

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-fourth Session
April 4, 2007**

The Senate Committee on Government Affairs was called to order by Chair Warren B. Hardy II at 1:41 p.m. on Wednesday, April 4, 2007, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Warren B. Hardy II, Chair
Senator Bob Beers, Vice Chair
Senator William J. Raggio
Senator Randolph J. Townsend
Senator Dina Titus
Senator Terry Care
Senator John J. Lee

GUEST LEGISLATORS PRESENT:

Senator Steven A. Horsford, Clark County Senatorial District No. 4
Senator Dennis Nolan, Clark County Senatorial District No. 9
Senator Michael A. Schneider, Clark County Senatorial District No. 11

STAFF MEMBERS PRESENT:

Candice Nye, Assistant to Committee Manager
Eileen O'Grady, Committee Counsel
Michael J. Stewart, Committee Policy Analyst
Erin Miller, Committee Secretary

OTHERS PRESENT:

Sabra Smith-Newby, Director, Intergovernmental Relations, Clark County
Seth Floyd, City of Las Vegas
Shirley B. Parraguirre, Clerk, Clark County

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Diana Alba, Assistant Clerk, Clark County
Debbie Conway, Recorder, Clark County
Susan Wolbrant, Recorder's Office, Clark County
Joni L. Eastley, Vice Chair, Board of Commissioners, Nye County
Jim Braswell, Airport Manager, Minden-Tahoe Airport
Frank Siracusa, Chief, Division of Emergency Management, Department of
Public Safety
Kimberly McDonald, City of North Las Vegas
Kenny Young, City of North Las Vegas
Andy Burnham, Director, Public Works Development Services Department,
Carson City
Kenneth T. Furlong, Sheriff, Carson City
Marv Teixeira, Mayor, Board of Supervisors, Carson City
Richard Moore
John L. Wagner, The Burke Consortium
Ted J. Olivas, City of Las Vegas

CHAIR HARDY:

We open the hearing on Senate Bill (S.B.) 363.

SENATE BILL 363: Promotes the rezoning of certain parcels of real property within Clark County and the City of Las Vegas to allow high density residential development. (BDR 22-997)

SENATOR MICHAEL A. SCHNEIDER (Clark County Senatorial District No. 11):

This bill changes Las Vegas, but we have to change Las Vegas in order to move forward. This bill comes from the Availability and Inventory of Affordable Housing study done over the interim. Senate Bill 363 changes the master zoning of all land west of the Las Vegas Strip. We are changing the master zoning to mixed-use and high-density zoning to move our workforce closer to the workplaces on The Strip. I sat in on the interim hearings on affordable housing, and the Bureau of Land Management testified they had land they could contribute, but the land is by the mountains away from The Strip.

We have almost 2-million people in our town and in another 10 to 15 years, we will be at 3 million. We have no transportation to move the people into our factories to go to work. I was thinking how we could move these people closer to The Strip and where we work to eliminate some transportation issues and still afford housing for our residents. With this bill, we have manipulated the real

estate market so every person could have high-density housing and one person would not have an advantage over another. All the land would go up in value but not substantially because so much land would be zoned under this type.

Under this bill, we would have a 30-year window where all people in the warehousing and business areas would have 30 years to relocate. That time period is an adequate amount of time. If they sold their property between now and the end of the 30 years, it would have to move to mixed-used or high-density zoning.

We already have a shortage of warehousing in Las Vegas, and people say we will have more of a shortage if our warehousing moves out of the area. Forty years ago, no one lived on the other side of the railroad tracks where there is warehousing. Now, people live there and the warehousing needs to be moved out. We need to look at other cities like New York and Philadelphia where the deliveries are made at night. We need to do that with our industry. We have an airport that will be built in the not-too-distant future and Apex Industrial Park where opportunities for warehousing will arise. That land is cheaper and more suitable for warehousing. I own property around Las Vegas including a partnership at Apex, and I will continue to buy investment properties. A large chunk of this land we are rezoning is in my district.

Some issues over this bill concern eminent domain. These are issues we can work around. There is an amendment ([Exhibit C](#)) concerning resorts in that area. Those resorts are looking to expand. This amendment would exempt them from the rezoning. We want the resorts to expand. There are bus and cab companies in the area that will service The Strip. We do not want more automobiles at the new airport or Apex. If we do not change issues like this today and set a future course, we will be in total gridlock.

CHAIR HARDY:

I am concerned that this might be a local government issue for the County Commission and City Council rather than the Legislature. Why is it necessary to do this at a state level?

SENATOR SCHNEIDER:

The cities and counties are creations of the Legislature. From the state level, we sometimes have to set the course for our municipalities. The County Commission is capable of doing it, but they are not coming forward with the

idea. They supported a study on workforce and affordable housing looking for the state to help them out. This is an extension of that.

CHAIR HARDY:

We will take testimony in opposition to S.B. 363.

SABRA SMITH-NEWBY (Director, Intergovernmental Relations, Clark County):

The majority of the land in this bill is within Clark County, and we are opposed. Approximately 45 percent of the area is located within the federally established McCarran Cooperative Management Area (CMA). Any intensification of residential densities within the CMA boundaries is in direct conflict with the operation of McCarran International Airport. Residential densities conflict with the intent of Congress when establishing the CMA area. The CMA area also has airport environs with decibel ranges from 65 to 75 decibels, so placing residential uses in this area would subject residents to intense aircraft noise. Any residential use at more than two dwelling units per acre is prohibited in 70-decibels-and-above areas.

CHAIR HARDY:

You are saying there are specific areas within the part of the bill designated for this type of development where that development cannot occur?

Ms. SMITH-NEWBY:

In some areas where 70 decibels and above occur, you cannot do this type of development.

CHAIR HARDY:

That is already factored into a land use plan that you have?

Ms. SMITH-NEWBY:

That is part of the CMA.

CHAIR HARDY:

Are there other areas designated for this kind of project that Senator Schneider envisions? I agree with what he is trying to accomplish. This is the direction we have to move in southern Nevada. The Committee would be interested in seeing the planning that has gone into this and where this type of development is visualized for southern Nevada.

MS. SMITH-NEWBY:

I will get with our planning division and get a map of the different designations within that area and valley. Approximately 32 percent of the proposal area is already in mixed-use, overlay-district boundaries outside of the CMA. That area can allow higher density residential housing without any additional legislation. There is a rural preservation area near the designated neighborhood that is congressionally designated. The Union Pacific Railroad rail line often goes through there carrying toxic materials on the trains. There may be an issue, especially with the high-density affordable housing, of environmental justice. In addition, the sewer lines parallel and around The Strip are at or reaching capacity, so adding more uses will require them to be substantially changed causing an added cost to the Clark County Water Reclamation District.

CHAIR HARDY:

You spoke about the 32 percent that is already able to accommodate high-density housing, would that not require oversizing of that infrastructure anyway? Is that in the plan?

MS. SMITH-NEWBY:

When that was designated, I imagine the infrastructure was taken into account. I will check on that.

CHAIR HARDY:

If we have barriers where it is permitted, the County should look to remove those barriers. The development envisioned here is critical to our future.

SENATOR LEE:

We have particular zonings in that area that have gentlemen's clubs. We have shoved them all in this area and said they were zoned in that area. Would that continue to keep its zoning or open up for residential uses? I do not want to spread or move people into that zoning?

MS. SMITH-NEWBY:

I will need to check on that.

SETH FLOYD (City of Las Vegas):

We are opposed to S.B. 363, which would change the zoning within the defined area without the typical local public process. That is our concern. Las Vegas is narrowly affected by the bill, and we support the intent of the bill. However, we

feel the power to plan for the future and respond to changing needs within the community should be left to local governments with public input from the citizens. Through our master planning process, we already have projected land uses for this portion that would be included in the west Las Vegas Strip area. This bill would establish new land uses not decided through the master planning process.

SENATOR CARE:

Where people choose to live, work and locate their business is a function of the marketplace, meaning wages and price of land. When you get into zoning issues, you are jerry-rigging the marketplace to a degree. When the City of Las Vegas discusses planning, do they discuss the natural inclination of housing to go in this area because the price of land dictates?

MR. FLOYD:

That is all part of the master planning process. That is why we have a master plan projected 20 years out—you are trying to predict those trends. That is what has led to the land uses we have today. We would like to leave that flexibility up to the local governments that are closer to the citizens.

SENATOR SCHNEIDER:

Ms. Smith-Newby and Mr. Floyd have good points. We cannot upset any federal restriction on that land. If we had a noise issue in a particular area, we would carve that section out. We are trying to do a huge master zoning to change everything. I agree with Mr. Floyd to let the people be in control, but for the next 30 years, we will have hodgepodge zoning. It happens all the time with the not-in-my-backyard mentality. With this bill, you can tell the people how the zoning is going to be and how the town is going to grow. You will impact the sewer, but how much will that cost to beef up the sewer and water lines as opposed to running tens of miles of new sewer lines way out by the mountains and building mass transit? This will be much cheaper. When you add high-density housing, the quality of air is greatly impacted because we can seek attainment on our air quality. The new high-density housing is more energy efficient than what you build way out.

CHAIR HARDY:

I agree with local governments. These issues should be resolved at the local level; however, I also agree with Senator Schneider that we have a policy role if

these issues are not resolved at the local level. We will close the hearing on S.B. 363 and open the hearing on S.B. 419.

SENATE BILL 419: Revises provisions relating to certain county clerks. (BDR 20-1161)

SENATOR JOHN J. LEE (Clark County Senatorial District No. 1):

We are marrying two pieces of legislation. We have county clerks who issue marriage licenses. When people move or lose their marriage license, they call up the county clerk and the clerk has to send them to the county recorder's office. We have asked the elected officials to come together today to show you that the county clerk and recorder are in agreement with S.B. 419.

SHIRLEY B. PARRAGUIRRE (Clerk, Clark County):

When a couple decides to get married in Nevada, they have to come to the County Clerk's Office to obtain their license. At the same time we issue the license, we partially prepare a marriage certificate. The couple has one year to use that license. At the time they get married, they present the license and certificate to whomever is going to perform the ceremony. Within ten days, the minister must record the marriage certificate with the County Recorder's Office. If the couple requires a certified copy of their marriage certificate, they must go to the County Recorder's Office; couples overlook that. When they realize they need a certified copy, they get in touch with the only county office they have dealt with, the County Clerk's Office. We receive hundreds of requests monthly and refer them to the Recorder's Office.

Debbie Conway, Recorder, Clark County, and I have worked together on this bill. We believe it would provide better customer service if we could have a one-stop shop for marriage records. The County Clerk's Office is the agency that grants permission for ministers to perform weddings. This bill would help the County Clerk's Office to better monitor when a minister has timely recorded the marriage certificates. Ms. Conway is willing to give the responsibilities up, and my office is willing to undertake them.

CHAIR HARDY:

There is a lot of verbiage in this bill. Page 4, lines 1 through 4 talk about a fee. Is that a new fee?

MS. PARRAGUIRRE:

It is a new fee. The County Recorders receive a \$3 fee for recording all of their documents with the exception of the marriage certificates. This is a fee for the filing of the certificates. It is not an added fee as the Nevada Taxpayers Association originally thought.

CHAIR HARDY:

It is a new fee, but it has already been authorized. We have a two-thirds majority requirement any time there is a tax or fee increase on legislation. There is no indication that this bill requires a two-thirds majority. Can you explain the concept that this is a new but previously authorized fee? There was more than a \$3 fee; there is also a \$10 fee for filing a certificate of marriage. I assume we are moving that from the recorder statute.

MS. PARRAGUIRRE:

There is no prior authorization. The County Recorders were granted a technology fee where they were allowed to charge \$3 for every document recorded with the exception of marriage certificates. When we proposed this legislation last session, we did not ask for the fee, the Legislative Counsel Bureau added the fee. The same is true this time. This is a new fee. By taking over the County Recorders new and old marriage records, we are going to have additional costs. That is where the fee will be used. Instead of paying \$10 when you file a marriage certificate, it will now be \$13.

CHAIR HARDY:

The fee issue will not jeopardize the merits of the bill, but a constitutional requirement is at play here. We need to ask Legal Counsel to do research on why the bill does not require a two-thirds majority vote.

DIANA ALBA (Assistant Clerk, Clark County):

Most language in the bill was taken from the recorders chapter in *Nevada Revised Statutes* (NRS). It was copied over to accommodate the clerk handling this responsibility. The \$3 fee is in the existing recorders statute. Clark County issued 112,000 marriage licenses last year. Approximately 90 percent of those people reside out of state, and it becomes confusing for those people to try to attain their marriage certificates.

DEBBIE CONWAY (Recorder, Clark County):

I support S.B. 419. Our office charges a \$10 fee for filing any certificate of marriage. There is no additional fee. We get a \$3 technology fee from the documents recorded in our office. This money goes into our technology fund to replace our technology as it expires over the years and to keep up with the growing population.

SENATOR LEE:

The fee issue is an important part of passing this bill. You need to consider making this transfer without any new dollars spent. The Committee will not approve this bill to have it vetoed by the Governor. Are you able to do this job with existing revenue?

Ms. ALBA:

We would like to see the fee remain because we have use for it. This has to be enacted by county ordinance with the change put in place by the County Commissioners. The fee could be part of what is enacted by the Board of County Commissioners. However, we do not want to sacrifice this bill for the sake of the fee. It will be more difficult to do without the fee, but we still want to have the bill.

CHAIR HARDY:

There may be a valid reason why there is no indication of a two-thirds majority.

SENATOR RAGGIO:

Does this mean the Clark County Recorder's Office will have to transfer the marriage certificates it has had from Day 1 to the County Clerk's Office?

Ms. CONWAY:

That is correct. We anticipate a time of transition. It will take time for us to put it together.

SUSAN WOLBRANT (Recorder's Office, Clark County):

I am in support of S.B. 419. It is a customer service issue. We service people from all over the world.

CHAIR HARDY:

We talk about the uniqueness of Nevada, and this is one of the issues that makes us unique. It is important that we get this right. We close the hearing on S.B. 419 and open the hearing on S.B. 320.

SENATE BILL 320: Exempts the rental or lease of certain space at certain local governmental airports from requirements relating to appraisals and public auctions. (BDR 44-758)

SENATOR BOB BEERS (Clark County Senatorial District No. 6):

Senate Bill 320 came about as I was spending time in rural Nevada last year. Nevada got involved in a federal program last session that provides a 19-to-1 match on state funds used for capital development at rural airports. From that activity, I got to know people who run rural airports. In September 2006, Nye County wanted to lease a hangar at Gabbs Airport to an out-of-town individual. They were unable to find one appraiser, much less the two required by state law. They were looking at a \$12,000 price tag to make a \$125 hangar lease contract. This legislation is an attempt to alleviate those smaller counties from this burden and give them hope for more economic development. There are no appraisers in these rural areas so getting them out there is expensive because a fair amount of travel is involved.

CHAIR HARDY:

Is this bill drafted too narrowly? This is a causality of A.B. No. 312 of the 73rd Session. This is an unintended consequence of that legislation.

JONI L. EASTLEY (Vice Chair, Board of Commissioners, Nye County):

This bill is narrowly drafted. It addresses one specific issue we encountered last year and does not encompass the whole picture. The Tonopah Airport is a 3,800-acre property and has had opportunity during the past two years to lease land for industrial-related development. They have not been able to do so because of the inability to get appraisers. When we can find appraisers, the amount is so high that the money received from the lease would not offset what would be spent on appraisals. We appreciate the attempt, but it is too narrowly defined to suit our purposes.

JIM BRASWELL (Airport Manager, Minden-Tahoe Airport):

During the 73rd Session, NRS 495 moved county airports into NRS 496 which requires we deal with NRS 312 on appraisals.

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CHAIR HARDY:

We need to have more global discussion on commercial leasing.

Ms. SMITH-NEWBY:

We are neutral on S.B. 320 but are concerned about unintended consequences.

CHAIR HARDY:

We will close the hearing on S.B. 320.

SENATOR BEERS MOVED TO DO PASS S.B. 320.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HARDY:

We open the hearing on S.B. 390.

SENATE BILL 390: Revises provisions governing certain grants to local governments for disaster relief. (BDR 31-1347)

SENATOR DENNIS NOLAN (Clark County Senatorial District No. 9):

This is a housekeeping bill that is a result of the Nevada State Emergency Response Commission's activities.

FRANK SIRACUSA (Chief, Division of Emergency Management, Department of Public Safety):

This legislation revises the Disaster Relief Account and provides for the Fund to Stabilize the Operation of State Government for emergencies or disasters. It provides grant dollars if they do not have the financial wherewithal to pay for those expenses themselves. We have not used this bill in several years, and there were amendments made to the bill prior to that time. Last year, Lincoln County and the City of Caliente had disasters occur that received a presidential disaster declaration. Those jurisdictions applied for relief to the state Disaster Relief Account. As part of the process, the Division of Emergency Management, Department of Public Safety goes out to those communities and does a damage assessment. That report is submitted to the Department of

Administration that contacts the Department of Taxation to look at the financial records of the political subdivision seeking funding. As we started that process, there was confusing legislation on how we were to submit our report to the Department of Administration. We asked for a legal opinion from the Legislative Counsel Bureau (LCB). They clarified language and referred it to the LCB Research Division that researched the bill and found it was not specifying legislative intent. The bill cleans up language the Research Division determined was legislative intent on how this legislation should be enacted.

CHAIR HARDY:

Is this different from the fund Senator Titus created?

CHIEF SIRACUSA:

Yes, it is. This provides assistance to local governments. Senator Titus's bill provides assistance to individuals whose homes are damaged or destroyed as a result of an emergency or disaster.

CHAIR HARDY:

Is this funded through the General Fund?

CHIEF SIRACUSA:

This is part of the Fund to Stabilize the Operation of State Government and interest earned.

CHAIR HARDY:

If we pass this measure, it is conceivable the money could run out sooner. As this is written, one disaster could use the full amount.

CHIEF SIRACUSA:

When the money runs out, the money runs out. In the original bill, if a local government had a disaster occur and we could not get a federal declaration, they would be able to apply for up to 50 percent of the damages incurred. Under this bill, they may apply for up to 100 percent.

CHAIR HARDY:

Under current law, if there is a major disaster somewhere, they are eligible for a certain amount of money. We may not have a major disaster the rest of the year, and they could have used the money left sitting on the table.

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CHIEF SIRACUSA:

If we did get a presidential declaration, they may apply for up to 25 percent or the match that they would have to pay.

CHAIR HARDY:

We will close the hearing on S.B. 390.

SENATOR RAGGIO MOVED TO DO PASS S.B. 390.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HARDY:

We open the hearing on S.B. 352.

SENATE BILL 352: Requires the City of North Las Vegas to develop a program to make certain improvements to infrastructure in and near the Southern Nevada Enterprise Community. (BDR S-1315)

CHAIR HARDY:

Senator Horsford has submitted a substantial amendment ([Exhibit D](#)). We will use it as the working document.

SENATOR STEVEN A. HORSFORD (Clark County Senatorial District No. 4):

I am here on S.B. 352 as amended. It creates an advisory board to coordinate activities and resources provided by federal, state and local municipalities to develop a plan to attract economic development to the southern Nevada Enterprise Community. I submitted a map ([Exhibit E](#)). The shaded areas are the nine census tracts approved in 1994 by former President William J. Clinton, which designated the southern Nevada Enterprise Community encompassed in Senatorial District No. 4. Assemblyman Harvey J. Munford, Assembly District No. 6, brought forward a resolution to Senate Legislative Operations and Elections Committee on the need to promote economic development in this area and carry out the provisions in S.B. No. 229 of the 73rd Session. During the hearing, Senator Raggio asked questions regarding why more coordination among elected and community leaders from the area had not been achieved to

bring forward a plan to address the issues of blight and urban decay that currently exist.

In an effort to address the concerns raised by the City of North Las Vegas and Senator Raggio, I worked with the representatives from North Las Vegas to draft this amendment that gets to the original intent of the bill: to develop an economic development plan for the Enterprise Community. The amendment is sensitive to the role of local governments in performing community planning. While I appreciate that local governments should be charged with local planning, I maintain that as elected state officials, we have a role in supporting good planning as well. We have taken action in previous Legislative Sessions to create regional planning, airport authorities and other things to address a particular need at a particular time. There is a great need in this area. This area of the district has the highest rate of poverty and unemployment and the lowest amount of economic development in the state. It is in the middle of the fastest-growing city in America.

Senate Bill 352 creates the southern Nevada Enterprise Community Advisory Board. The Advisory Board consists of nine members: one member from the Nevada Congressional Delegation selected from their members or a designee; the state Senator that represents the area; one member of the Clark County Board of Commissioners or their designee; one member from the Las Vegas City Council or their designee; one member from the North Las Vegas City Council or their designee; two residents from the Enterprise Community recommended by the three local governments; a representative from the private sector recommended by the Chamber of Commerce and a representative from a nonprofit, educational or religious organization appointed by local governments. The Advisory Board can elect a chair and vice chair. They are charged with developing a written plan on or before January 31, 2008. That plan would include public notification and meetings for input and allow for a number of specific criteria to be addressed including adequate framework.

Section 13 does five things. It attempts to identify objectives or policies that would promote construction, repair or refurbishment of basic infrastructure you would expect in other communities. It seeks to address issues of open space, facilities for recreation and medical care, removal of structures and facilities that create disincentive for development and identifies sources of money at the local, state and federal level that can carry the goals of the project. Once the written plan is adopted from the Advisory Board, it would go to each local governing

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body, including Clark County and the City of Las Vegas so they can carry out their roles. We would have a report based on the state and federal representative.

KIMBERLY McDONALD (City of North Las Vegas):

We had serious concerns regarding the original bill, but all concerns have been addressed in the amended version of S.B. 352.

KENNY YOUNG (City of North Las Vegas):

The City of North Las Vegas is enthusiastic about working with our delegation to further economic development opportunities in southern Nevada. We support S.B. 352.

SENATOR LEE:

Could we put an amendment on this bill to report back to the Legislature in 2009 to see how this went so we can track this?

CHAIR HARDY:

We will pursue an amendment per Senator Lee's request.

SENATOR TOWNSEND:

Where are the boundary lines for the municipalities on the map?

MR. YOUNG:

The southern boundary line for the City of North Las Vegas would be Carey Avenue. The western boundary line would be Rancho Drive, which goes down to Lake Mead Boulevard.

SENATOR TOWNSEND:

In the amendment, it says the City of North Las Vegas will provide administration for the Advisory Board. Is that all right with the City?

MS. McDONALD:

The cost will be negligible, and we are willing to take on that cost.

MR. YOUNG:

This is not uncommon to what we already do in southern Nevada with other local issues. One of the municipalities will take the lead and provide administrative support.

SENATOR HORSFORD:

Last session, in addition to S.B. No. 229 of the 73rd Session which provided economic incentives to businesses, there was the measure Senator Titus and I worked on to provide the fund for urban and rural blighted areas. There is a fund administered by the Commission on Economic Development that the Advisory Board can apply to in order to support the work once the plan is written.

SENATOR RAGGIO:

We are always reminded by local governments when we pass bills like this that we may impose an unfunded mandate. Section 14 of S.B. 352 indicated a requirement about this bill being exempt from unfunded mandates.

CHAIR HARDY:

We will close the hearing on S.B. 352 and open the hearing on S.B. 447.

SENATE BILL 447: Makes various changes to the Charter of Carson City.
(BDR S-324)

ANDY BURNHAM (Director, Public Works Development Services Department, Carson City):

We would like to withdraw section 1 of S.B. 447 related to water. This is prudent to pull it because it is controversial.

CHAIR HARDY:

You want to remove section 1 completely so section 2 will become section 1.

KENNETH T. FURLONG (Sheriff, Carson City):

Section 2 is verbiage cleanup. This provides that I be permitted to go outside law enforcement to obtain the best qualified people for my appointed staff. In the past, it had to be five supervisory deputy sheriffs. We want to look for the best qualified people, not just deputy sheriffs. The section also increased my authority to appoint six staff members instead of five. That would provide for one administrative aide for the entire staff.

MARV TEIXEIRA (Mayor, Board of Supervisors, Carson City):

Section 3 pertains to my office. The Charter Review Committee for Carson City adopted this measure to have a line of succession established in law in case I pass away. If I pass away in office, the mayor pro tempore takes my place.

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SENATOR BEERS:

Has no mayor of Carson City expired while in office?

MAYOR TEIXEIRA:

Not to my knowledge.

CHAIR HARDY:

We will take testimony in opposition to S.B. 447.

RICHARD MOORE:

I am opposed to S.B. 447 because of the lack of transparency to the public.

CHAIR HARDY:

Does Carson City have a Charter Commission?

MAYOR TEIXEIRA:

We have a Charter Review Committee. We held a public hearing on this, and the Board of Supervisors voted unanimously to adopt this.

CHAIR HARDY:

Mr. Moore, it is not anything in the bill; you have problems with the process of how the bill came about.

MR. MOORE:

That is correct. I recommend Carson City hire an independent consultant to evaluate and recommend the future direction of the issue in section 1, now deleted from the bill.

JOHN L. WAGNER (The Burke Consortium):

Most of our members live in Carson City. When it comes to the extra employee for the Sheriff's Office, does that entail more money? If it does, there should be a fiscal note. I have no problem with the Sheriff adding an employee as long as the money issue is covered.

SHERIFF FURLONG:

This does not have a fiscal impact. It exchanges a classified employee for an unclassified one.

MR. WAGNER:

I have a problem with section 3. If the mayor pro tempore suddenly becomes mayor, the person has an advantage in the next election. I would prefer to have him stay as mayor pro tempore.

CHAIR HARDY:

We close the hearing on S.B. 447

SENATOR TOWNSEND MOVED TO AMEND AND DO PASS AS AMENDED S.B. 447.

SENATOR BEERS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HARDY:

We open the hearing on S.B. 497.

SENATE BILL 497: Revises provisions relating to certain public facilities.
(BDR 22-1352)

SENATOR LEE:

The Clark County Shooting Park is about to break ground. The Shooting Park will offer over 20 different disciplines to shooting enthusiasts. The range encompasses 2,990 acres and approximately 900 acres will be added. The rest will be wildlife study areas, a paleontology protection area and a safety and noise buffer for safe shooting.

One of the considerations the advisory committee has embraced is the ability to have a public-private partnership within an enterprise fund that would allow for donations, partnerships, sponsorships and naming rights for the range. This enterprise fund would work as a business with the county jurisdiction and would be responsible for paying its own payroll, supplying its own services and building out with its own money.

An example of using naming rights to develop a large shooting complex is the World Shooting and Recreational Complex in Sparta, Illinois. This complex hosts

trapshooting events administered by the Illinois Department of Natural Resources that sent out a "request for sponsorship proposals." This proposal listed all the features for donations for a naming rights program including rights for an events center, exhibitor mall and campsites.

The sponsors will be able to buy the naming rights to the complex or element of the complex for ten years. Buildings, structures, programs and hosted events may be named. The money received for the Clark County Shooting Park would be earmarked for capital improvements or programs. This program would allow for the entire park, events and programs to have their names sold for naming rights. This program would allow needed monies for county projects and reduce the burden on the taxpayer.

Senate Bill 497 is the vehicle that will allow the Board of Commissioners in Clark County to adopt procedures for the sale of naming rights to a park or recreational facility. The procedure has naming rights offered for park facilities with different price and time ranges. Clark County officials would vet the request, accept the price and ensure the naming rights are granted in the best interest of the public.

On page 3, line 7, I am removing "maintenance" from S.B. 497 concerning residential construction taxes so this bill only deals with naming rights.

SENATOR RAGGIO:

The language in section 2 is not a way around a situation such as changing the name of Floyd Lamb State Park. We conveyed that land to the County with a provision that the name will not be changed. If we process this bill, that would have to be an exception.

SENATOR LEE:

We will put in an amendment to make sure that does not happen. That is not what I intended to do with this bill.

SENATOR CARE:

It would be possible under this bill for Clark County to rename any existing or future park to the highest bidder. Do I understand correctly?

SENATOR LEE:

That would give the opportunity for a park to have a tennis court complex named after someone. It would be the purview of the County Commission.

CHAIR HARDY:

Not unlike how we name building at universities.

SENATOR TITUS:

Sometimes, things should be named for people who do not have money but make other contributions such as a great educator. I do not want to exclude people like that from the opportunity to have things named for them. Would this bill exclude them?

SENATOR LEE:

It will not exclude them. It gives us the opportunity to sell naming rights to someone who will build a large complex as well. This is the only way the Shooting Park can get the money we need to build out the asset. We are not going to get any more money from Clark County for this.

CHAIR HARDY:

There is no prohibition against naming a park or facility after somebody for their service to the community. There is concern it might be difficult to sell a sponsorship for the Shooting Park.

SENATOR TITUS:

If this is something for the Shooting Park, I would like it to be specific to the Shooting Park. I do not want to see us get into the business of selling off our public facilities. If you say it is for sale, they will put it up for sale.

SENATOR LEE:

I will be as specific as you ask me to be.

SENATOR RAGGIO:

Do the cities and the counties have the opportunity to do this? Local governments can determine how they want to name something. If we pass this, would we preclude their ability and preempt them to sell it?

CHAIR HARDY:

We will ask Legal Counsel to do research.

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SENATOR LEE:

We have enough sources to get Phase 1 of the Shooting Park done. Phases 2 and 3 will be the responsibility of the Shooting Park.

CHAIR HARDY:

Having a Ducks Unlimited, Winchester or Remington not only provides contributions but also adds creditability. I want to make sure we have the ability to provide for this.

TED J. OLIVAS (City of Las Vegas):

We have a friendly amendment ([Exhibit F](#)). We want to allow cities with Clark County to have the same opportunity. It adds the same wording to NRS 268.

CHAIR HARDY:

There is agreement with Senator Titus's point that this should be limited to the Shooting Park. If we do expand it, we will give the amendment full consideration. This meeting is adjourned at 3:25 p.m.

RESPECTFULLY SUBMITTED:

Erin Miller,
Committee Secretary

APPROVED BY:

Senator Warren B. Hardy II, Chair

DATE: _____