

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

**Seventy-Fourth Session
February 6, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 8:01 a.m., on Tuesday, February 6, 2007, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, 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:

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

STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst
Scott McKenna, Committee Counsel
Cheryl Williams, Committee Secretary



OTHERS PRESENT:

Ross Miller, Nevada Secretary of State
Jeff Fontaine, Executive Director, Nevada Association of Counties
David Fraser, Executive Director, Nevada League of Cities
Neena Laxalt, Government Relations, Nevada League of Cities
Terri Barber, Chief Legislative Advocate, City Of Henderson
Philip Speight, City Manager, City of Henderson

Chair Kirkpatrick:

The Assembly Committee on Government Affairs will come to order. Secretary, can you call the roll, please. I would like to mark those that come in present as they arrive please. There are nine members present so we have a quorum. First of all, I would like to welcome everybody to Government Affairs. As you can tell by the time, legislative time, Government Affairs, it is 8:00, so we will be starting right on time. First of all, I need to welcome the audience members as well as those listening on the internet. As most of you know this is my first Chairmanship. It will be a nice, smooth meeting today. We have seven members who are returning, so we will give Ms. Pierce just a second and we will start with her because she is my Vice Chair this year. We also have Mr. Atkinson, Mr. Christensen, Mr. Claborn, Mr. Goicoechea, Mr. Munford, and Ms. Parnell as the returning members. However, we do have a lot of freshman this year. I am very excited to have them because I was there once last session, so you guys will get extra special treatment. We have Mr. Beers, Mr. Bobzien, Mr. Kihuen, Mr. Stewart, and Ms. Womack. We will start with Ms. Pierce and I ask everybody to introduce himself in a couple minute presentation. Say a little bit about yourself, and where you are from. We will start with Ms. Pierce.

Assemblywoman Peggy Pierce:

Thank you, Madam Chair. I apologize for being late this morning. I am Assemblywoman Peggy Pierce from District 3 in Las Vegas, which is on the west side of town. If you know Las Vegas, it is sort of Arizona Charlie's out to Rampart on Decatur. My district is one of the original tract home developments in Las Vegas. It was built in the 1950's and 1960's as the 95 freeway got built. I live in a 50-year-old house, which is unusual for Las Vegas. It is every bit as aggravating as a 50-year-old house is everywhere. On my day job I work for the United Labor Agency of Nevada, which is a United Way partnering agency and the community services on the ALF-CIO. This is my third term in office. I have been on this committee for the two other terms, and I am very happy to be back here because what we deal with here is very interesting to me.

Chair Kirkpatrick:

With that, we will move on to Assemblywoman Parnell.

Assemblywoman Bonnie Parnell:

Thank you, and I first want to congratulate you for being selected to chair this Committee. I think you [Chair Kirkpatrick] will do a wonderful job. Take a deep breath, and it is fun. I sure enjoyed chairing the Education Committee. I am Bonnie Parnell. I represent this building. I represent Carson City, and the Eastlake part of Washoe County. So it is always fun for me to come back because I know so many people that work in the building, including former students that I taught. I taught school for 27 years. Twenty-three of those in Carson, and it is kind of fun now. I have two new employees to the building who were former eighth-grade students of mine at Carson Middle School. I think I might be the Senior member on this committee now. Senior, I hope not necessarily in age, but in terms served. My first term was 1999 and I have served on this Committee every session I have been in the Legislature and enjoy it. And I enjoy working with the city and county folks. Thank you.

Chair Kirkpatrick:

Thank you, Ms. Parnell. Mr. Claborn.

Assemblyman Jerry D. Claborn:

Thank you, Mrs. Kirkpatrick. First of all, I would thank you for being our new Chairwoman. It is going to be gratifying to see how we all work together here, and we are all going to do a lot of good for the State of Nevada. My name is Jerry Claborn, I represent District 19 in Las Vegas, Nevada. It is called the northeast quorum. It actually encompasses Nellis Air Force Base to Sunrise Mountain down Owens, and a little part of it just borders North Las Vegas. I have no constituents in North Las Vegas. This is my fifth term and my second time on this Government Affairs. I am happy to be back. We have a lot of work ahead of us, and I think we are going to make the public happy like we did last time. I appreciate being here, and I appreciate all the people that come down and give us a hand to make this State of ours a better state. And that is all we strive for: to make things better for our constituents and our people that we represent. Thank you very much, and I hope I do a good job.

Chair Kirkpatrick:

Thank you, Mr. Claborn. Mr. Atkinson.

Assemblyman Kelvin Atkinson:

Thank you, Madam Chair, and congratulations. I am happy to be on this committee with you. I am happy to be back. I represent District 17 in North Las Vegas. It may not matter to you, but [District 17] goes from Valley down

to Nellis. Actually, I border Mr. Claborn's district as well as Mrs. Kirkpatrick's district. I represent a large part of the newer North Las Vegas and a small part of the old, and so I have a little mix of everything. Again, this is my third term and I am happy to be back and happy to be as supportive as I can to our Chairwoman. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Atkinson. Mr. Goicoechea.

Assemblyman Pete Goicoechea:

Thank you, Madam Chair. Congratulations, and I look forward to a very productive session with you. This is my third session on Government Affairs, and this is my third Chairman in Government Affairs. Either we are doing well or we are doing real bad. I do not know which. Again, I am Mr. Goicoechea. I represent District 35, which starts at the Utah border and goes into Washoe [County]. I have all or part of eight counties, so other than Ed Goedhart, I probably have the largest Assembly district as far as miles. I believe Ed [Goedhart] got me topped off a little bit out of Nye County. I think I have the best district because I have the best people in it. There is nothing like representing rural Nevada. We have some diverse issues, but it is great. I look forward to being here. I served 16 years as a county commissioner, so I have a pretty good feel for local government and some of the county/city issues. Again, I really enjoy this Government Affairs Committee. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Goicoechea. Mr. Munford.

Assemblyman Harvey J. Munford:

Thank you, and congratulations to you. This is my second term in Government Affairs. In Las Vegas, I represent District 6, and I am really happy to be again here and to see some of my fellow colleagues again and even some of the fellow lobbyists out there. It is good to see them again, and I want to welcome the new freshmen, and am looking forward to working with you and having a very productive session this time. I am happy myself not to be a freshman. That is really a tough situation, but I feel really good about being here, and I think I have more confidence and understanding and knowledge. I am here to get things done and make something happen. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Munford. Mr. Stewart.

Assemblyman Lynn D. Stewart:

My name is Lynn Stewart, and I represent the largest district population-wise, District double deuce, 22, the beautiful Henderson, a place to call home. I am a freshman, although, I am one of the older ones; hopefully, I am young at heart. I enjoy working with Mrs. Kirkpatrick, I am used to taking orders from women. I live with my wife of 40 years and my mother-in-law, who is 96, and so I have had plenty of practice. I look forward to continuing that great tradition.

Chair Kirkpatrick:

Thank you, Mr. Stewart. Mr. Kihuen.

Assemblyman Ruben Kihuen:

Good morning to everyone, my name is Ruben Kihuen. First of all, I would like to congratulate you for your Chairmanship. I represent District 11 from Las Vegas. For those of you who do not know where District 11 is, it is the Eastern and Bonanza area. It is part of the old eastern part of Las Vegas and also a portion of North Las Vegas. On my full time regular job, the one that actually pays me, I am a full time academic advisor at the community college. So I help students with their college education, with their financial aid, and so on. Also, for those of my constituents that may be listening, I want to say thank you for electing me and trusting me to be in this office, and I promise that I will not let you down. For all of you lobbyists, welcome, and I look forward to working with all of you.

Chair Kirkpatrick:

Thank you, Mr. Kihuen. Mr. Christensen.

Assemblyman Chad Christensen:

Thank you, Madam Chair. I am Chad Christensen, and I am happy to be here. I was told that we would be meeting on the sixth floor today and I was running around frantically. I am just glad that I was able find you all here waiting for me. I represent District 13 in Las Vegas. This is my third term, and I will never forget when I was shown the Legislative map and so many of the Las Vegas districts were clustered together, kind of like a Monet; here is a green spot, that is District 5, and here is this yellow spot that is District 2. So I was looking for [District] 13. That is my district. It is where there has been a tremendous amount of growth, and as we have done the math, we realize that I represent pretty close to 8 percent of the entire state population. This district for me has been a very big deal because of many familiar faces out there that I have enjoyed working with through the years, and I look forward to it. Madam Chairwoman, congratulations to you, and I am looking forward to a very interesting, exciting, and successful legislative session.

Chair Kirkpatrick:

Thank you, Mr. Christensen. Mr. Bobzien.

Assemblyman David Bobzien:

Thank you, Madam Chair, and congratulations on your achievement. I represent District 24. My name is David Bobzien. District 24 is in Washoe County. I think I am the only member on this committee whose district is entirely within Washoe County. It is old northwest Reno, parts of northeast Reno, and parts of the North Valleys. I think we are facing some very interesting issues in terms of growth and revitalization of urban courts at this time in my district. My own experience is my day job; I am a web developer, but my academic background is in public administration, and I think that this committee assignment is sort of a homecoming, or an inevitable result of a rather bizarre childhood. I watched my father, who is now a county attorney in Virginia, on local public access shows while he was on the planning commission when I was a kid. This is what you end up doing: serving on the Assembly Government Affairs Committee. Hopefully, I bring some of that background and some of that knowledge to this, and I am looking forward to a great session.

Chair Kirkpatrick:

Thank you, Mr. Bobzien. Mr. Settelmeyer.

Assemblyman James Settelmeyer:

Thank you, Madam Chair, and I want to congratulate you on becoming the Chairman and also want to thank the rest of this distinguished board for making us feel welcome as freshman. I represent District 39, which is all of Douglas County and the entire Lake Tahoe bowl, meaning Carson City. In about 700 acres of that, there is not one voter. I also represent the Washoe portion of Incline Village, basically everything below the Mt. Rose Highway. I spent several sessions on the other side of this desk, it is a little bit strange to be on this side and not testifying, so it shall be interesting. Thank you kindly.

Chair Kirkpatrick:

Thank you, Mr. Settelmeyer. Mr. Beers.

Assemblyman Bob Beers:

Thank you, Madam Chair, and let me say hearing the sense of humor you have, I have a feeling we have a Chairwoman who is going to be here for more than one session. I represent District 21, which is essentially Green Valley with a few portions here and there on either side of it. Green Valley is an example of what can be done to a toxic dump if you really put your mind to it. It is a marvelous place. I walked almost every single street, and that is why I am limping when you see me walk from the committee room. It is a sea of red tile

roofs, primarily a combination of working class and business owners and just marvelous people. I look forward to this session; this is definitely going to be a learning experience. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Beers. Ms. Womack.

Assemblywoman RoseMary Womack:

Thank you, Madam Chair, I am looking forward to working with you and Assemblywoman Pierce and all of my colleagues. As a freshman I will be crying out a lot for help, and I know I will get it. Good morning, everyone, I am from District 23; that is old Henderson. If you have been to Henderson lately, especially the older part of Henderson, you will know that redevelopment is changing the face of District 23. I am pretty proud of that. I am retired. I was in real estate and real estate development for 28 years. I have talked to many of you prior to this meeting, and I am looking forward to working with you and my colleagues. Thank you.

Chair Kirkpatrick:

Thank you, Ms. Womack. Next, I would like the Committee staff either to stand or to raise your hand so that everybody knows who you are. To my left is our Committee Policy Analyst, whom I have spent a lot of time with, Amber Joiner. Next to Amber is the Committee Counsel, which is Scott McKenna. In the audience is our Committee Manager, Cindy Carter. Taking our meeting today is one of our Committee Secretaries, Cheryl Williams. Our other Committee Secretaries that will take the minutes during other meetings are: Mary Kay Doherty, Rachelle [Myrick], and Emilie [Reafs]. We also have a Committee Assistant, Olivia Lloyd, who is responsible for setting up everything in the mornings. And then we will have an intern, Travis Hackney, who will be assisting us upstairs. With that said, I would like to thank you for indulging and taking a few minutes just to know who the committee is. I think we have a really great committee and an excellent staff, and I am very excited myself to be chairing the Committee and working in Government Affairs to get some good policy.

With that we will get down to business. We will start with our first order of business today, which is to adopt Committee Rules [\[Exhibit C\]](#). Each of you should have a copy of the Committee Rules. I would especially like to point out little things that would have been a little more helpful to me as a freshman. I would like to point out Committee Rule 14, which states that whenever you vote on something to get it out of committee, it does not necessarily mean that you will be voting for it on the floor. You will have the option to hold that reservation. Are there any other questions on the Committee Rules?

With that I will entertain a motion.

ASSEMBLYMAN GOICOECHEA MOVED TO ACCEPT
COMMITTEE RULES.

ASSEMBLYMAN CHRISTENSEN SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Kirkpatrick:

Next our Policy Analyst, Amber Joiner, will present the Committee Policy Brief [\[Exhibit D\]](#).

Amber Joiner, Policy Analyst, Legislative Counsel Bureau [LCB]:

Good morning, thank you, Chair Kirkpatrick and Committee members. For the record, my name is Amber Joiner, and I am very honored to be the Policy Analyst for the Committee this session. I work in the Research Division of the Legislative Counsel Bureau [LCB] and as such I would like to remind you that as an LCB employee I am completely non-partisan and will never support or oppose any legislation. I would like to call your attention to the Policy Brief [\[Exhibit D\]](#) in your packets this morning. I am going to go through it very briefly and then you can refer back to it later. First of all, the Assembly Committee on Government Affairs is one the busiest committees in the Nevada Legislature. During the last legislative session in 2005, 156 bills and resolutions were referred to the committee, making it the third busiest committee in the Assembly. The Judiciary Committee reviewed 167 and Ways and Means reviewed 272. The only committee in the Senate that has more measures, at least the last Session, was the Committee on Finance with 223.

The Committee has jurisdiction over a wide range of issues, including state government executive departments, open meeting law, the formation of organization of counties and townships, planning and zoning, development and redevelopment, public employees retirement and benefits, public works and planning, libraries and museums, military affairs, veteran services, et cetera. There is a list of staff members on the bottom, and if you ever need to contact us, please do. On page 3—I am sure that you are all very familiar with the 120-day calendar by now—there are a few key deadlines for the Committee in particular. The first is next Monday, February 12, 2007. All of your individual bill drafts are due to the legal division. February 23, [2007], is the date final committee BDRs are due. March 19, [2007], is the introduction of all bills requested by an individual legislator. March 26, [2007], is the final date for

introduction of all bills requested by a committee. April 13, [2007], is a big day in the Committee—all of the policy bills need to be out of this Committee or they will die. Next will be April 24, [2007]. That is when all of the bills are out of the first House. May 18, [2007], the bills must be passed out of the committee of reference in the second House; so that is when we get all of the Senate bills that are coming to us, and they need to be out of this Committee by then. Then on May 25, [2007], all the bills must be passed out of their second House. Then on June 4, [2007], Sine Die.

On page 4 there is a table of county and city information. The first is counties by population. This becomes important because we will often see legislation that says that it applies only to counties of a certain population, over 400,000, over 100,000, et cetera, so this gives you a quick reference of who it actually affects. You may notice that I put the 2005 estimates of populations in parentheses; those are from the State Demographer's Office. However, we use the Federal Census when we are determining which will be affected. It might just be interesting to note that some may be jumping their categories when the next census is done if the trends continue. The next two tables are just for your information: incorporated cities in Nevada, Charter versus General Law, and also the different categories. Pages 5 through 7 are a list of key contacts that you may find yourselves needing to speak to. And then on page 8, it is Committee jurisdiction. The wide range of topics that fall within the jurisdiction of this Committee cover chapters in 20 of the 59 titles in the *Nevada Revised Statutes* [NRS]. It is also important to note that although the Senate and the Assembly Committees on Government Affairs process many of the same measures, their jurisdictions are not identical. So, just because a piece of legislation comes out of this Committee, if you are trying to track it, it may not go to the Senate Committee on Government Affairs. You can see some examples in there: We usually get the water bills, but the Senate Committee will not; likewise we may get certain public personnel benefit type topics, and they may not, so you may just want to keep that in mind.

Pages 8 through 12 cover the jurisdiction of the Committee. I will not go through those in detail, but it gives you an idea of all the topics that we will be covering. On page 13 are some statistics about the committee activity last session. As I said, 156 bills and resolutions were referred to this Committee in 2005; 81 percent of those were voted out of the Committee. If you would like a summary of the legislation from any committee, there is a publication called Summary of Legislation 2005. It is available at the Legislative Counsel Bureau's publications office. If you would like one, please just let me know, and I would be glad to order one for you.

The next is anticipated topics during the 2007 Legislative Session. This list was obtained by reviewing the BDR list and also looking at the interim study recommendations that came out. More than 100 different topics were found and so a quick summary of those are there. You can see that they are grouped by category: Executive Department Procedures and Organization, Libraries and Museums, Local Governments, Military Affairs and Emergencies, Public Employees, Public Works, Water, Zoning, Planning and Building. Finally, on page 15, there is a list of some of the interim studies that pertain to the topics that are under this Committee's jurisdiction. They include the availability and inventory of affordable housing, the consolidation of water-related services in Washoe County, as well as a study on use management allocation of water resources, lease-purchase and installment purchase agreements, and then the Public Employees' Benefits Program. Page 16 is a list of some of the publications that are available in the Research Division. I have given you the website links for all of those, but I am also happy to provide paper copies if you would like.

Then just to conclude, I would like to emphasize that the Research Division of the Legislative Counsel Bureau is available to provide you with assistance on any issue related to topics of the Committee. Also we provide individual legislators with research and information on any topic, and I would like to emphasize that this is always entirely confidential. My information is there, so, please feel free to contact me, or anyone at the Research Division, and I am happy to answer any questions.

Chair Kirkpatrick:

Thank you, Ms. Joiner. Are there any questions? You are excused. We are going to move on to some presentations. I think we are pretty much on time. I would like to welcome our Nevada Secretary of State, Mr. Ross Miller. First of all, congratulations on a job well done yesterday, it was very smooth and very nice in the Assembly.

Ross Miller, Nevada Secretary of State:

Good morning, Madam Chair, Vice Chair, and members of the Committee. For the record, I am Ross Miller, Secretary of State. I would first like to introduce my staff who are with me today. First, I have Matt Griffin, who is my Deputy for Elections; Scott Anderson, who is the Deputy for Commercial Recordings; Keith Thomas, who is the Deputy for Operations; and my Chief Deputy Secretary of State, Nicole Lamboley. I provided all the members with a copy of our annual report [[Exhibit E](#)] that we are required by law to submit. It was produced following the close of the fiscal year. It was produced by Dean Heller. Just by way of review, the Secretary of State's office is the third highest constitutional office in the state. These are four members of a staff of 136.

We maintain offices in Las Vegas, obviously, the Capital, and Reno. We generate about \$100 million in revenue throughout the various divisions. The Secretary of State oversees all the commercial recordings in the State, serves in many capacities as the State's official record keeper, has a Securities Division that is enlisted with the task of overseeing the Notaries Division, and also serves as the State's Chief Elections Officer. In addition to that, the Secretary of State serves on numerous boards, serves on the Board of Examiners, the Tahoe Regional Planning Agency, as Chairman of the State's Records Committee, and on the State Board of Prison Commissioners.

The \$100 million that office generates is a significant amount of revenue. It boils down to about \$750,000 per employee that we have in the agency. The bulk of that comes to the Commercial Recordings Division. The Commercial Recordings Division generated last year \$89 million in revenue. That was a record year for the Commercial Recordings in terms of filings. We had about 310,000 business filings last year that went through that office. The number of filings puts us second per capita, just behind Delaware in the entire country. So, many businesses recognize that Nevada is a place to incorporate, and, obviously anybody that does business with the State of Nevada has to do business through the Secretary of State's office. Dean Heller, my predecessor, implemented the e-SoS [Electronic Secretary of State] system, which is an electronic filing system, which is a good reason why many companies chose to incorporate in Nevada. In 2005, that e-SoS system was recognized and given an award. It makes things efficient and integrated and easy to process on our side. Also, it makes it very easy for the business owner. You can file all your list of officers on line. We are working to continue to digitalize that process and replace all the paper documents, trying to get the office paperless, as much as we can. We are also moving ahead in trying to figure out, to the extent that we can, how we can make services even more efficient and integrated in state government, so that the office can be more of a one stop shop for all your business transactions with the state. We are working actively with other state agencies to figure out which filings are taking place in them and whether or not that is something that we can integrate our processes with.

We also received the Securities Division, which is responsible for the licensing and enforcement of securities, since bad business is not good for good business either. That is an area that we obviously want to be very aggressive with. We are going to launch a fairly aggressive investor education program to get out there in the public and help educate them to the schemes that we have seen out there. We are going to release an aggressive investor education program to target the Ponzi schemes and the con men that have relocated to Nevada in an attempt to target the senior population. But Nevada is also a very pro-business state and has a unique capital market structure, so we are going to try to

promote that as well to try to get more filings through the Securities Division. The Securities Division generates about \$20,000,000 in revenue so it is not insignificant either. Most of those operations take place in Las Vegas. There is a staff of 22 within the Securities Division; they actually have eight peace officers, and criminal investigators that are located within our office. Six of those are in Las Vegas, and two up here. They investigate a lot of the claims. We had one just last week that got a fair amount of notoriety, where an individual had been taking advantage within the Hispanic community with investment schemes. We were able to make an arrest fairly quickly on that, and we have been working actively in that population to try to educate them that the resources are available within our office to be able to investigate any investment schemes.

Probably the most high-profile component of our office is that we service the State's Chief Election Officer, and so we are working actively towards those goals. In 2002, the federal government passed the Help America Vote Act, which was a significant act that put a lot of requirements on the states in an attempt to create uniformity throughout the country in the electoral process. It replaced punch card voting and put minimum standards in place across all the country as to how to govern and administer the elections. We are still actively coming into compliance with a lot of those laws and regulations. The federal government gave us significant grant money to be able to replace a lot of our machines. They gave us just over \$21,000,000. A lot of those funds were used to purchase electronic voting machines, especially in the rural counties. We have about 4500 electronic voting machines throughout the state. All of those machines have voter verifiable paper audit trails. We were the first in the country to implement those. We also, under HAVA, are required to maintain a statewide voter registration database, which we have done. The previous administration had elected to go with a vendor to create a statewide voter registration database after two months of preparing for what they would refer to as a topdown system where all the information would be maintained at the statewide level in terms of the voter rolls and the registered voters. Covansys was unable to come into compliance and unable to perform on the contract, so in anticipation of that, Dean Heller had implemented a provisional plan which was to convert it to what is referred to as a bottom-up system, which means that each of the counties maintains their own individual lists and feeds them up to the Secretary of State's office nightly. It is at that time that we run the lists through vital statistics and determine whether or not the people are still alive and able to vote. We run the lists through DMV [Department of Motor Vehicles] to try to get rid of a lot of the duplicates, and we are supposed to then run them through the criminal repository to make sure that there are not unqualified felons on the voter rolls. But that is not currently being done; it is being done at the county level, but we are actively exploring how we are going to be able to

get that done by running them through the criminal repository. That system worked very well. One of the advantages of it is that each of the counties is now able to maintain their own lists individually, so that went off without a hitch. We are going to continue to invest into the NevVoter file, which is our statewide voter registration database and keep up the port on that end. With respects to the election law, obviously, we are actively preparing for a pretty significant election coming up here in 2008. Nevada is anticipated to be a battleground state once again. I think anytime that we have a race that is anticipated to be this wide open, and we have a battleground state, we have to make sure that all the components are in place so that when the national microscope comes looking at Nevada, we are assured that the electoral process that we have in place is going to withstand that kind of scrutiny. So we are working actively with the clerks. The clerks have a bill that we are going to stand behind. It will clean up a lot of the language that is currently in the statutes that just needs to be addressed. There are things like the punch card voting, which obviously we no longer have, that are still in the statutes that govern elections. There is also no mechanism to determine paper ballots, mail in ballots, when an individual casts a ballot, or when there are over-votes. The guidelines that are in place to be able to review a voter's intent, all those kinds of things, have a very real potential to cause an electoral meltdown should Nevada come under the scrutiny of the national media in a very tight election. So we are trying to address that. Also in the area of elections, we want to make a big push for campaign and election reform, to put more transparency in the system, and increase a lot of the penalties for election abuse when we see it. I think that is the main functions of our office, and we would be happy to answer any questions that you might have for us.

Chair Kirkpatrick:

Thank you, Mr. Miller. I think it is important, because we write policy for our constitutional officers, to have them come before us and give us a rundown. So if there are any questions for Mr. Miller, please feel free to ask. Mr. Stewart.

Assemblyman Stewart:

Madam Chair, Mr. Miller, do we have any paper ballots still being used in the State or are the 4,500 voting machines covering the whole state now?

Mr. Miller:

We use paper ballots. We have optical scan ballots that are used from mail vote, for the disabled, the infirm, and the people that cannot get to the polls. Obviously, servicemen overseas make good use of the mail ballots. The only statistics that I am aware of are from the last electoral cycle in Clark County. About 10 percent of the vote was cast through mail ballots, and they are able to process them on time. Nevertheless, with the expected volume of those, we

just want to make sure we have the standards in place so that we are able to count those ballots fairly and accurately.

Assemblyman Stewart:

But, other than that, do the electronic voting machines cover the whole state, other than for these special circumstances?

Mr. Miller:

Each county uses the electronic voting machines with those voter verifiable paper trails.

Assemblyman Stewart:

Thank you, Mr. Miller.

Chair Kirkpatrick:

Thank you, Mr. Stewart. Mr. Kihuen.

Assemblyman Kihuen:

Thank you, Chair. And thank you, Mr. Secretary of State, for the presentation. I just want commend you and your staff for everything that you did in catching this Mexican Chamber of Commerce thief. Because a lot of those people he was stealing from were my constituents, I heard a lot of great things about your office and what you guys did and I look forward to working with you as well.

Chair Kirkpatrick:

Thank you, Mr. Kihuen. Mr. Goicoechea.

Assemblyman Goicoechea:

Thank you, Madam Chair. Congratulations, Ross [Miller], I am sure you will do a great job. I just have a question, which has been an issue that I am sure you are facing across some of the rural areas; that is your contract with Sequoia. It concerns when they come back in and do the recounts and, in fact, I think there have been several suits filed in different counties, including Churchill, both of the counties I represent. Are you familiar with the cost of having the contractor, Sequoia, do the recount process? Are you aware of that, or are you familiar with the details?

Mr. Miller:

We have been working with the clerks, and obviously, I think it is a significant concern for us. So we are trying to find the right remedy for it. One of the ideas that we have explored is consolidating to the greatest extent possible. A lot of the maintenance functions that take place are actually consolidated within the office. In Clark County their budget affords them the luxury of their own

maintenance staff in place, so they are not so reliant on Sequoia. Come election time, it is obviously a significant barrier for many of the people in the rural counties because they do not take as much priority as a county like Cook County when they come calling in Chicago when problems may arise. One of the ideas that we are exploring is whether or not we could train our own staff to respond to those problems. We also want to take the lead in helping those counties negotiate the maintenance contracts so that we can speak with a unified voice, so that they are not on their own out there trying to negotiate with Sequoia as to how much a maintenance contract would cost.

Assemblyman Goicoechea:

Thank you, Secretary of State Miller, and again, it is real clear to you that the cost is a real burden on some of these smaller counties. I understand Sequoia's position, but it is very expensive. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Goicoechea. Mr. Beers.

Assemblyman Beers:

Thank you, Madam Chair. Mr. Secretary, you mentioned the e-SoS system and paperless filing. There are still some forms that I experienced myself as a candidate that were not available for electronic filing. Is this process going to continue to remove those, to make this more paperless, and, if so, when will we see a finalization of it?

Mr. Miller:

Well, we are moving as quickly as we can to get everything digitalized. Refer to my Deputy for Commercial Recordings as to when we would be able to be paperless in all components of the office. We are fairly close in terms of processing most of those transactions.

Assemblyman Beers:

Thank you.

Chair Kirkpatrick:

Thank you, Mr. Beers. Are there any other questions? Mr. Settlemeyer and then Mr. Bobzien.

Assemblyman Settlemeyer:

Thank you, Madam Chair. Mr. Miller, congratulations on your election. I just had a question: how much time does it take to verify whether or not someone is deceased, or a criminal?

Mr. Miller:

The batch of filings is provided to us nightly, and it is an electronic process so I believe it is almost instantaneous. We run it through their digital system and it throws out any duplicates, if there are any, through the DMV, and, obviously, it would throw out any individuals who are deceased.

Assemblyman Settlemeyer:

And that batch is sent to you weekly? Nightly?

Mr. Miller:

Nightly.

Chair Kirkpatrick:

Thank you, Mr. Settlemeyer. Mr. Bobzien, and then Ms. Pierce.

Assemblyman Bobzien:

Thank you, Madam Chair, and thank you, Mr. Miller, for joining us today, I have a constituent in Reno who relates to me that there was an issue with a number of people who live in my district and may not be constituents: University of Nevada, Reno, students who may not understand that in Nevada, counties are primarily responsible for how elections are conducted. With the proliferation of early voting in Nevada, I think a number of the students at the University of Nevada, Reno, thought that rather than turn in their mail ballot for their Clark County registration, they could just come to Washoe County and do early voting. Is there any possibility of coordination through your office with the various county registrars to provide some kind of statewide early voting?

Mr. Miller:

We have not discussed it, and certainly it is not something I would like to explore before 2008.

Chair Kirkpatrick:

Thank you, Mr. Bobzien. Ms. Pierce.

Assemblywoman Pierce:

Thank you, Madam Chair, and Mr. Miller. What do you mean by unique capital market structure?

Mr. Miller:

In Nevada we allow for registration of securities by registered offerings. As I understand it, it is much easier than it is in other states to help raise revenue for some companies. And so I think we can try to promote this to companies that are trying to raise money, especially for small businesses that may not be able

to immediately trade on the NASDAQ Stock Market so that we can help foster an environment where they are able to solicit individual investors within our state to help generate enough revenue and capital so that the business could operate properly. We are not a merit-based state in terms of our securities offerings in terms of registration, so we do not look at the merit of whether or not the company looks like it is going to succeed or not, which some states do. We simply take the filing, and as long as you are registered with the Securities Division and you have paid your fees, you can sell the securities to help raise money. So it offers some benefits. Some states have much more stringent requirements that make it more difficult to raise money in the securities industry.

Assemblywoman Pierce:

Okay, thank you very much. One more question. On the subject of elections, how long is the paper ballot kept? How long do we keep those?

Mr. Miller:

Two years.

Chair Kirkpatrick:

Thank you, Vice Chair Pierce. Any other questions? With that, I would like to thank you, Mr. Miller, for coming before our Government Affairs and we thank you for your presentation.

Our next guest will be Mr. Jeff Fontaine, who is the Executive Director of the Nevada Association of Counties [NACO]. Mr. Fontaine, just because I promised my secretaries I would, I am going to ask that if you use any acronyms to please tell us what they are, because it is better to ask them now than to try to decide what they are later. With that, I would like to welcome you to Government Affairs. I have asked that all presenters have five to seven minutes because I feel it is important that we have plenty of time for questions. Thank you.

Jeff Fontaine, Executive Director, Nevada Association of Counties:

Thank you, Madam Chair. For the record, NACO is the Nevada Association of Counties, and, also for the record, I am Jeff Fontaine, Executive Director of NACO. Our NACO team includes Vincent Guthrie, our Government Affairs person. You will see a lot of Vincent over the course of the session. Vicki Streeter is our Executive Assistant. I have only been with NACO about five weeks, but I have had the opportunity to work with the Association during my almost 20 years in state service. Vincent is relatively new, and Vicki is the senior member of our team with nine years with the Association. I want to thank this Committee for the opportunity to present an overview to you on our

Association. What I would like to do briefly this morning is give you a little bit of background on NACO and about our county members, what we do at NACO, our affiliation with the National Association of Counties, and then, lastly, some major issues that I believe are common to all of our counties. As I mentioned, NACO is the acronym for the Nevada Association of Counties. It was formed in 1924 under the name of the Nevada County Commissioners Association, and so we believe it is one of the oldest associations in Nevada. It has a rich history, and it has been well preserved over the years. NACO is a non-profit, non-partisan, state association for county government officials and staff. We are made up of representatives from all of the 17 counties in Nevada. We have affiliate members, which include seven statewide associations that represent district attorneys, judges, assessors, sheriffs, treasurers, clerks, and recorders. We also have some private industry partners that we have as associate members. We also have government partners. We have a Board of Directors that is made up of a county commissioner from each of the counties. We also have a representative for each of our affiliate members on our Board of Directors. Our Executive Committee consists of a president, who is currently Elko County Commissioner John Ellison. We have a president-elect, currently Douglas County Commissioner Jim Baushke, and vice president, currently Washoe County Commissioner Bonnie Weber. We have an at-large member of our Executive Committee who is chosen by the Board; that is currently Carson City Supervisor Robin Williamson. Our by-laws state that the basic concept of the Associations of Counties, the general purpose government encompassing both unincorporated and incorporated areas, thereby, servicing all people within the state should execute initiative and leadership and assume responsibility in dealing with problems and needs requiring attention and action on a statewide basis. In your handout [[Exhibit F](#)], on the third page, is our mission statement; let me read it very quickly:

"To encourage county government to adopt and maintain local, regional, state and national cooperation that will result in a positive influence on public policy and optimize the management of county resources; to provide valuable education and support services that will maximize efficiency and foster public trust in county government."

It is our belief that county government, being closest to the people, has the opportunity to make positive change and lead our communities in the future. We work to provide our counties with the resources to achieve its end. Now, just briefly, a little history and background on both the counties and about what NACO does. There are a couple pages in that handout that describe county histories, but, briefly, the first Nevada Territorial Legislature established nine counties in 1861. Three of those nine counties Esmeralda, Churchill, and

Humboldt—comprised four-fifths of the entire Nevada Territory. In 1889 Washoe County was then formed and, then in 1909 Clark County was formed. Of course, over the years, the state has created and evolved into what we are today, which is 17 counties. They range in population from 1003 residents in Esmeralda County, to the estimated 1.8 million residents that we have today in Clark County. They range in size from Storey County, which is the smallest at 264 square miles, to Nye County, which is over 18,000 square miles, making it the fourth-largest county in the United States. There are some statistics in that handout as well in terms of population size of the counties. Now, historically the role of counties has been to serve as the administrative arm of the state: maintaining records, providing courts, law enforcement, fire protection, development review, building safety, health and welfare assistance, assessing property, collecting taxes, even building and maintaining roads and conducting elections. Counties for the most part still perform these functions and many others through their elected officers, including the Boards of County Commissioners of Supervisors, elected sheriffs, recorders, treasurers, district attorneys, and so forth. And today county governments really wear many hats, and, of course, in recent years counties have taken on new duties, like promoting economic development, facilitating technology infrastructure improvements, assuring care to the elderly and indigent and, of course, being first responders in incidents, being in the front line of homeland security. At NACO, we strive to provide a wide array of technical support. We have financial Consultant Hobbs, Ong and Associates that helps us with some of this work. We conduct research on issues that are important; we network with the state and federal officials in agencies and provide training to the elected officials and their staffs. Finally, of course, we represent the counties before you, this elected legislative body, to seek new laws, and when appropriate, amend existing laws so that we can be responsive and efficient. Our membership serves on several boards: Two county commissioners are on the Nevada Rural Housing Authority; one is on the Nevada Commission of Nuclear Projects; five are on the Board of Trustees for Hospital Care to Indigent Persons, which is appointed by the Governor. This last board was established pursuant to NRS 428. That board administers two funds and determines whether or not to pay claims. One is the Indigent Accident Fund, and the other is a supplemental fund. The Indigent Accident Fund, or the IAF, was created by the Legislature in 1983 for the purpose of reimbursing the hospitals for the vast amounts of expenses that they realize in the treatment of indigent motor vehicle accident victims. That fund is provided through a half cent ad valorem tax on each \$100 assessed value. The supplemental fund is for medical assistance to indigent persons. That was also created by the Legislature in 1985 and helps counties in terms of their catastrophic hospital bills when counties have exhausted their regular budget. That is also funded by a 1 cent ad valorem tax.

Let me shift very quickly to the National Association of Counties. We are a state affiliate of that association, which represents nationally over 3,000 counties. All of the counties are dues paying members to the National Association. They represent counties on the national level to provide education and training and so forth. Most of their work is done by 11 steering committees. We have very active participation by Nevada officials in the National Association. There are two programs that I want to mention very quickly at the national level. I think they are applicable to our state; one is the U.S. Communities Government Purchasing Alliance that provides local governments the opportunity to purchase supplies, mostly office supplies and equipment, based on nationally bid contracts. The second is a prescription drug discount program for uninsured and under-insured county residents. It is a partnership with a national company that provides a discount card and can save on average 20 percent off the retail price of a prescription medication. The final portion of my presentation this morning is really about our issues at the county level. As you can imagine, with the diversity of our counties, it is perhaps a little difficult to come up with common issues, but I want to characterize those three common issues in a general nature and then one very specific issue that all the counties are dealing with. The three general issues have to do with growth and economic development, the second being unfunded mandates, and the third general county efficiency and responsiveness. The specific issue that affects all of our counties is the methamphetamine epidemic.

First of all, growth and how to manage it is an important issue for all of us. Now that Nevada has taken a back seat to Arizona as the fastest growing state, perhaps that will give us little time to catch up, but the state still grew over 4 percent last year, and 14 of 17 counties experienced a population growth. Topping the list was Lyon County here in Northern Nevada that had a population growth of 10.6 percent in Fiscal Year 2006. As we all know, the growth just places additional demands on vital county services. It places additional demand on natural resources and infrastructure, housing and, of course, hand in hand with that growth is a need for economic development, especially in rural counties. All of our counties are looking for ways to increase and diversify their job bases, but it is especially important in rural counties, and even more so in those three counties that actually lost population in the last fiscal year.

Unfunded mandates, we have all heard the mantra, you will no doubt hear it again this session. There are going to be new requirements that the federal government is imposing on states and counties without imposing, or appropriating funds, I should say, for the purpose of those directives. No one likes them, and there are many reasons why the county has problems with unfunded mandates. Most importantly, they put counties in the position of having to choose between cutting or limiting services or raising taxes. Now,

there has been a lot of debate over the years about unfunded mandates, even here in Nevada, with valid ballot initiatives, and so forth. Our position is this: the provision of vital services is really dependent on a partnership at federal level, the state level, the local level, and even incorporating the private sector so that we can use what public resources are available to really prompt efficiency and cost effectiveness. What we would request, and respectfully request this session and forever more, I suppose, is the opportunity to establish a dialog and to work with you in a collaborative method so that we can understand what impact various bills will have on counties, so we can be efficient.

The third general issue is the efficiency and responsiveness of county governments. As I mentioned earlier, county governments wear many hats and they simply need the tools and the flexibility to do the jobs and to carry out the day-to-day activities so that they can be as efficiently responsive as possible.

The final issue, the very specific issue that we will be hearing about this session, is the scourge of the methamphetamine epidemic. It is destroying lives. It is really impacting our communities. We have all heard about it. This is a very serious issue for the counties, and they have to deal with it everyday. They are overwhelmed with meth users who clog the jails, the courts, the juvenile detention systems, and so forth. We want to work with this Committee and others to try to find additional resources and tools to fight a real important war on curbing methamphetamine use.

As far as specific legislation goes, there is a summary of the 14 bill draft requests that NACO has submitted for this session. I understand that NACO is given the opportunity to submit 20, but we submitted 14 this session. The summary is there; I am not going to get into the detail. The second page of the handout contains some basic information on our contacts, including our website and so forth. And within the next couple of weeks, hopefully, you should each be getting a copy of the NACO directory. It is a very useful resource; it contains contact information for all the 17 county elected officials and their staffs and hopefully you will get that in the next couple of weeks.

I would like to conclude my remarks by again thanking you, Madam Chair, and this Committee for giving us the opportunity to present you with a review of NACO, I also want to let you know that we look forward to working with this Committee during session, and certainly we pledge our cooperation on the work that lies ahead. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Fontaine. I appreciate that, and I should say congratulations because I know that this was a recent move for you, so you are pretty much on

top of it. Are there any questions? I have a question. How many out of the 17 counties that you have, have building departments? Do you know off the top of your head?

Mr. Fontaine:

Madam Chair, I am afraid that I do not, but I will get back to you with that information.

Chair Kirkpatrick:

Then my other question would be, I know that Lyon County has really experienced a lot of growth this year. I thought it was a little bit higher than the 10 percent. How were they able to bring their entire necessary infrastructure to do that? Do you know?

Mr. Fontaine:

Madam Chair, I have not had direct conversations with Lyon County officials since I have taken on this job about that particular issue, but in my former position, and knowing some of Lyon County Commissioners, my understanding is that they have taken a pretty aggressive approach in terms of requiring developer improvements and really planning ahead so that when the improvements are needed, for the most part, the right-of-way is available. There are some development agreements in place, and they have imposed some additional development taxes that help pay for some of those improvements as well.

Chair Kirkpatrick:

Thank you. Mr. Goicoechea.

Assemblyman Goicoechea:

Thank you, Madam Chair, but it is more of a response to you. I believe the only three counties that truly do not have building permits are Esmeralda and Eureka, and possibly, Lincoln County. The majority of them do have building departments and building permits.

Chair Kirkpatrick:

Thank you, Mr. Goicoechea. Are there any other questions? Mr. Munford.

Assemblyman Munford:

Thank you, Madam Chair. Are you the Jeff Fontaine who used to be with NDOT [Nevada Department of Transportation]?

Mr. Fontaine:

Mr. Munford, Madam Chair, and yes, I was.

Assemblyman Munford:

Yes, because I just want to say it is nice to meet you in person because I know we corresponded quite a bit during the interim. You are extremely helpful in my district, and I appreciate that. That is what I wanted to pass on to you. I hope you do as well with the counties as you did with NDOT.

Mr. Fontaine:

Thank you very much.

Chair Kirkpatrick:

Thank you, Mr. Munford. Does anybody else have any other questions? With that I would like to thank you for coming to Government Affairs, and we look forward to working with you in the future. Thank you, Mr. Fontaine.

Our next speaker will be David Fraser who is the Director of the Nevada League of Cities. Mr. Fraser and Ms. Laxalt, I would like to welcome you to Government Affairs and remind you that if you have any acronyms to please let us know what they are in the beginning. We are looking forward to your presentation.

David Fraser, Executive Director, Nevada League of Cities:

Thank you, Madam Chair. With me, is Neena Laxalt; Neena is under contract with the League this session so you will be hearing from her occasionally on our behalf. We are very pleased to have her on board. I would like to echo the Committee's comments of congratulations to you. We look forward to working with you, and we have enjoyed so in the past. It is a pleasure to be here and to see some familiar faces and also some new faces that we look forward to getting to know. In front of you, you should have each received a booklet with information about the League of Cities [[Exhibit G](#)], which I will use in my remarks. I will not read it verbatim, so you can have the opportunity to review some of that at your leisure.

The first item that I would like to point out, is the League's Mission Statement, which I will read only in part. It says as members of the League, we will respond to constituent groups in a positive, proactive manner. We will identify challenges, collaborate on common initiatives, and willingly share information in an effort to produce results that are in the best interest of all our communities. We will do this with courtesy, fairness, and a clear, unified voice. The League represents many diverse cities and municipalities and speaks for constituents' needs at the most basic level—their homes and neighborhoods. The League will be the place to build a strong voice for communities, large and small. On the next pages is the Board of Directors Value Statement. Our Board of Directors is

comprised of a Mayor or Councilman from each of our members. In addition, there are two chairs on the board for City Managers, one from a large community and one from a small community. The League was organized formally in 1959; it was informally organized by a group of mayors who got together in the 1940s and tried to determine if there was a way that the cities of the state could speak with a unified voice and help one another collaboratively. It was formally organized and incorporated in 1959 as the Nevada Municipal Association. Turn to page 5. Our members are the front line providers in public safety infrastructure and community well-being. On page 5 is a list of our members; you will see that all of the cities that were indicated in your staff briefing are members of the League. In addition to that, we have several unincorporated towns and general improvement districts that are members of the League as well. Page 6 indicates what we do as a league; of course, you know that we provide legislative advocacy services for our members. Based on the experience that you have had with us here, we also provide legislative advocacy in and with the National League of Cities on the federal level on behalf of Nevada's Cities and Municipalities. We provide an annual conference, which some of you have attended, as well as our periodic board meetings. At those conferences, our elected officials and appointed officials have an opportunity to network with one another to examine best practices and receive training. In fact, one of the trainings we do is the professional development training and education, what we call the Power Program. Upon completion of this program, an elected official can receive a certificate that indicates he has been trained in areas ranging from ethics to open meetings to public finance and many others. This is a program that we do in cooperation, in partnership with, the Nevada Association of Counties and with the University of Nevada. Additionally, we provide many public recognitions, such as public official of the year. We have youth awards, and we provide scholarships to some of the State's brightest youth in cooperation with some of our corporate members. We also recognize innovative practices by various cities and are instrumental in developing the Jean Ford Award, not to be confused with an award that the Association of Counties gives by the same name. We provide an opportunity for our members to enjoy an economy of scale in group health, life, dental, and vision insurance. And we also have a deferred compensation program that we offer to our members as well.

The next page indicates some more of the services that we provide, our publications, including newsletters on our website, which would be of some assistance to you. Under statute, we are actually designated as the appointing authority in cooperation with the Association of Counties for the Rural Housing Authority. We appoint members to the Local Government Finance Committee and the Nevada Advisory Council of Prosecuting Attorneys as well. Those are statutorily designated appointments that the League makes. In addition, we

make other appointments; for example, we appoint members to national steering and policy committees for the National League of Cities. Additionally, we are statutorily designated to participate on several committees including the statewide transportation technical advisory committee, which is an NDOT [Nevada Department of Transportation] advisory committee; as well as a private activity bonds advisory committee, which is advisory to the Department of Business and Industry; and the Executive Director of the League is designated by statute as a member of those boards and committees. We also serve on several other statewide committees as a representative of municipal government; for example, as an appointee of the Secretary of State, I sit on the Advisory Committee on Participatory Democracy, which you will be hearing from later in the session. That committee will give a report as well. That committee gives some recognition awards to those who have been exemplary in public service, in particular in the advancement of participatory democracy. And as needed, we provide other various consulting services. Page 8 gives you an idea of who our corporate membership is. We have corporate members who help us to accomplish our mission with both financial resources and expertise. When we have issues, we often call on our corporate member to help us develop some expertise on those topics.

The next section, section two of the packet, is an important document; I would call your attention to it. This is our Legislative Compact for the 2007 Session. Because there are a myriad of issues that impact local government, our Board of Directors has adopted this document that indicates our collective position on various issues, ranging from financial stability, taxation, economic development, and redevelopment, government operations, labor and management, public safety, and development and growth. Again, I will not take the time of the Committee today with that, but I encourage you to take a look at that because it will give you a very solid idea of what the League's positions are on those issues. Madam Chair, the final section of the packet in front of you actually indicates the League's bill drafts. Like NACO, we also are authorized to submit bill drafts directly and the ones we have submitted are listed in the back of your packet. Because we will have an opportunity during the course of the Session to go through each of those, I will not do so today unless there are specific questions. With that, thank you again, Madam Chair, it is a pleasure to be here and we would take any questions.

Chair Kirkpatrick:

Thank you, Mr. Fraser. Do I have any questions from the Committee? With that, you are off the hook early today. Your contact information is in here, correct, in case anybody has any questions later.

Mr. Fraser:

That is right; you should have each received my business card with that packet. Thank you.

Chair Kirkpatrick:

Thank you very much. Our last presentation of the day will be from the City of Henderson. We will let you introduce yourself and give us a review of Henderson.

Terri Barber, Chief Legislative Advocate, City Of Henderson:

Good morning, Madam Chair, and members of the Committee. It is good to be back. I would like to introduce our Legislative team this morning. We have Sean Julian, who is sitting in the audience. We also have two contract lobbyists, Renny Ashleman and Jack Jefferies. They will also be representing the City of Henderson. I want to thank you very much for extending this time to us today, and I would like to introduce our City Manager, Mr. Phil Speight.

Phil Speight, City Manager, City of Henderson:

Madam Chair, members of the Committee. I would like to give you a brief overview of the City of Henderson [[Exhibit H](#)]. We are located in the southeast corner of the Las Vegas Valley bordering the National Recreation Area of Lake Mead on the east, to the south is the City of Boulder City and the remainder of our border is with the County of Clark. The estimated population of the City of Henderson is currently about 262,000 people. We are ranked the second largest city in Nevada behind the City of Las Vegas. In the 1990s we were the fastest growing city in the nation and grew at 225 percent during that period. We currently have approximately 13 major transportation projects that we are working on within the city limits, dealing with either the Federal Highway Administration or Nevada Department of Transportation or Regional Transportation Commission, with a combined estimated budget of just over \$207 million. The issue of eminent domain, which no doubt you will be dealing with this Session, remains a tool of last resort for the City of Henderson. The Mayor and City Council have adopted a resolution and also have a policy that limits that utilization of eminent domain to transportation projects only. And the utilization of eminent domain for redevelopment projects, which is usually where the majority of the problems occur, is not allowed to be used within the City of Henderson's redevelopment agencies. That will prohibit us from then being able to give one private property owner's property to another private property owner, which is one of the things that both the Mayor and City Council have felt, is unfair as it relates to that particular issue. The city is currently undergoing about \$2.8 million of energy-saving retrofits with our traffic signals. The retrofitting will substantially decrease our natural gas consumption and also the kilowatts hour consumption. The city has one of the lowest tax rates in the

State, but also has one of the highest bond ratings; it is the only city that is equal in bond rating to the county of Clark as well as the State of Nevada.

Over the last few years, the city has worked very diligently with the Nevada State College in trying to acquire property for that facility. We were successful two years ago in the 2002 Lands Bill from Congress that gave the city the ability to utilize 500 acres of federally-owned property for the specific purpose of the Nevada State College. That particular campus is located in the very southeast corner, for those of you who know the area, the railroad pass area of the City of Henderson. That partnership between the state, regional, and local entities with Nevada State College has allowed us then to fill some of those voids dealing with the baccalaureate courses. For those individuals who are interested in pursuing the professions of teachers, nurses, and those types of professions, as Ms. Womack mentioned earlier this morning, we are dealing with a redevelopment agency downtown that is really starting to come to fruition. We have about \$310 million in projects that are already built or in the process of being built downtown in what we call the Water Street District. Because we have been one of the fastest growing cities in the nation over the last few years, we have been dealing with approximately 21,000 construction permits over the last years, issuing that large number of permits in every year. It became evident a number of years ago that in order to provide better customer service to the building industry, we would put together what is known as our Development Services Center. That Development Services Center has seven departments that work in one location, very similar to those at the DMV [Department of Motor Vehicles], where customers take a number and are called to the counter and go through a process where they are able to get a lot of plan checks done right there with all the individual departments being able to see the plans at one time. The deadline for other plan reviews is 15 working days, so the processes work very well. We have a 99.1 percent approval rating for the plan reviews and inspection services, and about the same, well over 90 percent for being able to provide those inspection services, and in the amount of time that is necessary to meet the goals for the building industry. Henderson is nationally recognized for its outstanding parks and recreation facilities. We have obtained national accreditation for the excellence in parks and recreation administration. Some of the areas of interest that we will be following in the Legislature this year are the pistol or eminent domain bills, telecommunications, franchise fees, consolidated tax issues, annexations, and property taxes. That concludes our presentation this morning, Madam Chair. I would be happy to answer any questions that you may have.

Chair Kirkpatrick:

Thank you, Mr. Speight. Do we have any questions? Ms. Womack.

Assemblywoman Womack:

I would like to thank you, Mr. Speight, and Terri Barber for opening up your office to me during this interim period before the session started. My district is really the one that is most affected by the redevelopment, and as I walk the neighborhoods, I learn that in many of the redevelopment areas there were many meetings set with the residents to explain what redevelopment is and how it is going to affect their properties. So, we are doing it right, and it is beginning to look great. I am proud to be part of District 23 and that redevelopment area. Thank you.

Chair Kirkpatrick:

Thank you, Ms. Womack. Does anybody else have any questions? Mr. Beers.

Assemblyman Beers:

Thank you, Madam Chair. I want to echo Ms. Womack's comments. District 21 is smack dab in Henderson, and my wife and I have enjoyed many of the features of the city. We have seen the growth, and for some reason the way you do it, growth has not seemed to have adversely affected Henderson as it has some other cities. I just wanted to thank you for the way that you have handled things, and also for the way your office has worked with me during the interim, as well, I appreciate it.

Mr. Speight:

You are welcome.

Chair Kirkpatrick:

Thank you, Mr. Beers. I have a question, Mr. Speight, and maybe Ms. Barber, you might know it better. I did ask all the presenters to give us copies of maps, because I think it is important to see where your city is and how it is growing or not. On your map, for either one of you, is all of the yellow area that is unfilled mostly BLM land [Bureau of Land Management], or is it just undeveloped at this time?

Mr. Speight:

A lot of the areas that you see, Madam Chair, as an example, on the east side, south of Lake Mead, you can see Lake Mead runs out with Lake Las Vegas on the north of Lake Mead—that is all BLM, and in fact, that particular area is what they call ACEC, which is Area of Critical Environmental Concern. It is an area that will never be built on, in our view, simply because the BLM and Bureau of Reclamation are looking at that property to keep it of critical concern. It is also a mountain sheep habitat. Now the area to the south, where the development touches, is all the Black Mountains. The topography does not show up on this map, so you really cannot see the steepness of the profiles. We have an

ordinance in the city that does not allow development on land that is greater than 15 degrees in slope, and a lot of area to the south falls into this category. So a lot of that property will also remain undeveloped. The area to the west, from the Interstate 15 corridor to what is the area of Anthem that you can see on the very bottom left hand corner, is BLM property, which is as we nominate it, and will be coming up for sale. Over the next six to eight years, you will see that property develop in some smaller chunks, as well as, some larger chunks.

Chair Kirkpatrick:

Thank you, Mr. Speight. Are there any other questions? With that I would like to thank you for coming before our Government Affairs Committee. Sorry, Mr. Stewart has a question.

Assemblyman Stewart:

Madam Chair, thank you, I would just like to thank the City of Henderson for its wonderful job on the trails and parks. Our family and our neighbors very much enjoy what the Department of Parks has done and we commend you for that.

Mr. Speight:

Thank you.

Chair Kirkpatrick:

Thank you, Mr. Speight. I would like to thank you for coming before Government Affairs, and we look forward to working with you as a committee. Ms. Parnell.

Assemblywoman Parnell:

Thank you. I just realized this was probably an appropriate forum to remind everyone that Carson City, Douglas County, Lyon County, and Storey County are hosting a reception this evening at the Nugget from 5:30 to 8:00. I would love to see all of the Legislators there, and lobbyists as well, so I hope that you can attend the function.

Chair Kirkpatrick:

We do have a BDR [bill draft request] that needs to be introduced in the committee today. According to committee rules that we adopted this morning, a two-thirds vote is required to introduce a BDR, and that would be ten members who would have to vote in favor of introducing the BDR.

If you vote for the BDR to be introduced, it does not mean that you are in support of the legislation; you are just allowing the committee to hear the BDR.

Is that clear for everybody on the committee? With that, I will entertain a motion to introduce BDR 22-746.

BDR 22-746—Requires the approval of a metropolitan police department before certain cities and counties may authorize an activity that may cause traffic congestion.

ASSEMBLYMAN ATKINSON MOVED TO ACCEPT THE BDR.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION WAS CARRIED.

At this time, we will ask for any public comments. I believe that everyone who signed in to speak has spoken. If there is anyone else who would like to speak, now is the opportunity to do it. If not, we will adjourn the Government Affairs meeting at 9:29. Thank you for a very productive and good meeting. We will start at 8:00 tomorrow morning. Thank you.

RESPECTFULLY SUBMITTED:

Cheryl Williams
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: February 6, 2007

Time of Meeting: 8:00 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Guest List
	C	Chair Kirkpatrick	Committee Rules
	D	Amber Joiner	Committee Policy Brief
	E	Secretary of State	Annual Report
	F	Mr. Jeff Fontaine	National Association of Counties Presentation
	G	Mr. David Fraser	Nevada League of Cities & Municipalities Presentation
	H	Mr. Phil Speight	City of Henderson Presentation.