

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

**Seventy-Fourth Session
May 17, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 8:35 a.m., on Thursday, May 17, 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 K. 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 Settelmeyer
Assemblyman Lynn D. Stewart

COMMITTEE MEMBERS ABSENT:

Assemblywoman RoseMary Womack (excused)



STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst
Scott McKenna, Committee Counsel
Rachelle Myrick, Committee Secretary
Olivia Lloyd, Committee Assistant

[Meeting called to order at 8:35 a.m.]

Chair Kirkpatrick:

We will start our meeting with Senate Bill 447 (1st Reprint).

Senate Bill 447 (1st Reprint): Makes various changes to the Charter of Carson City. (BDR S-324)

Amber Joiner, Committee Policy Analyst:

There is not a copy of this in your work session document, but I can review the facts of the bill.

Senate Bill 447 (R1) increases from five to six the number of employees the Carson City Sheriff may designate as exempt from the City's Merit Personnel System. The measure also provides that if the Office of the Mayor becomes vacant the Mayor Pro Tempore shall serve as the Mayor until the next general election.

This was sponsored by the Committee on Government Affairs on behalf of Carson City and was heard on April, 24, 2007.

There were no amendments proposed for this measure and there was no testimony in opposition.

ASSEMBLYMAN GOICOECHEA MOVED TO DO PASS
SENATE BILL 447 (1st REPRINT).

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS
ABSENT FOR THE VOTE).

We will move in to our work session with Senate Bill 203 (1st Reprint).

Senate Bill 203 (1st Reprint): Revises provisions concerning local financial administration. (BDR 20-711)

Amber Joiner, Committee Policy Analyst:

Senate Bill 203 (R1) was sponsored by Senator Maurice E. Washington, Washoe County Senatorial District 2, and heard on May 14, 2007. [Read from the Work Session Document ([Exhibit C](#)).]

It requires the Washoe County Board of Commissioners to determine, before October 1, 2007, whether certain criteria concerning the establishment of a minor league baseball stadium project in the County have been met. If the Board finds that these criteria have been met, it shall issue a formal finding of that fact; whereas, if the Board determines that the criteria have not been met, the Board is authorized to utilize the proceeds from the 2 percent rental car fee imposed in Washoe County and any related revenue bonds for projects other than a minor league baseball stadium. Finally, the bill extends by two years the use of funds allocated in 2005 to the Reno-Sparks Convention and Visitors Authority.

There were some amendments proposed for this measure. There is a mock-up in your work session document. They were proposed by Alfredo Alonso of Lewis and Roca, LLP Lawyers. There was no testimony in opposition to the measure.

Chair Kirkpatrick:

Is there any discussion?

Assemblyman Goicoechea:

I want to be clear; this amendment enables the Board of County Commissioners in Washoe County to divert these funds if they are not using them for a professional baseball stadium?

Chair Kirkpatrick:

Correct.

I believe a development agreement has been signed with the County.

Are there any other questions? [There were none.]

ASSEMBLYMAN BEERS MOVED TO AMEND AND DO PASS AS AMENDED SENATE BILL 203 (1st REPRINT).

ASSEMBLYMAN KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS ABSENT FOR THE VOTE).

We will move on to Senate Bill 219.

Senate Bill 219: Creates the Gift Account for Veterans in the State General Fund and authorizes the use of money in the Account for the support of outreach programs and services for veterans and their families. (BDR 37-637)

Amber Joiner, Committee Policy Analyst:

Senate Bill 219 was sponsored on behalf of the Office of Veterans' Services and heard on April 19, 2007. [Read from the Work Session Document ([Exhibit D](#)).]

It creates the Gift Account for Veterans within the State General Fund and authorizes the use of the money deposited in the account for the support of outreach programs and services for veterans and their families. Additionally, S.B. 219 revises provisions related to the issuance of special license plates for the support of veterans' homes. The bill changes the purpose for the issuance of these special license plates from the support of veterans' homes to the support of outreach programs and services for veterans and their families. Finally, the measure provides that all additional fees collected by the Department of Motor Vehicles for the issuance or renewal of these special license plates must be deposited with the State Treasurer for credit to the Gift Account for Veterans.

There were no amendments proposed for this measure and there was no testimony in opposition to this measure.

Chair Kirkpatrick:

Is there any discussion? [There was none.]

ASSEMBLYMAN STEWART MOVED TO DO PASS
SENATE BILL 219.

ASSEMBLYMAN BEERS SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS
ABSENT FOR THE VOTE).

We will move on to Senate Bill 289 (1st Reprint).

**Senate Bill 289 (1st Reprint): Revises provisions relating to fire protection
districts. (BDR 42-471)**

Amber Joiner, Committee Policy Analyst:

Senate Bill 289 (1st Reprint) was sponsored on behalf of the Nevada
Association of Counties and heard on April 25, 2007. [Read from the
Work Session Document ([Exhibit E](#)).]

It authorizes a board of county commissioners to include new, contiguous
territory in a fire protection district through the adoption of a resolution and
approval of the State Forester Fire Warden. This measure also authorizes
county fire protection districts to annex all or part of a fire protection district
receiving federal aid. Finally, this bill authorizes the consolidation of all or any
part of certain contiguous fire protection districts located in the same county.

There were two amendments proposed. They were reviewed yesterday during
a hearing. The first of these amendments will replace Section 3 of the bill with
provisions for the reorganization of fire protection districts. The conceptual
amendment is in your work session document.

The second amendment would be in Section 4 of the bill. It would provide for
boundary line adjustment instead of consolidation. A conceptual mock-up is in
your work session document.

There was no testimony in opposition to this measure.

Chair Kirkpatrick:

Is there any discussion?

Assemblyman Goicoechea:

The way I understand it is in order to adjust the boundary of a fire protection
district it would have to go through a three-step process. There would have to
be a petition signed by a majority of the property owners, a resolution by the

board of county commissioners, and approval by the board that manages the fire protection district. Is that correct?

Chair Kirkpatrick:

In Section 3, subsection 2, when they had the ability to convert from a *Nevada Revised Statutes* (NRS) 473 to NRS 474 fire protection district, this is the process they had to use. The same type of process was going to happen in Section 4, subsection 4. The only difference was the "and," in there.

Assemblyman Goicoechea:

I believe you are correct. Rather than "or" it is "and," so it requires an action by both bodies.

Chair Kirkpatrick:

Is there any more discussion? [There was none.]

I spoke to Senator Washington yesterday and I think he is now on board.

Assemblyman Goicoechea:

There is no objection from anyone else.

Chair Kirkpatrick:

I did not ask local government. I gave them the opportunity to talk with me, but no one did.

Assemblyman Goicoechea:

They must be okay with it.

ASSEMBLYWOMAN PIERCE MOVED TO AMEND AND DO PASS
SENATE BILL 289 (1st REPRINT).

ASSEMBLYMAN BOBZIEN SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS
ABSENT FOR THE VOTE).

We will move on to Senate Bill 498.

Senate Bill 498: Revises the authority of the Virgin Valley Water District to borrow money and incur indebtedness. (BDR S-964)

Amber Joiner, Committee Policy Analyst:

Senate Bill 498 was sponsored by the Senate Committee on Government Affairs and was heard on May 8, 2007. [Read from the Work Session Document ([Exhibit F](#)).]

Senate Bill 498 expands the authority of the Virgin Valley Water District to borrow money and incur indebtedness subject to the oversight of the Clark County Debt Management Commission. Also, S.B. 498 gives the Virgin Valley Water District the authority to utilize lease-purchase agreements in accordance with existing state laws regarding medium-term obligations.

There were some amendments suggested and that language is in your work session document. These concepts were proposed by the Douglas County Sewer Improvement District.

The first of these provides that local improvement districts subject to *Nevada Revised Statutes* (NRS) Chapter 309 may also borrow money and incur indebtedness in the same manner proposed for the Virgin Valley Water District pursuant to the Local Government Securities Law.

The second amendment would provide that, when in conflict, the Local Government Securities Law controls the issuing of securities by local improvement districts.

There was no testimony in opposition to this measure.

Chair Kirkpatrick:

Is there any discussion?

Are you comfortable with this, Assemblyman Settelmeyer, since your county added on to this?

Assemblyman Settelmeyer:

Yes.

ASSEMBLYMAN SETTELMAYER MOVED TO AMEND AND DO
PASS AS AMENDED SENATE BILL 498.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS
ABSENT FOR THE VOTE).

We will move on to Senate Bill 509 (1st Reprint).

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

Amber Joiner, Committee Policy Analyst:

[Read from the Work Session Document ([Exhibit G](#)).] Senate Bill 509 (1st Reprint) requires a State agency to advertise for proposals before it enters into a lease-purchase or installment-purchase agreement for the purpose of acquiring an existing building located on property which is not owned by the State. If a State agency wishes to enter into a lease-purchase or installment-purchase agreement on property that is owned by the State, the agency must contract with a design-build team for the design and construction of the building. Senate Bill 509 (1st Reprint) also makes various changes related to the requirements and conditions for lease-purchase and installment-purchase agreements.

There was one amendment proposed and it is in your work session document. It would clarify that prevailing wage applies to projects that are publicly financed in whole or in part, and that prevailing wage applies to projects that receive public-assisted financing. This is a concept proposed by Richard Daly, Laborers' International Union of North America, Local No. 169.

There was no testimony in opposition to this measure.

Chair Kirkpatrick:

I spoke with Senator Warren B. Hardy II, Clark County Senatorial District 12, and this is a conceptual amendment that everyone agreed to. Originally, there were a lot of amendments that specified certain statutes. Senator Hardy agreed that this amendment was more in line with what he is willing to support.

Assemblywoman Pierce:

This amendment clarifies that all public works and any projects that are funded or partially funded by public money or where financial incentives get provided are covered by Chapter 338 of the *Nevada Revised Statutes* (NRS) for the purposes of paying prevailing wage.

This includes any statute, local or special act, or any other law that contains a reference to the provisions of NRS 338.010 to NRS 338.090. It requires that those provisions apply to the project.

ASSEMBLYWOMAN PIERCE MOVED TO AMEND AND DO PASS
SENATE BILL 509 (1st REPRINT).

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any further discussion?

Assemblyman Goicoechea:

Under this amendment, subsection 15, item 11, it says the financial incentives have to exceed \$100,000. Is that correct?

Chair Kirkpatrick:

Yes.

Is there any further discussion? [There was none.]

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS
ABSENT FOR THE VOTE).

We will move on to Senate Bill 518.

Senate Bill 518: Revises provisions governing work programs. (BDR 31-627)

Amber Joiner, Committee Policy Analyst:

[Read from the Work Session Document ([Exhibit H](#)).] Senate Bill 518 was sponsored on behalf of the Department of Administration and heard on April 19, 2007.

It requires the Budget Division of the Department of Administration to maintain a computerized system for the storage of work programs of the Executive Branch agencies. The bill also provides that the Governor, through the Chief of the Budget Division, will require each department head to review the agency's work program and notify the Governor of any errors or omissions in the program.

There were no amendments proposed for this measure and there was no testimony in opposition.

Chair Kirkpatrick:

This is the bill they need to clarify regarding what they are already doing.

Is there any discussion? [There was none.]

ASSEMBLYMAN BEERS MOVED TO DO PASS SENATE BILL 518.

ASSEMBLYMAN ATKINSON SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYWOMAN WOMACK WAS ABSENT FOR THE VOTE).

We will move on to Senate Bill 516 (1st Reprint). If we need to move this to tomorrows meeting we can.

Senate Bill 516 (1st Reprint): Revises provisions governing the compensation of certain elected county officers. (BDR 20-225)

Amber Joiner, Committee Policy Analyst:

[Read from the Work Session Document ([Exhibit I](#)).] Senate Bill 516 (1st Reprint) increases the annual salaries of certain elected county officers and authorizes a board of county commissioners, by a majority vote, to increase the annual salaries of county commissioners at an amount not to exceed 143.504 percent of the salaries in effect on January 1, 2003. Subject to certain limits, a county commissioner is eligible for an additional 2 percent of his base salary for each full calendar year of service if he has been in office for more than four years.

There were two parts to the amendment proposed by Assemblywoman Pierce. Section 1, subsection 2, would remove the pay increases in the table and provide that all those individuals receive a 3 percent increase each year for the next four years.

The other change would be in Section 1, subsection 3, and would change the maximum percentage increase to 10 percent for the county commissioners.

There was no testimony in opposition to this measure.

Chair Kirkpatrick:

Is this something the Committee would like to move forward with today or would you like time to go into detail because it was pretty complicated?

I am comfortable waiting until tomorrow.

Do we have any questions that we would want Research to address?

Assemblyman Stewart:

The original intent was to address the issue that many of these county officials were not getting paid as much as their subordinates. Will this satisfy that issue?

Assemblywoman Pierce:

No, it will not. The gap is pretty wide in some instances.

Assemblywoman Settlemeyer:

If you passed the original bill you still would not have solved the gap problem.

Assemblyman Christensen:

Where some of the lieutenants are paid more than the generals, who is setting the pay for the lieutenants?

Assemblywoman Pierce:

The counties set those salaries so that is not in our jurisdiction.

Assemblyman Christensen:

Is it the county commission or the county manager setting the salary? Is there an outside board?

Assemblyman Goicoechea:

It depends on the scenario. Some of them do have committees that look at the pay. The ultimate jurisdiction ends up with the board of county commissioners.

Assemblywoman Parnell:

I have always been okay with the figures in the work session document. What concerned me was the 143.504 percent. We could do one or both of the suggested amendments. We could look at keeping the chart, not keeping amendment one, but choosing to select amendment two.

Chair Kirkpatrick:

Are you talking about going with the original bill?

Assemblywoman Parnell:

I am separating issue one in the proposed amendment from issue two.

Assemblywoman Pierce:

Those two deal with salaries of different people.

Assemblywoman Parnell:

You have a chart on page 2 which is a quick reference to all county employees. I am okay with that chart in the original bill. I had a concern with the percentage on page 3. If you look at the recommended amendments you have one that references Section 1, subsection 2, which is the chart; and you have one that references Section 1, subsection 3, which is the percentage of total increase. My suggestion is to separate the two recommended amendments.

Assemblyman Goicoechea:

The 139.315 percent is only reflecting the 10 percent increase as it pertains to the board of county commissioners. I do not think those numbers were the same numbers that were incorporated into the chart but I would have to defer that to Assemblywoman Pierce. Is that the same 10 percent?

Assemblywoman Pierce:

No, those are two separate issues.

Chair Kirkpatrick:

I am going to pull this bill back because there are still a lot of questions. That will give you time to get your questions answered.

[Meeting adjourned at 9:00 a.m.]

RESPECTFULLY SUBMITTED:

Rachelle Myrick
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: May 17, 2007

Time of Meeting: 8:35 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance roster
S.B. 203 (R1)	C	Amber Joiner, Committee Policy Analyst	Work Session Document
S.B. 219	D	Amber Joiner, Committee Policy Analyst	Work Session Document
S.B. 289 (R1)	E	Amber Joiner, Committee Policy Analyst	Work Session Document
S.B. 498	F	Amber Joiner, Committee Policy Analyst	Work Session Document
S.B. 509 (R1)	G	Amber Joiner, Committee Policy Analyst	Work Session Document
S.B. 518	H	Amber Joiner, Committee Policy Analyst	Work Session Document
S.B. 516 (R1)	I	Amber Joiner, Committee Policy Analyst	Work Session Document