

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-third Session
May 17, 2005**

The Senate Committee on Judiciary was called to order by Chair Mark E. Amodei at 9 a.m. on Tuesday, May 17, 2005, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 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 Mark E. Amodei, Chair
Senator Maurice E. Washington, Vice Chair
Senator Mike McGinness
Senator Dennis Nolan
Senator Valerie Wiener
Senator Terry Care
Senator Steven Horsford

GUEST LEGISLATORS PRESENT:

Assemblyman Harvey J. Munford, Assembly District No. 6

STAFF MEMBERS PRESENT:

Nicolas Anthony, Committee Policy Analyst
Kelly Lee, Committee Counsel
Barbara Moss, Committee Secretary

OTHERS PRESENT:

William Bible, Nevada Resort Association
Mark Fiorentino, Boyd Gaming Corporation; Coast Resorts; Focus Property Group
Melissa V. Nelson, Station Casinos, Incorporated
Michael G. Alonso, Harrah's Entertainment
Dan Musgrove, Clark County

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Ramont Williams

CHAIR AMODEI:

The work session is opened with the Work Session Document dated May 17 ([Exhibit C](#), original is on file at the Research Library), beginning with Assembly Bill (A.B.) 51. What is the pleasure of the Committee regarding A.B. 51?

[ASSEMBLY BILL 51 \(1st Reprint\)](#): Provides certain procedures relating to agreements for postadoptive contact. (BDR 11-457)

SENATOR MCGINNESS MOVED TO DO PASS A.B. 51.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS NOLAN AND WASHINGTON WERE ABSENT FOR THE VOTE.)

CHAIR AMODEI:

The work session is opened on A.B. 221.

[ASSEMBLY BILL 221 \(2nd Reprint\)](#): Revises provisions relating to sale and disposition of intoxicating liquor. (BDR 20-270)

NICOLAS ANTHONY (Committee Policy Analyst):

There were two oral amendments, one from Senator McGinness and one from Mr. DiCianno. There was also a technical drafting amendment to section 9, subsection 2 of A.B. 221, regarding effective dates of training. Two written amendments were submitted after the hearing. The first one was from Steve Easley, located at Tab B in [Exhibit C](#), who desires a renewal or refresher course offered every five years, which is done in Clark County. The second written amendment is found at Tab C in [Exhibit C](#) in which Gary W. Roberson proposes only nationally recognized programs be approved and program trainers undergo continuous one-year evaluations.

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SENATOR MCGINNESS:

I expressed concerns regarding nonprofit organizations that operate various events throughout northern Nevada. Earlier bills attempted to work around mandated counseling and programs not available in northern Nevada. Due to those concerns, I will probably vote against A.B. 221. It is probably a good thing in Clark County because of the amount of liquor poured; however, in the hinterlands, it would cause problems.

CHAIR AMODEI:

In regard to training, was one proposed amendment from a national perspective and the other from the viewpoint of Clark County?

MR. ANTHONY:

That was my understanding.

CHAIR AMODEI:

Would the Committee consider making the bill apply initially to counties with populations of over 500,000? Are the amendments at Tab B and Tab C in Exhibit C regarding training considered either/or, or can they go together? Is it training or national training?

MR. ANTHONY:

The amendment at Tab B in Exhibit C is in regard to the trainee receiving renewal training every five years. The other amendment at Tab C in Exhibit C is in regard to training approved nationally and the trainers approved and certified annually. The two amendments could go together.

SENATOR WIENER:

I am unsure whether the amendment at Tab C in Exhibit C would exclude every program but this one. I am concerned State certification programs operating under the guidance and direction of the Bureau of Alcohol and Drug Abuse would be frozen out.

CHAIR AMODEI:

What are the Committee's thoughts regarding an attempt to address the situation from the point of view of a population cap?

SENATOR WIENER:

Do we have the legal right to put a population cap into the bill?

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CHAIR AMODEI:

I am hesitant because the bill came from the assistant majority leader; therefore, I assume his contacts and experiences were the basis of the amendment. However, I did not hear anything from anyone anywhere else in the State. How does the Committee feel about making it a pilot program in Clark County?

The work session is closed on A.B. 221 and opened on A.B. 365.

ASSEMBLY BILL 365 (1st Reprint): Increases amount of homestead exemption. (BDR 10-1026)

CHAIR AMODEI:

What is the latest update on the federal bankruptcy application?

KELLY LEE (Committee Counsel):

Changes to the new Federal Bankruptcy Act would affect Senate Bill (S.B.) 173 and A.B. 365. Before a person could file bankruptcy and use the exemptions and benefits of Nevada State law, they would have to reside in the State for 1,215 days, which is the equivalent of 3 years and 4 months. If the person has not lived in Nevada within that time frame, he or she would be capped at \$125,000. The other \$125,000-cap circumstance would be if the person moved to circumvent a judgment of either tort liability or securities fraud.

SENATE BILL 173 (1st Reprint): Increases amount of homestead exemption and makes various changes relating to property which is exempt from execution by creditors. (BDR 10-616)

CHAIR AMODEI:

What is the pleasure of the Committee on A.B. 365?

SENATOR CARE:

We can amend the bill with a \$300,000 exemption, which is consistent with our actions. The approach of this Committee in the last several sessions was to increase the homestead exemption amount equivalent to the price of an existing home. This was done on the theory that everyone should be entitled to have a place to live, but not to escape judgment creditors. Therefore, we can do nothing because it is in the other bill, but we do not know what will happen in that case. The alternative would be to amend and do pass with \$300,000 as the amount of exemption.

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SENATOR CARE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 365 WITH THE AMENDMENT CHANGING \$400,000 TO \$300,000 AND KEEPING OTHER PROVISIONS OF THE BILL.

SENATOR WIENER SECONDED THE MOTION.

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

CHAIR AMODEI:

The work session is opened on A.B. 471.

ASSEMBLY BILL 471 (1st Reprint): Authorizes use of mobile communication devices for gaming and increases number of members of Off-Track Pari-Mutuel Wagering Committee. (BDR 41-1302)

SENATOR NOLAN MOVED TO DO PASS A.B. 471.

SENATOR HORSFORD SECONDED THE MOTION.

SENATOR CARE:

During the hearing on A.B. 471, I raised the issue whether the Legislature was somehow obligated to accommodate every technological innovation. The State Gaming Control Board should consider limits when exploring regulations because this could get out of hand. In any event, I am prepared to vote.

SENATOR WIENER:

I had concerns about individuals who are not allowed to gamble having access to the devices and participating in the gaming process. I was sure every conceivable protection would be built into the equipment, as well as the portability in moving them off the property. I was also concerned about muting the devices in public areas where people might not be participating in gaming, such as conference and convention areas. My last concern was to ensure the gaming devices would not resemble toys. I was assured these concerns would be addressed; I am ready to vote on A.B. 471.

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

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CHAIR AMODEI:
The work session is opened on A.B. 528.

ASSEMBLY BILL 528 (2nd Reprint): Revises crime of intimidating or threatening public officers and employees and certain other persons. (BDR 15-1371)

SENATOR CARE:
Chaffee v. Roger (311 F. Supp. 2d 962), tab D in Exhibit C, precipitated A.B. 528. I am unsure whether some enumerated offenses would go to threat or intimidation. For example, section 1, subsection 1, paragraph (e) of A.B. 528 says if the expressed intent is "To expose a secret or publicize an accessed fact, whether true or false" I do not see how revealing any information sought to be concealed by the person threatened could be construed as intimidation.

SENATOR NOLAN:
I understand and agree with the intent of A.B. 528; however, three items in section 1 rise to the level of threat or intimidation. If we reached some kind of consensus on those items, I would be content with the bill.

CHAIR AMODEI:
What is the pleasure of the Committee on A.B. 528?

SENATOR HORSFORD MOVED TO DO PASS A.B. 528.

CHAIR AMODEI:
The motion died for lack of a second.

SENATOR CARE:
I move to amend and do pass A.B. 528 with the amendment to delete section 1, subsection 1, paragraphs (d), (e), (f), (g) and (h).

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SENATOR CARE MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 528.

SENATOR NOLAN SECONDED THE MOTION.

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

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CHAIR AMODEI:

The work session is opened on A.B. 531.

ASSEMBLY BILL 531: Provides additional or alternative penalty if first responder suffers substantial bodily harm or death during discovery or cleanup of premises wherein certain controlled substances were unlawfully manufactured or compounded. (BDR 40-105)

SENATOR NOLAN:

Assembly Bill 531 has merit, and I understand and support its intent. When these events occur, individuals are prosecuted for injury to first responders who come to the scene of dangerous methamphetamine laboratory (meth lab) situations. Penalties are imposed if a meth lab detonates and a first responder is injured or killed. Meth labs are often located in high-density residential areas and apartment complexes and have the potential to cause death or injury to those who unsuspectingly live near them. Penalties would only be imposed if there was serious injury or death to a responding person; however, if children living next door to a meth lab were unintentionally injured or killed, it would be difficult to charge anything other than unintentional manslaughter. In my opinion, any death associated with this crime should permit the district attorney an opportunity to prosecute at this level.

I move to amend and do pass A.B. 531 with a conceptual amendment to include the unintended injury or death of any innocent person, as well as first responders.

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SENATOR NOLAN MOVED TO AMEND AND DO PASS AS
AMENDED A.B. 531.

SENATOR CARE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR AMODEI:

The work session is opened on A.B. 485.

[ASSEMBLY BILL 485 \(1st Reprint\)](#): Revises provisions governing gaming establishments. (BDR 41-1376)

WILLIAM BIBLE (Nevada Resort Association):

Assembly Bill 485 was requested by the Nevada Resort Association. Since the bill was heard, a couple of member properties developed a proposal and proposed an additional amendment to A.B. 485 ([Exhibit D](#)). Mark Fiorentino and Melissa V. Nelson will discuss the proposed amendment.

MARK FIORENTINO (Boyd Gaming Corporation; Coast Casinos; Focus Property Group):

I represent Boyd Gaming, Coast Casinos and Focus Property Group, all three of which support the proposed amendment, [Exhibit D](#). The amendment was an attempt to strengthen the provisions of S.B. No. 208 of the 69th Session dealing with neighborhood gaming and make the provisions more predictable and reliable. It is a simple concept, most of which is embodied in the first proposed new section of the bill. The new provisions are on page 2 of [Exhibit D](#). The amendment would leave the existing requirements of S.B. No. 208 of the 69th Session in place and add two additional requirements, which are reflected on the top half of page 2 of [Exhibit D](#).

The first additional protection indicates the gaming enterprise district must be in a master planned community, which is reflected by adding a new section 6, paragraph (h). The second protection adds a new section 8, which requires the local government to set the size and height of the establishment, as well as the other findings required under existing law. This would be done at a local government hearing when a gaming enterprise is approved. It would add

long-range planning and thought to the process of requiring substantial investment when requesting a gaming enterprise district.

The master-planning process in southern Nevada is quite lengthy. Master planned communities are required to exceed 750 acres in size. By definition and by all other zoning and planning laws in place, master planned communities are projects of regional significance and must go through additional studies and public hearings. Therefore, all things codified under S.B. No. 208 of the 69th Session would be brought together in one hearing, and in terms of approval, the gaming enterprise district, as well as the rest of the community, would be involved at the same time.

The other proposed amendment to A.B. 485 is on page 3 of [Exhibit D](#). The new section 12 indicates if a local government approves a gaming enterprise district under the new rules, in other words, if it was within a master planned community, those particular approvals would not be subject to additional appeal. The reason is those projects, by definition, because they are master planned communities, go through months of public hearings on the front end under current law.

The final two proposed amendments on page 3 of [Exhibit D](#) include a new section that carries forward language from existing law, which says if an existing resort hotel in an existing gaming enterprise district wanted to add a parcel, it would not have to be in a master planned community and would be exempt from the master planned community requirements, but would still be subject to whatever other requirements are currently in place. The final change makes it clear that the amendments would be effective upon passage and approval of A.B. 485.

SENATOR CARE:

Would this amendment apply only to master planned communities not yet designated as such?

MR. FIORENTINO:

That is correct.

SENATOR CARE:

Regarding the language "... will have no more than 75 acres designated as a gaming enterprise district ...," from whence did the 75-acre figure come?

MR. FIORENTINO:

I made it up, but not out of whole cloth. Most of the newer facilities built in the last 5 or 10 years are on sites that are approximately 40 to 50 acres, which would give room for more creativity and larger facilities, depending upon the size of the master planned community. There is no magic in the 75-acre number.

SENATOR CARE:

Therefore, as the population moves out, so do the resorts, but only within a master planned community. Am I correct in saying currently, it does not apply to future Bureau of Land Management (BLM) land sales?

MR. FIORENTINO:

That will be the ultimate effect of A.B. 485. The bill does not say that, but as a practical matter, in Clark County there are few contiguous 750-acre parcels not owned by the BLM. In all likelihood, the vast majority of land in the future will be bought from the federal government.

SENATOR CARE:

The developer of the master planned community will decide whether the resort will be part of the community.

MR. FIORENTINO:

It would have to be included as part of the overall plan that shows everything else. Open space, recreational and neighborhood facilities, schools and parks will have to be designated in one plan and presented at one time to the governing body for a single decision. It would be new and strengthen what currently exists under S.B. No. 208 of the 69th Session.

SENATOR CARE:

The master planned community could then negotiate its own deal with whomever wanted to pay the most, up to 75 acres, for the construction of a casino.

MR. FIORENTINO:

That is correct.

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SENATOR MCGINNESS:

You indicated there would be one decision. Would it follow some sort of meeting in the community? Would it be the only place the public would have an opportunity to speak?

MR. FIORENTINO:

In this particular case, there would be overlapping notice requirements if a master planned community included a gaming enterprise district. The requirements in S.B. No. 208 of the 69th Session require notice to everybody within 2,500 feet. The master-planning requirements also require 2,500 feet, but the boundaries of the master plan are larger. Therefore, in Clark County, the process would include at least three public hearings for a master plan, depending upon the jurisdiction, and in some cases, many more. Existing local ordinances also go beyond what is required by State law and actually require neighborhood meetings. The City of Las Vegas requires a neighborhood meeting before applications are submitted. It is an extensive process.

SENATOR HORSFORD:

On page 1 of [Exhibit D](#), please explain the effect of deleting the word "and" after the 1,500-foot requirement.

MR. FIORENTINO:

It is grammatical. The word "and" is deleted there because it is replaced on the next page where the new paragraph (h) is added. Therefore, "and" is moved and replaced at the top of page 2 of [Exhibit D](#).

SENATOR HORSFORD:

Would the distance requirements for a gaming establishment within one of these master planned communities still be required to meet the qualifications of section 6, paragraph (f) of [Exhibit D](#)?

MR. FIORENTINO:

Yes, it would have to meet all existing standards plus the new one.

SENATOR CARE:

In the appellate process, I assume *Nevada Revised Statute* (NRS) 463.3088 is part of what was S.B. No. 208 of the 69th Session.

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MR. FIORENTINO:
That is correct.

SENATOR CARE:
Regarding the Triple Five Nevada Development Corporation episode, a case in which the residents of the Spring Valley area said no to the county commission, that, in the whopping three to four vote—three in favor, one against and three abstentions—voted approval, it then went before the ten-member review vehicle that reversed the decision. Is it correct to say A. B. 485 would not allow that?

MR. FIORENTINO:
It would not reverse decisions with projects within master planned communities.

SENATOR CARE:
Did Triple Five also go to the Supreme Court?

MR. FIORENTINO:
There was a hearing in district court, but I do not think it went to the Supreme Court.

SENATOR CARE:
Was there some vehicle in the law that would not have allowed it?

MR. FIORENTINO:
Do you mean an appeal to the Supreme Court?

SENATOR CARE:
After going through review by the panel, is that the final say? Is there no abuse-of-discretion standard that would provide an avenue of appeal? The question would apply here as well. If one of the aggrieved parties, such as a neighbor, takes exception, what would be the remedy, if any?

MR. FIORENTINO:
In this case, if the gaming enterprise district was in a master planned community, they would have the same appeal rights as under normal zoning law. In other words, they would file a complaint with the district court to challenge the decision of the city council or county commission. It would be on an abuse-of-discretion standard.

SENATOR WIENER:

How many anticipated 750-acre-plus, master planned communities are viable where there can only be one gaming enterprise district with one casino property?

MR. FIORENTINO:

Current release of land from the BLM is every 12 to 15 months. If every master planned community includes and approves a gaming enterprise district, it might result in approximately five in the next ten years.

SENATOR WIENER:

What would be the saturation of casinos in current gaming enterprise districts?

MR. FIORENTINO:

It depends on the location. In the Las Vegas Boulevard gaming corridor, which would be expansion of the gaming corridor that extends from Mandalay Bay south to St. Rose Parkway, there could be a large number, depending on how many the market will bear. Outside the gaming corridor, currently there are approximately 10 or 15 casinos approved and in some form of development.

SENATOR WIENER:

I would like a comparison of what we had to work with in S.B. No. 208 of the 69th Session and what we have to work with in a clean slate in regard to one enterprise district and one establishment.

MR. FIORENTINO:

Your comment gets to the heart of what we are trying to accomplish in A.B. 485, which is strengthening S.B. No. 208 of the 69th Session. The world in Clark County was a little different when S.B. No. 208 of the 69th Session was passed. There were only a couple large, master planned communities, of which Summerlin was the predominant one. Most of the 10 to 15 sites that exist today were grandfathered under S.B. No. 208 of the 69th Session and not approved since S.B. No. 208 of the 69th Session.

The growth between adopting S.B. No. 208 of the 69th Session and today's world happened in smaller segments. Projects and residential communities were developed in smaller increments. This type of growth cannot happen much more in Clark County because the vast majority of land is owned by the BLM and will be developed through BLM releases. Therefore, A.B. 485 will provide an

opportunity to accomplish what was attempted in S.B. No. 208 of the 69th Session, but circumstances did not provide the ability. This growth is not necessarily bad; it is only bad when there is poor planning. There is a need for up-front planning and public buy-in when projects are in the planning stage, which is what we are attempting to accomplish.

SENATOR WIENER:

How do you foresee the one establishment that would be selected for the master planned community?

MR. FIORENTINO:

If I owned the land, I would sell it to whomever would pay the most for it. I suspect that is what will happen.

SENATOR WIENER:

Is that in terms of the master planned community or the casino property within?

MR. FIORENTINO:

It would be the casino property within.

SENATOR HORSFORD:

I understand the master development under the provisions of this amendment. What is being done in regard to public input and governmental approval of distance requirements for parcels grandfathered in for S.B. No. 208 of the 69th Session that are not yet developed? Are there any amendments that address issues for undeveloped parcels?

MR. FIORENTINO:

This amendment has no impact on an existing entitled site.

SENATOR HORSFORD:

I understand this amendment does not have an impact. Has there been discussion within the industry or any appetite to address undeveloped parcels not meeting distance requirements to schools, churches or other places that may adversely affect children or the community?

MR. FIORENTINO:

You are asking the wrong person. My clients do not own any existing entitled sites; however, there are discussions. Clark County formed a task force that

meets once a month to discuss the manner in which existing entitled sites will be addressed. A good faith effort is being made to resolve some issues, but I have no clients who participate in that action.

MR. BIBLE:

Mr. Fiorentino is correct. I am a member of the Clark County task force considering the issue of neighborhood casinos. We are defining a neighborhood casino, which is a difficult task because there are such a variety of operations off the Las Vegas Strip corridor. I am not aware of any specific property discussions on existing sites among people who control the entitlements.

SENATOR HORSFORD:

How many entitled sites are not yet developed? There is one in my district that Station Casinos has yet to develop. I do not know whether it meets distance requirements, but there has been some public input in the process.

MR. BIBLE:

I do not know the answer to that question. There are four sites subject to the focus of the Clark County task force that have gone through some of the county approval processes. I am unaware of where other parcels are in the process.

SENATOR CARE:

What would be the consequence if the amendment is not adopted? Let us assume the Las Vegas Valley continues to grow out and people want to build new resorts. Under S.B. No. 208 of the 69th Session, far out, future building would not be governed. What would happen in that event?

MR. BIBLE:

We will continue to experience the frustrations seen in the past three or four years. Gaming companies do not build facilities not used; consequently, there is a market for these properties. Currently, people attempt to find sites in the middle of nowhere that meet distance restrictions, and there are no neighbors within the notice requirement. They purchase the site and have it approved. Eventually growth comes, and everything else in the community, such as parks, schools and residential neighborhoods, experience problems because the gaming enterprise district was done ahead of everything else. There was no community input or planning. We are attempting to head off problems by planning and making sense of it before growth reaches the site.

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SENATOR CARE:

Does this mean there will be no future resorts except in master planned communities?

MR. BIBLE:

That is the idea.

SENATOR WIENER:

Did you indicate there would be a 10-percent allotment of what could be used as a gaming property, and currently there are 40-acre parcels?

MR. FIORENTINO:

That is correct.

SENATOR WIENER:

Based on our experience in outer gaming areas, such as Rampart Boulevard where two properties share a piece of land, is your concern the 10-percent cap on gaming in terms of the entire entity of the master planned community? Does the 10-percent cap limit the amount of gaming influence, or is it the property? Could it be a cap at 75 acres no matter the configuration of properties, or do you want one property using 75 acres as the limit?

MR. FIORENTINO:

The bigger protection of the two is one resort per master planned community, which is bigger protection than 75 acres. Currently, many newer resorts are 40 to 50 acres, but some room for error is needed. Sites are designed as bigger urban cores in which larger condominium projects are built. This is desirable because it puts people closer to where they work and are entertained. That is the reason to adopt a law that looks to the future and will lead to unique designs that might require more acreage than currently used.

SENATOR HORSFORD:

There is value in the master planned community provision, wherein people are informed about what they will get before purchasing. I would like further explanation regarding justification of the provision. Based upon the master-planning process, existing residents around the master plan would be able to provide input; however, because the master plan has not yet been developed, residents who may decide to live in that master plan obviously would not be able to provide input. Why are we taking this additional step away

from people? I understand that issue is the ultimate decision of whether or not a project goes forward. There have been one or two instances in which the review panel said no because it determined the plan did not meet the threshold needs of the community outlined in the provisions of S.B. No. 208 of the 69th Session, which is what the Legislature wanted to protect.

MR. FIORENTINO:

Deletion of the review panel only applies in master planned communities. Neither of the two cases that went to the review panel were master planned communities. In the Triple Five case, the residents objected because they lived on the border of Summerlin, which was a master planned community. This would only apply to those approved within a master planned community. The community itself, along with the protections that require local government to determine the height and size of a project, would receive the input of everyone available. There is no way we can give people not yet in the picture the right to protest. It is not covered by current law, and there is no way we could do it. We can only involve as many people as possible in the process. There needs to be some stability to justify people spending time and effort to get it done. Planning is expensive, even in master planned communities, and there is a need for stability in the decisions granted by local government.

SENATOR HORSFORD:

In strengthening S.B. No. 208 of the 69th Session, as well as the intent regarding neighborhood casinos, if projects are not developed within a certain amount of time, they would be reviewed again by the governing body that authorized them. Communities change as growth moves out, and the impact when the master plan was approved may not be the same by the time the plan is developed. That is the weak point of S.B. No. 208 of the 69th Session. I understand the intent of the way it was done at that time; however, in the interest of my constituents, I want assurance those communities would receive the benefit of the approval process if things have changed. In that event, the master plan would be reviewed again by the governing body that authorized it in the first place. What is the position of the industry on that aspect?

MELISSA V. NELSON (Station Casinos, Incorporated):

Station Casinos, Incorporated is working on several sites and has experienced some controversies in its planning process. When developing a parcel of land, we have several community hearings. It is in our best interest to work with the residents who will be our customers surrounding our future sites. In the past,

there were several community hearings on our Red Rock project. We went before the board and were asked to work with the residents to arrive at a compromise amenable to everyone. It went on for several months. There is a process currently in place that works.

SENATOR HORSFORD:

Red Rock is being developed now; however, other projects grandfathered in and approved have no date for development. Based on the business decision of the company that owns the parcel, if it takes five years to develop a plan, the impact will be different than when it was approved. In our attempt to strengthen the provisions, perhaps we should add a time line. For example, after approval, if the parcel is not developed within two years, there could be a requirement for another review. Often, applications approved by the planning departments of local municipalities have another review if they are not developed.

MS. NELSON:

Station Casinos owns gaming-entitled land, and marketing dictates what will be built. Currently, we are determining the future of Durango Station. There was no development when we bought that parcel of land. We are going through the process and interacting with the residents of the community to ensure something will be developed that will work for them.

SENATOR WIENER:

Regarding the language "... will contain no more than one gaming enterprise district in no more than one establishment that will hold a nonrestricted gaming license ...," I understand what that definition incorporates because it is unaddressed and the silence is loud. Is the intent of S.B. No. 208 of the 69th Session, in regard to gaming proliferation, neighborhood protection and so forth, to presume unlimited restricted licenses? Is it unlimited for the purpose of filling out the 75 acres, if it is not used by the nonrestricted licensee?

MR. FIORENTINO:

That is correct. We are not trying to impact restricted licenses, but that does not mean they would be unlimited. They are limited both by State and local law.

SENATOR WIENER:

Would it be part of the gaming enterprise district of 75 acres? Would they be required to take up what is left in the space within the 75-acre parcel?

MR. FIORENTINO:

Under existing law, a restricted licensee, such as a grocery store, does not have to be in a gaming enterprise district.

SENATOR CARE:

How would this impact a chain of neighborhood pubs?

MR. FIORENTINO:

It would have no impact on neighborhood pubs because they are restricted licensees.

MICHAEL G. ALONSO (Harrah's Entertainment):

Harrah's Entertainment supports the proposed amendment, [Exhibit D](#). One of our concerns is covered in the new section of the amendment that said the mandatory provisions carried over from S.B. No. 208 of the 69th Session do not apply. We support the other amendment at Tab E in [Exhibit C](#) proposed by Clark County. The language is transitory, and we have no objection to it.

SENATOR CARE:

The amendment is narrowly tailored. Are there one or two licensees?

MR. ALONSO:

I understand it is one license in the middle of the redevelopment area, and it would impinge upon redevelopment efforts.

DAN MUSGROVE (Clark County):

It is the Eureka Casino on East Sahara Boulevard, near the commercial center and down from Leatherby's Ice Cream. It has been there for quite a while and is on the edge of the redevelopment area we are planning to develop in terms of the commercial center. Currently, there are no plans. The redevelopment area has only been up for about a year. We wanted to ensure the Eureka Casino would have ability for some flexibility of movement without jeopardizing their gaming license. Should the project go forward, the plans will bring them into the redevelopment area.

SENATOR CARE:

If this legislation is passed, how would the Eureka Casino move? It must be within 200 feet of where they are now, and there would have to be a willing seller unless eminent domain is contemplated.

MR. MUSGROVE:

That is not our intent. There is no definitive idea for moving forward. We did not want the Eureka Casino to stick out like a sore thumb and not be part of the redevelopment if they were not given flexibility within the provisions of the bill. By giving them the narrow exemption, should future redevelopment plans include them, they would have flexibility; if not, they would have no chance.

SENATOR CARE:

Would the move be into the redevelopment area?

MR. MUSGROVE:

I defer to Mr. Alonso on that question.

MR. ALONSO:

The property is already in the redevelopment area and would remain there.

MR. BIBLE:

They must remain within the redevelopment area.

SENATOR CARE:

I assume if there is not a willing seller and Eureka Casino knows where they want to move, eminent domain may arise because it might be considered a necessary part of the redevelopment plan.

MR. ALONSO:

With this exception, NRS 463.302 would allow two things. One, the licensee could voluntarily move with approval of the State Gaming Control Board and the local governing body. Two, they could be displaced pursuant to eminent domain or the redevelopment project, whatever it may entail. It is left open for this particular property.

SENATOR HORSFORD:

How many undeveloped entitled parcels that fall within S.B. No. 208 of the 69th Session are in Clark County?

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MR. MUSGROVE:

I do not have that information, but I will provide it to the Committee for unincorporated Clark County.

CHAIR AMODEI:

What is the pleasure of the Committee on A.B. 485?

SENATOR WASHINGTON MOVED TO AMEND AND DO PASS AS AMENDED A.B. 485.

SENATOR MCGINNESS SECONDED THE MOTION.

SENATOR HORSFORD:

I support the amendments on pages 1 and 2 of [Exhibit D](#); however, I am concerned about the elimination of the review panel, even though it only applies to master planned communities. I offer a friendly amendment to the proponent to address the issue about undeveloped parcels. I suggest some type of review or additional approval from the governing body after a certain time period. In the interest of the intent of S.B. No. 208 of the 69th Session and neighborhood gaming in general, the factors for approval are current at the time a company is reviewed. In the interest of the communities we represent, if a company does not move forward for a period of time, they should be required to come back for review. Growth brings changes which affect the quality of life in the community. I offer the suggestion as a proposed amendment if the first and second movers would support it.

CHAIR AMODEI:

Are you suggesting, in the concept of neighborhood gaming, to add an element of use it or lose it? It could come before a review panel where they could theoretically lose it, based on the matriculation of the neighborhood of the undeveloped site. Is there a second for that motion?

SENATOR HORSFORD:

The question is a time frame. Does the staff know whether other planned developments are required to come back for another review after a standard period of time? If not, I would suggest two years.

CHAIR AMODEI:

We are discussing an amendment at Tab E in [Exhibit C](#), an amendment offered by Clark County, [Exhibit D](#), and another use-it-or-lose-it conceptual provision for neighborhood gaming.

SENATOR WIENER:

I appreciate the accountability component regarding the use of a piece of property. I understand returning for a review after a period of time; however, I would not support taking the property.

SENATOR HORSFORD:

To clarify, it is my understanding when S.B. No. 208 of the 69th Session was passed, certain sites did not meet criteria now expected for future gaming establishment parcels, and they were grandfathered in. I am suggesting, due to changes that occurred in the community from the time the parcel was approved, the owners must come before the governing body and resubmit their plans to go forward. The governing body should evaluate the applicant's request, based upon the needs of the community, at the time it is reviewed.

As an example, the community around a parcel approved in 1999 would be different in 2005 and would need to be reviewed again 6 years later. I am not suggesting property should be taken; I am suggesting a return to the governing body that permitted the authority in the first place, as well as meeting the intent of S.B. No. 208 of the 69th Session. The amendments in the provision are approval for master planned communities, which makes sense. It helps put some context around the issue for affected communities.

SENATOR CARE:

I understand Senator Horsford's concerns and share them to some extent. I can imagine a situation in which a person purchases 75 acres with the intent of keeping anyone else from building there, even though they have no immediate plans to do so. I do not know what to do about that or whether it is within the purview of this Committee. I agree, if a person buys a house in a master planned community on the presumption there will be some sort of upscale neighborhood resort, and five years later, they are left with 75 acres of desert, there may be some breach of an obligation to the community that relied on that promise.

There is another issue. If a person is granted approval to allow a resort within the 75 acres, I am not sure whether it could be taken back 3 years later. There may be a taking issue. Perhaps it is something the Legislature should look at in the future. While I share the concerns, we are starting to stray and I question whether we should deal with this issue in the context of A.B. 485.

SENATOR HORSFORD:

My proposed amendment is not for master planned communities, it is for the undeveloped parcels grandfathered in since S.B. No. 208 of the 69th Session that do not meet the criteria. The undeveloped parcels may be within 1,500 feet of a school. If the parcel was approved but not developed within the next 3 to 5 years, the impact would be greater than it was when approved by this Legislature in 1999. Your point is valid regarding people promised something and not getting it. That is not my point; I am talking about undeveloped parcels that do not meet the intent of S.B. No. 208 of the 69th Session.

CHAIR AMODEI:

It would help to know what the undeveloped parcels are, as well as a discussion on whether the procedure would be pursuant to zoning which could require a parcel-by-parcel, zoning-change request. The suggestion is legitimate and one that should be explored. I will not support it because it is too big a bite to take in the space of 30 minutes when it has not been agendaized.

The record should reflect that Senator Horsford thinks the amendment, [Exhibit D](#), is also a big bite to take, but I suggest it was agendaized, noticed, the people affected are present and the State has jurisdiction as a result of S.B. No. 208 of the 69th Session. Nothing is agendaized in regard to revisiting S.B. No. 208 of the 69th Session in a zoning or planning context. I am certain local government would have some thoughts as well.

The discussion is closed on A.B. 485. All those in favor of amend and do pass A.B. 485 with both amendments and the amendment in concept, please signify by saying aye, those opposed no. The amendment failed.

Is there another motion on A.B. 485 to amend and do pass with the amendment at Tab E of [Exhibit C](#) and the Clark County amendment in [Exhibit D](#)?

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SENATOR NOLAN MOVED TO AMEND AND DO PASS AS
AMENDED A.B. 485.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR HORSFORD VOTED NO.)

* * * * *

CHAIR AMODEI:

The hearing is opened on A.B. 143.

ASSEMBLY BILL 143 (1st Reprint): Makes various changes concerning
community redevelopment and eminent domain proceedings. (BDR 22-44)

CHAIR AMODEI:

Page 4, section 5, subsection 2 of A.B. 143 says, "An economic dislocation, deterioration or disuse" I propose we omit the remaining language which is "... resulting from faulty planning." It would become a generic statement of economic dislocation, deterioration or disuse. Are there any objections? It would broaden subsection 2 considerably.

SENATOR CARE:

In two cases, redevelopment was delayed in Henderson owing to the existence of abandoned mines. This would not necessarily make it easier to take by eminent domain because an area with abandoned mines would not have a problem with streets. It would be out there by itself. My suggestion would be to add abandoned mines, and if so, I would be comfortable with three of the factors.

SENATOR NOLAN:

Page 3, section 5, subsection 1 of A.B. 143 says, "The existence of buildings and structures, used or intended to be used for residential, commercial, industrial or other purposes, or any other combination thereof ...," and goes on to enumerate factors of defective design, faulty arrangement of interior spacing of buildings, overcrowding and inadequate provision for light and ventilation. Paragraph (c), the provision for overcrowding, should be omitted because it is not a function of construction or a material fact of the building. Overcrowding could be relieved by code enforcement and maintaining the residence.

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CHAIR AMODEI:

Is there any objection to omitting section 5, subsection 1, paragraph (c) of A.B. 143, which is the overcrowding provision?

SENATOR WASHINGTON:

Section 5, subsection 1, paragraph (e) of A.B. 143 refers to dilapidation, mixed character or shifting of uses. Shifting of uses could equate to overcrowding and multiple tenants in a building.

SENATOR NOLAN:

Shifting the use of a building would be done in a lawful manner and require zoning consideration or approval. Occupancy rates would be considered in the process, as well. Overcrowding is an unlawful number of occupants in a particular space. It would be determined by officials of the health department or zoning whether or not a particular space is overcrowded. The officials would enforce the occupancy codes, as opposed to making this factor a condition for condemnation.

SENATOR WASHINGTON:

I am comfortable with section 5, subsection 3 of A.B. 143 based on testimony that subsection 4 would be difficult to achieve. Subsection 3 is a happy medium between the two.

SENATOR HORSFORD:

Based upon adding section 5, subsection 10 of A.B. 143, and the addition of subsection 11, I strongly feel it should be subsection 4. We are talking about property and the burden on local government. These provisions, particularly the amendment on subsection 2, put the burden on local government to meet those factors when deciding to use eminent domain or blight for redevelopment.

CHAIR AMODEI:

In view of the addition and broadening the list, are there objections to proceeding with four factors?

SENATOR WASHINGTON:

The addition of subsection 11, the addition of mines, is exclusive. I am still comfortable with subsection 3, rather than subsection 4.

SENATOR MCGINNESS:

I am comfortable with subsection 4.

SENATOR WIENER:

Based on the testimony, there were concerns in rural communities. Perhaps other conditions prevalent in rural communities could be added to the language addressing abandoned mines. The concern is that housing issues do not relate to rural communities.

CHAIR AMODEI:

Imagine an abandoned mine site. Subsection 2 says dislocation, deterioration or disuse; and disuse is an abandoned mine. Subsection 3 says, "The subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development." A 750-acre abandoned mine site would probably fit that criteria.

Subsection 7 says, "Prevalence of depreciated values ... capacity to pay taxes is substantially reduced" I think you could get to subsection 4 with the new one that specifically talks about mines. In a non-mine scenario, subsection 2 applies to a lot. I respect and appreciate the concept of trying to make this as effective in Ely as in Henderson, but there is already broad language in a couple of the factors at this point.

I am in favor of four factors, Senator Washington is in favor of three factors, Senator Horsford is in favor of four factors, and Senator Care is in favor of three factors.

SENATOR CARE:

I will go with four factors. The Supreme Court discussed economic blight, which is not specifically mentioned in the list of nine factors. The report of a Las Vegas redevelopment agency indicated conditions that gave evidence blight includes decline of tourism and lack of parking. I am not sure a decline in tourism is evidence of blight. In any event, these factors will be interpreted broadly. Therefore, I would go with four factors, rather than three. People will attempt to read around four factors.

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SENATOR WASHINGTON:

I prefer three factors, but to move forward, I will support four.

CHAIR AMODEI:

The Chair would entertain a motion to amend and do pass A.B. 143 with the amendment being changes to the list and four factors.

SENATOR WIENER MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 143 WITH THE CHANGES TO THE LIST AND FOUR FACTORS.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR AMODEI:

The City of Reno provided an additional amendment to A.B. 143, with an effective date of October 1, located at Tab G in [Exhibit C](#), which deals with the current study area. Is there any objection to adding the amendment at Tab G in [Exhibit C](#)?

SENATOR HORSFORD MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 143 BY ADDING TAB G IN [EXHIBIT C](#).

SENATOR MCGINNESS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR AMODEI:

On page 2, line 13, section 2, subsection 1, paragraph (c) of A.B. 143, I propose deleting the words "a summary of," which would make it read: "Provide the owner with the appraisal report upon which the offer of compensation is based at the time the offer is made."

Page 3, line 1, section 2, subsection 2, paragraph (a), subparagraph (4) of A.B. 143 says "That the agency has provided a summary of the appraisal report

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...,” which would also necessitate omitting section 2, subsection 2, paragraph (a), subparagraph (6) of A.B. 143. I also propose, as soon as the owner obtains an appraisal report, a copy of it must be provided to the entity on the other side. The overall idea is, if you are going to make an offer based on the appraisal report, those are ultimately discoverable in the litigation and will move it forward in the process. It does not require the owner to get an appraisal report; it does require the owner to provide the appraisal report to the government entity if the owner gets one.

SENATOR CARE:

Several states do that as part of precondemnation activity. The landowner must be provided the appraisal in the offer.

SENATOR WASHINGTON MOVED TO AMEND AND DO PASS AS AMENDED A.B. 143 TO PROVIDE THE APPRAISAL REPORT.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR AMODEI:

If possible, I propose an attempt be made to provide notice to all owners of record. Does the Committee have any comments in that regard?

SENATOR CARE:

It is done in Arizona and Alabama, among others; therefore, I agree with that proposal.

CHAIR AMODEI:

Are there any objections to making A.B. 143 provide notice to all owners of record? Is there a motion to amend A.B. 143 to require notice be provided to all owners of record?

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SENATOR MCGINNESS MOVED TO AMEND AND DO PASS AS AMENDED A.B. 143 TO PROVIDE NOTICE TO ALL OWNERS OF RECORD.

SENATOR WIENER SECONDED THE MOTION.
THE MOTION CARRIED UNANIMOUSLY.

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CHAIR AMODEI:

Is there a motion to adopt the amendment regarding White Pine County at Tab F of [Exhibit C](#)?

SENATOR MCGINNESS MOVED TO AMEND AND DO PASS AS AMENDED A.B. 143 BY ADOPTING THE AMENDMENT REGARDING WHITE PINE COUNTY AT TAB F OF [EXHIBIT C](#).

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR AMODEI:

Are there any comments from the Committee in regard to Tab J of [Exhibit C](#) concerning A.B. 194?

[ASSEMBLY BILL 194](#): Revises provisions governing amount of interest paid by plaintiff in action relating to eminent domain. (BDR 3-850)

CHAIR AMODEI:

There being no comments from the Committee, Tab J of [Exhibit C](#) has been considered. Is there any other discussion regarding A.B. 143 in a redevelopment context?

SENATOR CARE:

I received proposed amendments to S.B. 326, which will be discussed in Assemblyman Anderson's work session.

SENATE BILL 326 (1st Reprint): Makes various changes to provisions governing eminent domain. (BDR 3-78)

CHAIR AMODEI:

It is my understanding the Assembly will take up S.B. 326 tomorrow. I have been in discussions with Assemblyman Horne and expect the issue of open space to be considered. I drafted an amendment (Exhibit E) which plugs open space into condemnation use, formally, under chapter 37 of NRS. It provides factors similar in framework to what is done for archeological resources. A couple of sub-elements require specific findings and, obviously, specific findings are required in a redevelopment context.

My attempt was to take a framework similar to that done in a redevelopment context and create something that would apply to an open space context. Anything less than 40 acres would not be applicable. It is based on the subdivision in the large parcels under chapter 278 of NRS, which allows most landowners, as of right, to subdivide into 40-acre parcels. Smaller than 40 acres tends to fit into parks, which are already specifically in the chapter. It also requires that before using eminent domain, parcels must be master planned and zoned, as opposed to different planning and zoning. It is a double-edged sword because the taking entity is required to do preparatory work in terms of applying a zoning, master plan designation. The bad news is, once that is done, the value of the property will probably be less.

In regard to section 8, subsection 1, paragraph (c) of Exhibit E, basically, they would not take other than what is absolutely needed. In regard to section 8, subsection 1, paragraph (d), only the water rights for open space use would be taken. I would not want people taking multi-hundred-acre parcels because of the water rights for open space and end up with the water rights in a quasi-municipal use, which would be inconsistent with open space designation.

In regard to section 8, subsection 1, paragraph (a), at tab K of Exhibit C, for the purposes of the amendment, I defined a provision of 30 months. Adding it to the planning and zoning potentially requested, that number probably should be deleted. However, if there is an appetite in the Committee to adopt this amendment, I would be open to following the example of Assemblyman Horne on numbers in his bill and would consider a number less than 30 months.

SENATOR WASHINGTON MOVED TO AMEND AND DO PASS AS AMENDED A.B. 143 BY ADOPTING THE PROPOSED AMENDMENT IN TAB K IN EXHIBIT C.

CHAIR AMODEI:

The motion died for lack of a second.

SENATOR MCGINNESS MOVED TO AND DO PASS AS AMENDED A.B. 143 BY ADOPTING THE PROPOSED AMENDMENT AT TAB K IN EXHIBIT C WITH 24 MONTHS.

SENATOR WASHINGTON SECONDED THE MOTION.

CHAIR AMODEI:

There were several reasons I requested the amendment. First, this Committee supported S.B. 326 unanimously, which said condemnation could not be used for open space. Senator Horsford voted against it due to concerns regarding the retroactivity provision. Therefore, the Committee signed off on a policy of no condemnation for open space, whatsoever. This amendment now puts open space in chapter 37 of NRS, subject to the limitations. It is necessary to do something with respect to open space this Session due to the litigation in Washoe County.

The question was posed to the Legislature whether or not open space should be in chapter 37 of NRS. For the Legislature to do nothing in light of the ongoing litigation, by omission we have said open space is available without qualification for condemnation under chapter 37 of NRS. In my opinion, saying nothing is not a good way to make law. In his testimony on S.B. 326, Senator Care, for reasons within his purview, decided not to have those issues go forward in the bill; therefore, I am bringing them back to the table.

SENATOR NOLAN:

With regard to the provision concerning water rights, if the agency is seeking to acquire any water rights appurtenant to the property, a detailed description is needed for the beneficial use of the water rights on the property and specific reasons for acquisition. I understand your explanation; however, throughout the State, water is becoming an ever increasingly absent commodity, and a lot of land is purchased solely for the purpose of acquiring appurtenant water rights. I need further explanation if, in fact, the agency is looking to take the property,

and the primary purpose is to acquire appurtenant water rights with the property. Under this provision, they would only have to provide public notice or notice to the property owner of their intended use of the rights.

CHAIR AMODEI:

Under chapter 37 of NRS, water rights can be condemned; this amendment will not impact water rights. This amendment concerns taking land for open space or wildlife habitat. Under existing provisions in chapter 37 of NRS, an agency that provides water can condemn and take land if it is needed for public use. It does not put an open space designation or wildlife preservation designation on the property. These provisions only apply regarding open space, as defined. Assemblyman Horne is doing something regarding open space designation, which we will see in a different context. The water rights aspect of this amendment will only apply in an open-space or wildlife-habitat-preservation context, not water for a municipality.

SENATOR CARE:

Consistent with my prior statements on this issue, I oppose the amendment. Because it is in the Constitution, we all agree condemnation must be for public use. In regard to the definition of open space use in section 8, subsection 2, paragraph (a), subparagraph (3) of the proposed amendment to A.B. 143, would you put on record what you contemplate by open space use. I, as well as others, had difficulty with the precise meaning. In states that permit it, as well as states that do not permit it, the meaning is not specifically defined; we are left guessing. Public use implies the land must be used in some fashion.

CHAIR AMODEI:

Your point is well taken. I have not paid a great deal of attention to it in terms of trying to show specific use through preservation. I assume if the amendment passes, it will be the topic of discussion in fleshing out a definition in the conference process.

Is there any further discussion on the motion?

THE MOTION CARRIED. (SENATOR CARE VOTED NO.)

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CHAIR AMODEI:

Based on the Ethics Commission informational hearing, there are conceptual proposed amendments to chapter 281 of NRS ([Exhibit F](#)) before the Committee. If processed, the amendment will go from the Senate Committee on Judiciary to the committee with jurisdiction over chapter 281 of NRS. It would require one or more members of the Committee to present the amendment to the Senate Committee on Legislative Affairs and Operations. Is there a motion to request an amendment?

SENATOR CARE MOVED TO HAVE THE SENATE COMMITTEE ON JUDICIARY PROPOSE AN AMENDMENT TO CHAPTER 281 OF NRS ALONG THE LINES OF THE CONCEPTUAL PROVISIONS IN [EXHIBIT F](#) TO THE SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS.

SENATOR WASHINGTON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR AMODEI:

The hearing is opened on A.B. 452.

[ASSEMBLY BILL 452 \(1st Reprint\)](#): Revises provisions relating to restoration of certain civil rights to certain convicted persons. (BDR 14-1124)

ASSEMBLYMAN HARVEY J. MUNFORD (Assembly District No. 6):

I will read my prepared testimony ([Exhibit G](#)) introducing A.B. 452. My primary intent in bringing forth A.B. 452 is to restore an ex-felon's rights immediately after probation and an honorable or dishonorable discharge. Should A.B. 452 not be suitable, I propose another option, which is amnesty. For a period of time, the ex-felon's rights could be returned after he or she fulfilled certain obligations. Should the ex-felon not fulfill the required obligations, he or she would lose the opportunity to have his or her civil rights restored.

I received a telephone call from two constituents who are parents of an ex-felon. Their son acquired a job at a local convalescent home. He was happy with the job and received high praise for his performance. After he had been

working for about a month, he was terminated because company policy negated hiring an ex-felon. His parents requested my help. I met with the individuals at the convalescent home and the mother of the ex-felon. The young man was crushed with a sense of hopelessness and had lost faith in the whole system. I tried to encourage him and told him I would do whatever I could to combat the situation. There are many stories like this in my district. I know A.B. 452 is almost a revisit of the same subject in a similar bill sponsored by Senator Horsford, but the nature and intent of both bills is to provide an opportunity for ex-felons to integrate into society and become functioning citizens.

CHAIR AMODEI:

The Committee heard significant testimony on Senator Horsford's bill on all aspects of the issue. I request further testimony be submitted in writing and made part of the record this legislative day. Assembly Bill 452 will be noticed at the next work session of the Committee or heard on the Senate Floor.

RAMONT WILLIAMS:

I am the director of Project Safe Neighborhoods, employed by the State Office of the U.S. Attorney, who testified in support of Senator Horsford's bill. I am somewhat confused and upset by A.B. 452. I was incarcerated for a number of years and know the hurdles an ex-felon must overcome in order to be productive in society. Unlike some people who do not want to reintegrate into society, be productive and part of the American dream, I have been fortunate to have done so. The people I work with on a daily basis in Senator Horsford's and Assemblyman Munsford's jurisdictions tell me they want to reintegrate, not take or sell drugs, or be involved in illegal activities. However, because of the statutes, being an ex-felon is limiting. It is sad because ex-felons must pay taxes and be law abiding; however, they cannot vote and be part of the democratic process. It is unfair. To restructure the mind set of ex-felons and take them out of the recidivism cycle, their civil rights should be restored to enable them to take part in the democratic process.

CHAIR AMODEI:

A document submitted by Jan Gilbert of Progressive Leadership Alliance of Nevada entitled "Ex-Felon Voting Rights by State" ([Exhibit H](#)) is part of the record of this legislative day hearing.

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There being no further business to come before the Committee, the hearing is adjourned at 11:14 a.m.

RESPECTFULLY SUBMITTED:

Barbara Moss,
Committee Secretary

APPROVED BY:

Senator Mark E. Amodei, Chair

DATE: _____