

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

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

The Committee on Government Affairs was called to order by Vice Chair Peggy Pierce at 9:04 a.m., on Tuesday, April 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 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 Harvey J. Munford
Assemblywoman Bonnie Parnell
Assemblyman James Settlemeyer
Assemblyman Lynn D. Stewart
Assemblywoman RoseMary Womack

COMMITTEE MEMBERS ABSENT:

Assemblyman Ruben Kihuen, (Excused)

GUEST LEGISLATORS PRESENT:

Senator Dina Titus, Clark County Senatorial District No. 7
Senator Bernice Mathews, Washoe County Senatorial District No. 1

Minutes ID: 964



STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Frank Siracusa, Chief, Division of Emergency Management, Department of Public Safety
John Slaughter, AICP, Management Services Director, Washoe County
Margaret Lowther, Government Affairs Representative, Storey County
Donna West, Southern Nevada Association of Professional Pet Services, Las Vegas
Linda Faso, Humane Society of the United States, Las Vegas
Russ Mead, General Counsel, Best Friends Animal Society, Las Vegas
Karen Layne, President, Las Vegas Valley Humane Society
Kathleen Delaney, President, Las Vegas Basset Rescue
Gina Greisen, Director, Nevada Voters for Animals
Seth Floyd, representing the City of Las Vegas
Kendall Mattina, Chair of the Charter Committee, City of Sparks
Robert Joiner, AICP, Government Affairs Manager, City of Sparks
Richard "Skip" Daly, Business Manager, Laborers' International Union, Local 169
Patrick Sanderson, Private Citizen, Sparks, Nevada
Michael Fischer, Director, Department of Cultural Affairs
Peter Barton, Acting Administrator, Division of Museums and History, Department of Cultural Affairs

[Call to Order by Vice Chair Pierce, Roll Call]

Vice Chair Pierce:

There are nine present, so we will begin the meeting. I will open the hearing on Senate Bill 81.

Senate Bill 81: Requires state and local plans for emergency management to address the needs of persons with pets or service animals. (BDR 36-176)

Senator Dina Titus, Clark County Senatorial District No. 7:

The bill before you this morning would require that state and local governments establish emergency evacuation plans for pets. You have a copy of the federal statute ([Exhibit C](#)). If we enact this at the state level, we will be able to access federal funds to help us.

Seventy-five percent of the people in this country have pets. This legislation came from the consequences of Hurricane Katrina; you saw some of the terrible pictures of pets left behind. Many people refused to evacuate if they could not take their pets with them. So not only were people faced with losing pets, which to many are like family members, it was also a health hazard and dangerous when people refused to evacuate.

Nevada is not likely to have a hurricane, but we are susceptible to other kinds of emergencies like an earthquake, a flood, a freeze, or even a terrorist attack. So if we have plans in place that provide for the evacuation of pets, we will be able to get people out more successfully.

[Read from prepared statement ([Exhibit D](#)).]

Assemblyman Beers:

The Senate has tacked a fiscal note on this bill, but you mentioned federal funding. Are there numbers for what the fiscal note might be versus the federal funding?

Senator Titus:

We did not hear about a fiscal note on the Senate side, and it was not sent to Senate Finance.

Frank Siracusa, Chief, Division of Emergency Management, Department of Public Safety:

The Division has not put in any fiscal note because we consider this part of our normal planning process. As we revise and modify our emergency operations plans, both at the county and the local levels, we are addressing how we take care of service animals and pets during times of emergency.

This planning is becoming a requirement for federal dollars that we receive. So in order to receive those federal dollars we must comply. I do not know what grants are actually out there, but we will be researching that and will try to secure any federal dollars we can.

I have been an emergency manager for almost 35 years. A good part of my career was in New Jersey. Many times when we tried to evacuate individuals

from low-lying areas or areas of threat, they would not go. Pets were clearly members of the family for a lot of people. The State of Nevada is aggressively looking into this and is in the process of establishing a statewide evacuation program, including evacuation sheltering for animals. This would go along with revising and modifying the State's comprehensive plan.

[Chairwoman Kirkpatrick arrived at 9:13 a.m.]

Assemblyman Settlemeyer:

Would this bill prohibit or inhibit emergency rescues? What I mean is, do emergency workers still have the ability to make decisions based on the fact that humanity, in most cases, is more important than animals?

Frank Siracusa:

First responders always have the ability to do that, but by planning properly and addressing those issues now, we will not be faced with those decisions in the future. We are looking at: if we have to evacuate a segment of the population how do we address the service animals and pets. Do we put them in the same or different buses? Do we put them in the same or different shelters? Do we have portions of the human shelters for pets? We are addressing those issues now. The Hurricane Katrina and Rita issue really brought to light that it is important that we take a look at our pets.

Assemblyman Stewart:

Can you tell us specifically what some of the plans are that you would make for pets?

Frank Siracusa:

I can tell you a couple of general things and some of the experiences we have already had. When you talk about evacuating a segment of the population, there are people who have service animals or pets, but also people who have allergies. As part of the planning process we are talking about, how do we segregate those groups? When we set up a shelter, and that is one of the things we are doing in our statewide evacuation study, do we put the service animals with their owners in the same shelters as people who cannot be around pets, or do we segregate a specific area of the shelter?

Assemblywoman Kirkpatrick:

I have a question for staff regarding the fiscal note. Storey County and Washoe County are the only ones reporting a fiscal impact. Is that because there is more ranching? Can we ask Washoe and Storey County? They are saying that it will take two years and \$10,000 to put an emergency plan in place.

Senator Titus:

In light of the recent federal mandate, the counties have to comply if they want to get federal dollars, and we heard testimony from local governments that many of them are already doing it.

Assemblyman Beers:

You mentioned that there was an impact when pets were not evacuated along with the people. When fiscal impacts are mentioned, rarely does anyone mention the potential positive results. I would be interested to find out what we would have saved by not delaying action until the later stages of evacuation after the hurricanes.

Senator Titus:

That is often a harder number to calculate. It is like, what do we save by not burning fossil fuel? We know there are savings down the road. If the plan had been in place, what would we have not had to do during a Katrina? There would not have been some of the health problems, there would not have been some of the people who refused to evacuate. Those are hard things to put numbers on, but I appreciate the point you are making.

Assemblyman Settlemeyer:

Could we find out why Storey and Washoe Counties have fiscal notes? Otherwise we are passing on an unfunded mandate, which is a violation of law.

John Slaughter, AICP, Management Services Director, Washoe County:

Washoe County is supportive of S.B. 81. We supported the bill when it was in the Senate. We are in the process of that update and including this kind of planning. From memory, what the fiscal note shows is the cost that we would incur with or without this bill.

Assemblyman Settlemeyer:

Are you then indicating that your fiscal note was wrong? It is not because of this bill that you have a fiscal note. Are you stating that on the record?

John Slaughter:

We are in the process of updating our plans, and that is what is shown in our fiscal note.

Assemblyman Settlemeyer:

So again, the fiscal note has nothing to do with this bill?

John Slaughter:

That is correct.

Assemblyman Settlemeyer:

And if I get the same answer from Storey, then I am great with the bill.

Senator Titus:

We did not have any opposition from Storey County, so I do not know where this is coming from.

Margaret Lowther, Government Affairs Representative, Storey County:

I am the retired recorder and now their lobbyist. I am not sure why that is there either. The only thing that I can think of is that we do not have a facility in Storey County at the moment, so we use the Carson City or City of Reno facilities, and there may be a cost attached to that. When I discussed this bill with the fire department, they said they already had a plan in place. They were not even concerned about the bill.

Vice Chair Pierce:

Can you find out please and get it to the Chairwoman?

Margaret Lowther:

I will.

Senator Titus:

If it comes back as a fiscal note because they do not have a facility to evacuate, it is not really the problem of this bill. This bill is just asking them to draw up a plan in case they had to evacuate. It is not mandating any specific facility or any specific plan.

Assemblyman Goicoechea:

How do we expand this to cover livestock? There are a lot of people in the urban suburbs who have horses that are harder to move and probably more critical.

Frank Siracusa:

All I can tell you is that when we had the floods here in Reno and Washoe County in 2005, one of problems we had was with horses and livestock. We moved those animals to other locations as part of the sheltering process. It is a more involved process.

Assemblyman Goicoechea:

I think it is critical that it is incorporated in the plan. The bill talks about pets and animals that we can put in the back seat of a car, but it clearly is an issue, especially when the situation may be weather or fire.

Senator Titus:

I completely agree, and in my introductory remarks, part of the concerns I had were with livestock and other kinds of animals that were lost in some of these disasters.

Scott McKenna, Committee Counsel:

The definition of pet that is used in the bill, from *Nevada Revised Statutes* (NRS) 574.615, is an animal that is kept by a person primarily for their own personal enjoyment. Even an animal that might be of a general class of livestock, if the reason the person kept that animal was not for work but because he liked having it around, could fall under the definition as well.

**Donna West, Southern Nevada Association of Professional Pet Services,
Las Vegas:**

We are a group of 40-plus business owners who provide daycare, petsitting, and boarding services in the Clark County area. We are here in support of S.B. 81. We know the value that our clients place on their dogs, cats, birds, and other animals for which we help to provide care. We feel that we have a moral and business obligation to provide for those animals when they are left in our care when their owners are out of town.

Linda Faso, Humane Society of the United States, Las Vegas:

I would like to thank Senator Titus for bringing this bill. The Humane Society has 10 million constituents and members across the country, 48,000 in Nevada. We are working across the country helping legislatures enact this bill as we were very active in rescuing some of these animals after Katrina. People are still looking for their lost animals from the hurricane. No one is immune to a tragedy.

Russ Mead, General Counsel, Best Friends Animal Society, Las Vegas

We were involved in the Katrina rescues. We rescued around 6,000 animals and then sheltered and found other places to house these animals. The story that came again and again was the connection that people have with their pets. People would not leave their pets behind. I would like to share one story because it goes to the fiscal funding aspect.

There was a woman, Paula Jemming, who was disabled and did not work. She did not leave because she wanted to stay behind with her small dog, Pablo. When the floodwaters rose, they overtook the first floor, and she was able to crawl into an attic. Five days after the flood, she was able to find a three-by-five foot American flag and put it on the roof and flagged down a helicopter. When she was on the roof, the helicopter would not evacuate her dog. She searched and fought for over a year to get the dog back. I was

fortunate enough to hand that dog back on the steps of the Louisiana capitol about four weeks ago. The reason that I bring this up is cost. Had Paula Jemming been allowed to get on a bus, with her dog in a crate, the cost would have been around five dollars. The cost to helicopter her off her roof was over \$1,000. Because she could not get on the bus with her dog, the agency that ended up paying in the end swapped a five-dollar bus ride for a \$1,000 helicopter ride. If we look at the cost of this bill in the accounting sense, it will cost millions more not to have these types of plans in place.

The nice thing about this bill is that it only says that the local jurisdictions need to prepare a plan. They can get with experts to talk about allowing animals on public transportation and side-by-side sheltering. The Legislature does not have to work through those details. This is an easy bill to pass, it is going to save somebody, whether it is the State, counties, federal government, or towns, a lot of money.

If there is ever a disaster on the scale of Katrina, and you are watching it from somewhere because you are able to evacuate, think about the people who have lost their lives to stay with their pets.

Karen Layne, President, Las Vegas Valley Humane Society:

I would like to testify in favor of S.B. 81. I can tell you from our experience within the Las Vegas Valley Humane Society that there have already been a number of instances in the last several years when disaster planning for companion animals would have been extremely important. Several years ago there was a gas explosion when many people had to be evacuated from the area, and a number of very concerned people contacted us because they could not get back into their homes to care for their animals. A better handled occasion was the flooding incident in Logandale that Clark County Animal Control handled. They were prepared to deal with the animals that had to be moved because of the flood.

Kathleen Delaney, President, Las Vegas Basset Rescue:

We are a breed rescue group that operates out of the Clark County, Nevada, area, but we provide rescue services for the entire State for our particular breed, and where necessary, assist other organizations in their efforts. My organization gives its wholehearted support for S.B. 81. The key is that this bill does not overreach. It is narrowly tailored with the concept in mind that we need a plan. So many organizations and states have not had plans. Katrina is the best worst example of "if there had been a plan," there would not have been such a debilitating effect on the citizens and other states.

Gina Greisen, Director, Nevada Voters for Animals:

I echo a lot of the comments already made. You can count me in those 61 percent of people who would not leave their animals. In all seriousness, there were so many people who did stay behind in Katrina and lost their lives because of it. Nevada Society for the Prevention of Cruelty to Animals (SPCA) was unable to make it, so they asked to put on the record that they also support this bill.

Margaret Lowther:

I just talked to the sheriff and the fire department, and they do not know who put in the fiscal note. We already have a plan in place. The sheriff has a core group that does this, and it is already integrated into the budget.

Vice Chair Pierce:

So we can count Storey County in favor of this bill?

Margaret Lowther:

Yes.

Seth Floyd, representing the City of Las Vegas:

The City of Las Vegas already has provisions in its emergency operations for pets and service animals, so we support the bill.

Vice Chair Pierce:

Is there anyone else who would like to speak in support of S.B. 81? [There were none.] Is there anyone who would like to speak in neutrality? [There were none.] Is there anyone who would like to speak in opposition? [There were none.] Senator Titus had to leave the hearing, so I will close the hearing on S.B. 81 and will open the hearing on Senate Bill 101.

Senate Bill 101: Amends the Charter of the City of Sparks. (BDR S-335)

Senator Bernice Mathews, Washoe County Senatorial District No. 1:

This is a simple, cleanup bill for the City of Sparks. It authorizes the City Council to employ Special Counsel. All they want is to have the authority as a Council to hire outside counsel. They also want to revise the provision governing the qualification of the people on the Charter Committee. This bill has passed the Senate.

Vice Chair Pierce:

Are there any questions for the Senator before she goes back to her committee? [There were none.]

Kendall Mattina, Chair of the Charter Committee, City of Sparks:

This bill is really only putting an exclamation point on the City Council's authority to hire external counsel should there be a conflict between them and the current City Attorney. Our City Attorney is an elected official rather than appointed. We are one of two jurisdictions that still do that.

We are also looking to clarify the membership of the Civil Service Commission.

Robert Joiner, AICP, Government Affairs Manager, City of Sparks:

I am here in support of the bill.

Assemblyman Goicoechea:

I am not sure I know what a Civil Service Commission does. Could you tell me?

Kendall Mattina:

It conducts hearings on employment status if there is a dispute. If someone claims that he has been wrongly terminated, he can apply to the Civil Service Commission and have a hearing. We wanted to make sure there was not a conflict of interest on the Civil Service Commission; for instance, if the employee had a relative working for the city or if he himself were working for the city, there could be a conflict of interest. We wanted the same rules to apply to the Civil Service Commission as apply to the employees that they would sit and adjudicate.

Assemblywoman Parnell:

Are there any other cities that have elected attorneys? If so, do they have outside counsel?

Kendall Mattina:

The City of Reno also has an elected City Attorney and they have the ability to hire outside counsel. We feel that we have the right to do that currently, but with the turnover on the City Council, the few times this question has come up, it becomes a big question again. The new people will ask, "Do we or do we not have the right?" and by the time it gets resolved again, the issue is passed. We just want it clarified that yes, they do have the right to do this.

Assemblyman Bobzien:

We have an interest in keeping track of the charters and making sure they are somewhat uniform. So the City of Reno does have this authority expressed in their charter?

Kendall Mattina:

From what I understand, they do.

Assemblyman Bobzien:

There has been a lot of discussion about the appropriate role for City Attorneys, particularly in Washoe County. I can see that under the current system there is a need for doing this and am sympathetic to the reason this bill was brought forward, but I have to comment that it is the way the system is set up. The taxpayer could have to pay additionally for when the Council is not getting along with the elected City Attorney. It seems problematic.

Kendall Mattina:

That may be true. We have had this question on the ballot twice, and our voters have chosen to continue having an elected City Attorney.

Assemblywoman Kirkpatrick:

How many times are you going to use this? Have you ever been in the situation where you needed to use it? Is this enabling legislation, or do you have a current problem? I am trying to understand it a little more in depth.

Kendall Mattina:

The genesis of this particular issue was a land use issue. I have been on the Sparks Planning Commission since 1991 with a short hiatus. This is the first time, since 1991, that we have had any kind of an issue as far as land use planning is concerned. I do not know about any other time. It is not that we want to go out attorney shopping, it is that there is the possibility that a conflict may occur between the City Attorney and the City Council. The City Council would like the opportunity to be able to seek a second opinion.

Assemblywoman Kirkpatrick:

I thought I heard you say it was an employment issue in case someone in their family worked for the City.

Kendall Mattina:

That is the second part of the bill that has to do with the Civil Service Commission.

Assemblywoman Kirkpatrick:

On the Commission, how often do you need it? How many employment issues have there been, that you would need to hire outside counsel?

Kendall Mattina:

Those are two different issues.

Robert Joiner:

The issue with the Civil Service Commission is degrees of affinity and consanguinity of those serving on that Commission. It is so there are not conflicts in the relationships between the person that might be requesting an appeal of a personnel decision and the person sitting on that Commission.

The City Attorney issue has not come up in the Civil Service Commission. Although with an elected attorney, there could be the perception of conflict of interest. It did come up this previous year, and I think it has come up before. When you have an elected City Attorney, he or she can try to deny the right to get a second opinion, which most attorneys serving their client would not deny.

Assemblywoman Kirkpatrick:

On the Civil Service Commission, when have you ever had an employee who is a family member of someone who serves on the Commission?

Robert Joiner:

We have had that very recently. We had a person on the Civil Service Commission who was appointed, and their relation through marriage was requesting an opinion from the Commission. So you can see that the conflict of interest or the perception thereof was apparent. We modeled this language after that of the City of Reno, which made the same amendment to their charter a few years ago. I think it is common in most cities in Nevada to have this separation.

Assemblyman Goicoechea:

Did I hear you say that the voters have twice rejected this move to hire outside legal counsel?

Robert Joiner:

No, over the period of 15 or 20 years, the vote was on the City Attorney's position, if the position should be appointed by Council and management or an elected position. What has been turned down twice is to change from an elected City Attorney to an appointed one. Hiring outside counsel within the department is what we are discussing here.

Assemblyman Goicoechea:

You would have to clearly define what the duties of the outside counsel would be, or you could circumvent the will of the people.

Robert Joiner:

That is correct and that is how it has happened recently, in a very clearly defined situation, putting on the record in a public hearing what the parameters

of that outside counsel may be on this particular issue. It would not be just to put another person in the office to run the office or circumvent the Office of the City Attorney.

Assemblyman Goicoechea:

Would that be through the open meeting process? In the meeting when the City Council made the determination to seek outside counsel, would they define what the issue was?

Assemblyman Settlemeyer:

The City Attorney does not have the ability to seek outside counsel. I would hate to see a situation where an elected individual decided to dodge a political issue by hiring outside counsel rather than making that tough decision to which the voters then get to respond.

Robert Joiner:

The City Attorney can do that. The Office of the City Attorney has money in his budget or could even ask for additional funds, and can himself, if he chooses, seek outside counsel in certain situations. This is a situation where the City Council may perceive a potential conflict and request outside counsel. They would like the ability to get a second opinion in a specific situation if it is denied by the City Attorney.

Assemblyman Bobzien:

The concern of scope is a valid one. I appreciate the offer that if this option were used, you would clearly define the scope and purpose of the contracts. Unfortunately, I am not seeing that in the language of the bill. I would be more comfortable with the bill if there was some statement that each individual situation would have a clarified scope as to what the arrangement was so there is never the situation where the council has someone on retainer because every now and then it does not get along with the City Attorney.

Robert Joiner:

It is something that has been discussed. I think it was what was envisioned. If you would like to give us some time to work on some amended language, we could bring it back to you.

Kendall Mattina:

One of the things we talked about is that the City would need to enter into a contractual relationship with whomever they hired, and that contract would clearly define the scope of their business with the City Council at that time. That is how it was decided it would be handled.

Assemblyman Bobzien:

The concern is that the public be afforded the chance to understand what the relationship is with the outside counsel, and that it should be less than a general on-hand retainer, but rather for a very specific instance. If Mr. Joiner could come up with some language to say how the scope would be determined and set, it would help.

Richard "Skip" Daly, Business Manager, Laborers' International Union, Local 169:

I served as the Vice Chair on the Charter Committee, as well. I was appointed to the Committee by Senator Mathews. We deliberated on many of these issues that you are talking about here. We reviewed other charters, and we took language similar to the City of Reno's charter.

As far as the outside counsel is concerned, the City of Reno has a supermajority and we have a simple majority. We deliberated over that for a long time. There was a conflict between the City Attorney's Office and the City Council on whether they could or could not hire outside counsel. There was an opinion from the City Attorney that they could not, and there was an opinion from the City Council that said they could. When the Charter Committee deliberated that issue, the majority agreed that the City Council could, and we wanted to clarify that in the charter to eliminate the conflicting opinions. There was a lot of testimony about what Mr. Goicoechea and Mr. Bobzien are concerned about as far as: what would be the scope, what would be the language, what was going to happen, and how it would get done. It will be a political liability if the City Council goes out and willy-nilly hires outside counsel. They have to pay for that and would have to make appropriation for it. There is a small chance they would do that. I do not anticipate the situation that arose with the land use development coming up often; just in this case, the City Attorney had one opinion and the people wanted a second.

In regard to the Civil Service Commission, the perception of any conflict of interest is as important as any actual conflict of interest. They had one person on the Commission married to a City Supervisor who supervised a person who had an issue and said there was a conflict. The person on the Civil Service Commission refused to recuse himself. The City Attorney said he cannot represent both, so we are going to have outside counsel to represent the Civil Service Commission, and we are going to represent the employee. We want to eliminate this possibility in the future when the Civil Service Commission considers who gets hired, what position he can be in, or how to resolve a conflict. When you are talking about money and livelihoods, we want to remove all possibility of conflict of interest.

There is one exception with a non-appointed, unpaid commission or committee, such as Parks and Recreation or the citizens' advisory boards. One could still volunteer for those types of things and be on the Civil Service Commission. We did not want to eliminate volunteerism.

Assemblyman Bobzien:

It is good to hear that there has been a lot of work before this bill was brought to us. I encourage you to work on the language because I do not want to restrict the Council's ability to hire outside counsel.

Richard Daly:

We did address some of your questions. I asked the City Charter Committee about the words that ended up in the bill. I was told by the City Manager's Office and by Councilmen who attended our Charter Committee meeting how the outside counsel was going to be selected, what their scope of work was going to be, what they specifically are to do, and what their pay was going to be in a matter of an employment contract, which does go through the public process. It would be a city agenda item to do this. We talked about addressing it in the Charter but it would have added 15 pages. We decided other safeguards were there.

Assemblywoman Kirkpatrick:

Did you just say that the contract would be a public hearing or on the consent agenda?

Richard Daly:

The way I understand it is that it would be on the regular public hearing agenda.

Assemblywoman Kirkpatrick:

We have really tried to be transparent in local government at the request of constituents. Rather than defining it, just say that it must have a public hearing to give you the opportunity to be flexible but still be open, and they are pretty vocal in Sparks from what I understand.

Richard Daly:

That might be a simple solution. It seems logical.

Vice Chair Pierce:

Is there anyone else who would like to speak in support of S.B. 101? [There were none.] Is there anyone who would like to speak in neutrality?

Patrick Sanderson, Private Citizen, Sparks, Nevada:

The only problem I have is on Section 1, because it takes the right to elect the City Attorney away from the voters of Sparks. The City Council has already hired an attorney. If it was illegal, there would be a court case. This is Harvey Whittemore versus John Ascuaga. Do any of you want someone coming in and telling you how to run your city or county? If you do pass this bill, make it so there has to be a supermajority, not a simple majority.

Vice Chair Pierce:

So you are not actually neutral, you oppose this bill?

Patrick Sanderson:

I am not in the City of Sparks and I am not on the Charter Committee. This has been going on for quite a while. It is a personal feud between the City Council and the City Attorney. I am not saying that the City Attorney is right or wrong. Please take a look at the bill and think about what you would want in your city or county.

Vice Chair Pierce:

Is there anyone else who would like to speak in opposition to S. B. 101? [There was none.]

[The Vice Chair turned the meeting over to the Chair.]

Chair Kirkpatrick:

I would like to open the hearing on Senate Bill 196.

Senate Bill 196: Revises provisions relating to the Department of Cultural Affairs. (BDR 18-548)

Michael Fischer, Director, Department of Cultural Affairs:

This is a clarification bill dealing with three issues. The first section is about the Commission for Cultural Affairs bond sales. As it exists right now, we are allowed to use the \$3 million a year plus interest. Because of the good credit rating of the State of Nevada, we are selling the bonds at a premium. This would also allow us to use the premium.

Section 3 of the bill directly relates to the Division of Museums and History for artifact donation. *Nevada Revised Statutes* 353.3335 designates the process for grants and donations to state agencies. This would allow us to accept donations outside the Interim Finance Committee (IFC) process because many times people want to donate anonymously to museums. We do not always advertise, and we do not employ appraisers. If publicity is desired, we have the

ability to use our public information officer resolutions, but this allows us the ability to take donations outside the process. Any conditions that would occur with the donation have to be accepted by the existing Board of Museums and History.

The final sections, 2, 4, 5, and 6, are in direct relation to renaming the Nevada State Museum and Historical Society in Las Vegas to the Nevada State Museum in Las Vegas. In April 2009, we will be moving into a new museum in the Clark County/Las Vegas area to better serve the citizens of southern Nevada. We have done a number of focus groups with people at the Las Vegas Springs Preserve, and the new name is more identifiable and will allow us to enhance our marketing of the museum. This bill is clarification and cleanup.

Chair Kirkpatrick:

I want to put on record the reason for the name change.

Michael Fischer:

The name change is for better identification and the ability to market the museum in a more positive manner, for better public recognition.

Peter Barton, Acting Administrator, Division of Museums and History, Department of Cultural Affairs:

I do not have much to add to that statement, other than the Nevada State Museum and Historical Society, Las Vegas, is easier for everyone involved. It quickly identifies where it is; when one says Nevada State Museum and Historical Society, we find the public is confused whether we are talking about the Historical Society in Reno, the Nevada State Museum in Carson City, or the Las Vegas Museum. It is cleanup for us as we move into a new facility. There is no change in the mission, goals, or scope of collections for the museum.

Chair Kirkpatrick:

What I said to Ronald James [State Historic Preservation Officer] was, "It has always been Lorenzi Park, so that is how I know it." If you receive anonymous artifacts, how are they going to be logged?

Peter Barton:

The artifact would be registered. It is registered in the asset books of the museum as an anonymous donation received on such and such a date. The purpose of asking for the exemption from having to take donations in excess of \$10,000 to IFC is it puts the museum in a difficult position where it violates ethical practice for a museum to appraise or establish a value on an artifact. We are ethically prohibited from hiring appraisers, and this keeps us from having to establish values before we take it to IFC.

Chair Kirkpatrick:

Is there anyone else who would like to speak in support of S.B. 196? [There were none.] Is there anyone who would like to speak in neutrality? [There were none.] Is there anyone who would like to speak in opposition? [There were none.] We will close the public hearing on S. B.196.

Is there any public comment? [There were none.] Is there anything from the Committee? [There were none.] We will adjourn until 9:00 tomorrow morning. [10:14 a.m.]

RESPECTFULLY SUBMITTED:

Emilie Reafs
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: April 17, 2007

Time of Meeting: 9:04 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 81	C	Senator Dina Titus, Clark County Senatorial District No. 7	Pets Evacuation and Transportations Standards Act
S.B. 81	D	Senator Dina Titus, Clark County Senatorial District No. 7	Prepared Statement