

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-third Session
April 1, 2005**

The Senate Committee on Government Affairs was called to order by Chair Warren B. Hardy II at 12:06 p.m. on Friday, April 1, 2005, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4406, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Warren B. Hardy II, Chair
Senator Sandra J. Tiffany, Vice Chair
Senator Randolph J. Townsend
Senator Dina Titus
Senator Terry Care
Senator John Lee

COMMITTEE MEMBERS ABSENT:

Senator William J. Raggio (Excused)

STAFF MEMBERS PRESENT:

Kim Guinasso, Committee Counsel
Michael Stewart, Committee Policy Analyst
Tonya Cort, Committee Secretary

OTHERS PRESENT:

John P. Sande III, Reno-Sparks Convention and Visitors Authority
John E. Sherman, Finance Director, Washoe County
Nancy K. Ford, Administrator, Welfare Division, Department of Human Resources
Dan Musgrove, Director, Intergovernmental Relations, Clark County
Jim Avance, Nevada Manufactured Housing Association
Madelyn Shipman, Southern Nevada Home Builders Association

Senate Committee on Government Affairs
April 1, 2005
Page 2

Kimberly McDonald, City of North Las Vegas
Nancy J. Howard, Nevada League of Cities
Cheri L. Edelman, City of Las Vegas
John Toth, Manager, Traffic Management Division, Department of Public Works,
Clark County
Jacqueline Holloway, Director, Department of Business License, Clark County
Mary Lau, Retail Association of Nevada

CHAIR HARDY:

We will open the hearing on Senate Bill (S.B.) 302.

SENATE BILL 302: Repeals limitation on acquiring or disposing of real property on county fair and recreation board in certain larger counties. (BDR 20-1060)

Please note, for the record, we will begin in subcommittee; Senator Care, Senator Tiffany and I are present. Mark Committee members present as they arrive.

JOHN P. SANDE III (Reno-Sparks Convention and Visitors Authority):

We are asking to repeal a section of the law, *Nevada Revised Statutes* (NRS) 244A.627 which states:

Limitations on powers of county fair and recreation board concerning real property in certain counties. Notwithstanding any other provision of law, no county fair and recreation board in a county whose population is 100,000 or more and less than 400,000 may acquire, purchase, lease, sell, or dispose of any real property or engage in any other transaction relating to real property without prior approval of the board of county commissioners.

This law is only applicable to Washoe County and the Reno-Sparks Convention and Visitors Authority (RSCVA). No other fair and recreation board in the State of Nevada has a similar requirement which occurred when they moved the convention center out of downtown Reno. Therefore, before the RSCVA can acquire, purchase, lease, sell or dispose of any real property or engage in any other transaction relating to real property, the Authority must seek the prior approval of the Washoe County Board of Commissioners. This law does not make sense and does not apply to any other entity in the State of Nevada. We

Senate Committee on Government Affairs
April 1, 2005
Page 3

would request that the Legislature repeal this section of NRS 244A.627 so there is not one local government agency overseeing another quasi-governmental body.

SENATOR CARE:

There is another statute, NRS 244A.619, that describes the mission of a board. By repealing this, we are not giving RSCVA the authority to purchase or take any land by eminent domain, is that correct?

MR. SANDE:

That is correct. We could not use eminent domain, but we could buy and dispose of real property.

SENATOR CARE:

If you buy it, excluding eminent domain, does it not have to be for the purpose of fulfilling the statutory mission of the Agency itself?

MR. SANDE:

Absolutely. I would point out that the Washoe County Board of Commissioners has requested more time to seek a position on this issue.

JOHN E. SHERMAN (Finance Director, Washoe County):

Washoe County has had a long working relationship with RSCVA. I would request that the Committee take no action on this bill until the Washoe County Board of Commissioners has the opportunity to take a position on S.B. 302. The Board should be able to do this no later than April 11, 2005.

CHAIR HARDY:

Did the Board receive a copy with the bill draft request for S.B. 302?

MR. SHERMAN:

The Board may have received a copy, but I just became aware of this about one week ago.

CHAIR HARDY:

April 15 is the first-House-passage deadline, and so, the April 11 Washoe County Board of Commissioners meeting will not work. I do not know what mechanism you have, but S.B. 302 was introduced on March 24. The Legislature is up against a deadline, and I do not know if we can wait until

April 11. If you could work on some type of answer from the Board, I would appreciate it.

SENATOR TIFFANY:

From the Washoe County Board of Commissioners' point of view, why do you think it is important that RSCVA stay in the process? Does it affect the budget or the bond indebtedness?

MR. SHERMAN:

Washoe County has backed the RSCVA for over \$100-million worth of debt. I cannot say if this would be a material issue to the Board, but it certainly is a point, that the RSCVA maintain sound financial footing.

SENATOR TIFFANY:

Washoe County does not have a debt management team to do that?

MR. SHERMAN:

The Washoe County Debt Management Commission has already approved the issuance of the \$100-million worth of debt which was issued 5 years ago. This debt is currently outstanding, and Washoe County has backed that debt. We want to make sure our interest in the RSCVA is not harmed, and I need the opportunity to discuss that with the Board. We should be able to accommodate the Legislature's position and get the answer we need sooner.

CHAIR HARDY:

What is the makeup of the Washoe County Fair and Recreation Board? Is it made up of members of the city council, similar to what happens in Las Vegas?

MR. SANDE:

It is different than Las Vegas. The fair and recreation board, RSCVA, is made up of county commissioners, city council members and representatives from the hotel industry. If you look under NRS 244A.601, it will tell you the exact makeup.

CHAIR HARDY:

Did S.B. 302 go through an approval process by the RSCVA before you brought it?

MR. SANDE:
Yes, it did.

SENATOR TOWNSEND:
Since there is a representative from the Washoe County Commission on the RSCVA board, did the RSCVA board take a position on S.B. 302 and vote on it?

MR. SANDE:
I do not know if there was a formal vote taken. I know that S.B. 302 was discussed with the board members.

SENATOR TOWNSEND:
I would recommend we move the bill, and if the Commission takes a position, they can feel free to take it up with the Assembly.

CHAIR HARDY:
I think Senator Townsend's suggestion is excellent. We will close the hearing on S.B. 302 and open the hearing on S.B. 301.

SENATE BILL 301: Revises duties of Director of Department of Human Resources. (BDR 18-240)

NANCY K. FORD (Administrator, Welfare Division, Department of Human Resources):

Various divisions in the Department of Human Resources, such as Welfare, Child and Family Services, Health Care Financing and Policy, and Aging Services are currently required to submit plans which describe the manner by which Nevada is operating programs which include the use of federal dollars. Many of these programs are required, by federal law, to be administered on a statewide basis. Some of the programs include the Child Support Enforcement Program pursuant to Title IV-D of the Social Security Act, the Child Welfare Program pursuant to the Title IV-E of the Social Security Act, and the Temporary Assistance to Needy Families pursuant to Title IV-A of the Social Security Act. The State is responsible for monitoring compliance with the federal requirements, and failing to comply can result in penalties being assessed by the federal government. These penalties are generally collected by the federal government reducing a state's claim for federal funds.

Senate Bill 301 empowers the director of the Department of Human Resources with the authority to adopt regulations to determine the methodology by which federal funds may be distributed to partners in administering the federal program(s). This bill also empowers the director to adopt regulations to determine a formula for the assessment of penalties or other sanctions that may be imposed on a program. This authority would allow the director to establish criteria through the regulatory process to pass on penalties that may be imposed by the federal government based upon various factors, including determining the responsible parties, their levels of responsibility and the operational impact—is a penalty assessed or sanction imposed? This becomes more critical as the State is responsible for supervising compliance with program requirements performed by county or local agencies. The discretion afforded the director, under S.B. 301, would provide some formality to the process of passing on penalties, thereby maintaining consistency across programs ([Exhibit C](#)).

CHAIR HARDY:

Is there anything in S.B. 301 that would permit the director to do something that is not mandated by the federal government in order to secure the federal funds? Will S.B. 301 bring us into compliance with the federal mandate?

MS. FORD:

Not exactly. Because we are expanding our federal programs, S.B. 301 allows us to pass on any penalties to the responsible partner.

SENATOR TIFFANY:

What you are saying is the penalty should follow the money; is that correct?

MS. FORD:

That is correct.

SENATOR TIFFANY:

If the State of Nevada received a sanction for something that a county had implemented in violation of program compliances, the penalty would be taken out of that particular county's check for the next month or quarter. How would the penalty for the Department of Human Resources get reimbursed?

Ms. FORD:

All penalties would go through a regulatory process, so I cannot say exactly how the penalties would be collected. Senate Bill 301 is giving authority to the director to adopt regulations. Currently, the State absorbs all the penalties.

SENATOR TIFFANY:

Does the State currently absorb those penalties through a General Fund subsidy?

Ms. FORD:

Most of the federal penalties that are assessed require it to be backfilled with General Funds.

SENATOR TIFFANY:

If another entity, such as a county, was guilty of a violation and this entity went through the regulatory process, the State would be sanctioned because it was the entity that received the money in the first place, is that correct?

Ms. FORD:

That is correct. The federal government would withhold it from us, and then the question is: what alternatives do we have when it is not the State's responsibility?

SENATOR TIFFANY:

Can you give us other examples of the passing on of penalties in certain programs? For example, I know the county has taken over foster care.

Ms. FORD:

The programs I am aware of are the Child Welfare Program, the Child Support Enforcement Program and the County Match Program in Medicaid, although there may be others in the Department of which I am unaware. In the Child Support Enforcement Program, we are currently under contract where we agreed we have to determine who is responsible for penalties assessed and that we each bear a responsibility for our share. Senate Bill 301 will maintain consistency in all the programs, so the director could adopt the regulations and maintain some consistency.

Senate Committee on Government Affairs
April 1, 2005
Page 8

SENATOR TIFFANY:

We do not necessarily need this in statute since it is handled by interlocal agreements.

Ms. FORD:

Currently, it is handled by interlocal agreements. It would be better if it were in statute, so we could have consistency across different programs.

CHAIR HARDY:

Senate Bill 301 also allows the director to determine the formula for distributing federal money. Is that currently done through interlocal agreement?

Ms. FORD:

Yes, it is.

CHAIR HARDY:

This would codify in state law those things currently done in interlocal agreements by contract. Are the counties okay with it?

DAN MUSGROVE (Director, Intergovernmental Relations, Clark County):
Clark County is neutral on S.B. 301.

SENATOR CARE:

Do disputes ever occur over who is responsible for incurring the penalty? If there are disputes over penalties, then what standards would be applied to make the final determination of who is responsible?

Ms. FORD:

The whole process of determining who is responsible would be set up in regulation, so I cannot say what that process would be. We would have to have a public meeting and solicit input. Currently, under our contract with the Child Support Enforcement Program, there is a committee made up of various district attorneys across the State who meet and partner this program. They make a determination as to what the relative responsibility is and their decision goes to the director of Human Resources who ultimately decides who is responsible. If our current method fails, the process can always be sent to court. Through regulation and under this bill, they would set up a similar process where the responsible parties would meet with an arbitrator to make the final decision.

Senate Committee on Government Affairs
April 1, 2005
Page 9

CHAIR HARDY:

It did not appear there was any opposition to S.B. 301; therefore, I will accept a motion on this bill.

SENATOR TIFFANY MOVED TO DO PASS S.B. 301.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RAGGIO WAS ABSENT FOR THE VOTE.)

* * * * *

CHAIR HARDY:

We will close the hearing on S.B. 301 and open the hearing on S.B. 363.

SENATE BILL 363: Revises definition of “single-family residence” for purposes of zoning ordinances. (BDR 22-293)

JIM AVANCE (Nevada Manufactured Housing Association):

Senate Bill 363 is a simple housekeeping bill. Housing and Urban Development (HUD) has been certifying manufactured housing for several years. Recently, it came to our attention that manufactured housing was not included in the definition of single-family residence. By passing this bill, it would be much easier for zoning officials to look at a HUD code and realize the structure was built in accordance to code.

MADELYN SHIPMAN (Southern Nevada Home Builders Association):

I rise in opposition to S.B. 363 on behalf of the Southern Nevada Home Builders Association. This bill would include HUD-manufactured homes and trailers under coverage of NRS 278.0209, the provisions of statute that regulate the placement of Uniform Builders Code (UBC) manufactured homes in areas zoned for single-family residences. We must clear up that treating stick-built versus UBC- or HUD-manufactured homes differently, by statute or local ordinance, does not implicate the Nevada Constitution. This bill also seems to supercede NRS 278.02095, which is the subsequent provision of statute that acknowledged the intent of the Legislature in the 70th and 71st Sessions, when it concluded that HUD-manufactured homes could be placed outside manufactured-home parks or allowed as single-family residences, as long as

they were affixed permanently to the land and taxed as real property. The intent was that the manufactured homes be permanently affixed and taxed as real property unless the local government zoned a parcel or an area to allow placement without conversion. This was a policy decision the Legislature reached in the 70th Session, and this decision was reconfirmed in the 71st Session. It took many years of going to hearings to reach the point where we are today.

If approved, this bill would essentially eliminate the provisions I referred to and the years of effort. This bill would eliminate the needed requirements already found in NRS 278.0209. In S.B. 363, there is no requirement that the home or trailer be affixed to the land and taxed as real property; no requirement that the home or trailer be more than one section; no requirement that the home or trailer be at least 5 years new; no requirement that the home or trailer be at least 1,200 square feet in size; and no requirement that the foundation of the home or trailer be masked in some manner. There would also be a lower standard of safety within manufactured homes under S.B. 363. All of these needed requirements would be up to local governments and their discretions. The major difference between these two statutes is, one is directory and the other is discretionary with local governments.

CHAIR HARDY:

Would you do a matrix for the Committee, showing all of the differences between the two statutes, so we can come to a correct policy decision?

MS. SHIPMAN:

I would be happy to do a matrix for this Committee outlining those differences. The Southern Nevada Home Builders Association believes S.B. 363 is not necessary or desirable, and the previous determinations by this Legislature should be affirmed.

SENATOR TIFFANY:

What would be the consequences if S.B. 363 did not pass?

MS. SHIPMAN:

There would be no consequences, and the status quo would be maintained. Manufactured homes, certified by HUD, would be allowed in any single-family area as long as they were affixed to the ground and taxed as real property.

SENATOR TIFFANY:

It would be business as usual if S.B. 363 did not pass. Now, tell me what the benefits would be if this bill passed.

Ms. SHIPMAN:

We, of course, see none. Some may see it as a benefit for local governments to establish the standards for HUD-manufactured homes. Some would not be happy to have their manufactured homes affixed to the ground and taxed as real property.

KIMBERLY McDONALD (City of North Las Vegas):

The City of North Las Vegas is concerned about S.B. 363. Ms. Shipman has eloquently addressed the technical concerns we have. We have aesthetic concerns, as well. If the single-family residence definition were broadened to include these trailers, we could have a plethora of these in the City of North Las Vegas, which is the second fastest-growing city in the nation, and our image is changing. This bill would detract from our ability to attract businesses that wish to start and expand in North Las Vegas.

SENATOR CARE:

In discussions we have had on property taxes, we are all aware of the incredible appreciation of houses, new, existing and real property. We keep talking about where we are going to find affordable housing. If you own a lot, and this is all you can afford, why not?

NANCY J. HOWARD (Nevada League of Cities):

I am also in opposition to S.B. 363.

CHERI L. EDELMAN (City of Las Vegas):

I am also in opposition to S.B. 363.

MR. AVANCE:

Adding those words in section 1 does not change section 2 at all. I would like to have my experts send the Committee information in support of S.B. 363.

CHAIR HARDY:

Please do, Mr. Avance, as the Committee would be happy to accept any additional information. We will close the hearing on S.B. 363 and open the hearing on S.B. 417.

SENATE BILL 417: Authorizes counties to regulate use of electric personal assistive mobility devices. (BDR 20-331)

MR. MUSGROVE:

Senate Bill 417 is actually a cleanup of what did not happen in the last Session concerning S.B. No. 363 of the 72nd Session regarding Senator Titus's bill to allow the use of the Segway Human Transporter. The intent of S.B. No. 363 of the 72nd Session was that local government entities would have the option of setting up restrictions for where these electric personal assistive mobility devices (EPAMD) could be used. Our concern is the Las Vegas Strip, where the flow of pedestrian traffic on the sidewalks can be as high as 2,000 people per hour. On weekends and holidays, the traffic increases to much more than 2,000 people per hour. Senate Bill 417 would give us the opportunity, on a local level, to enact an ordinance to set standards as to where the EPAMD can be used. I have talked to the manufacturer of these devices, and they are not opposed to this bill. It was never their intent that these devices be used in a crowded resort corridor like the Las Vegas Strip. The intent of S.B. No. 363 of the 72nd Session was to give us the flexibility of determining where these devices could be used, and it did not make it into the statute. We are here today to make sure the flexibility we are looking for gets into S.B. 417. I have explained the remaining reasons why S.B. 417 should be approved in my written testimony ([Exhibit D](#)).

CHAIR HARDY:

I assure you, Mr. Musgrove, as one person on this Committee, I do not want to be the person who regulates these devices.

SENATOR CARE:

After reading the minutes from S.B. No. 363 of the 72nd Session, it was decided the Legislature should not tell every governmental entity in Nevada how to enforce S.B. No. 363 of the 72nd Session. I think you already have the authority to regulate these devices.

MR. MUSGROVE:

As a county, being a creature of Nevada, the law states that unless we have the expressed authority to regulate, we cannot. That is why we have asked the Legislature to give us the authority.

SENATOR LEE:

Is there a law stating you cannot drink alcohol and drive an EPAMD?

MR. MUSGROVE:

Drivers of these devices, by law, are considered pedestrians; therefore, the laws would apply to the operators of these devices and drinking the same as they would for pedestrians.

CHAIR HARDY:

Let the record reflect that both Senator Lee and I consider this to be a serious issue. If an EPAMD can go to speeds of 15 miles per hour and the person on this device is drinking, they can do serious damage to another pedestrian. This more properly resides at your level to regulate, but this issue is serious and deserves consideration.

SENATOR TITUS:

Should we reclassify these devices as moving vehicles instead of pedestrians?

MR. MUSGROVE:

Perhaps you should be asking Mr. Toth that question.

JOHN TOTH (Manager, Traffic Management Division, Department of Public Works, Clark County):

Our concern has always been the possibility of a fleet of these devices being rented in the resort corridor of Las Vegas. Because the vehicle and its rider are considered in tandem as a pedestrian, the question of whether or not you can drink and drive on one of these devices would be regulated the same as you regulate a pedestrian who is drinking. You would have to wait until the person, or persons riding these devices, gets so intoxicated they cause problems for themselves or other pedestrians. We have not as yet had any problems with these devices in Las Vegas. The intent of S.B. 417 is to give Clark County the authority to regulate these devices to prevent them from becoming a problem. I am not so sure we need to be changing the definition from pedestrian to moving vehicle for these EPAMDs.

CHAIR HARDY:

If you have ever ridden one, you know it would be difficult without your sense of balance. You have to be in complete control of your faculties to operate one.

SENATOR CARE:

These devices are legally described as pedestrian only because we took them outside the scope of licensing and all else that applies to motor vehicles. By default, they became pedestrians. If the Committee is going to take any action on S.B. 417, my suggestion would be to expand the authority, not only to Clark County, but to all counties throughout the State.

MR. MUSGROVE:

If you give all counties the opportunity to regulate these devices, it would limit their use.

CHAIR HARDY:

As the bill was drafted, there is no reason why the county could not adopt an ordinance to regulate drinking and driving with these devices. Certainly, this helps it reside at the proper level of government to deal with this issue. We would hope you would come back to us if you find difficulties in further regulating the driving under the influence-Segway ordinance.

SENATOR TOWNSEND:

Does the term in section 2 of S.B. 417, electric personal assistive mobility device, include all electric mobility devices?

MR. MUSGROVE:

That was one of the reasons why any type of handicap vehicles were not precluded in this bill. They did not want them to become non-pedestrian vehicles, so that is why the language is crafted as it is.

MS. EDELMAN:

The City of Las Vegas would like to have regulatory control over these EPAMDs, so we would request there be an amendment to also include cities and counties.

SENATOR CARE MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 417.

SENATOR TITUS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR RAGGIO WAS ABSENT FOR THE VOTE.)

* * * * *

CHAIR HARDY:

We will close the hearing on S.B. 417 and open the hearing on S.B. 407.

SENATE BILL 407: Authorizes boards of county commissioners to provide civil penalties in lieu of criminal penalties for violations of ordinances in certain circumstances. (BDR 20-588)

MR. MUSGROVE:

The object behind S.B. 407 is to give the boards of county commissioners the authority, through ordinance, to create a civil penalty in lieu of criminal penalties for violations of ordinances in certain circumstances. In this case, we are talking about creating ordinances to regulate and enforce businesses, including liquor, gaming and adult businesses. In the 72nd Session, we tried to pass a similar bill, but due to the weight of the amendments we tried to add, the bill was killed. Therefore, in this Session, we have tried to be simple and concise and say we will not adopt this authority if the State has current presence and authority. Clark County does not currently have the same ability, as other municipalities do, to impose administrative fines or develop an intermediary disciplinary step between the issuance and revocation of a license. Misdemeanor citations often do not make it through the court system, nor do they contribute to changing the behaviors of the licensees. We would like to, through public hearings and public ordinances, along with input from the business community, craft an ordinance that would allow a civil fine and an appeal process. We need a level playing field for all businesses that operate in Clark County ([Exhibit E](#)).

JACQUELINE HOLLOWAY (Director, Department of Business License, Clark County): Senate Bill 407 would allow for Clark County to have the same ability as other municipalities to impose a civil penalty as an intermediary step between the issuance of a citation and the revocation of a license. The primary goal of what we are trying to achieve is to encourage and strengthen compliance with Clark County codes and modify business practices while, at the same time, allowing businesses to continue as ongoing concerns. Either we issue a criminal citation, that is generally a longer process and not helpful in strengthening compliance,

or we move toward a revocation of a business license which may result in putting the business out of business. In some circumstances, because we do not have an intermediary compliance measure, we may be faced with doing nothing at all. We are proposing to impose this penalty in certain Clark County problem areas, such as businesses operating without business licenses and, most importantly, those businesses operating outside the scope of their existing business licenses. In addition, we may be faced with some business violations that affect the community in serious ways, such as affecting the health, safety and well-being of the community. This would allow us to work toward modifying behavior before we have to place those businesses out of business.

We conducted a small survey on the fiscal impact of this bill, and the fiscal impact to the State and Clark County is minimal. For example, during the period of August 2002 to August 2003, the number of citations issued which resulted in fines totaled 14. The value of these fines totaled \$2,900, and the administrative assessments totaled \$1,060, of which \$934 of the \$1,060 was issued to the State. In addition, the impact to Clark County will be minimal. This concept is by no means intended to serve as a revenue-producing measure; it is clearly intended to allow Clark County to strengthen its ability to support compliances while allowing businesses to remain in business.

SENATOR TIFFANY:

Ms. Holloway, you currently have the ability to issue a business license, revoke a license and investigate a license. Can you also audit a license?

MS. HOLLOWAY:

Yes, we can audit certain licenses, particularly if they are related to gross revenues, such as resort hotels, supper clubs and others. We also have the ability to conduct pre-licensing and post-licensing investigations. If we receive complaints, we quickly investigate. However, we can investigate and issue a myriad of notices of violations to just one business, as we have no other tools to impose upon businesses.

SENATOR TIFFANY:

It concerns me that a business license department would be judge and jury. I like the separation of power between civil and criminal penalties. This would allow a lot of authority to your Department.

MS. HOLLOWAY:

If Clark County and the Board of County Commissioners are given this authority, we are proposing a structure that would consist of a hearing officer and a hearing board. At each one of these steps, an appeal procedure would be in place, as outlined in Clark County code and the NRS.

CHAIR HARDY:

Would there be a cap, or limit, on any civil penalty imposed?

MR. MUSGROVE:

Clark County has been working with the Retail Association of Nevada on an amendment to S.B. 407. The Retail Association had some concerns about putting into statute a level of infraction with a minimum warning level not to exceed \$1,000 per incident. Clark County is completely supportive of that. This will not become a revenue generator for Clark County; it is simply an enforcement tool to level the playing field for all businesses.

CHAIR HARDY:

It would be helpful for the Committee to see what you have in mind for amendments to S.B. 407 before we make a decision.

SENATOR LEE:

I have a problem with this bill. Since I happen to be in the construction trade, it has come to my attention if you have a construction company and you have someone there to pass tests in sheetrock, framing, and all the different classifications of construction, you will be charged for a business license in each classification. Ultimately, they can charge administrative fines and put people out of business.

CHAIR HARDY:

They can also impose criminal penalties.

MARY LAU (Retail Association of Nevada):

When we first looked at this bill, we went through adjectives such as cash cow, concern and everything else. In talking with Mr. Musgrove, we are willing to look at this bill and work on some amendments. This will take time, but if the Committee chooses to proceed with this, we would like to work with Clark County and see if there is any common ground.

Senate Committee on Government Affairs
April 1, 2005
Page 18

CHAIR HARDY:

We will close the hearing on S.B. 407. There being no other issues before us today, the Committee meeting is adjourned at 1:03 p.m.

RESPECTFULLY SUBMITTED:

Tonya Cort,
Committee Secretary

APPROVED BY:

Senator Warren B. Hardy II, Chair

DATE: _____