

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

**Seventy-Fifth Session
May 8, 2009**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 10:04 a.m. on Friday, May 8, 2009, 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/75th2009/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Marilyn K. Kirkpatrick, Chair
Assemblyman David P. Bobzien, Vice Chair
Assemblyman Paul Aizley
Assemblyman Kelvin Atkinson
Assemblyman Chad Christensen
Assemblyman Ed A. Goedhart
Assemblywoman April Mastroluca
Assemblyman Harvey J. Munford
Assemblywoman Peggy Pierce
Assemblyman James A. Settelmeyer
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblyman Jerry D. Claborn (excused)
Assemblywoman Ellen B. Spiegel (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Cyndie Carter, Committee Manager
Cheryl Williams, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

None

Chair Kirkpatrick:

[Roll taken] Mr. Claborn will be testifying from Las Vegas all of next week. He has a family emergency. Ms. Scholley and I have been tracking everyone's bills. Please, I only know the bills that you say are important to you, so I am trying to make sure that everyone's bills get out of the Senate. If there is something that has not moved or something that is stuck, be sure to let me know.

I am going to give you updates on a couple of bills because, especially for the freshmen, there are a whole bunch of amendments coming on the Senate side. People are trying to amend on to the bills. Assembly Bill 60, which was the Treasurer's bill and was a contentious vote in this Committee as well as on the floor, has been completely gutted and redone, so if you would like a copy, there will be a conference committee on the bill.

The Senate has 20 bills from Assembly Government Affairs that they are going to try to hear in two days next week. So, if one of your bills is one of those 20, I am waiting for a list and please let me know. Today, for example, there are seven bills up that came out of this Committee so we are trying to keep track of all of them.

With that we will move into work session. There are a couple of bills that I am pulling from work session just so we can make sure that it is finalized. We will get copies out to you this afternoon so that you have plenty of time to go over the bills so that the public can talk to you about them.

Our first bill in the work session is Senate Bill 23.

Senate Bill 23: Revises provisions governing certain organizational matters within the Department of Health and Human Services. (BDR 18-328)

Susan Scholley, Committee Policy Analyst:
[Read bill from work session packet ([Exhibit C](#)).]

Chair Kirkpatrick:
Is there a motion?

ASSEMBLYMAN STEWART MOVED TO DO PASS
SENATE BILL 23.

ASSEMBLYMAN BOBZIEN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ATKINSON, CLABORN,
AND SPIEGEL WERE ABSENT FOR THE VOTE.)

Chair Kirkpatrick:
As far as floor statements, everyone realizes that the floor rules were suspended, so as soon as the bill is reported out to Committee the bill can go straight to General File. More than likely the bills will be on General File today. Since the floor rules have been suspended there is no second reading for the rest of the session. Who would like to do the floor statement? Mrs. Mastroluca will do S.B. 23.

We will now move on to Senate Bill 53 (1st Reprint).

Senate Bill 53 (1st Reprint): Makes various changes relating to the Office of the Secretary of State. (BDR 18-415)

Susan Scholley, Committee Policy Analyst:
[Read bill from work session packet ([Exhibit D](#)).]

Chair Kirkpatrick:
I think that there are still some questions on this bill, but I will take any discussion.

Assemblyman Settlemeyer:
My overall opinion is that the private sector already has online data storage in numerous formats, either to back up your entire hard drive computer or to allow you to rent individually. There are at least 15 or 20 sites that I have done research on that cost about \$5 a month. I really feel that the government

should not be in competition with the private sector, so I will be voting no on this bill.

Assemblywoman Mastroluca:

One thing to Mr. Settelmeyer, I will say that my parents are using the Living Will Lockbox, the one that is already in existence through the Secretary of State. That is great for me because then I have access to their "do not resuscitate orders," which I would not have had unless my parents had given me a physical copy and I stored it somewhere. So, for that reason I believe that this bill is a really good use of state time and resources.

My question was, I noticed in section 14, subsections 2 and 3, that any money that is collected, including interest, stays with the Secretary of State's Office. I am wondering if there was ever consideration to put a limit on how much they could keep, and if they exceeded that limit then roll it over to the state.

Chair Kirkpatrick:

We are just going to take discussion on this bill. Ms. Lambolely of the Secretary of State's Office can get with the Committee members after the meeting and try to answer questions.

Assemblyman Stewart:

Have we had any difficulties with changes not made in wills and other items in the lockbox that later resulted in legal problems?

Chair Kirkpatrick:

I do not believe that there were any. I will have Ms. Lambolely get all the answers for us at the end of today. I will then send out an email addressing everyone's concerns.

Assemblyman Bobzien:

Ms. Lambolely may correct this later with individual members, but I remember from testimony that that issue did come up, and it was reported that there had been no issues or problems. As someone who does use private services for data storage extensively, I look forward to having this sort of service for special documents that I frankly do not trust with the private sector. I think it is much better to have the seal of approval from the Secretary of State's Office in the State of Nevada for select documents. I think that this is a wonderful example of the Secretary trying to move forward in terms of what the government can provide to the citizens of Nevada. This is a wonderful idea that I look forward to supporting.

Assemblywoman Pierce:

I think that Mr. Stewart's concerns are addressed in section 12, subsection 6. On what Mr. Bobzien was saying, this may not always be true, but at this moment in history the private sector's polling numbers are really, really low, and the government's polling numbers are really, really high. There are things that we have traditionally trusted government to do, and I think that dealing with wills is one of them. I think that is a reflection of the fact that this is a part of life that has always been a purview of government.

Chair Kirkpatrick:

Ms. Lamboley has heard all the questions, so if after this meeting you could answer them, it would be most helpful, and we will try to bring the bill back next week.

We now move on to Senate Bill 59 (1st Reprint).

[Senate Bill 59 \(1st Reprint\)](#): Revises provisions governing telephone systems used for reporting emergencies in certain counties. (BDR 20-471)

Susan Scholley, Committee Policy Analyst:

[Read bill from work session packet ([Exhibit E](#)).]

Chair Kirkpatrick:

Is there any discussion?

ASSEMBLYMAN BOBZIEN MOVED TO DO PASS
SENATE BILL 59 (1st REPRINT).

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ATKINSON, CLABORN,
AND SPIEGEL WERE ABSENT FOR THE VOTE.)

Assemblyman Settelmeyer will do the floor statement. We will now move on to Senate Bill 76 (1st Reprint).

[Senate Bill 76 \(1st Reprint\)](#): Revises provisions governing the administrative procedures for the summary suspension of licenses issued by certain state agencies. (BDR 18-263)

Susan Scholley, Committee Policy Analyst:

[Read bill from work session packet ([Exhibit F](#)).]

Chair Kirkpatrick:
Is there a motion?

ASSEMBLYWOMAN MASTROLUCA MOVED TO DO PASS
SENATE BILL 76 (1st REPRINT).

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ATKINSON, CLABORN,
AND SPIEGEL WERE ABSENT FOR THE VOTE.)

Assemblywoman Woodbury will do the floor statement. We will now move on to Senate Bill 144 (1st Reprint).

Senate Bill 144 (1st Reprint): Enacts provisions governing public safety bomb squads. (BDR 42-909)

Susan Scholley, Committee Policy Analyst:
[Read bill from work session packet ([Exhibit G](#)).]

Chair Kirkpatrick:
Is there a motion?

ASSEMBLYMAN CHRISTENSEN MOVED TO DO PASS
SENATE BILL 144 (1st REPRINT).

ASSEMBLYMAN SETTELMAYER SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ATKINSON, CLABORN,
AND SPIEGEL WERE ABSENT FOR THE VOTE.)

Assemblyman Christensen will do the floor statement. We will now move on to Senate Bill 158.

Senate Bill 158: Revises provisions concerning tax increment areas created to benefit the Nevada State College. (BDR 22-905)

Susan Scholley, Committee Policy Analyst:
[Read bill from work session packet ([Exhibit H](#)).]

Chair Kirkpatrick:
Is there a motion?

ASSEMBLYMAN STEWART MOVED TO DO PASS
SENATE BILL 158.

ASSEMBLYMAN ATKINSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN CLABORN, AND
SPIEGEL WERE ABSENT FOR THE VOTE.)

Assemblyman Stewart will do the floor statement. We will now move on to
Senate Joint Resolution 3 (1st REPRINT).

Senate Joint Resolution 3 (1st Reprint): Urges the Federal Aviation
Administration and the Clark County Department of Aviation to convene a
stakeholders' group to develop and make recommendations to improve
flight safety standards at the North Las Vegas Airport, particularly with
respect to experimental homebuilt aircraft. (BDR R-803)

Susan Scholley, Committee Policy Analyst:
[Read bill from work session packet ([Exhibit I](#)).]

Chair Kirkpatrick:
Is there a motion?

ASSEMBLYMAN AIZLEY MOVED TO DO PASS
SENATE JOINT RESOLUTION 3 (1st REPRINT).

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN CLABORN AND SPIEGEL
WERE ABSENT FOR THE VOTE.)

I will do the floor statement for this bill.

Do we have any public comment? [There was none.]

Meeting adjourned [at 10:25 a.m.].

RESPECTFULLY SUBMITTED:

Cheryl Williams
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: May 8, 2009

Time of Meeting: 10:04 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 23	C	Susan Scholley	Work Session Document
S.B. 53 (R1)	D	Susan Scholley	Work Session Document
S.B. 59 (R1)	E	Susan Scholley	Work Session Document
S.B. 76 (R1)	F	Susan Scholley	Work Session Document
S.B. 144 (R1)	G	Susan Scholley	Work Session Document
S.B. 158	H	Susan Scholley	Work Session Document
S.J.R. 3 (R1)	I	Susan Scholley	Work Session Document