

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

**Seventy-Fifth Session
May 12, 2009**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 9:06 a.m. on Tuesday, May 12, 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 Jerry D. Claborn
Assemblyman Ed A. Goedhart
Assemblywoman April Mastroluca
Assemblywoman Peggy Pierce
Assemblyman James A. Settelmeyer
Assemblywoman Ellen B. Spiegel
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblyman Harvey J. Munford (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Scott McKenna, Committee Counsel
Cynthia Carter, Committee Manager
Michelle Smothers, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Jodi Stephens, Legislative Director, Office of the Governor
Tom Wolf, Deputy Director, Department of Information Technology

Chair Kirkpatrick:

[Roll called.] We will open the hearing on Senate Bill 412.

Senate Bill 412: Revises provisions governing the employment of staff for the Office of the Governor. (BDR 18-1210)

Jodi Stephens, Legislative Director, Office of the Governor:

I am going to be nice and brief so you can get to your work session. The purpose of S.B. 412 is to place the Nuclear Project Agency in the unclassified service, which will make budgeting for personnel easier. That agency is within the Office of the Governor, but is outside of the control of the Governor's Office and basically works for the Nuclear Projects Commission. This type of hybrid agency has made budgeting an oversight challenge in the past, and S.B. 412 will simplify that in the future.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.]

ASSEMBLYMAN SETTELMAYER MOVED TO DO PASS
SENATE BILL 412.

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN BOBZIEN, CHRISTENSEN,
AND MUNFORD WERE ABSENT FOR THE VOTE.)

Chair Kirkpatrick:

We will now open the hearing on Senate Bill 414.

Senate Bill 414: Reorganizes the Department of Information Technology.
(BDR 19-1204)

Tom Wolf, Deputy Director, Department of Information Technology:

This bill aligns the language in our *Nevada Revised Statutes* (NRS) to reflect the planning positions that we removed through our budget process. It is simply a language change. The division that the planners were in is no longer in existence, and this was reflected in our budget hearings.

Chair Kirkpatrick:

Are there any questions from the Committee? [There were none.] Is there anyone who would like to testify in support of Senate Bill 414? [There were none.] Is there anyone who is neutral on S.B. 414? [There were none.] Is there anyone who is opposed to S.B. 414? [There were none.]

ASSEMBLYMAN AIZLEY MOVED TO DO PASS SENATE BILL 414.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN BOBZIEN, CLABORN,
AND MUNFORD WERE ABSENT FOR THE VOTE.)

Chair Kirkpatrick:

We will now move right into our work session and open the hearing on Senate Bill 42.

Senate Bill 42 (1st Reprint): Exempts from the authority of the State Public Works Board and the deputy manager for compliance and code enforcement certain projects, improvements and buildings administered by other agencies. (BDR 28-326)

Susan Scholley, Committee Policy Analyst:

Senate Bill 42 (1st Reprint) in its first reprint was sponsored by the Senate Committee on Government Affairs on behalf of the State Public Works Board. It

was heard in this Committee on April 24, 2009, and it exempts certain projects, improvements, buildings, or structures administered by Nevada's Department of Transportation (NDOT), the Department of Wildlife, and the Division of State Parks from the authority of the State Public Works Board. These projects include certain maintenance projects, site improvements, and unenclosed or normally unoccupied buildings. [Read from prepared text ([Exhibit C](#)).]

ASSEMBLYMAN STEWART MOVED TO DO PASS
SENATE BILL 42 (1st REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any discussion? I will tell you that I had some concerns about this bill myself, on whether or not it was going to change the way we currently do business. The department has assured me that it will not and that there will be some checks and balances, so I am much more comfortable with it than I was before.

THE MOTION PASSED. (ASSEMBLYMEN BOBZIEN,
CHRISTENSEN, CLABORN, AND MUNFORD WERE ABSENT FOR
THE VOTE.)

Chair Kirkpatrick:

I will give the S.B. 42 (R1) floor statement to Mr. Atkinson. We will now open the hearing on Senate Bill 147 (1st Reprint).

[Senate Bill 147 \(1st Reprint\)](#): Establishes provisions governing broadcasters during emergencies. (BDR 36-960)

Susan Scholley, Committee Policy Analyst:

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

ASSEMBLYWOMAN SPIEGEL MOVED TO DO PASS
SENATE BILL 147 (1st REPRINT).

ASSEMBLYWOMAN MASTROLUCA SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any discussion? I know that there were questions on section 2 of this bill. I did confirm with them that as the training process moves forward and the criteria is set, they would be more than happy to share it with the Legislature. We also confirmed that it would be a limited number of people who would

actually carry the card to get access in and out of these places to make sure the communication skills continue.

THE MOTION PASSED. (ASSEMBLYMEN BOBZIEN, CLABORN,
AND MUNFORD WERE ABSENT FOR THE VOTE.)

Chair Kirkpatrick:

I will give the floor statement to Ms. Spiegel. We will open the hearing on Senate Bill 175.

Senate Bill 175: Enacts provisions governing flood management projects.
(BDR 20-239)

Susan Scholley, Committee Policy Analyst:

[Read from prepared text ([Exhibit E](#)).]

Assemblyman Christensen:

When we were hearing Assembly bills, Naomi Duerr of the Truckee River Flood Project came in and showed us the 1997 Reno flood and all the issues that went along with that. Does this deal with that same flood management organization? Is it directly related to Washoe County? I just wanted to connect it to her presentation.

Chair Kirkpatrick:

Naomi Duerr did a couple of presentations on Assembly Bill 54, which had two different provisions. The second provision was for her to help folks who were within a flood zone and needed their houses raised, as opposed to building block walls. This is another portion of it, which will allow them to do further flood control, similar to what we have in Clark County relating to flood control and long-term planning. This addresses that portion. Is there any other discussion? [There were none.] If I am here next session, this portion of Washoe County's report must come back to show us what has been accomplished and how far we have moved forward. We like to stay in touch with you.

ASSEMBLYWOMAN PIERCE MOVED TO DO PASS
SENATE BILL 175.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN BOBZIEN, CLABORN,
AND MUNFORD WERE ABSENT FOR THE VOTE.)

Chair Kirkpatrick:

I will say for the record that regarding Senate Bill 175, Clark County wanted to put an amendment on. However, their amendment was not germane to the bill. It took us a couple of days to figure that out, so that is why we held it. We will move to Senate Bill 190 (1st Reprint).

Senate Bill 190 (1st Reprint): Revises provisions regarding the acquisition and disposal of real property by fair and recreation boards in certain larger counties. (BDR 20-648)

Susan Scholley, Committee Policy Analyst:

[Read from prepared text ([Exhibit F](#)).] There was amendment proposed ([Exhibit G](#)). The impact of this would be, as I understand it, to exclude the sale of the golf course in the City of Sparks from being out from under the Board of County Commissioners.

Chair Kirkpatrick:

The bill sponsor has agreed to the amendment to keep with the spirit of what he told us.

ASSEMBLYMAN SETTELMAYER MOVED TO AMEND AND DO
PASS SENATE BILL 190 (1st REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

Chair Kirkpatrick:

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN BOBZIEN, CLABORN,
AND MUNFORD WERE ABSENT FOR THE VOTE.)

Chair Kirkpatrick:

I want to thank Ms. Pierce and Mr. Bobzien, because apparently everyone is really tired from bowling last night, for a fabulous job they did on the Committee party, so I appreciate that. Also, I want to thank Mr. Stewart and Mrs. Mastroluca from everyone in the Committee for their part.

Senate Bill 175 is the Washoe flood bill; Mr. Bobzien, will you do the floor statement since Washoe County is in your district? Assemblywoman Smith will do the floor assignment on S.B. 190 (R1). With that, we will adjourn until 9:00 a.m. tomorrow morning.

Meeting adjourned [at 9:23 a.m.].

RESPECTFULLY SUBMITTED:

Michelle Smothers
Committee Secretary

Cheryl Williams
Editing Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: May 12, 2009

Time of Meeting: 9:06 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B.42(R1)	C	Legislative Counsel Bureau	Work session document
S.B. 147(R1)	D	Legislative Counsel Bureau	Work session document
S.B. 175(R1)	E	Legislative Counsel Bureau	Work session document
S.B. 190(R1)	F	Legislative Counsel Bureau	Work session document
S.B. 190(R1)	G	Legislative Counsel Bureau	Proposed amendment