be detrimental, and we cannot afford to take this lightly. It is worth noting that Regents play an essential role in reviewing all aspects of university life. As such, the size of the Board is a critical factor in ensuring all perspectives are represented and that decisions are made in the best interest of students, faculty, and staff. We urge the Committee to consider the long-term effects of this bill. Please oppose A.B. 118.

**Janine Hansen, representing Nevada Families for Freedom:**

We oppose this bill. Nevada's population has significantly increased. If you look at the district map of the Board of Regents, you will see that nine districts are entirely within Clark County. District 8 is part of Clark County and includes all of Elko, Esmeralda, Eureka, Lincoln, Nye, and White Pine Counties. District 9 includes Carson City, Churchill, Douglas, Lander, Lyon, Mineral, and Storey Counties. District 10 includes Reno and Sparks, and District 11 includes Humboldt, Pershing, and Washoe Counties. If the number of regents is reduced from 13 to 9, there will be almost no representation for any county but Clark County, and perhaps something for Washoe County. This is a significant concern for people like me who live in Elko County or who live in the rural counties. We do not oppose reducing the terms from six years to four years, but we feel reducing the numbers will significantly reduce our opportunity to have access to a regent. We had a regent for years who was actually from Elko County. This bill does not in any way resolve the problems we have heard about the Board of Regents today. The proponents do not even guarantee that it will, because of course they cannot. So, we hope you will not eliminate the representation from the rural counties and you will oppose this bill.

**Joseph C. Arrascada, Regent, Board of Regents, Nevada System of Higher Education:**

Thank you for this opportunity to speak in opposition of A.B. 118. The current bill as proposed does not provide clarity of the redistricting lines. Also, as previously mentioned, with the current edition there will be a disproportionate representation of regents from southern Nevada. What this means is there may be only one regent truly residing in northern Nevada, therefore, not providing equity. Reducing the Board of Regents would roughly place 389,000 constituents per region. This Committee and all elected bodies know the level of responsibility required to be the conduit between your constituents and this Legislature. We, too, the 13 elected regents, receive copious amounts of outreach from our constituents,

campus representatives, community members, and most importantly, from the students and faculty.

The bill sponsor mentioned numerous unsubstantiated accusations of the past. Yes, the past. Looking at past bodies' elected state representatives, there will always be examples of acrimony; there lies the past. We are forward thinking. We have the foresight to bring positivity to the system of higher education; hence, as vice chair of the Board of Regents for the Nevada System of Higher Education, I am not in support of A.B. 118.

**Karen Stephens, Private Citizen:**

Everyone prior to me has pretty well said it for me, but I just want to add: redistricting makes people very suspect. It has not gone well in the past, and I, along with many others, am very concerned that the rurals are going to get screwed, and we do not want that. Everything seems to go around Las Vegas, and the rurals—including Carson City—do not get their fair share. So please do not approve this bill.

**Byron Brooks, Chair, Board of Regents, Nevada System of Higher Education:**

The effective date of this bill, should it pass, does not affect my term. I would like to offer that Nevada's higher education system is designed to be a process where students are enabled to pursue higher education opportunities. This system is built strategically to offer higher education pathways that support students of all economic and academic standings. The system is composed of the board, the system office, and eight higher education institutions. The board is a constitutionally bound elected body that supports and oversees institution policy, fiscal management, student fee structure, and other procedural processes for eight institutions—to increase student access, student success, student experience, community engagement, and campus growth. There are roughly 14,000 employees and over 105,000 students in this system. If we take a look at representation, we recognize we have 21 Senators and 42 elected Assembly members from 63 districts to ensure representation exists throughout the state. In contrast, the Board of Regents is made up of 13 members from 13 districts representing the same amount of folks, approximately 3.5 million citizens in our state. The Board of Regents is always in favor of policy and procedures that support the advancement of economic diversification, higher education access, student success, student experience, campus growth, and faculty and administrative employment. As a collective, the Board of Regents is not in favor of this bill, as it does not address or solve any of the existing systemwide challenges regarding higher education.

[A letter in opposition to A.B. 118 was submitted, [Exhibit M](#).]

**Chair Bilbray-Axelrod:**

We will close opposition and open neutral testimony. Do we have anyone wishing to testify in the neutral position? [There was no one.]

I will close the hearing on A.B. 118.

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The next item on the agenda is public comment. [Public comment protocol was reviewed.]  
Is there anyone wishing to provide public comment? [There was no one.]

Our next meeting will be Tuesday, March 7, 2023, at 1:30 p.m. This meeting is adjourned [at  
3:20 p.m.].

RESPECTFULLY SUBMITTED:

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Funmi Sheddy  
Committee Secretary

APPROVED BY:

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Assemblywoman Shannon Bilbray-Axelrod, Chair

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed conceptual amendment to [Assembly Bill 150](#) titled "N. Anderson Proposed Conceptual Changes for AB 150," submitted and presented by Assemblywoman Natha C. Anderson, Assembly District No. 30.

[Exhibit D](#) is a proposed amendment to [Assembly Bill 150](#) titled "Proposed Amendment to Assembly Bill 150, BDR No. 34-88, Recommended by the Nevada System of Higher Education," submitted by Alejandro Rodriguez, representing Nevada System of Higher Education.

[Exhibit E](#) is a link to 'Map of Nevada Tribes' depicting Indian Reservations & Colonies of Nevada, produced by the Nevada Indian Commission, submitted and presented by Assemblywoman Natha C. Anderson, Assembly District No. 30.

[Exhibit F](#) is a letter in support of [A.B. 150](#) submitted and presented by Douglas Unger, University of Nevada, Las Vegas, Chapter President and Government Affairs Representative, Nevada Faculty Alliance.

[Exhibit G](#) is written testimony in support of [A.B. 150](#) submitted and presented by Annette Magnus, Executive Director, Battle Born Progress.

[Exhibit H](#) is a document titled "2021-22 NSHE Native American Fee Waiver Report dated August 2022," submitted by Assemblywoman Natha C. Anderson, Assembly District No. 30.

[Exhibit I](#) is a letter in support of [A.B. 150](#), dated March 2, 2023, submitted by Lauren Broncho, Private Citizen.

[Exhibit J](#) is a letter in support of [A.B. 150](#) submitted by Sara Quintana, Private Citizen.

[Exhibit K](#) is a letter in support of [A.B. 150](#), dated March 2, 2023, submitted by Mike Escamilla and Lana Escamilla, Private Citizens.

[Exhibit L](#) is a letter in opposition to [A.B. 118](#), dated March 2, 2023, submitted and presented by Emily Persaud-Zamora, Executive Director, Silver State Voices.

[Exhibit M](#) is a letter in opposition to [A.B. 118](#), dated March 1, 2023, submitted by Elisabeth Lernhardt, Private Citizen, Zephyr Cove, Nevada.