

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

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

The Committee on Ways and Means was called to order by Chair Morse Arberry Jr. at 8:08 a.m., on Friday, April 6, 2007, in Room 3137 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/](http://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](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Morse Arberry Jr., Chair  
Assemblywoman Sheila Leslie, Vice Chair  
Assemblywoman Barbara E. Buckley  
Assemblyman Mo Denis  
Assemblywoman Heidi S. Gansert  
Assemblyman Tom Grady  
Assemblyman Joseph P. (Joe) Hardy  
Assemblyman Joseph Hogan  
Assemblywoman Ellen Koivisto  
Assemblyman John W. Marvel  
Assemblywoman Kathy McClain  
Assemblyman David R. Parks  
Assemblywoman Debbie Smith  
Assemblywoman Valerie E. Weber

**GUEST LEGISLATORS PRESENT:**

Assemblyman Mark Manendo, Clark County Assembly District No. 18  
Assemblyman James Ohrenschall, Clark County Assembly District No. 12  
Assemblyman Tick Segerblom, Clark County Assembly District No. 9

**STAFF MEMBERS PRESENT:**

Mark W. Stevens, Assembly Fiscal Analyst  
Steve Abba, Principal Deputy Fiscal Analyst  
Barron Brooks, Committee Secretary  
Patricia Adams, Committee Assistant



Chairman Arberry opened the hearing on Assembly Bill 315.

**Assembly Bill 315: Makes a contingent appropriation to the Lied Discovery Children's Museum for the costs of planning a new facility. (BDR S-1086)**

David Goldwater stated he became associated with Lied Discovery Children's Museum a number of years ago and sat on the board of directors. The museum was located on Las Vegas Boulevard and was one of the very few things that parents could do with their children in Las Vegas. Mr. Goldwater introduced Linda Quinn, Executive Director, Lied Discovery Children's Museum.

Ms. Quinn said that the museum opened in September 1990 and had seen more than 1.5 million visitors. About 80 percent of the museum's visitors were from the local community. Approximately 20-25 percent of the visitors were from school and community groups such as Head Start. The museum had the potential to be a world class museum because of the growing population base in the Las Vegas area. In 2000, a community study told the museum that the location of the museum was a problem because of perceived safety issues. On any given day, approximately 50 homeless people could be outside of the building waiting for the library to open. Ms. Quinn said the museum was currently talking to the city of Las Vegas and had entered into a letter of intent to relocate to Union Park. The museum had started a conceptual planning phase to redesign the museum to create a state of the art, exhibit experience with all new programming and an outreach program. The museum was looking at collaborating with a museum in Reno. The appropriation request was asking for a public/private partnership to ensure proper planning and the ultimate success of the museum. Hands-on learning had a positive impact on children, and the museum encouraged the support of the Committee.

In summary, Mr. Goldwater stated that the Committee had supported the museum in the past. He noted there was approximately \$2 million in the Governor's recommended budget for the Northern Nevada Museum, and he would like to see some money appropriated to the south. Mr. Goldwater preferred that the museum remain downtown in an urban center. The structure of the bill was unique because it required a match from a private source, which was similar to what the Committee did with the performing arts center.

Chairman Arberry asked where the new location of the museum would be.

Mr. Goldwater stated that the museum would be located on 61 acres in proximity to the performing arts center.

Assemblyman Marvel questioned the status of pledged matching funds.

Mr. Goldwater replied that much of the money had been pledged, and the museum had every indication that there would be no problem getting the money. The museum netted \$1 million at their last fundraising dinner.

Assemblyman Denis stated that he represented the district where the museum was currently located, and it was important for him to see that things important to that community were not moved out hastily. He wanted to know if there were any other factors involved with the decision to move the museum other than the perception that the neighborhood was unsafe.

Ms. Quinn explained that part of the problem was the fact that the museum was in the same building as the library. The other museums in the area did not

have to share facilities, and the museum's current building did not allow for expansion. She added that there was also a problem with parking.

Assemblyman Denis asked what would happen to the vacated space once the museum moved.

Ms. Quinn responded that the library had told her that they would use the space.

Assemblyman Hardy stated that there had been numerous discussions about moving and constructing other museums in other areas of Las Vegas. He asked whether there was any possibility of sharing space or funding mechanisms with other museums.

Mr. Goldwater replied that the museum had numerous discussions about locations and sharing possibilities, but he stated that this museum was unique and required its own space. He reiterated the need to keep the museum downtown and stated that owning their own building inspired confidence from the donor community.

Chairman Arberry closed the hearing on A.B. 315.

Chairman Arberry opened the hearing that A.B. 355.

**Assembly Bill 355: Revises provisions related to capital improvements constructed by or on behalf of the Nevada System of Higher Education. (BDR 28-982)**

Assemblywoman Gansert said that the concept of Assembly Bill 355 had been brought to her by former Assemblyman Hettrick after an Interim Finance Committee (IFC) meeting last year that had dealt with the Greenspun building. The bill proposed to take the Nevada System of Higher Education (NSHE) out from under the Public Works Board. If there were cost overruns, NSHE would be responsible and would have to use funds allocated to the institutions to cover the overruns. Section 6 provided the removal, and Section 7 provided the Board of Regents the ability to hire a manager to accommodate staff for Capital Improvement Project (CIP) oversight. Section 8 allowed NSHE to pool the funds allocated for capital improvements at an institution, so that if there were two projects at an institution, funds could be shared between projects to cover overruns. She added that NSHE would be unable to come back to the Committee asking for additional funding. The moving of funds was per institution, so NSHE would not be able to move funds from the north to the south or vice versa. If a design or construction project was not started within two years after the funds were appropriated, the appropriation would revert to the General Fund. She stated that this bill would add accountability for the projects that the Committee funded through NSHE.

Mike Reed, Vice Chancellor of Finance, Nevada System of Higher Education, stated that the bill would give NSHE project management responsibility. The University of Nevada, Reno, the University of Nevada, Las Vegas, and the Community College of Southern Nevada had staff who could manage construction projects and had handled projects in the past. He added that NSHE would like to see legislation that would allow the State Public Works Board to be the creator of the master CIP list. In addition, NSHE would like the State Public Works Board to continue being a financial overseer of the projects. Mr. Reid was unsure if the managerial structure provided in the bill was needed. A fiscal note had been done, showing a cost of approximately \$1.6 million over

the biennium, but NSHE was not sure that cost was necessary, because there was staff already in place to manage projects.

In response to Chairman Arberry, Assemblywoman Gansert stated NSHE was currently duplicating the efforts of project managers at the universities. She added that NSHE wanted the State Public Works Board to continue financial oversight and provide a list of projects that were presented to the Legislature.

Mr. Reed proposed the removal of the \$1.6 million in the bill for the managerial structure. The bill would become cost-neutral upon the removal of the \$1.6 million fiscal note.

In answer to Chairman Arberry, Assemblywoman Gansert stated that the NSHE staff carrying out the managerial functions were already funded in the NSHE budget. Wording would need to be changed in the bill to remove the \$1.6 million cost.

Assemblyman Grady questioned what would be done about institutions that currently did not have the needed managerial staff.

Mr. Reed stated that the state college, community colleges, and the Desert Research Institute would continue to work with the State Public Works Board.

Assemblywoman Smith asked whether there were any preemptive staffing increases in the current budget to accommodate the bill.

Mr. Reed stated that there was no accommodation in the current budget for the bill.

In answer to Assemblywoman Smith, Mr. Reed stated he was unfamiliar with other bills regarding the State Public Works Board.

Assemblyman Hardy commented that he thought the bill would perhaps save the State money by avoiding duplicate charges in the future.

Mr. Reed stated that NSHE would work with the State Public Works Board to avoid duplicate charges in the future.

Gustavo Nunez, Manager, State Public Works Board, said that the board had not taken a position on the bill, so he was testifying as a neutral person. Mr. Nunez stated that the Committee may wish to look into the requirements of NRS 341, which were not included in the requirements of the bill. Some of the issues included the adoption of seismic provisions and standards (NRS 341.143), negotiations for low-bidder funding, management, and inspection of CIP programs, IFC approval of change and scope of projects, regulations for the definition of change and scope, change-order limits, change-order requirements for consultants, requirements for the compliance of building codes (NRS 341.145), funds to account for CIP projects disposition of interest of funds, the order of spending of different funding streams (NRS 341.146), calculations of operation and maintenance costs and final total cost of buildings (NRS 341.151), IFC approval for CMAR regulations (NRS 341.161 and 341.166), and cooperation with local governments (341.211). He added that there were other items in NRS 355 dealing with the ability to move money between projects within the same institution. Mr. Nunez stated he wanted to make it clear that the State Public Works Board did not manage the portion of the Greenspun project which led to the \$30 million overrun. With respect to the duplication of effort, the State Public Works Board put together projects based

on the end user's needs and brought the plans back to the user for their review and approval. The success of a project depended on the cooperation between agencies.

John Wagner, representing The Burke Consortium, testified in opposition to the bill. He explained that the State could save money by eliminating the staff at the universities and using State Public Works Board to provide management. The State Public Works Board was competent and getting the Board of Regents involved would be unwise.

Gary Milliken, representing The Associated General Contractors, Las Vegas, testified in opposition to the bill. He explained that nothing in the bill would require NSHE to go out to bid on the projects. He stated that there were other bills that would change the makeup of the State Public Works Board to provide more oversight.

Patrick Sanderson, Laborers' International Union, Local 872, testified in opposition to the bill. He stated that decisions on education should be left to the University and decisions on construction to the construction professionals. There was greater transparency with the State Public Works Board.

Chairman Arberry closed the hearing on A.B. 355.

Chairman Arberry opened the hearing on A.B. 401.

**Assembly Bill 401: Makes an appropriation to the Anthony L. Pollard Foundation for construction of the Carter G. Woodson Library in west Las Vegas. (BDR S-1436)**

Diane Pollard, President, Anthony L. Pollard Foundation, stated that the Anthony L. Pollard foundation was formed in 1999 and was a 501(c)(3) organization in southern Nevada. Their mission was to serve underrepresented students and adults in the community as well as promote cultural awareness and appreciation. Some of their projects included the Las Vegas Juneteenth Festival, which would be on June 15 and 16 at the Sammy Davis Jr. Plaza; Art For Education, which supported the Rainbow Dreams Scholarship Program; and the After-School Reading Academy at the Kit Carson Elementary School.

Ms. Pollard explained that the foundation received financial support from the community as well as the city of Las Vegas. The bill would make an appropriation to the Anthony L. Pollard foundation for the construction of the Carter G. Woodson Library in West Las Vegas. The library would concentrate on serving illiterate individuals and provide an emphasis on multicultural history and resources within the community. The foundation would work with adults 18 years of age and older to provide weekly, one-on-one tutoring sessions in basic literacy. The foundation plans to provide books, meeting rooms, and school library space. The library would work with other literacy programs in the community.

Ms. Pollard stated that the foundation felt that the library would require approximately 4,000 square feet to provide for a conference room, library room, meeting rooms, restrooms, and multipurpose rooms. The Carter G. Woodson Learning Center would be located on the campus of the Rainbow Dreams Academy Charter School, which was currently under construction in the empowerment zone in historic west Las Vegas. The facility would help to serve the foundation's mission to strengthen underserved families, children, and

communities through an additional opportunity for cultural and educational awareness.

Ms. Pollard explained that there were studies that had shown a direct correlation between the reading level of parents to the reading level of their children.

Assemblyman Denis asked where the exact location of the facility would be.

Ms. Pollard replied that it would be located on West Lake Mead and Lasalle St.

Assemblyman Denis asked whether the west Las Vegas Library was near this location.

Ms. Pollard replied that it was.

Assemblyman Denis questioned how the programs of the proposed facility would differ from the programs at the West Las Vegas Library.

In answer to Assemblyman Denis, Ms. Pollard responded that it was possible that the foundation would not need all of the \$5 million included in the bill.

Assemblyman Denis asked what the size of the facility would be.

Ms. Pollard stated that the total facility was 13,000 square feet. The wing for the learning Center would be around 4,000 square feet.

Chairman Arberry closed the hearing on A.B. 401.

Chairman Arberry opened the hearing on A.B. 402.

**Assembly Bill 402: Makes an appropriation to the City of Las Vegas for allocation to the Las Vegas Regional Clean Cities Coalition for an educational initiative. (BDR S-1357)**

Robin H. Joyce, representing the Las Vegas Clean Cities Coalition, explained that there were other individuals in attendance who would also testify on the bill. Mr. Joyce explained that Nevada drivers were unaware of the benefits of alternative fuels to our environment and to our economy.

Dan Hyde, Executive Director, Las Vegas Clean Cities Coalition, stated that gasoline in San Francisco currently cost \$4.19 per gallon. Assembly Bill 402 would get the message out about the deployment of cutting edge technology, which not only cleaned the air, but also created new business and tax revenue for the State. There was also an educational component, because the subject was inspiring to young kids in schools. Mr. Hyde said that the bill would need amending, because the money was supposed to go to the Las Vegas Clean Cities Coalition, not the city of Las Vegas. Through the bill, the public would be educated about tax incentives that existed for alternative energy and other opportunities provided by alternative fuels.

Paul Pate, Community College of Southern Nevada, Las Vegas Clean Cities Coalition, stated that the bill would help the college inform the Nevada citizens about alternative fuels. A lot of people did not realize that our country was set up for failure with our current fueling structure. The US used 25 percent of all oil on a daily basis, but only has 5 percent of the population of the world. The US had only 58 days of oil reserves. The college provided training to students



so that they could go into the workforce to work with alternative energy vehicles. If the bill was approved, the college could deliver courses in bio diesel, ethanol, hybrid vehicles, compressed natural gas, and safety classes for first responders.

John Haycock, CEO, Haycock Petroleum Company, stated that Haycock Petroleum was headquartered in Las Vegas and operated in the Rocky Mountain area. They had 45 years of experience marketing petroleum products, and in the last five to ten years, they had been highly involved with marketing energy. The Company recognized that petroleum products had certain limitations, and the future was going to depend on the ability to subsidize and streamline the infrastructure that provided energy. Efforts need to be made to stabilize the volatility of petroleum and to look at the environmental benefits of alternative fuels. Consumers needed to learn how to take advantage of the opportunities and programs that were available.

Ronald Levine, representing The Nevada Motor Transport Association, urged the Committee to pass the bill for its educational purposes and the benefit of our community.

Marty O'Connor, Vice President of fleet fueling, Haycock Petroleum Co., thanked the Committee for the opportunity to speak and hoped the Committee would pass the bill.

Gary Milliken, Yellow Checker Star Transportation, testified in support of the bill. Yellow Checker Star Transportation's taxis were fueled by propane, and the bill would help the community understand the importance of alternative fuels.

Vice Chairwoman Leslie closed the hearing on A.B. 402.

Vice Chairwoman Leslie opened the hearing on A.B. 430.

**Assembly Bill 430: Makes an appropriation to the Clark County Water Reclamation District for improvements to the Moapa Valley Wastewater Treatment System. (BDR S-1329)**

Assemblyman Hardy referred to Exhibit C, a proposed amendment to Assembly Bill 430. The amendment would change section 1, line 3 from "sum of \$6 million for the expansion, renovation..." to "sum of \$5 million for the rehabilitation, renovation, and repair. . ." Section 1, line 4 would also be changed from "Moapa Valley Wastewater. . ." to "Overton Wastewater."

Richard Mendes, General Manager, Clark County Water Reclamation District, provided the following testimony, (Exhibit D):

Good morning, my name is Richard Mendes. I am the General Manager of the Clark County Water Reclamation District. Thank you for the opportunity to speak on behalf of A.B. 430 this morning.

If you are not familiar with Overton, you may be surprised at some of the unique aspects of this community. First, it has not experienced the type of growth that has occurred in southern Nevada over the last 20 years. Today, there are 671 residential customers and 65 business customers connected to the wastewater system. That number has been relatively constant

over the same time period. This makes the cost sharing of a large capital project a difficult burden for such a small customer base and for this reason we are seeking assistance.

Overton's geographic location is also an important consideration, as it is located along the southern end of the Monday River and adjacent to the Overton arm of Lake Mead. Just below the current wastewater ponds is the Overton Wildlife Management Area, operated by the Nevada Department of Wildlife. The Overton Wildlife Management Area has been designated critical habitat for a number of threatened species.

As you can see from the photo we included in your packet, each of these areas are in close proximity to the wastewater facilities. The criticality of protecting groundwater as well as the sensitive environmental and water resource areas below the Overton wastewater facilities are why the current facilities must be rehabilitated. The Nevada Division of Environmental Protection has identified the wastewater ponds as operating in excess of the acceptable permit levels for nitrates.

Although the growth that has occurred in Southern Nevada the last 20 years has not come to Overton, there have been indicators that new residential developments will be coming to the Moapa Valley, of which Overton is a part. These developments will be responsible to fund the additional capacity. We want to make sure that it is understood that any new growth would pay for appropriate shares of new capacity and new facilities, but that the rehabilitation project is still the responsibility and cost to be borne by the Overton customers [and] is the minimal environmentally responsible option for this community. No matter what happens as far as growth in the surrounding areas, the system must be brought into compliance. Even with the assistance being requested in A.B. 430, the small customer base in Overton still have to bear a significant financial burden for the rehabilitation of these facilities.

In conclusion, the rehabilitation of this wastewater system is critical to the preservation of water quality in Lake Mead. We believe unique challenges faced by the Overton community, especially the need to protect critical environmental and watershed areas make it deserving of assistance. We greatly appreciate your consideration and support of A.B. 430. I am also appreciative of your time and the opportunity to appear before you this morning and would gladly answer any questions you may have.

In answer to questions from Assemblyman Denis, Mr. Mendes stated "the Moapa Valley included Overton and Logandale. Currently, the sewer system provided service only in Overton, and that was the part that needed to be rehabilitated. The larger project, of which this is a portion, would expand the system to include Logandale. Those costs would be apportioned to the expansion of the system and not to the rehabilitation. The rehabilitation was only for the existing customers. The larger project will be funded by growth from Logandale."

Assemblywoman Buckley explained that there seemed to be legitimate issues that needed to be resolved, but there were limited finances at the state level. It



appeared to her that this was a county responsibility. She inquired as to what had been done at the county level to provide funding for the project.

Mr. Mendes responded that Clark County had developed a financial program which the Board of Commissioners was considering moving forward with, which placed the burden on the customer base in the Moapa Valley. The county was seeking outside sources to defray the expenses because of the significant burden it would place on the community. Because of the impact of the facility on the wetlands and the quality of water in Lake Mead, there was a potential for the State to reclaim water for use in that area. There was a state interest in trying to preserve the environmental sensitivities of the area.

Assemblywoman Buckley asked about the Water Authority.

Mr. Mendes believed that the Water Authority would be a partner in the water reclamation phase. Discussions had taken place with the Water Authority.

Assemblywoman Buckley offered her help in regard to dealing with the Water Authority.

Assemblywoman Gansert believed that there was bonding available through the State Treasurer's Office at low interest rates.

Mr. Mendes replied that many different funding options had been looked at.

Eric Hawkins, Clark County Water Reclamation District, stated that a large percentage of the community in Overton was in the low income bracket and living in trailer homes. Mr. Hawkins read the following letter contained in [Exhibit D](#) provided by Bruce Woodbury, Clark County Commissioner, District A:

I urge your support for A.B. 430 to help fund the Overton Reclamation System Rehabilitation Project. Without some assistance, the impact of greatly increased fees on the citizens and businesses in the small community will be severe. Further, this project is critical to the protection of our water equality in the Overton area and the Lake Mead waters directly adjacent. Thank you for your consideration.

Mr. Hawkins read the following letter contained in [Exhibit D](#) provided by Tom Collins, Clark County Commissioner:

I certainly appreciate your having the willingness to support A.B. 430 sponsored by Assemblyman Joe Hardy.

In response to Assemblywoman Smith, Mr. Mendes stated that the commissioners supported the project and were prepared to put the rates in place to fund the project. The topic was up for a hearing within the month before the commissioners. Even with the proposed appropriation in the bill, the cost of the project would still have significant impact on the rates of the customers. Even with the state assistance, a resident's rate would go from \$92 per year to approximately \$350 per year.

Vice Chairwoman Leslie closed the hearing on A.B. 430.

Chairman Arberry opened the hearing on A.B. 464.

**Assembly Bill 464: Makes an appropriation to the Las Vegas Natural History Museum. (BDR S-1330)**

Marilyn Gillespie, Director, Las Vegas Natural History Museum, stated that the museum was a private nonprofit educational institution located in a building owned by the city of Las Vegas that was leased for one dollar per year. It was located in the Cultural Corridor. The museum's mission was to instill an appreciation for wildlife and the environment. The museum targeted children and their families in the community. Within the last 16 years, the museum had remodeled their building, received a 50 year lease with the city of Las Vegas, acquired over \$3 million in contributions, and was named a Smithsonian affiliate. As the only museum in Las Vegas with collections extensive enough to interpret wildlife in the environment beyond southern Nevada, the museum played an important educational role. The galleries displayed wildlife from around the world. The museum also incorporated live animals in the exhibits and programs. The museum's educational efforts had made it the most visited museum in Las Vegas by Clark County schoolchildren. The museum received over 30,000 Clark County schoolchildren each year. About 16,000 of those children were from at-risk for schools and were admitted to the museum for free. Of the 16,000, the museum provided transportation for 10,000 of the schoolchildren to the museum. The museum had a program called Sensory Safari for handicapped students. The museum served over 600 handicapped children within the last year.

Ms. Gillespie explained that the museum had a history of steady growth and improvement, but had to work within the confines of an older preexisting building. To meet the demands of the growing community, the museum found it necessary to expand the facility. Additional offices, larger collection spaces, and broadened exhibit areas were needed to increase capacity. The museum's two-phase plan called for enclosing a 4,000 square-foot patio area to be used for exhibit space and then build a two-story, 20,000 square-foot building for offices and additional exhibit space at a cost of approximately \$10 million. The one-shot appropriation request to the Committee was for \$1 million.

Ms. Gillespie stated that many of the children that the museum served would never have an opportunity to see the natural environments that were re-created in the museum, because many had never even been outside of the city limits. She asked for the Committee's support in increasing the museum's educational capacity for the students and the community.

Chairman Arberry asked what could be done to obtain additional support for the museum from the community.

Ms. Gillespie replied that most of the museum's small operating budget went toward the exhibits of the museum, so the lack of marketing resources perhaps created a public awareness issue. The museum actively worked with the school district.

Chairman Arberry requested that the Committee be provided a breakdown of the proposed spending.

Chairman Arberry explained the importance of maintaining the vitality of the Cultural Corridor in Las Vegas.

Ms. Gillespie stated she was pleased with the efforts of the Cultural Corridor and told of monthly meetings between the various museums. The city of Las Vegas had targeted the Cultural Corridor as a new redevelopment area. There

were projects that had been funded including a \$4 million park in front of the Neon Sign Museum. There was also a \$2 million trails project to connect downtown to the Cultural Corridor.

Chairman Arberry asked whether there had been any efforts to obtain city or state matching funds.

Ms. Gillespie stated that the museum had been working with the city, and the city was very supportive of the museum's efforts. The city was currently paying the museum's utilities and had helped remodel bathrooms.

Assemblywoman Buckley expressed the importance of the museum and offered help in obtaining support from the Commission on Tourism. She stated that more needed to be done to support the museum.

Assemblywoman Weber questioned whether the museum's website was linked by any state agencies.

Ms. Gillespie responded that she was not aware of any linking by any state agency.

Assemblywoman Weber proposed the issue be looked into.

Assemblyman Denis questioned whether the museum had considered moving.

Ms. Gillespie responded that the county offered the museum land in one of the new parks, and the museum's board of directors had discussed the possibility of moving. The decision was made to stay in the Cultural Corridor because of the relationship with the city of Las Vegas and the geographical benefits of the Cultural Corridor.

Assemblyman Denis asked whether the museum had any problems with the homeless population in the Cultural Corridor.

Ms. Gillespie stated that there used to be a problem with Heritage Park, but the park had now been designated a children's park. No children had ever been harmed.

Chairman Arberry closed the hearing on A.B. 464.

Chairman Arberry opened the hearing on A.B. 475.

**Assembly Bill 475: Makes an appropriation to the Flight 93 National Memorial Fund for a portion of the construction of the Flight 93 National Memorial. (BDR S-33)**

Assemblyman Manendo, stated that sitting beside him was Deborah Borza, the mother of Deora Bodley, who was killed when United Flight 93 crashed on September 11, 2001. Assemblyman Manendo explained that he had been approached by a constituent to try to make a contribution in honor of the heroes of Flight 93.

Deborah Borza provided the following testimony:

I would like to open my remarks with the Flight 93 National Memorial mission statement: A common field one day, a field of honor forever. May all who visit this place remember the collective

acts of courage and sacrifice of the passengers and crew, revered this hollowed ground as the final resting place of those heroes, and reflect on the power of individuals who choose to make a difference.

I am the mother of Deora Bodley, passenger on board United Flight 93 which crashed outside Shanksville, Pennsylvania, on September 11, 2001. After visiting with her girlfriends, Deora was coming home to start her Junior year at Santa Clara University. I felt it important to be here with Assemblyman Manendo, to stand with him as he asks for an appropriations act from the state of Nevada to the Flight 93 National Memorial. I am inspired by Nevada's patriotism and moved that the state of Nevada could be the first state to join the state of Pennsylvania, in supporting the Flight 93 National Memorial. And, on behalf of the Families of Flight 93, I want to commend Assemblyman Manendo for his generous efforts.

So far, on a commitment of approximately \$60 million, \$10 million have been raised in public donations. The federal government has [allocated] \$5 million in the Fiscal Year 2007 budget along with another \$5 million for the Fiscal Year 2008 for land acquisition. And the state of Pennsylvania has matched with \$10 million to fund infrastructure.

The Families of Flight 93 are proud to be with our partners, the National Park Service, who are the stewards of the Flight 93 National Memorial, the National Park Foundation and the Flight 93 Memorial Task Force made up of family members, National Park Service staff, and local townspeople from Somerset and surrounding counties.

Because of the Flight 93 National Memorial, the events of September 11 will be handed down for generations to come. Great leaders will be honored, those leaders being the passengers and crew. Their final resting place will be revered. And our personal renewal of courage in the face of our fears and the power of individuals who choose to make a difference will forever be present at the Flight 93 National Memorial.

On a personal note, Deora loved the national parks. She loved the view of life given to her when visiting them. I have a picture of Deora, at age 13, sitting on a rock overlooking the Grand Canyon. And on the back she wrote a view of life, *"If I would just live for the moment, and make every moment count, maybe the future would work out. Maybe that moment would be a doorway to the future."* Isn't it something that the doorway to the future we will experience will be the moments we spend at the Flight 93 National Memorial? Thank you.

Assemblyman Manendo stated that September 11, 2001, was one of the darkest days in our nation's recent history. The United States experienced the worst incident of terrorism in its history. Shortly after planes hit the World Trade Center and the Pentagon, the 40 passengers and crew members of Flight 93 fought a battle in the skies over Pennsylvania. Those heroes won their battle over terrorism by sacrificing themselves for others.

Mr. Manendo asked the Committee to consider a small appropriation to the Flight 93 Memorial Fund. The Outback Steakhouse had been appointed as the national chair and had also pledged \$2 million to the fund.

Chairman Arberry expressed his heartfelt support of the bill.

Vice Chairwoman Leslie closed the hearing on A.B. 475.

Vice Chairwoman Leslie opened the hearing on A.B. 480.

**Assembly Bill 480: Makes an appropriation to the Office of Historic Preservation of the Department of Cultural Affairs to purchase the historic Huntridge Theatre. (BDR S-1025)**

Assemblyman Ohrenschall stated that the historic Huntridge Theatre was located at Maryland Parkway and East Charleston. The Huntridge Theatre was designed by the famous architect S. Charles Lee in the "Streamline Moderne" style. The Theatre opened in 1944 and was the first nonsegregated theater. During the 1990s, a nonprofit organization called the Friends of the Huntridge Theatre took over the property. In 2002, the property was sold to the owner of the neighboring furniture store, but it had not been used because it was deed restricted to only be used as a theatre until 2017. In the 1990's, \$1.6 million had been given to the Theatre by the Commission on Cultural Affairs for the renovation of the roof. Assembly Bill 480 makes an appropriation to the Commission on Cultural Affairs to purchase the Huntridge Theatre, for use as a cultural and performing arts center

Assemblyman Segerblom registered his support for the bill.

Assemblyman Ohrenschall stated that the owner had recently received a \$12 million offer for the property but had turned it down. The owner was open to many different possibilities for the property. Mr. Ohrenschall stated that the Theatre operating as a cultural and performing arts center would have great benefit to the community and urged Committee support for the bill.

Assemblyman Arberry asked what the future of the furniture store was.

Assemblyman Ohrenschall stated that there was a wall between the two properties, but he did not know the future of the furniture store.

Michael Fischer, Director, Nevada Department of Cultural Affairs, offered to provide any additional information to the Committee.

Assemblyman Marvel asked whether the Theatre had received funding from the State in the past.

Ronald James, State Historic Preservation Officer, Nevada Department of Cultural Affairs, responded that the nonprofit organization had a mortgage, and the Department had contributed \$1.5 million. Under the nonprofit, the Theatre served over 750,000 people, many of whom were disadvantaged youth. The Department was also able to impose covenants on the property as a result of the grants, but the nonprofit failed in its long-term goal surviving as a nonprofit. While the property was in private hands, the covenants were still on the property.

Assemblyman Marvel asked whether the Department could provide funding to an individual entrepreneur.

Mr. James replied that money could not be granted to private individuals. Grant funding from the commission must support the public holdings of the State through nonprofit organizations or through governmental property. Approximately \$3 million per year was granted in bond issues plus interest as available.

Robert Ostrovsky, Chairman, Nevada Cultural Commission, stated that he had been speaking with governmental and nonprofit agencies as to how the Theatre could be operated. The building required significant repairs to operate. Nobody was prepared to do the repairs and operate the facility. There would need to be a long-term strategy to save this important piece of Nevada history.

Assemblyman Marvel asked what the approximate asking price was for the property.

Mr. James stated he was unsure. Mr. James added that the owner was not mean-spirited about the historic resource, but that he was expected to protect his own prerogatives.

Chairman Arberry closed the hearing on A.B. 480.

Mr. Stevens commented on the upcoming schedule of the Committee

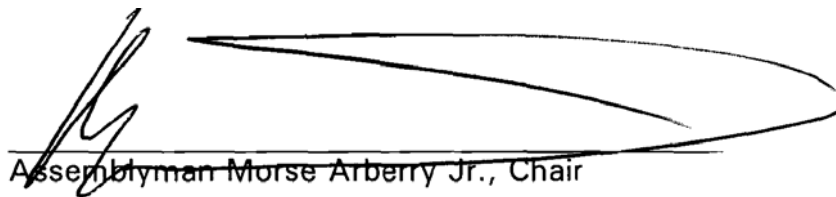
Chairman Arberry adjourned the meeting at 10:00 a.m.

RESPECTFULLY SUBMITTED:

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Barron Brooks  
Committee Secretary

APPROVED BY:



Assemblyman Morse Arberry Jr., Chair

DATE: \_\_\_\_\_

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Ways and Means</u>			
Date: <u>April 6, 2007</u>		Time of Meeting: <u>8:08 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 430	C	Assemblyman Hardy	Proposed Amendment
A.B. 430	D	Richard Mendes	Testimony and letters