

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

**Seventy-Fourth Session
April 18, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 9:02 a.m., on Wednesday, April 18, 2007, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBERS ABSENT:

Assemblywoman RoseMary Womack (Excused)



GUEST LEGISLATORS PRESENT:

Senator Dina Titus, Clark County Senatorial District No. 7

OTHERS PRESENT:

Ronald L. Lynn, Board of Directors, International Code Council

Vinson Guthreau, Nevada Association of Counties

Ronald M. James, Preservation Officer, Office of Historic Preservation,
Department of Cultural Affairs

Shweta Bhatnagar, Management Analyst, Las Vegas Valley Water District

STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst

Scott McKenna, Committee Counsel

Mary Kay Doherty, Committee Secretary

[The Committee for Government Affairs was called to order at 9:02 a.m.]

[Roll was taken.]

Chair Kirkpatrick:

Today we will hear two Senate bills.

Senate Bill 56: Revises provisions relating to building codes. (BDR 20-378)

Ronald L. Lynn, Board of Directors, International Code Council:

The purpose of this bill, *Nevada Revised Statutes* (NRS) 244.368, potentially requires enforcement of city building codes one mile outside of city boundaries. This section was added to the NRS in the late 1950s. Few counties had building departments or building codes, and development in the unincorporated area was encroaching on city boundaries. Now, nearly 50 years later, Clark County has more citizens living in the unincorporated area than in the incorporated cities. *Nevada Revised Statute* 244.368 is antiquated and no longer needed in Clark County. In fact, for many of the incorporated cities in Clark County, we actually have Memos of Understanding (MOU) to help with annexation transitions. The current law has the potential to impose undue and unneeded financial burdens on Clark County and developers by requiring the County and the impacted city to each review the plans, and potentially each issue construction permits.

Bluntly, I did not know this law even existed until someone wrote me a letter last year. If you think about it, a good deal of the Strip is longer than one mile.

The letter said we should comply with the standards of that statute. I do not believe there is any opposition. This is the cleanup. The Senate meeting was quite interesting because Senators Raggio and Care gave some historical basis from back in the old days about rural activities.

Chair Kirkpatrick:

Are there any questions?

Assemblywoman Parnell:

This bill says that the stricter rules supersede the less stringent. Is that correct?

Ronald Lynn:

That is correct.

Vinson W. Guthreau, Nevada Association of Counties:

We introduced this bill on behalf of Clark County. Our Board of Directors approved it and this is part of our legislative package to submit to the 2007 Legislative Session, and the Nevada Association of Counties (NACO) is in support of this legislation.

Chair Kirkpatrick:

Is there anybody neutral on S.B. 56? Anybody opposed? [There were none].

We will close the hearing on S.B. 56 and open the hearing on Senate Bill 136.

Senate Bill 136: Designates the month of May of each year as Archeological Awareness and Historic Preservation Month in Nevada. (BDR 19-213)

Ronald M. James, Preservation Officer, Office of Historic Preservation, Department of Cultural Affairs:

This is not my bill. It came out of the Legislative Commission Subcommittee to Study the Protection of Natural Resources. We have been celebrating Historic Preservation and Archeological Awareness Week for over a decade. Last year it was expanded to a month thanks to your constituents. I would like to take full credit for the success of this celebration, but that would be wrong. It is your constituents who have made it a real success. The volunteerism has been fabulous. Looking at this month, and seeing how this celebration has grown over the years, I am not sure why we rank 50th in volunteerism, unless it is because most of the volunteers would give the shirts off their backs but will not fill out a form. The fact is that there are volunteers working very hard for this State to make it a better place, and this has been a focal point. It started off as a small, one-week celebration, and it has become a huge competition as to who

can get more events packed into an entire month. You all have a copy of the brochure ([Exhibit C](#)) hot off the press. This is the official schedule. By the time the month starts, all sorts of other things will be packed in, and there will be lots of press releases for the latecomers. This is a full schedule of events throughout the State. It has been a wonderful event and S.B. 136 will make this an official state-recognized month. I would hope that you would see fit to approve this legislation.

Chair Kirkpatrick:

Does anyone else have any questions for Mr. James? [There were none.]

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

I have before you a bill that is one of five drafts that came out of the Interim Study Committee to Protect Natural Resources. I believe you have all received the book. It is a summary report. I refer to the 2005-2006 Interim Study, *Report to the 74th Session of the Nevada State Legislature by the Legislative Commission's Subcommittee to Study The Protection of Natural Treasures*.

I am very excited about this Committee because we traveled all around the State looking at Nevada's natural treasures and hearing from many of the users of those treasures as well as people who want to preserve them for future generations. [Read from prepared statement ([Exhibit D](#)).]

As we traveled around the State with this Committee, we carefully addressed critical areas in Nevada, taking input from interested parties. In particular, we heard about Tule Springs, located in Floyd Lamb State Park in Las Vegas. It is also one of the best examples of paleontological sites in the western part of the country.

[Read from prepared statement.]

Therefore we, the Interim Study Committee, have this bill that will draw attention to that need. It will help with public awareness, and it is a nice way of acknowledging the work that is being done by many of the advocates in the field as you have just received a schedule of events from Mr. James.

Also, since this bill was drafted with resolution-like language in it, it has come to my attention we might want to add some language about the Springs Preserve. We have given you an amendment ([Exhibit E](#)) that perhaps you would consider adding. I have passed out this brochure ([Exhibit F](#)) about the Springs Preserve to show you how it would fit. The Springs Preserve is one of the richest and best cultural and biological resources in Nevada.

Assemblyman Goicoechea:

Senator Titus, are you talking about the same area Assemblyman Mortensen's bill addressed? It was close to the state park, and there was a 300-acre parcel that he was trying to protect.

Chair Kirkpatrick:

Perhaps I can help you. Out near Tule Springs they had a big dig in 1965 and it is that which Mr. Mortensen was talking about. Recently they found a camel and mammoths.

Senator Titus:

We have heard testimony on Tule Springs as a place worth preserving. Tule Springs and Springs Preserve are two different places. Mrs. Mortensen is very active in the effort to get a state paleontologist. She has recently been awarded recognition for her work in this area. We have heard some testimony from her on a bill that is exempt. That bill is in Senate Finance where she brought the big tooth fossil. All of these are related and came out of that same Committee.

Assemblyman Settlemeyer:

Senator Titus, will the amendment become Section 2, deleting the existing Section 2, and will the existing Section 2 become Section 3? Are you deleting anything? I just want to clarify that.

Senator Titus:

No, I am not deleting anything. It would be an addition.

Assemblyman Settlemeyer:

Why was this not included in the Senate? Why is it coming to us as an amendment? What came about to create this and have it presented to us rather than having it dealt with in the Senate?

Senator Titus:

There is nothing sinister about this, Madam Chair. It was just overlooked. I think it was spurred by the publication of this booklet ([Exhibit F](#)) and some of the recent news about the discoveries in the Springs Preserve, and we thought it worth adding now. It is just some recognition of what is going on in southern Nevada.

Assemblyman Settlemeyer:

I know that the Southern Nevada Conservation District appreciates the concerns of these bills.

Assemblyman Stewart:

Do you have the date of the Springs Preserve open house?

Shweta Bhatnagar, Management Analyst, Las Vegas Valley Water District:

Springs Preserve is scheduled to open in June of this year. We are doing a "soft opening" in May but we are doing the grand opening in June.

Chair Kirkpatrick:

Are there any other questions?

Assemblyman Munford:

I was on the Committee regarding natural treasures, and I commend this bill. It is great for the area. It is my district, and I want to be in attendance when the grand opening takes place. I strongly support this bill.

Senator Titus:

We had some good hearings as we traveled all around the State. After you go to Lake Tahoe and the Red Rocks, there is another whole layer of things worth saving that we have not paid enough attention to.

Chair Kirkpatrick:

It is great that the Springs Preserve is being added to the bill. I know we have many rich treasures, and we have continually sent them out of state. It will be great to keep them within our State so our school children and our communities can enjoy them.

Would anybody else like to speak in favor of S.B. 136? Is there any opposition to S.B. 136? [There was none.]

The hearing is closed on S.B. 136.

[The meeting is adjourned [at 9:22 a.m.].

RESPECTFULLY SUBMITTED:

Mary Kay Doherty
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: April 18, 2007

Time of Meeting: 9:00 a.m.

| Bill | Exhibit | Witness / Agency | Description |
|-------------|----------------|-------------------------|--|
| | A | | Agenda |
| | B | | Attendance Roster |
| S.B. 136 | C | Ronald James | Brochure, May 2007 Schedule of Events |
| S.B. 136 | D | Senator Titus | Prepared Remarks |
| S.B. 136 | E | Senator Titus | Proposed Amendment |
| S.B. 136 | F | Senator Titus | Brochure, Springs Preserve |