

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

**Seventy-Fourth Session
May 1, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 9:04 a.m., on Tuesday, May 1, 2007, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Marilyn Kirkpatrick, Chair
Assemblywoman Peggy Pierce, Vice Chair
Assemblyman Kelvin Atkinson
Assemblyman Bob Beers
Assemblyman David Bobzien
Assemblyman Chad Christensen
Assemblyman Jerry D. Claborn
Assemblyman Pete Goicoechea
Assemblyman Ruben Kihuen
Assemblyman Harvey J. Munford
Assemblywoman Bonnie Parnell
Assemblyman James Settlemeyer
Assemblyman Lynn D. Stewart
Assemblywoman RoseMary Womack

GUEST LEGISLATORS PRESENT:

Senator Warren Hardy II, Clark County Senatorial District No. 12



STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst
Scott McKenna, Committee Counsel
Emilie Reafs, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Richard Daly, Business Manager, Laborers Local 169
James Keenan, Nevada Public Purchasing Study Commission
Dan Klaich, Executive Vice Chancellor, Nevada System of Higher Education
Ted Olivas, representing the City of Las Vegas
Mandi Lindsay, Government Affairs Specialist, Associated General Contractors, Las Vegas Chapter
Jack Jeffrey, Southern Nevada Building and Construction Trades Council
Danny Thompson, Executive Secretary-Treasurer, Nevada State AFL-CIO
Robin Reedy, Deputy of Debt Management, Office of State Treasurer
Patrick Sanderson, Legislative Advocate, Laborers Local 872
Shaun Jillions, Legislative Advocate, City of Henderson

Chair Kirkpatrick:

Senator Hardy, would you like to start with Senate Bill 515 and work our way up?

Senate Bill 515: Provides a declaration of legislative intent regarding the use of certain lease-purchase and installment-purchase agreements. (BDR 31-229)

Senator Warren Hardy II, Clark County Senatorial District No. 12:

I am here specifically today as the Chairman of the Interim Study on the Advisory Group to Conduct Interim Study on Lease-Purchase and Installment-Purchase Agreements by Public Entities. This lease-purchase study came about last session. The lease-purchase concept is becoming prominent in private construction and procurement, and it was felt that it was something local governments ought to have. Local governments have had the tool for sometime, but the higher education system was somehow left out. We asked the former State Treasurer, now current Lieutenant Governor, why they were left out and he replied that they were not in the room and others did not want to speak for them.

We brought a bill forward then, last session, for the University system, but there were a number of concerns about how lease-purchase worked. Is it fair and equitable to both the local government and contractors? Could it be used to circumvent other laws, such as prevailing wage, bidder's preference, and the bid process? We therefore felt it wise to conduct an interim study to ensure we got lease-purchase right before we opened it up to everybody. We worked diligently. We had a comprehensive group of representatives, including the construction industry, labor, and legislators. These bills are recommendations to make the lease-purchase process work.

It was an awkward process to try to find a method for advertising and notifying the public because lease-purchases are unique situations. The government may own property and decide it wants to build on that property, or someone else owns a piece of property and the government wants that property for a project and the owner says he will sell it and let the government build on it. We wanted to provide some transparency to that process.

Senate Bill 515, Senate Bill 509 (1st Reprint), and Senate Bill 198 (1st Reprint) are an effort to accommodate that. Senate Bill 515 is a statement of legislative intent regarding the use of lease-purchase agreements. It turned out to be the catch-all and specifies that it shall not be used as a method to get around prevailing wage or bidder laws. The government should use lease-purchase agreements when it makes sense and not when it does not. We were not sure whether we were clear enough in the other statutes, so we said that we should make a declaration of legislative intent.

Senate Bill 509 (1st Reprint): Makes various changes to provisions relating to state financial administration and the acquisition of property. (BDR 31-424)

Senate Bill 509 (1st Reprint) is the meat and potatoes. We took the types of lease-purchases, attempted to provide some transparency, and made some requirements for bids. This bill would require an entity seeking to enter into a lease-purchase agreement to advertise for request for proposals (RFP) in the following two contexts: when an entity wishes to lease-purchase an existing building and when an entity wishes to lease-purchase a building that has not yet been constructed, and the entity does not own the land upon which the building will be constructed. An example of this would be the Casa Grande prison.

The way local governments are required to notify is unique. It may make sense to some and not to others. The notice would need to say "The government has a piece of land and wants to build on it," or an individual would say "I have this piece of land and want to build a prison, and the prison would be perfect for

what the local government wants." It provides an opportunity for anyone else that has a similar project to come forward rather than the government saying "that is the piece of land we want, and he is going to be the builder."

The government can be very specific in its request and specifications as to what it needs. We determined, in certain cases, the design-build process was conducive to the lease-purchase process in terms of advertising. We are requiring the use of design-build in instances where a public entity wishes to construct a building on land owned by the entity.

It was also brought to our attention that there were some problems brought about by Assembly Bill No. 312 of the 73rd Session which you, Madam Chair, are working to address. The conflict centered on a requirement that governments obtain an appraisal and an associated advertisement for any land the government wished to sell or lease. It did not make a lot of sense if the government was going to lease-purchase it. This became an issue when the state government looked at the Nevada State Printing Office Warehouse.

Senate Bill 198 (1st Reprint): Revises provisions relating to certain public contracts. (BDRS-231)

Senate Bill 198 (1st Reprint) was brought to our attention by the City of Las Vegas. They felt they did not specifically have the ability or right to use lease-purchase agreements. They wanted us, in statute, to clarify that they, along with everyone else, have the right to use lease-purchase agreements.

There is one other bill, Senate Bill 520 which deals with notification of changes in projects.

Chair Kirkpatrick:

To keep it simple, we will address each bill individually.

Is there anyone who would like to speak in favor of Senate Bill 515?

Richard Daly, Business Manager, Laborers Local 169:

I served on the interim study committee. The legislative intent portion of this was a compromise. We went back and forth as to how to do this. We agreed that this would be a good first step, and if there were subsequent issues, we would revisit them.

James Keenan, Nevada Public Purchasing Study Commission:

The Study Commission was privileged to be invited by Senator Hardy to be a member of his interim study group, and I was fortunate enough to be the

representative. We had every opportunity to agree, disagree, discuss, edit, and change S.B. 515 and the other bills. The Nevada Public Purchasing Study Commission fully supports S.B. 515.

Dan Klaich, Executive Vice Chancellor, Nevada System of Higher Education:

I would like to say, "me too" to Mr. Keenan's testimony.

Ted Olivas, representing the City of Las Vegas:

The City of Las Vegas supports this bill, particularly the provisions that talk about our use of these types of agreements and that we are not using these agreements to engage in or allow bid shopping, to avoid paying prevailing wages, or to circumvent the preferential hiring of Nevada residents. Those three provisions are very important to this process.

Chair Kirkpatrick:

Is there anyone who is neutral? [There was none.] Is there anyone who is opposed? [There was none.] I will close the hearing on Senate Bill 515.

I will open the hearing on Senate Bill 509 (1st Reprint). Is there anyone who would like to speak in favor of S.B. 509 (R1)?

James Keenan, Nevada Public Purchasing Study Commission:

As I stated previously the Nevada Public Purchasing Study Commission fully supports S.B. 509 (R1). We had every opportunity to participate in drafting it.

Mandi Lindsay, Government Affairs Specialist, Associated General Contractors, Las Vegas Chapter:

The Associated General Contractors (AGC) would like to go on record supporting S.B. 509 (R1) as amended by Mr. Daly. We view this bill as a support to existing law. All of the chapters referenced in this bill are subject to prevailing wage, which was one of AGC's primary concerns.

Chair Kirkpatrick:

Ms. Lindsay, are you talking about the proposed amendment ([Exhibit C](#))?

Mandi Lindsay:

Yes, that is correct.

Dan Klaich, Executive Vice Chancellor, Nevada System of Higher Education:

We are supportive of S.B. 509 (R1). We would be interested to hear the testimony on the proposed amendment which Mr. Daly gave me this morning. I would like to reserve any comments until after I hear him testify.

Richard Daly, Business Manager, Laborers Local 169:

We have a proposed amendment ([Exhibit C](#)). The purpose is to clarify, not to expand, prevailing wage. All of the listed statutes already contain the language that says you are to pay prevailing wage, including S.B. 515.

We need this extra clarification put into the law because of two examples. Senate Bill 515, page 2, line 16 says "payment of prevailing wage for public works." There has been some dispute over what a "public work" is. That was what the legislative intent was trying to affect. The second example is in S.B. 509 (R1) where it lists in statute that the prevailing wage already exists. Page 8, line 1 is going to add the provisions of *Nevada Revised Statutes* (NRS) 338.013 through 338.090 into NRS 350, where it currently does not exist. It needs to be clarified in the public works law that we intend these to cover.

The long standing public policy is that publicly financed or publicly-assisted financed, in whole or in part, projects are subject to prevailing wage. We have a preponderance of statutes here that clarify that policy. The definitions are not allowed to have any substance in that policy, so that is what the second part of the amendment states on the second page. It would add a new section that would state these projects are covered by prevailing wage law "Except as provided otherwise by statute...." If one does not have an exemption from NRS 338.010 to NRS 338.090, then the whole statute applies.

The last paragraph on the second page of the amendment lists all of the statutes referenced and should begin with the definitions—NRS 338.010—rather than at a later statute because there are several other definitions contained in NRS 338.010. There is the definition of contractor, workmen, and wages. If those definitions are excluded from these other projects, then a person could say "The Legislature intended for me not to have to meet the same definition of wages as everyone else." Back to the example in S.B. 509 (R1), page 8, line 1 starts at NRS 338.013, but we think it should start at NRS 338.010 to include all of the definitions. This amendment would clarify the existing public policy, as well as strengthen the legislative declaration.

We had a lot of debate on the rest of the provisions in S.B. 509 (R1). We wanted to move the notice and competitive bidding requirements in the NRS for as many projects as it made sense without damaging or making use of lease-purchase unworkable.

Some other technical things: the interest rate being set and giving some flexibility to a subordinate; the provision which states that they are not under the section exempt from the requirements of NRS 321, advertising for bidding.

This amendment clarifies on two levels the intent of the bill and removes doubt as to what is and is not covered by prevailing wage.

Chair Kirkpatrick:

Senator Hardy, did you know about the amendment? You were not blindsided by it?

Senator William Hardy II, Clark County Senatorial District No. 12:

I was aware of it and will make some comments when appropriate.

Assemblyman Settlemeyer:

Were these issues raised on the Senate side? If not, why not?

Richard Daly:

We did not raise these issues on the Senate side because we were working on the amendment.

Assemblyman Settlemeyer:

Did you raise concern about this issue?

Richard Daly:

We raised the concern several times. There was a bill last session over the various issues on this as well.

Jack Jeffrey, Southern Nevada Building and Construction Trades Council:

I would like to give a little history. I do not know when the original definition of "public work" was adopted. It probably made a lot of sense to stop with ten [NRS 338.010] in those days because there was not a lot of special financing, such as tax free bonds for industrial development and other projects. In 1991, we passed a bill which essentially said that if there was public participation, with financing or whatever, the project was subject to prevailing wage. The bill did not contain all of these citations. Some have been a problem and some have not. This amendment is an attempt to clear up the matter for everything that is currently in statute.

Then, in 2006, there was an interpretation by the Labor Commissioner that a project was not a public work if it was not something owned by a public body. When the bill was drafted in 1991, the same language was used that had previously been used in statutes dealing with prevailing wage. It was a simple statement that said NRS 338.010 to NRS 338.090 applied. This amendment closes the loophole to go back to pre-2006 that if, for example, industrial Revenue Bonds were used, it is a prevailing wage project. The debate when the

bill was passed was, that the developer had a choice: cheap financing or cheap labor.

Chair Kirkpatrick:

We know that you have been around a long time, and you, as well as Mr. Thompson, sat on this Committee.

Danny Thompson, Executive Secretary-Treasurer, Nevada State AFL-CIO:

This amendment that would correct the problems has come about as a result of the Labor Commissioner's ruling. After the ruling, there have been numerous projects that have been built without paying prevailing wages.

Assemblyman Goicoechea:

Are you saying that even if the private sector uses public funding, such as Revenue Bonds, to build a project, they must pay prevailing wage?

Danny Thompson:

There have been all sorts of new financing mechanisms, and many of these have been used to skirt prevailing wage laws. So yes, that is what we are trying to do.

Assemblywoman Pierce:

When was this ruling that you are citing?

Danny Thompson:

I do not know the exact date; we believe it was 2006. I will find out.

James Keenan:

With permission from this Committee, I would like to partially withdraw my endorsement until I have had a chance to review the amendment. I also need to coordinate with the members of our study commission, which requires statewide emailing.

Robin Reedy, Deputy of Debt Management, Office of State Treasurer:

I have not had a chance to review the amendment. Upon first look, some of these things were debated quite intensely in the Interim Committee. I was fortunate enough to attend all of the meetings. Lease-purchase is a unique method for government to obtain financing and build things quickly. I would like to maintain the ability to do it and not damage the lease-purchase process. I would like some time to review the amendment and see what my lawyers think about the effect on lease-purchase. It is a unique process with only a small fraction of the entire debt scope: \$50 million out of \$2 billion worth of debt.

Senator Hardy:

The amendment was not brought up on the Senate side but was bumped around during the interim study. I think you will find with every product that I send to you from the Senate, if there is a question whether prevailing wage should be paid on public funded projects, we have endeavored to clarify that in statute.

Mr. Thompson makes a valid point. The way we procured work for government used to be simple. We now have all kinds of new procurement processes, and we have lease-purchase financing and design-build schemes where the construction manager is at risk. We have tried to honor the concept that if public tax dollars are used to build the project, prevailing wage has to be paid.

This amendment presents a bit of a dilemma for me because I support the original concept of prevailing wage, and would stand with unqualified support of the amendment that was offered if there were a method for determining prevailing wage that actually determined a wage that prevailed. The prevailing wage that is paid on public jobs is sometimes double, sometimes less, sometimes equal to that in the private sector. The process we have to determine prevailing wage is such that only prevailing wage is used to determine prevailing wage. That was not the original intent. The intent was to determine what was being paid in the private sector and to make sure that it is being paid in the public sector. We have gotten far afield from that. I would like to suggest an interim study on prevailing wage, similar to the one we did on lease-purchase. I support the idea that prevailing wage should be paid when public dollars are spent.

I want to separate, in the Committee's minds, the amendment from the issues we have discussed. The amendment was presented because this bill is a vehicle. The amendment does not just address lease-purchase agreements; it addresses all of the circumstances where lease-purchase could be used. The concept presented to you today was vetoed by the former Governor. I want to indicate to my friends in labor that I am prepared to work with them to address these issues. Again, I want to make sure that the Committee understands that the amendment was brought forward simply because this bill is a germane vehicle to carry it, but it does not have to do with the specificity of the lease-purchase concept.

Mr. Sanderson brought up an issue during the interim study that we struggled with a bit but decided it was not really in the purview of the interim committee. It is a valid point and worthy of consideration: the use of prison labor on public works jobs. The use of prison labor appears to be expanding. It is something, as a Legislature, we need to review. I told Mr. Sanderson that if he came to the

table today that the two of us could write a letter requesting information on how and where prison labor is used in construction.

Patrick Sanderson, Legislative Advocate, Laborers Local 872:

What brought this issue to the table during the interim session was that another member, Pat Slasser with Clark and Sullivan Contractors, had put in a bid for the Casa Grande prison. He came in second because he did not know the prison warden while the other contractor had come to an agreement to use prison labor on the job. This lowered the cost base of the other bidder's bidding which gave him an unfair advantage.

It is said that contractors have to pay prisoners prevailing wage, but they do not unless charges are filed against them. We want every contractor to have the same chance and the same circumstances to bid. We want these agreements out in the open. The use of prison labor should be out in the open. You should not take jobs away from the State of Nevada residents and give them to prisoners. Cleaning the streets is one thing, but when it is a public works job, it is another matter.

Assemblyman Beers:

You mentioned the broadness of this bill, how it covers lease-purchase agreements. Occasionally, there are privately funded developments that wind up converting to public use or are leased for public use. How would this bill affect those?

Senator Hardy:

Senate Bill 509 (1st Reprint) would impact the requirement to advertise. For example, there is an already constructed building on the corner of Decatur and Sahara that we want to convert to government use. We would be required to advertise and say "We are doing it, does anyone have a similar building we might be interested in?" The amendment as proposed would not have any impact because it is not really specific to lease-purchase.

The Reno-Tahoe airport is a grey area. The court ruled that one does not have to pay prevailing wage. That is what this amendment is attempting to address. While prevailing wage in all circumstances is an appropriate discussion and is a policy decision that the Legislature should make, we have a lot of work to do before I can be comfortable making a recommendation. When public dollars are spent on public projects, then prevailing wage should be paid. That is clear, and I support it, but expanding beyond that is a policy discussion that the Legislature should have.

In S. B. 509 (R1), the public would have the opportunity to be notified that the government was going to purchase or lease the building for a government purpose so that anyone with a similar circumstance would have the opportunity to come forward.

Assemblyman Munford:

You mentioned using inmates as labor. Is there not a shortage of labor and workers? I had read something in the newspaper about a shortage of labor. I even spoke to Mr. Thompson about using inmates for jobs as a way to offset overcrowding. These are good reentry jobs for those eligible for parole, and there could be training programs in the prisons.

Chair Kirkpatrick:

That was whole point: to get some information so we could look at it. I do not want to speak for the Senator.

Senator Hardy:

That is right, Madam Chair. What was not clear to us was how and to what extent prison labor is being used. The point that Mr. Sanderson brings up is that regardless of how we decide to use prison labor, if we are going to use it, it needs to be part of the bid document. The contractors need to understand that, yes, this portion of the contract is eligible for prison labor. In the case that he is talking about, the Casa Grande prison, one contractor knew that the contract was eligible for prison labor and the other did not. This meant that the second contractor bid at full prevailing wage, and the first contractor bid lower, and thus won the bid. That is not fair. I am prepared to go forward with that in an amendment now that indicates that if prison labor is going to be used, it needs to be part of the bid documents so that everyone understands that it can be used.

The larger policy question is, when and in what circumstances is it appropriate to use prison labor. We need more information on that. There are opportunities in both union and non-union apprenticeship programs for prisoners for the reasons Mr. Munford mentioned.

Chair Kirkpatrick:

I would be happy to write that letter with you.

Senator Hardy:

We will have our staffs work together. They can contact Michael Stewart at any point. Speaking of staff, I want to recognize those who were invaluable to the process. I want to recognize Tracy Raxter and Jeff Ferguson from the

Legislative Counsel Bureau Fiscal Analysis Division for the work that they did on the committee.

Chair Kirkpatrick:

Are there any other questions on S.B. 509 (R1)? Is there anyone else in the audience who would like to testify on S.B. 509 (R1)? We will close the hearing on S.B. 509 (R1) and open the hearing on Senate Bill 198 (1st Reprint). Is there anyone who is in support of S. B. 198 (R1)?

Ted Olivas, representing the City of Las Vegas:

I want to thank Senator Hardy for chairing this Committee and allowing me to be a part of those deliberations. During the interim study period there were various opinions on the ability of cities to use lease-purchase agreements. I looked through the statutes to find that authority and was not able. Specifically, NRS 244.286 provides that authority to the counties and NRS 353.500 through NRS 353.630 gives the State the authority. The City of Las Vegas asked the Chair on the Interim Committee if we could change our Charter because there were differing opinions. The wording in S.B. 198 (R1) mirrors that of NRS 244.286. Instead of saying counties, it just says the City of Las Vegas.

Scott McKenna, Committee Counsel:

What Mr. Olivas has described is accurate. This proposed change to the Las Vegas City Charter is modeled on NRS 244.286, which gives this authority to counties. Since Dillon's Rule does not cover local governments having only the powers they are specifically given, if it is the desire of the Legislature to give to the City of Las Vegas this power, it would be appropriate to do it this way.

Chair Kirkpatrick:

Will the City be held to the same rules that fall within the regular lease-purchase statutes?

Senator William Hardy II, Clark County Senatorial District No. 12:

Absolutely, it does not give them any greater or lesser responsibilities with regard to the laws. I should indicate that we did provide opportunity for anyone else that felt they needed the statutory clarification to come forward, but no one else did.

James Keenan, Nevada Public Purchasing Study Commission:

Two brief points: first this issue, as with the others, was fully discussed during the interim study commission hearing, and second, we consider lease-purchase and installment-purchase a legitimate enough purchasing and financing tool that

if a local government wants to use it, it should be allowed to use it. So whatever it takes to allow local governments is appropriate.

Dan Klaich, Executive Vice Chancellor, Nevada System of Higher Education:

I would second Mr. Keenan's comments and support the bill.

Richard Daly, Business Manager, Laborers Local 169:

I do not oppose this provision. The other thing it does is sunset the limitation on the University system which we also discussed. We discussed all of these issues in the Lease-Purchase Study.

To answer the question that Mr. Beers asked earlier, what do they do with lease-purchase and how does it work? If we want to procure a building, rather than designing it, bidding it, and then building it through normal public purchasing, we want to go to a private developer who may own the land or who has capital and have him build the building with private money. We would then pay with public dollars for a lease-purchase over a term. It stretches the money. There is not competitive bidding, with the exception of what is put in S.B. 509 (R1). What I want to emphasize is that it is a partnership, but public money is paying for it in the end. That is why prevailing wages need to be required and applied, and that is what we were trying to address in the Legislative declaration.

As far as our amendment for S.B. 509 (R1), I will point out again on page 2, line 20, in the City of Las Vegas Charter, it says the provisions of NRS 338.010 to 338.090 apply whereas in NRS 353, lease-purchasing for the state says NRS 338.013 to 338.090 apply. Consistency and clarification need to take place.

Senator Hardy:

I want to be clear that Mr. Daly's amendment, while I am willing to work with him, is not necessary to ensure the prevailing wage is paid on lease-purchase. We have taken care of that in S.B. 509 (R1) and in the legislative intent. I want to create that separation.

Shaun Jillions, Legislative Advocate, City of Henderson:

In light of Mr. Olivas's testimony, I thought to testify. As is often the case with varying city attorneys, we have differing opinions of whether we have the authority to use lease-purchase agreements. We feel we do have the ability under NRS 350, which relates to municipal obligations and specifically installment-purchase agreements. That is why we did not approach Senator Hardy for a charter amendment.

Chair Kirkpatrick:

Does anyone else want to testify on S.B. 198 (R1)? We will close the hearing on S.B. 198 (R1).

Senator Hardy:

I want to thank everybody that participated in the committee. It is always gratifying as the Chairman, to have people testify that they had ample opportunity to have their concerns addressed. It was a lively discussion at times, and we had a lot of intelligent people in the room. The product is something that we can be very comfortable in going forward, using lease-purchase in this State.

We had a lengthy discussion because lease-purchase is really a two-part procurement process. The first deals with goods and services, and we decided that did not need to be further addressed. We did not ignore it, but rather decided it did not need adjustment.

I should also indicate that I am the President of the Associated Builders and Contractors of Las Vegas. This does not impact me any more than it does any one else.

Chair Kirkpatrick:

I will close the public hearing on S.B. 198 (R1). Is there any public comment? [There was none.] Is there anything from the Committee? [There was none.] We are going to adjourn until 9:00 a.m. tomorrow. [10:01 a.m.]

RESPECTFULLY SUBMITTED:

Emilie Reafs
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: May 1, 2007

Time of Meeting: 9:04 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 509 (R1)	C	Richard Daly	Proposed Amendment