

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy Third Session
March 28, 2005**

The Committee on Government Affairs was called to order at 9:16 a.m., on Monday, March 28, 2005. Chairman David Parks presided in Room 3143 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4406 of the Grant Sawyer State Office Building, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. David Parks, Chairman
Ms. Peggy Pierce, Vice Chairwoman
Mr. Kelvin Atkinson
Mr. Chad Christensen
Mr. Jerry D. Claborn
Mr. Pete Goicoechea
Mr. Tom Grady
Mr. Joe Hardy
Mrs. Marilyn Kirkpatrick
Mr. Bob McCleary
Mr. Harvey J. Munford
Ms. Bonnie Parnell
Mr. Scott Sibley

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Kathy McClain, Assembly District No. 15, Clark County
Assemblyman Tom Grady, Assembly District No. 38, Lyon County

STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst

Eileen O'Grady, Committee Counsel

Kiz Malin, Committee Attaché

OTHERS PRESENT:

Dan Musgrove, Director of Intergovernmental Relations, Office of the
County Manager, Clark County, Nevada

David Fraser, Executive Director, Nevada League of Cities and
Municipalities, Carson City, Nevada

Gene Brockman, Chairman, Board of Trustees, Incline Village
Improvement District, Incline Village, Nevada

Kimberly McDonald, M.P.A., Special Projects Analyst and Lead Lobbyist,
City Manager's Office, City of North Las Vegas, Nevada

Mary Henderson, Legislative Advocate, representing the City of North Las
Vegas, Nevada

John Slaughter, Legislative Affairs Manager, Office of the County
Manager, Washoe County, Nevada

Nicole Lamboley, Legislative Relations Manager, Office of the City
Manager, City of Reno, Nevada

Santana Garcia, Legislative Advocate, representing City of Henderson,
Nevada

Bob Erickson, Legislative Advocate, representing the City of Fallon,
Nevada

Bjorn Selinder, Legislative Advocate, representing Churchill County and
Eureka County, Nevada

Scott Huntley, Division Training Chief, Mason Valley Fire Protection
District, Yerington, Nevada

Eugene Campbell, Assistant Fire Chief, Administrative Division, Las Vegas
Fire and Rescue, and Member, Nevada Fire Service Standards and
Training Committee

Rusty McAllister, President, Professional Fire Fighters of Nevada, Las
Vegas, Nevada

Roy Slate, Division Chief, Reno Fire Department, Reno, Nevada, and
President, Nevada Fire Chiefs Association

Dennis Pinkerton, Training Officer, Fire and Hazardous Materials Training,
State Fire Marshal Division, Nevada Department of Public Safety

Dave Ferguson, Training Safety Captain, East Fork Fire and Paramedic
Districts, Minden, Nevada

Pete Anderson, State Forester Firewarden, Division of Forestry,
Department of Conservation and Natural Resources, State of
Nevada

Chairman Parks:

[Meeting called to order and roll called.]

- BDR 25-39—Makes various changes relating to general improvement districts. (Assembly Bill 475)

ASSEMBLYMAN HARDY MOVED FOR COMMITTEE
INTRODUCTION OF BDR 25-39. (ASSEMBLY BILL 475)

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 23-183—Provides for imposition of certain penalties against public officer who fails to carry out or enforce statute or regulation as required by law. (Assembly Bill 476)

ASSEMBLYMAN GOICOECHEA MOVED FOR COMMITTEE
INTRODUCTION OF BDR 23-183. (ASSEMBLY BILL 476)

ASSEMBLYWOMAN PARNELL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 20-327—Revises provisions governing disposal of certain real property. (Assembly Bill 479)

ASSEMBLYMAN HARDY MOVED FOR COMMITTEE INTRODUCTION OF
BDR 20-327. (ASSEMBLY BILL 479)

ASSEMBLYWOMAN KIRKPATRICK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 20-584—Revises provisions relating to authority of deputies appointed by certain public offices. (Assembly Bill 477)

ASSEMBLYWOMAN KIRKPATRICK MOVED FOR COMMITTEE INTRODUCTION OF BDR 20-854. (ASSEMBLY BILL 477)

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 19-756—Revises provisions relating to publication of legal notices. (Assembly Bill 478)

ASSEMBLYWOMAN PIERCE MOVED FOR COMMITTEE INTRODUCTION OF BDR 19-756. (ASSEMBLY BILL 478)

ASSEMBLYWOMAN PARNELL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 23-950—Authorizes establishment of plans of group insurance for officers and employees of certain school districts and their dependents. (Assembly Bill 480)

ASSEMBLYWOMAN KIRKPATRICK MOVED FOR COMMITTEE INTRODUCTION OF BDR 23-950. (ASSEMBLY BILL 480)

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 31-955—Revises definition of revenue in regard to limitations on fees that counties and cities may impose on public utilities.

ASSEMBLYMAN CHRISTENSEN MOVED FOR COMMITTEE INTRODUCTION OF BDR 31-955.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 23-1300—Authorizes collective bargaining for certain state employees. (Assembly Bill 484)

ASSEMBLYMAN McCLEARY MOVED FOR COMMITTEE INTRODUCTION OF BDR 23-1300. (ASSEMBLY BILL 484)

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 20-1336—Revises provisions relating to county clerks. (Assembly Bill 482)

ASSEMBLYWOMAN PIERCE MOVED FOR COMMITTEE INTRODUCTION OF BDR 20-1336. (ASSEMBLY BILL 482)

ASSEMBLYWOMAN PARNELL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 23-1337—Revises provisions governing collective bargaining between local government employers and employee organizations. (Assembly Bill 483)

ASSEMBLYWOMAN PIERCE MOVED FOR COMMITTEE INTRODUCTION OF BDR 23-1337. (ASSEMBLY BILL 483)

ASSEMBLYWOMAN PARNELL SECONDED THE MOTION. (ASSEMBLY BILL 483)

THE MOTION PASSED UNANIMOUSLY.

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Chairman Parks:

[Opens the hearing on Assembly Bill 306.]

Assembly Bill 306: Provides for consolidation of certain local governments and services. (BDR 20-892)

Assemblywoman Kathy McClain, Assembly District No. 15, Clark County:

[Read her testimony from Exhibit B.]

A.B. 306 provides, in skeleton form—and let's remember those terms—for the consolidation of local governments and services in the urbanized areas of the state. So, you ask, what would be the advantages of consolidation?

- It would eliminate inefficiencies of duplication of city and county government services.
- It would eliminate overlapping and confusing jurisdictions.
- It would reduce bureaucracy and redundancy.
- It can eliminate multiple property tax rates for local services.
- It would eliminate turf battles among local jurisdictions.
- Save money through economies of scale realized by merging service areas.
- Provide for automatic acquisition of new development as growth occurs.
- Provide the public with seamless services, accountability, and an easily understandable, more business-like structure.

What would be the disadvantages? I am not including any at this point, because there is an entire audience willing to read into this proposal every dark and doom detail known to man. However, having said that, the fact remains that the devil is in the details. People tend to hold on to the devil they know rather than take a chance on a new, unknown devil. That is precisely why this proposal is in skeleton form. I am including in this packet that you have received (Exhibit B) the sample organizational chart that explains the proposal in A.B. 306. I have also included some Internet articles that provide more information on consolidation attempts, failures, and successes across the country.

I have also included several amendments to the original bill. These amendments will more clearly define this particular proposal,

especially in the areas of organization of the governing body in the unified service areas. As you can see from the conceptual organizational chart, A.B. 306 provides for a 13-member governing board and a mayor as the chief elected official. The mayor would be elected at large, and the board members will be elected from districts. All would serve 4-year terms.

[Assemblywoman McClain, continued.] A 13-member governing board, for example, in Clark County—the urban area—would be districts of about 125,000 people. The consolidated service areas would be organized in such a manner to allow for Chief Accountability Officers, appointed by the mayor and the board members, to form the Executive Operational Team. This is a similar concept to the technical advisory committees utilized by legislative interim study committees.

Each of the service areas under the CAOs [Chief Accountability Officers] would perform the daily operations under the consolidated authority that is currently performed by multiple jurisdictions with city/county manager form of government. As I said before, this is a conceptual proposal, and I would welcome the opportunity to work with this Committee and local government representatives to iron out the details of a consolidated government entity that would provide one level of local government to serve the fastest-growing urban communities in the United States.

Assemblyman Goicoechea:

I am looking at this bill, the way I understand it is that you would start in the center of an urban area and, as long as you average 1,000 residents per square mile, you would move out until you got to an area that was no longer had an average of 1,000 residents per square mile. Then, that would be the edge of this consolidated authority?

Assemblywoman McClain:

Yes.

Assemblyman Goicoechea:

You would not create each individual section, or 1 mile square would not be their own consolidated authority?

Assemblywoman McClain:

Correct. You would start with the urban core, in that they are continuous and they have 1,000 residents per square mile. That entire core would become the consolidated authority.

Assemblyman Goicoechea:

I guess the thing that concerns me, as we move away from some of the urban areas—and again 1,000 residents is not a lot—is that we could end up, in some of these rural counties if they had 20,000 or 30,000 people, with at least ten of these consolidated authorities, because there would be more than a mile separation between.

Assemblywoman McClain:

This would not affect any rural incorporated cities or rural areas. You do not have that density level.

Assemblyman Goicoechea:

One thousand residents per square mile is not that dense. In fact, the town of Eureka could end up being a consolidated authority. They barely have 1,000 residents, but they are there. Then, you could move into Diamond Valley with more than a mile separation. It would not be dense enough, but let's say the Beowawe and Crescent Valley area could probably qualify for another one. I think that as you get into Elko, Spring Creek, and the Osino area, that all those would be consolidated authorities with more than a mile separation.

Assemblywoman McClain:

That is something we can look at. Maybe the 1,000 residents per square mile is inappropriate for Nevada. This was a number I got from the United States Census Bureau. All of this is conceptual and open to discussion. The rationale behind this whole thing started my first elected term. I remember when Mayor [Oscar] Goodman was running for the first time, and he put his signs out in the entire valley. I had dozens of phone calls from people who were upset because they could not vote for the mayor. They did not understand these crazy boundaries we have in southern Nevada, and the only way I could pacify them was to say, "I know you cannot vote for the mayor, but you are in an unincorporated county area, and you do not pay as many taxes as they do in the city." So, I could pacify my constituents that way, but it just brings out the point of how, for example, Clark County has evolved over the years.

I think that it is time that we look at this and provide some sort of a structured local government, providing the services for police, fire, public works, and all the parks. I do not know if it is going to save a lot of money. I did not go into this whole money-saving thing, but I know that for the average resident in an

area like that where you have animal control on one side of the street, which is a different jurisdiction than the other side of the street, and your neighbor on the other side that has a different property tax rate than you do, it makes it time to look at these huge urban areas that have evolved over the years as they have.

Assemblyman Grady:

In looking at this and your amendment, I think you are going to build by this very, very strong core areas, and you are going to weaken your counties, so they will practically be nonexistent. If you take the Clark County area, you would consolidate North Las Vegas, Las Vegas, Henderson, maybe even reach out to Boulder City. What happens to the rest of the county? Will they become part of Lincoln County?

Assemblywoman McClain:

No. It covers the entire county, but in the core, there will be different issues. They will still provide the same services countywide.

Assemblyman Grady:

You are either going to add another structure of government or you are going to weaken the county government, even in my own county where I live, Lyon County, where the community is 3,500 residents. The only thing this will be doing is changing the name of that committee. I think you need to do a lot of work, in all due respect, on this bill before I can even look at it.

Assemblywoman McClain:

The consolidated authority is within the county lines. It will replace the city councils and the county commissioner. It will now be integrated—one authority. It will still do the same things that the city council did and the county commissioners did. It is just a different heading.

Assemblyman Grady:

If you follow that line of thought, that they are going to do the same thing that the commissioners and the council did, how do you service those outside of the urban area? You are still going to have to have a county commissioner to take care of them. Who is going to take care of the outlying areas?

Assemblywoman McClain:

Your elected officials. That does not change. The services provided will not change, only the authority. The board of authority will be consolidated.

Assemblyman McCleary:

I can remember being 14 years old and my grandfather dragged me to this boring meeting, and I remember that Manny Cortez was there. All of these other prominent folks at the time were talking about consolidating Las Vegas and Clark County. Both of them agreed that this would be the right thing to do. It would be good for services, so we are not duplicating services. It would be better for the tax structure. So, the county agreed and said, "Why don't you go ahead and dissolve, and we will absorb you." The city said, "Wait a minute. We were thinking that maybe you guys should dissolve, and we would absorb you." I think that that is where they run into the conflict. I like the concept of this, but I am wondering if we could just make this for Clark County or if you wanted it for Clark County and Washoe County. Would you give me a reason why you made it statewide?

Assemblywoman McClain:

Because we actually have two large urban areas in this state. One of the other things that we might think about doing is to alleviate Mr. Grady's concerns that the U.S. Census Bureau also defines urban areas with a base of 50,000 or more, and then they go on to define density. Maybe that is what we need to do. Start with a base of maybe 100,000 or 200,000 people, then the density on top of that.

Assemblyman McCleary:

If you are doing it by 1,000 per square mile, you could possibly run into a portion of Clark County that would not end up being absorbed by it. If you are going to do something like this for Clark County, you would have to make it all of Clark County. Do you follow what I am saying, Kathy?

Assemblywoman McClain:

The authority provides the services for all of the county. It is just that it is eliminating all of those overlapping jurisdictions. Whatever the county provides and whatever all the individual cities provide will now be provided by this consolidated board.

Assemblyman McCleary:

So, you are envisioning this to be for Clark and Washoe Counties, basically?

Assemblywoman McClain:

Large urban areas.

Assemblyman McCleary:

Are there any other large urban areas besides those?

Assemblywoman McClain:

Maybe not at this point, but look at the way this area is growing.

Assemblyman McCleary:

Didn't Carson City do something like this? The county and city merged, and it seems to be working well here.

Assemblyman McClain:

Yes.

Assemblyman McCleary:

I really like the concept, Kathy, and I would be happy to work with you to do whatever it takes to make the details come together.

Chairman Parks:

I was just looking to see when that happened. Ormsby County and Carson City were merged in 1969. I have a report that is dated 1973. It was a report on local governments in Clark County, prepared by the Local Government Study Committee of the Nevada State Legislature. The Study Committee was composed of members elected from Clark County. They went into an extensive study and analysis. They also reference 1956 as the first reference to consolidating services in Clark County. So, needless to say, we are just one year shy of 50 years of kicking that around.

In 1974 and 1975, we did have a consolidation effort. It was on the heels of the creation of NRS [*Nevada Revised Statutes*] 280, the Metropolitan Police budget. There were six people on the technical committee, and I was one of those, and we came up with an organization that is similar to what Kathy is talking about, as far as being a mayor, city commission, and a board of county commissioners. It was an 11-member board. We do have a long history and background on efforts to consolidate. It is good background information.

Assemblyman Munford:

I think that there may be some advantages to what you want to do, but maybe it should be something that the people should have a voice in. Maybe a committee could be set up of residents from both cities—maybe Henderson and a group from North Las Vegas, or something—to sit down and work with you, in a sense of deciding the procedure and process of how this should take place. I remember when Metro [Las Vegas Metropolitan Police Department] consolidated, when Las Vegas had their police department and then the police department and the sheriffs combined. That worked out pretty well. It is still a big step. The people would probably have to have a little input. I can see some advantages to it, I really can.

Assemblywoman McClain:

If you will look in your packet ([Exhibit B](#)), there are 2 or 3 different articles about consolidation from across the country, and some of the pitfalls. Some have been working on it, much like Nevada, for 40 and 50 years. Some have worked really well, and some have not worked very well at all. Some have gone the route of going to the vote of the people. I do not disagree with you that this is a concept; it definitely needs more discussion and more ironing out. But, I think that it is time that we took a serious look at this. If you notice on one of the amendments also, one of the things that LCB [Legislative Counsel Bureau] had put in was the effective date of January 2006, which is pretty unreasonable. We could change that 2007 at least and have some time to work on it.

Chairman Parks:

I would presume that we would want to start at the beginning of a fiscal year if we ever did anything on that.

Assemblyman Hardy:

The only real problems that I have are the land ownership by cities and how you share those, the growth issues in Boulder City, the gaming prohibition in Boulder City, the size of the board, the built-in bickering by district voting, the community identification, and the 10-year interim study, at least, before this happens.

Assemblywoman McClain:

That is all?

Assemblyman Hardy:

That is all that I can see, right off the bat.

Assemblywoman McClain:

For your ease of mind, Boulder City has its own little buffer all the way around it.

Assemblyman Hardy:

One of the issues with Boulder City is that there is a place called Dutchman's Pass that abuts up to Henderson, and then Henderson also comes right up to Railroad Pass. So, Boulder City is 200 square miles, the city itself. So, it is obviously got enough of those 1,000 per mile to spread out a long ways. We do come right up to Henderson, and so we would probably be trapped in that definition as it is written right now.

Assemblyman Goicoechea:

You are still going to have Overton, Moapa, Mesquite, and Laughlin that will not comply, and yet they definitely fit into this definition, so they would be a consolidated authority, each one of them.

Assemblywoman McClain:

That is why I am suggesting that we may need to add that population basis in, so that we really only capture the very large urban areas.

Assemblyman Goicoechea:

As we move to the 50,000 cap as you were mentioning, Elko County is knocking right against 50,000, and Carson City is just over it. My fear is that Elko could be a consolidated authority. Wells would be one, Jackpot would be one, West Wendover, and Carlin, and so you are right back where you started. You are already cities.

Assemblywoman McClain:

I will make note of that, and we will definitely work on that.

Chairman Parks:

Did you have amendments that you wanted to discuss?

Assemblywoman McClain:

Yes. If you will look at your copy [page 3 of [Exhibit B](#)], the blue is the LCB's [Legislative Counsel Bureau] original language to the bill, the red is what we have added, and then the strikeout is some of the stuff that I have taken out. Basically what we have done is tried to define and make a better definition with "an average of 1,000 residents," so that in case you have one particular square mile that is just a bunch of warehouses, but they are in the middle of an urban area, it is not going to throw this whole thing out of whack. I think it is probably a good idea to add that population base and then the average residents per mile. We added in to provide for the election of the board once it is established. We need to also put in some language about staggering initial terms, so that not everybody is up for reelection every 4 years. Like I said before, the 13 districts would be about 125,000 per district in Clark County. I do not know what exactly it would be up here. The board of authority replaces the city councils and replaces the board of county commissioners. It is now the only authority board in the county. It covers the rural and urban areas.

Assemblyman Goicoechea:

You are saying that the board would cover the rurals even though they did not comply or fit in these 1,000 residents?

Assemblywoman McClain:

Absolutely. They would still provide the same services that the county commission provides now as well as what the city councils provide.

Assemblyman Goicoechea:

They would extend out to the county boundaries?

Assemblywoman McClain:

Yes.

Assemblyman Goicoechea:

It seems a lot simpler, then, just to say that we will do away with the board of county commissioners or we do away with the city councils and just create one county board.

Assemblywoman McClain:

Let me take this one step further. This will only happen in very concentrated urban areas, so Lyon County would probably never qualify under this, not under this concept. We will make sure that they will not. How is that?

Let's go to the next amendment. I also realize that in city languages, under Chapter 266, cities are granted the right of home rule. I have included the right of home rule and self-government for this consolidated authority. It goes on to say that the board shall exercise all the powers in the unincorporated areas and the urban areas that the board of county commissioners would have been permitted to exercise, pursuant to NRS 244.

It shall consolidate all the services provided by the county and the city, provide for the continuation of all services required by both the county and the city, and may provide for a continuation of any discretionary services. I also added there that they shall maintain employee unions and associations. Then, we made a couple of little corrections in Section 8(2). We included a couple of things like planning and zoning public-owned hospitals. I took out water districts because they are a utility; they are not really a government service. We do not have power in there. I also put in a provision so that a person that is elected to this board cannot come off of the board and become a manager of any of the departments for 2 years.

Other than that, we did not do much except just change the name. I kept going back to, what do we want to call this thing? So, that is why we came up with a totally different title, just to distinguish it from what is currently in place. It is the consolidated authority, which can be changed. I am not married to the terms. That is what the bill does.

Chairman Parks:

We have the second revision of the revised A.B. 306. Are you going to do anything further with this, as far as putting it in a mockup bill for further discussion?

Assemblywoman McClain:

Whatever you would like me to do.

Chairman Parks:

Do you have others wishing to testify in support of this bill?

Assemblywoman McClain:

I do not have anyone.

Dan Musgrove, Director of Intergovernmental Relations, Office of the County Manager, Clark County, Nevada:

It is tough for us to react at this point, considering that there have been some major revisions to the bill. We have not had a chance to see copies of those. Some of the concerns that we had with the way the bill was skeletally drafted, as the sponsor put it, was that the "devil is in the details." The subject of local government consolidation has been around in this area for upwards of 50 years. For us, with 70 days left in the Legislature, it is a bit scary to plan that out and put it in a draft form. We would love the opportunity to sit down with the sponsor, perhaps in subcommittee or even going further into an interim study, to work out those details.

Obviously, Clark County is a very unique area. Anytime you ever look at a map of Clark County, I think you can see how some folks have adamantly resisted becoming part of cities. They look at the rurals, and they are in the center of town. If you have ever looked at our map and have seen the county islands, those people who would be absorbed into this system in seconds. I think that that they would resist that. That is one of the things that concerned us about this bill as we looked at it, the loss of constituent and voter input. Granted, the sponsor has talked about allowing for those 13 people to be elected because, as you look at the bill now—the original version—the board of county commissioners appoints that 13-member consolidating authority, and they are essentially in power for 4 years, making all of those policy decisions and never going before the voters. That is a bit scary. I think the voters, especially those folks who have made conscious decisions to not live in cities, or to oppose annexation, would perhaps want to have a say in that matter.

We truly think that, at least, the original version of A.B. 306 precludes that citizen input. That, I think, would be our biggest concern at this point. We

would hope that, in going forward, this Committee and this Legislature would consider those things that I truly believe the citizens ought to have a say in. We have had some consolidation of services. We have a water district that is consolidated. Ms. McClain talks about excluding them, but how do you? There are city councilmen and county commissioners who serve on the water district, the Southern Nevada Water Authority, and the RTC [Regional Transportation Commission]. Transportation is a very important issue for Clark County. If you look at what the board of county commissioners did with the Beltway, if we had relied on the State to do that, we still would not have it. That was the board of county commissioners stepping forward, but they did it through the RTC, a combined consolidated transportation authority.

[Dan Musgrove, continued.] We have the Regional Flood Control District. We have a Metropolitan Police Department that is consolidated between the City of Las Vegas and Clark County. What happens to the Sheriff? Is he out of a job? Does he become an appointed manager over public safety? I think the people have always wanted the ability to vote for the sheriffs, at least in Las Vegas and Clark County. Granted, in the City of North Las Vegas and the City of Henderson, that is an appointed position.

Again, the devil is in the details, and those are the things that you have to consider. I think that it is tough for us to solve that by April 15, when this bill has to be voted out of this Committee. We would be willing to work with this Committee and the sponsor. I am sure that there are other things that I am perhaps glossing over, but again, I have not seen any of her amendments. It is tough for me or my staff in Clark County to respond. Those are just some things that we wanted you to be able to consider, to mull over as this bill goes forward.

**David Fraser, Executive Director, Nevada League of Cities and Municipalities,
Carson City, Nevada:**

As it has been stated numerous times, there are a multitude of details that would need to be worked out in order for this to really work. The League of Cities wishes to oppose this bill, and I am not sure that we could support it even in an amended form. The bill, as proposed, seems to fly in the face of the democratic process. There are a number of examples of successful consolidation of services nationwide, and even some within our own state have been mentioned, but those—in every case, to my knowledge—have been locally initiated, either through the initiative petition process at the voter's level or referred to the ballot by the local elected bodies that have reached some consensus on how they should proceed with that.

[David Fraser, continued.] In every case, we believe that it should be the voters that decide whether or not those services ought to be consolidated. This takes a second step in disenfranchising the voters, in that it would not only remove from them the right to vote on whether they wanted to consolidate, but it would remove their duly elected officials from office and replace them with an appointed board, at least for the first cycle. Not only would they have their right to vote on the issue taken away, they would then have their elected representatives removed without their consent. It should not be assumed by this Committee that, in fact, the voters would, in any of the areas that have been mentioned in this hearing, vote for that.

In fact, some information that the National League of Cities has received is that after the last 40 years, nearly 100 referenda and initiatives have been proposed for city council consolidations. Of those, the voters rejected three-quarters of them. Only one-quarter of them were successfully passed by the voters. Even in the 1990s, only 6 of 20 attempts were successful. If consolidation were to take place—and there are certainly some successful examples—it should be locally initiated, and the voters should absolutely have the determination in whether the areas in which they live are consolidated. There are a number of issues with the details that I will not take time to deal with at this point, because I am not sure that even working out those details would overcome our concerns that I have mentioned.

Assemblywoman McClain:

I just want to reassure everyone, so that we do not have to all come up here and say the same thing. The part about being appointed originally is out of the bill. They will be elected.

Gene Brockman, Chairman, Board of Trustees, Incline Village General Improvement District, Incline Village, Nevada:

I am the Third Vice President of the Nevada League of Cities and Municipalities. In addition, I recently sat on a committee for and by the Washoe County Commission, studying long-term financial viability of the county and, in that role, chaired a subcommittee dealing with consolidations and combinations of departments for efficiency. In the future, it is probable that consolidation is going to be a way of life if we are going to contain the cost of government. In any consolidation or unification of units, there is a larger and a smaller entity.

We are opposed to any legislation that results in the consolidation, whether it is an acquisition or an annexation, unless the provision is included which would require the approval of all entities that are party to that combination or acquisition, or whatever you want to call it. If this bill moves forward, we urge that it be included as an amendment that all entities must approve it—preferably

by a vote of the property owners included in the units—and if that is not practical, then certainly the registered voters. If this bill moves forward, we would suggest that it be restricted to Clark County and not involve any other part of the state.

Kimberly McDonald, M.P.A., Special Projects Analyst and Lead Lobbyist, City Manager's Office, City of North Las Vegas, Nevada:

We oppose A.B. 306. As the second-fastest growing city in the nation, we are also enjoying an increased assessed valuation of 38 percent. I am sure that some of you remember that through our other presentations. North Las Vegas is a very dynamic city that is living up to its motto: "Your community of choice." With our population of approximately 170,000, our proud constituents have voted for our city council to represent them. While we partner with the other local governments in Nevada, we enjoy our autonomy as the fastest-growing region at the northern tip of the valley.

We also enjoy regional collaboration, as Mr. Musgrove has previously stated, through the Southern Nevada Regional Planning Coalition, the Southern Nevada Water Authority, the Regional Flood Control District, the Regional Transportation Commission, and the Urban Consortium. The strength of each individual local government adds to our strength where we must be unified. Research has shown that consolidation is not always appropriate or efficient. The larger the community, the harder it is for individual residents to influence their elected officials.

Larger governments may become less efficient, the larger that they grow. It often results in a crowding out of smaller service suppliers. Services may not improve, and taxes may or may not be lowered. Bigger government may be less responsive, and not as responsive as the local government that is closest to the people. This also one of the tenets of our legislative platform, at which we believe that government is best at the level closest to the people, the city level.

There are other implementation issues that also must be dealt with, such as negotiating labor agreements. We would also have to revise the tax rates and user fees for our citizens. The result may be higher expenditures, rather than a cost savings that many would expect. We would also have to assure equal property tax impacts across the board. On another front, one large government also reduces the competition of bids for businesses, because only those that can handle such large organizations will be able to apply for such bids.

Finally, residents live in various areas because they enjoy the uniqueness of their city. It gives them a sense of identity and the strength of a local government

framework is in our diversity. A consolidated authority would not be effective for our region at this time, and therefore we cannot support A.B. 306.

Mary Henderson, Legislative Advocate, representing the City of North Las Vegas, Nevada:

I would like to go back to my days as a staff member for both Washoe County and the City of Reno, and as a lobbyist who has represented most cities and counties in the state over her career, as well as many regional bodies, such as the Regional Governing Board and the Regional Transportation Commission. With all due respect to Ms. McClain, whom I have an abundance of respect for, having lobbied these halls with her over the years, I just have to urge that this Committee really take a step back from this bill and proceed very cautiously with this.

As the Chairman brought forward, we have been looking at this for over 50 years in this state. I do not think that you will find an urban area in this state that, in some capacity, is not right now, either through the Southern Nevada Planning Group or through the Regional Governing Board, through whatever Washoe County has done this week, last month, or in the last couple of years, looking at ways to try to save money for our constituents and to best serve them in ways that meet their needs.

The devil is in the details, but I would submit to you that, even more importantly, the devil is in the analysis. There is absolutely not, in my opinion, enough time in the next few weeks for us to do the kind of analysis that I think needs to be done so that we can bring a meaningful case back to the voters, back to the constituents that we all represent, and say that this makes sense. This is not functional consolidation. This is not structural consolidation. This is a sweeping change to the way that we do government in the two larger urban areas of this state. You will hear all kinds of people talk to you. I have spent years looking at consolidation studies. They will talk to you about fiefdoms, and conceptually, it sounds wonderful, but when you start looking at things like, how do you blend—in northern Nevada, in particular—a sheriff's department and a police department together under NRS 280 and actually save money for the constituents? I think you will find that it is pretty tough to do.

In southern Nevada, you have a partial consolidation with Metro. You still have 2 city police departments that function within North Las Vegas and Henderson. In looking at the bill, for example, and it was something that Mr. Goicoechea brought forward, what do you do if you do not bring Mesquite and Laughlin and those types of communities in? How do they get the services that counties traditionally provide? Do those just go away and only the people in the urban areas get those services? Do they pay an additional tax to be able to get county

services, which historically I think are a little bit different than municipal-type services? It is laudable to want to have one tax rate, but if you are going to have one tax rate, everybody needs to have the same level of service.

[Mary Henderson, continued.] Right now, you might have a sheriff's patrol that patrols the southern part of Washoe County, one or two patrolmen. Do you go to a municipal level of service where you have 4 or 5 patrol units sitting out there on the streets, even though the crime level is not that high? It just becomes very problematic and very difficult to do this. You have the best resources in the world sitting here with you today, and those are the local governments. I think that with all of us, I would submit to you that this is actually more than a conceptual or skeleton bill, especially with the amendments that we have just now gotten.

We have not had a chance to review them. We have not had a chance to take them back to our elected bodies. I just do not know how, in the next several days, or several weeks, this Body can make this kind of sweeping change for all, without some kind of input from us. At a minimum, we need to be hearing from the public. We need to be looking to see if this would be an interim study. I think that the bottom line is that there are historic reasons that we have cities and counties in this state. Many people want to live in a city and they do not want to live in rural areas. Many people want to live in rural areas and not live in cities. You have to go back to the historical context of why the cities, the counties, and the state were formed, the types of services that they provide, and why the tax structure is the way that it is.

I think that you really have to look at that, not only from just the analysis point of view, but also the governance point of view, and why people choose to live where they live and choose the level of service that they choose. Ms. McClain is bringing forward a concept that we have all been struggling with for many years. It is certainly worth a look, but I just do not know how, with all the work we have ahead of us and dealing with such issues as property tax in this session, we can really give something this sweeping the kind of analysis that it really needs.

Chairman Parks:

The other possibility is that we could ask for a waiver beyond the April 15 deadline.

Mary Henderson:

As someone who has spent probably 5 years of her career working on consolidation studies, I do not know that that would be a good fix either. We

could get consolidation, but we might be a little surprised at the unintended consequences that come out of that.

**John Slaughter, Legislative Affairs Manager, Office of the County Manager,
Washoe County, Nevada:**

The City of Reno and Washoe County have consolidated their appearance before the Committee this morning. The Washoe County Commission has not taken a position on this particular bill simply because of timing. They have not had a chance to review it yet and therefore have to report that we are neutral.

I would ask the Committee to consider the long history that we have in Washoe County of reviewing local government services and programs, and when those local governing boards and citizens, in many cases, see opportunities for efficiencies, we have consolidated many servicing programs. Dating back to 1986, the issue of a consolidated jail was brought before the voters, and that was consolidated in 1988. More recently, the City of Reno and Washoe County have consolidated fire services. We are currently in the final stages of the consolidation of our animal control throughout Washoe County. Just last Friday, the City of Reno, City of Sparks, and Washoe County met in a joint meeting, reviewed flood control and the management of flood control, and agreed to joint management of that program.

We have also consolidated our public safety training, our regional public safety dispatch, and many others. We have a long list of things that we have reviewed over the years and taken a hard look at, and where it has made sense, we have consolidated. I would ask that the Committee consider other concepts that are out there, both locally in Washoe County, statewide, as well as nationally, and other concepts of consolidating services within local governments.

**Nicole Lamboley, Legislative Relations Manager, Office of the City Manager,
City of Reno, Nevada:**

Like the Washoe County Commission, the Reno City Council has not yet taken a formal position on this bill due to timing. We have, as John indicated, worked together with our colleagues from the City of Sparks on consolidation and, in fact, have done functional consolidation. There has been a lot of discussion in the region about consolidation, and Reno did go to the voters back in 2002 and ask them if they would approve consolidation if it improved services or efficiencies.

The discussion at the city council level, along with their colleagues at the county and the City of Sparks, have agreed to pursue functional consolidation where it makes sense, and, in fact, we have a resolution before this Legislature that would authorize us to proceed with discussions that have been ongoing for

the last 18 months on unifying municipal court and justice courts into one. We are currently collocating the municipal court and the justice court into a new facility downtown. We are looking at possibly unifying and consolidating those operations.

[Nicole Lamboley, continued.] We would also indicate that we do think that, besides the way the bill is written, there are other ways to consolidate, and we would like for you to consider those if you choose to proceed with this. It is something that the City of Reno has looked at for a long time, and there are numerous models throughout the states that could be examined. It is a complicated issue, one that we would like the opportunity to deal with locally and bring back recommendations to future legislators about what the citizens think would be the best way to derive efficiencies and cost savings.

Assemblyman Grady:

For clarification, you stated that in 2002, the City of Reno went to a vote of the people, and since the council is going forward, I would guess that the vote in 2002 was affirmative to continue looking at consolidation of some services?

Nicole Lamboley:

Yes. That is correct. In fact, we, as a joint body—Reno, Sparks, and Washoe County—meet every other month to talk about areas of mutual concern and where we can work together, and have developed a matrix that the staff has identified where we have done functional consolidation. We have been working together on areas of consolidation—functional, not full structural.

Santana Garcia, Legislative Advocate, City of Henderson, Nevada:

We do respect Assemblywoman McClain; however, the City of Henderson is strongly opposed to A.B. 306 for several reasons. Not the least of which—this bill would spell out that Henderson is not an incorporated city. We have been an incorporated city for over 50 years, and we like being a city. We believe that the citizens within our city like being citizens within the incorporated city of Henderson. I had some prepared remarks on some of the problems we have with the bill, but in light of Ms. McClain's amendments, we would like to save those comments and work with the other local entities as well as the author.

Bob Erickson, Legislative Advocate, representing the City of Fallon, Nevada:

We have some very serious reservations about this bill. Our city, which is coming up on its centennial, traditionally has delivered a very high level of services to our citizens, and the citizens over a period of time have indicated that they are interested in delivering government services in the most efficient manner. They do want to retain their identity as a city, and they do want to retain a high level of services that the city government provides. As

Mary Henderson indicated in her testimony, there are historical reasons for cities, and that is basically because the cities were created to provide a much higher level of service to people that live in a more dense environment than residents who live in a more rural environment in a county area, where those services may not be able to be provided in an affordable manner.

[Bob Erickson, continued.] Traditionally, they are willing to pay a higher level of taxation to receive those services, as indicated by our experience in the city of Fallon. We do work together with Churchill County, as most cities do with their counties. We have a regional transportation commission, we have a consolidated jail, we have consolidated fire services, we have cooperative service agreements where the city provides the county with animal control service, and we also operate a landfill that provides service to the entire county. We have found the areas where efficiencies can be experienced, and the county provides the service and the city reimburses them for it, or the city provides the service and the county reimburses them for it.

There are other areas where we prefer to deliver the services ourselves, and those are in police protection, sewer, and water service delivery, and we have efficient ways to deliver these. This is a wide-sweeping restructuring of local government, and I believe that it has been indicated here that the time available to implement and to solve the details, as has been alluded to, is just not available in the remaining time in this session. The mayor of Fallon has expressed his opposition to this bill and asked me to convey that to you.

Bjorn Selinder, Legislative Advocate, representing Churchill County and Eureka County, Nevada:

I think that you have heard plenty of reasons as to why there should be extreme caution exercised before proceeding with this particular piece of legislation, and I would certainly echo that tenor and urge that this matter be taken under serious consideration, perhaps in a study in the interim. As was brought out, the fact is that this has been a topic of discussion for the past 50 years, and certainly a couple of more years isn't going to matter a whole lot in the grand scheme of things, other than to clarify the issues in order to make an absolutely informed decision.

Assemblywoman McClain:

I just want to thank you for listening to my concept. I hope that it is something that we can go forward with, and I am more than willing to work with any local government representatives in this Committee, however you would like to proceed.

Chairman Parks:

[Closed the hearing on A.B. 306 and opened the hearing on A.B. 346.]

Assembly Bill 346: Authorizes State Fire Marshal to adopt certain regulations relating to use of fire by fire departments in providing training to firemen. (BDR 42-276)

Assemblyman Tom Grady, Assembly District No. 38, Lyon County:

I have with me today Scott Huntley, who represents not only the Yerington/Lyon County Fire Department, but also different organizations of firefighters within the state. I can tell you that I know enough about firefighting to know that when I dial the phone, they provide very, very good service. I would like to turn this over to Scott so that he can give you the concept of what he brought to me on behalf of many organizations.

Scott Huntley, Division Training Chief, Mason Valley Fire Protection District, Yerington, Nevada:

[Read from Exhibit C.]

I also have the pleasure of serving as the current Chairman of the Nevada Service Standards and Training Committee. Our Committee was established to recommend to the Legislature appropriate legislation concerning the training of fire service personnel. I contacted Assemblyman Grady due to a discussion by the Fire Service Standards and Training Committee, and a consensus that this act was needed. We feel that the national standard—NFPA [National Fire Protection Association] 1403, 2003—should be followed.

Firefighting is inherently dangerous, but safety must be paramount. Firefighter training is essential for effective and safe fire suppression operations; this begins with safe live fire training. Over the years, across the United States, firefighters have lost their lives while taking part in live fire training. What takes these firefighters' deaths to the level of more than a mere tragedy is the fact that they occurred during training evolutions. Tragic lessons of Boulder, Colorado; Milford, Michigan; a near miss in New Jersey; and another death in Florida have all taken place. This list of past lessons is even longer, not covering injuries. Most of these

incidents have all had critical elements alike. Many of the elements could have been removed. Such incidents have been nearly missed in our state.

[Scott Huntley, continued.] The simple act of just smoking up an old building with a little fire to provide some training, without planning and proper thought, has taken place. The National Institute for Occupational Safety and Health has suggested states should set regulations on live fire training. NFPA 1403 is the standard they recommend. The goal of this bill is to reduce chances of firefighter deaths while taking part in live fire training in Nevada, while ensuring safe educational fire training takes place. All of Nevada's fire agencies can conduct safe live fire training. The Nevada State Fire Marshall's Office and many other Nevada fire organizations have the expertise to help those that need it.

I come from a small rural fire department. We operate on a tiny budget, and still we follow national live fire training guidelines to ensure our most valuable commodities are the safest they can be. I urge you to support this bill. Many of Nevada's training officers and I are dedicated to educating our state that live fire training can take place safely by following these regulations. This act gives added keys to safe fire training and ensures proper standards are followed. I thank you for your consideration.

I also made a recommendation—and this is a reaction from the fire service in agreement with this—on some wording that we would like to add, “recognize national standards in live fire training,” to the top of this.

Assemblyman Goicoechea:

You are proposing adopting the national standards rather than just establishing regulations in NAC [*Nevada Administrative Code*] through the Fire Marshal's Office? Is that right?

Scott Huntley:

What we have discussed is that there is the 1403 2003 standard; it is a nationally recognized standard. We would like this bill to reflect that it states national standards in there. That way it cannot just be written up as a Nevada standard. We want the national standard in there, 1403. That would be reflected in NAC.

Chairman Parks:

Mr. Grady, did you have other persons that you wanted to have speak on this bill?

Assemblyman Grady:

Mr. Chairman, there are other folks, and I believe that there are a couple of entities that have some questions on this bill. If you would look at the end of the bill, in the last section, page 3, line 30: "Except as otherwise provided in this subsection, in a county other than one whose population is 100,000 or more or which has been converted into a consolidated municipality, the State Fire Marshal shall, upon request by local government, delegate to the local government. . ." This, I do not believe, would involve the large urban fire departments. We are talking more of the rural fire departments.

Chairman Parks:

I see that is, other than the "except as otherwise," existing language. The word "shall" is already there.

Eugene Campbell, Assistant Fire Chief, Administrative Division, Las Vegas Fire Rescue, Las Vegas, Nevada, and Member, Nevada Fire Service Standard and Training Committee:

Nevada is one of the fastest-growing states, and many of these issues that relate to emergency services during the session are products of change. Issues relating to fire safety and, in this case, the safe training of firefighters are basic and affect all personnel who may train and respond to these hazardous conditions. Fire safety and training received should meet the highest quality and safest training possible to reduce deaths and injuries to those who serve on behalf of public safety. Deaths that tragically occur in training exercises are probably predictable, which equals preventable incidents. A minimum level of proper training, particularly when dealing with a live fire or its byproducts, is important and should be set and maintained.

The State's Fire Service and Standards Training Committee, in collaboration with other fire service organizations, strives to develop regulations that provide a high level of safety and training and, subsequently, provide an ability to enforce safe standards. This is the importance of A.B. 346. For the past 2 years, the Fire Service Standards and Training Committee has worked towards its charge, to make recommendations to the Governor in relation to

fire service standards. Recent workshops and open forum meetings have led to the development of this Committee's renewed mission and goals to address the needs of change in the fire service. This is done to provide Nevada an effective firefighting force to our residents and visitors.

[Eugene Campbell, continued.] I have communicated with numerous fire service professionals from several ranks in different departments, and they all believe that by making the minimum level training for firefighters, we are providing a safer and improved level of service to protect our members while serving the public. A.B. 346 is an investment on a human capital and as a beginning to provide the ability to set a minimal level fire training.

Rusty McAllister, President, Professional Fire Fighters of Nevada, Las Vegas, Nevada:

We will stand in support of A.B. 346. Currently, many of the departments within the State of Nevada already comply with a national standard, NFPA 1403. As an example of what that does, it does not require additional funding for departments. Typically it requires that you have a pre-fire plan; you lay out the guidelines of what you are going to do. You have a rescue standing by; you have an emergency crew standing by in case things go badly. It is just a form of a national standard that certainly makes things a lot safer on the training grounds. Anything that we can do to reduce firefighter injury or death is a good thing. So, we are in support of this bill.

Roy Slate, Division Chief, Reno Fire Department, Reno, Nevada, and President, Nevada Fire Chiefs Association:

I would concur with the testimony that you have heard thus far, in regard to the need for a statewide, nationally-recognized standard and the State Fire Marshal's ability to enforce that through NAC-477 [*Nevada Administrative Code*]. I would like to clarify, though, that on page 3 of this bill, line 29, the exception there is the reverse of what you have heard. Typically, the counties with 100,000 or more population are exempt from support or regulation by the State Fire Marshal's Office, and that authority is placed within the local jurisdictions, unless the smaller counties—say, Mason Valley Fire Protection District—can do an interlocal agreement to take over some of those responsibilities from the State.

In this case, the exception is that this nationally recognized standard for live fire training would apply to all departments within the state, regardless of population. In conclusion, the Nevada Fire Chiefs Association supports this bill.

Dennis Pinkerton, Training Officer, Fire and Hazardous Materials Training, State Fire Marshal's Division, Nevada Department of Public Safety:

I have a brief statement from the Fire Marshal's Office that I would like to read to you. [Read from [Exhibit D.](#)]

The Nevada Department of Public Safety, Division of State Fire Marshal is very pleased to testify that we strongly support A.B. 346. Nevada is in a minority of states that divides the responsibility and authority of their State Fire Marshal's Office by "populations" or "population caps." Issues relating to fire safety and, in this case, the safe training of firefighters are not issues that merely affect counties with populations of more than 100,000 or consolidated municipalities, but rather affect firefighters throughout the state. It is imperative that firefighters receive the highest quality and safest training possible, to reduce deaths and injuries to those who serve on behalf of public safety.

On September 25, 2002, a 19-year-old male volunteer fire fighter died and two male volunteer firefighters were injured during a multi-agency, live-burn training session in New York. The victim and another firefighter were playing the role of firefighters who had become trapped on the second level of the structure. The training became reality when the fire was started and progressed up the stairwell, accelerated by a foam mattress that was ignited on the first floor. The firefighter and the victim were recovered from the second-level window in the rear bedroom. A second firefighter jumped from a second-level window in the rear bedroom. The victim was unresponsive when removed from the structure. Advanced lifesaving procedures were initiated on the victim en route to the local hospital, where he was pronounced dead. The two other firefighters suffered severe burns and were airlifted to an area burn unit.

According to the Federal Emergency Management Agency, in 2004, 107 on-duty firefighter deaths occurred. While it is well known that firefighting is traditionally one of the most dangerous occupations in the United States, tragically, a number of those deaths occur during training exercises. With proper training, particularly when dealing with live fire or live product training exercises, death and countless injuries that occur can be reduced.

It is necessary that training be coordinated throughout the State and not restricted to some counties and not others. The State Fire

Marshal's Office is best poised, in cooperation with the State's Fire Standards and Training Committee, the Board of Fire Services, state chiefs, instructors, the community college system, and others, to develop regulations that provide a high level of safety and, subsequently, provide an ability to enforce safest standards. That is the importance of A.B. 346.

[Dennis Pinkerton, continued.] For the past two years, the Division of State Fire Marshal has taken a fresh look at its mission and developed a business plan that brings it in line with the development of a true Department of Public Safety. Part of that business plan includes the Training Section. We have deployed our training coordinators out to various regions within the state. The purpose was to have our training coordinators closer and in day-to-day contact with their colleagues at the local level. We believe very strongly that we are providing a much better level of service than in past years and need all of the tools that we can to accomplish that mission. A.B. 346 will provide the ability to give clear and consistent training, particularly in the areas of exercises that use fire or any device that produces or may be used to produce fire.

Dave Fogerson, Training Safety Captain, East Fork Fire and Paramedic Districts, Minden, Nevada:

I am here to show my support and my agency's support for this bill. We do approximately 3 live burns in a gas fuel burn building every year and burn down one acquired structure, on average, a year. This bill is required to make sure that everybody goes home safely at the end of the day. We support the bill with the nationally recognized standard change. We really pushed hard to make sure that it was a nationally recognized standard, not one that we adopted locally. We feel that the national standards are the most important ones to follow.

We also will work with the Fire Marshal's Office and the Standards and Training Committee, through the adoption of the final thing in the NAC, to ensure that there are no limits put on the live burns. That fits what is currently in place with the gas fuel burn buildings, acquired structures, and the ordinary combustible burn buildings here in Carson. We also want to ensure that there are no fees that get paid to the Fire Marshal's Office as a result of them reviewing our safety plans prior to live burns. The ultimate goal of this bill is to ensure the safety of the firefighters and to save the taxpayers' money, when it comes to one of us getting injured.

Pete Anderson, State Forester Firewarden, Division of Forestry, Department of Conservation and Natural Resources, State of Nevada:

I, too, join my colleagues today in support of A.B. 346. It is very important that we adopt a national standard for training. I am very excited and am looking forward to the State Fire Marshal completing that task and moving forward, so that we have consistent training across the state and all of our counties and communities.

Assemblyman Goicoechea:

Pete, I know that you represent a number of volunteer fire departments in the area that I also represent. I really agree with where this is headed. I have been a volunteer fireman for over 30 years, and I have been lucky on several of these. I want to know how you are going to put this in place. I know the Fire Marshal is going to adopt the regulations, but how is that going to fit in with these small rural fire departments that sometimes do not comply?

Pete Anderson:

In our established fire districts, it will be pretty easy through our staff to implement the regulations as they come down. I guess the concern is those counties and committees that do not have formalized fire districts. We will certainly be there to help and assist the State Fire Marshal and the other chiefs in this state to implement the program, so that all the counties receive the same level of guidance in their trainings for live burns.

Assemblyman Goicoechea:

Pete, I agree, through the NDF [Nevada Division of Forestry]. I see that Scott would like to respond.

Scott Huntley:

I think that is an excellent question. I will answer it this way. The Training and Standards Committee has an obligation to provide education to these smaller departments, but the ironic thing is, in discussion with various fire agencies in our state, it is not just the rural fire agencies that do not always follow the proper rules or guidelines. This is education for all. That is the way my committee is eager to step out and get this education across. Right now this is just a national standard. That is the way it has looked. If it is looked at it this way, it shall be in the state of Nevada. It will carry a little bit more weight, I believe. I think the biggest thing is that I do not want to see fines out there. Through education, we want to prevent things, just like regular fire prevention. If we have the education, we are going to eliminate the need for our job.

Assemblyman Goicoechea:

The State Fire Marshal's Office and Doyle [Sutton, State Fire Marshal] would, in fact, enforce or come down on these people with a fine if they did not file a pre-burn plan?

Scott Huntley:

The pre-burn plan would need to be addressed. Whether or not they would submit that, I foresee this activity on the Fire Marshal's part as again, education. Also, not just the Fire Marshal's Office but some of the other agencies, like my own, for example. We are a rural agency, but we can provide education out there. The idea of this is not to get to that point. If they were in that point, I see them on the side of an investigation, and then we would see where it goes from there. I think there are enough good common-sense people in this room that can help these smaller and larger entities to get these plans. On the back of this standard, it gives you a plan to follow, a checklist. It is an education procedure just to go through that. I think it will make our fire organizations in our state much better prepared.

Assemblyman Grady:

This was what we originally turned in to Brenda [Erdoes, Legislative Counsel] to draft. She felt that since this was a standard, it would be better to not be all included in there, that it could be worked into the NAC [*Nevada Administrative Code*]. That is where the meat of it is, as many of the bills that we pass will be in the NAC. With the amendment that has been offered by the fire folks, I think this will be a good bill that the state can be proud of.

Chairman Parks:

And that bill would be to add the wording "recognized national standards?"

Assemblyman Grady:

Yes.

Chairman Parks:

[Closed the hearing on A.B. 346.] We have one more bill draft for introduction.

- BDR 20-878—Revises provisions relating to boundaries of cities in certain larger counties. (Assembly Bill 487)

ASSEMBLYMAN CLABORN MOVED FOR COMMITTEE
INTRODUCTION OF BDR 20-878. (ASSEMBLY BILL 487)

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

[Meeting was adjourned at 10:51 a.m.]

RESPECTFULLY SUBMITTED:

Nancy Haywood
Transcribing Attaché

APPROVED BY:

Assemblyman David Parks, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: March 28, 2005

Time of Meeting: 9:00 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
A.B. 306	B	Assemblywoman Kathy McClain	Testimony, Amendment, Structure Chart and various articles to support the bill
A.B. 346	C	Scott Huntley, Nevada Fire Services Standards and Training Committee	Letter to Chairman Warren B. Hardy II, "Testimony in Support of Assembly Bill 346," 2 pages
A.B. 346	D	Eugene Campbell, Nevada Department of Public Safety, Division of the State Fire Marshall	"Testimony in Support of Assembly Bill 346," 1 page