

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON TRANSPORTATION**

**Seventy-Fifth Session
February 3, 2009**

The Committee on Transportation was called to order by Chairman Kelvin Atkinson at 1:35 p.m. on Tuesday, February 3, 2009, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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:

Assemblyman Kelvin Atkinson, Chairman
Assemblyman Mark A. Manendo, Vice Chair
Assemblyman John C. Carpenter
Assemblyman Chad Christensen
Assemblyman Jerry D. Claborn
Assemblywoman Marilyn Dondero Loop
Assemblyman Pete Goicoechea
Assemblyman Joseph M. Hogan
Assemblyman Ruben J. Kihuen
Assemblywoman Ellen B. Spiegel
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Marjorie Paslov Thomas, Committee Policy Analyst
Darcy Johnson, Committee Counsel

Lona Domenici, Committee Manager
Marlen Schultz, Committee Secretary
Sharon McCallen, Committee Secretary
Nichole Bailey, Committee Assistant

OTHERS PRESENT:

Karen Jurasinski, Vice President, American Bikers Aimed Towards Education, Las Vegas, Nevada

Chairman Atkinson:

Welcome to the first meeting of the Assembly Committee on Transportation for the 75th Session of the Nevada Legislature, 2009. [Roll taken.] I would like to inform everyone this meeting is being audio-recorded as well as broadcast live over the Internet. I am aware we have an audience in Las Vegas and they will be taped also. I would like to remind you any comments made in this room, even prior to the official beginning or after adjournment, may be broadcast over the Internet. Therefore, we would like to alert members, including the audience, when they are in this room conversations may be picked up. For those who may want to listen in, you may access the website at www.leg.state.nv.us/.

I am Assemblyman Kelvin Atkinson representing Clark County, Assembly District No. 17. That is North Las Vegas, for those of you who may not be aware of this, as well as a small portion of Las Vegas. This is my fourth legislative session. During my first session in 2003, I was appointed to serve as a member of the Transportation Committee. Last session, I was asked to serve as Chairman of this Committee, and I am given the honor once again. I am privileged to be back, and it is nice to see some of our veteran members returning. It is my pleasure to introduce each Committee member, as well as Marjorie Paslov Thomas, our Policy Analyst.

Assemblyman Carpenter:

I have been on the Transportation Committee my entire legislative career, which is 22 years going on 23 years. I have always enjoyed Transportation because it is vital to the rural areas of the state. I am glad to be back, and hopefully, we will accomplish some good things.

Assemblyman Goicoechea:

I represent District No. 35, which is all or part of eight counties across central Nevada. My jurisdiction goes from Utah to California when you take into consideration I represent a portion of Washoe County. This is my fourth session on Transportation. This is a great Committee, and we have had some excellent Chairmen. Kelvin does a wonderful job. We have issues in front of us, but we

will work together to get through them. The main thing: Do not pass any bad roadway bills.

Assemblyman Manendo:

I represent Assembly District No. 18. This is my eighth legislative session. Not as many as Mr. Carpenter, but I am trying to match his record. Although, it looks like I will have to stop at this point. It is my third or fourth time on Transportation, my second as Vice Chairman, and my goal is to make sure we have sound roads throughout the entire state. It is an honor to serve, and I am looking forward to working with you and the rest of the Committee.

Assemblyman Claborn:

I have been on this Committee my entire legislative tenure, six terms. I grew up in Henderson during a time when it was acceptable to drink and drive cars fast, drag race, and steal horses. This Committee addresses some aspect of all of those issues, and I really like that. We get a range of situations regarding automobiles, blue lights, green lights, diesel fuel, and more, which is why I consider it one of my favorite committees. I believe we will accomplish some good legislation for citizens and constituents alike.

Assemblyman Hogan:

I represent Assembly District No. 10, which is the center of Las Vegas. I have a number of significant transportation features within my jurisdiction: ten miles of Interstate 15 (I-5) and, parallel to that, ten miles of Las Vegas Boulevard. These are two of the busiest roadways we have anywhere in the state. I cannot match some of these veterans for service in the Legislature, but I do recall raising my hand and taking an oath for public service in 1955. The last 53 years have been eventful, even though they were not all in the public sector. Transportation is a lively subject, as is this Committee, because its Chairman is a quick and humorous person. I am glad to be back for the third time.

Chairman Atkinson:

Thank you for your kind words, Mr. Hogan, and with the belief that we may not be receiving any more words of praise, I will just end it there. I am joking, of course. Please continue.

Assemblyman Christensen:

I represent District No. 13, which is about 25 percent of Clark County. I asked to serve on this Committee because I missed being selected last term. Therefore, this will only be my second term. On the rare occasion the Chairman and I do not agree, we always get along. We may have heated discussions, but it ends well and we accomplish positive results. My interests on the Committee come primarily from the transportation corridor that is within my district. It

includes a big section of I-15 from Las Vegas to California, the bulk of the Interstate 215 I-215 freeway, and the road from Las Vegas to Pahrump through Red Rock. I find myself working to a large extent on transportation issues, which have always been an interest of mine, so it is good to be back with the Committee.

Assemblywoman Spiegel:

I represent District No. 21 in Henderson. It includes South Grand Valley, Legacy Green Valley Ranch, and part of Sun City MacDonald Ranch. I am a freshman and proud to say that I have been on the Transportation Committee for my entire legislative career. My objective is to work on our transportation needs because they are the lifeblood of our economy and of our quality of life. We need to work together to enhance existing conditions to ensure a bright future.

Assemblyman Kihuen:

I am representing Assembly District No. 11, and it is an honor to serve on your Committee. I have known Chairman Atkinson for a number of years. This is my second session. In the first session I did not have the opportunity to be here.

There are a multitude of issues in transportation that need to be resolved. I represent one of the oldest areas of town, and I know that the roads are a particular issue in my district. Before serving in the Legislature, I worked at the College of Southern Nevada, where I was an academic advisor. Education is my primary focus on a day-to-day basis outside of the Legislature. Once again, it is an honor to be here, and I am looking forward to meeting you to discuss your specific issues as well as sitting here with my fellow members.

Assemblywoman Woodbury:

I represent District No. 23 in Henderson, Nevada. I became a member of this Committee because I believe transportation runs in my blood. It affects our economy, tourism, commerce, and our jobs during gridlock commutes. We need to find creative ways to form public/private partnerships, if possible. It is essential to fund some of these projects to avoid more serious problems in the future.

Assemblywoman Dondero Loop:

Mr. Chairman, thank you for having me on this Committee. I cannot match the heritage behind me except to say that I did teach Chad Christensen's wife in kindergarten. I am looking forward to serving my district, which is the southwest area of Las Vegas (Assembly District No. 5). I am a native Nevadan and extremely proud of this state. I understand the importance of

transportation throughout our great state and believe that I have travelled every square inch of it.

Chairman Atkinson:

I am sure we will have some tough decisions to make this session, but with this team we will be able to make them and accomplish some beneficial things for this state. I would now like to welcome our new Committee Counsel this session, Darcy Johnson. She received her law degree from the Boyd School of Law at the University of Nevada, Las Vegas (UNLV). She has worked in private practice in Las Vegas, clerked for a justice in the Nevada Supreme Court, and worked for the Nevada Attorney General's Office. Ms. Johnson joined the Legal Division of the Legislative Counsel Bureau (LCB) in 2007, and she will serve the Committee full-time this session. Have I stated your position correctly?

Darcy Johnson, Committee Counsel:

That is correct, Mr. Chairman, and I am happy to be here.

Chairman Atkinson:

The next person I would like you to meet is Marjorie Paslov Thomas, who is returning as our Committee Policy Analyst. Ms. Thomas works for the Research Division of the LCB and has staffed the Transportation Committee since 2003. She brings a background that includes an undergraduate degree in political science and a master's degree in public policy.

The Committee Manager who is handling both my legislative office and the Assembly Committee on Transportation is Lona Domenici. I am lucky to have her on my staff. She will be assisting in scheduling committee meetings, preparing agendas, and a whole variety of other duties. Lona is also a native Nevadan who has a legal secretary degree with an emphasis on fiscal training. She has worked in many executive branch agencies, and for the LCB, before retiring from the State of Nevada in 2002. In the 2003 Session, she worked for the Assembly Leadership Office.

We have two new Committee Secretaries this year. The first is Marlen Schultz, who graduated from Sierra Nevada College with a bachelor of science in managerial sciences. Her background includes experience in property and water rights, injury prevention, traffic safety, and airport concession management. This will be her first session working for the Assembly Transportation Committee.

I would also like to introduce you to Sharon McCallen, who is also serving as Committee Secretary. Sharon will divide her time between our Committee and the Assembly Education Committee. She previously worked at Nevada's

Department of Education and retired after 20 years. Currently, she resides in Arizona, but she has returned to work her third legislative session, and we are fortunate that she will be assisting our Committee.

Finally, our Committee Assistant is Nichole Bailey. Miss Bailey holds a bachelor of arts degree in English literature with a minor in political science from the University of Nevada, Reno. She plans on pursuing a master's degree in library and information science.

Now we are going to move on to the adoption of our standing committee rules. A copy of the Standing Committee Rules for the Assembly Transportation Committee is on your desk ([Exhibit C](#)). Please take a moment to review them. I would like to highlight some of the more important issues that we will deal with. Ms. Paslov Thomas will refresh the members and go over some of the topics.

Marjorie Paslov Thomas, Committee Policy Analyst:

I am pleased to be serving again as the Policy Analyst for the Assembly Committee on Transportation. I want to remind the Committee I am available to provide information to each of you, and as a nonpartisan employee of the LCB, I am prohibited from supporting or opposing any legislative measure. At the request of the Chairman, I am presenting an overview of the Committee Brief ([Exhibit D](#)) and a review of the 120-day session deadlines. The Committee Brief, as handed out to you this afternoon, provides general background information and summarizes selected issues pertaining to the Assembly Committee on Transportation. During the 2007 Session, the Committee reviewed a total of 72 measures and 2 resolutions. The Committee approved or reported out 56 bills, of which 44 were signed by the Governor. Approximately 61 percent of the total measures approved by the Committee became law.

On page 1 of the brief you will see a list of possible topics that may be addressed by the Committee this session. The list includes topics such as special license plates, traffic laws, motor carriers, taxicabs, airports, toll roads, and funding for transportation projects. Also, attached to your brief under Tab A is a list of possible bills that may be considered by the Committee. I will note that the list is speculative, because it is difficult to know whether the bills drafted from the bill draft requests (BDRs) will be introduced in the Assembly or the Senate. There are also several reports regarding transportation issues that will be presented to the Committee or to the full Legislature during this session. For instance, the Director of Nevada's Department of Transportation (NDOT) is required to submit a comprehensive report outlining their requirement for construction and maintenance of highways for the next 10 years, including anticipated revenues and expenditures for the Department. Also, the Office of Traffic Safety of the Nevada Department of Public Safety is required to submit a

program report for the Nevada Rider Motorcycle Safety Program. There are also several interim study reports that may be of interest, such as the Nevada Legislature's Commission on Special License Plates or the Legislative Commission's Subcommittee to Study Transportation Issues. The list of these reports may be found on page 3 of the brief. If anyone would like a copy, please let me know, and I will have one delivered to your office.

On page 4 of the brief, there are some highlighted issues that may come before the Committee this session. If anyone would like additional information, please let me know and I will make sure to provide that to you. Page 4 of the brief lists the key dates for the 2009 Legislative Session. Also, in the very back is a copy of the 120-day calendar. February 9 is the due date for BDRs from legislators, and April 10 is the date when all bills, if they are going to be passed out of committee, have to be finalized by the respective Assembly Committee. By April 21 all bills must be passed out of the house of origin, if they are going to be passed at all.

Attached to the end of the document is a list of transportation contacts you may find useful during the session. You can rip the pages off and put them in your binder. If the members need any other contacts, please let me know. I will be happy to answer any questions.

Chairman Atkinson:

Are there any members who have questions for Ms. Thomas? No one is signifying in the affirmative, therefore, Ms. Thomas is dismissed. This Committee will begin promptly at 1:30 p.m. on Tuesdays and Thursdays, and I am requesting all members and staff, unless excused in advance by me, to be in attendance at all meetings from the time the meeting begins until the meeting adjourns. I do understand when members are testifying in the other house or in front of other committees they will have to be excused. I would like to know in advance for myself, as well as for the rest of the Committee, in case we may be voting on any measures and need to have a quorum.

I want to emphasize the importance of being courteous in dealing with each other and members of the Committee staff, as well as all the persons who testify before us. I expect all of us to use respect toward each other even if we do not agree with each other's position. We will be hearing a range of bills, and some of us may have developed a posture regarding certain issues. A few bills are returning from last session which our members are going to find interesting and participate in heated discussions about. Since we will be entertaining those in Committee, each member should respect the other's opinion to ensure that everyone is treated fairly.

On Thursday, we will be hearing from the Department of Motor Vehicles (DMV), Department of Transportation (NDOT), and the Nevada Transportation Authority of the Department of Business and Industry (DBI). The following Tuesday, February 10, we will hear from the Clark County Department of Aviation, the Regional Transportation Commission (RTC) of Southern Nevada, the RTC of Washoe County, and the Taxicab Authority of the DBI. I am anticipating hearing bills beginning on Thursday.

We are going back to the rules, because we need to adopt them.

ASSEMBLYMAN CARPENTER MOVED TO DO PASS THE
STANDING RULES OF THE ASSEMBLY COMMITTEE ON
TRANSPORTATION AS SUBMITTED.

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairman Atkinson:

We will go to public comment at this time. Is there anyone in Carson City who would like to speak? No. Is there anybody in Las Vegas? There are a significant number of people who are waiting at the videoconferencing center in Las Vegas for Bill Draft Request (BDR) 43-735, but we are not hearing any bills at this point. We have not scheduled this bill yet, nor do we have it. I am not sure who advised you we would be discussing it, but the bill has not been introduced. I am confident that we will be hearing from you again. However, if any of you would like to come up and speak, we will certainly entertain that.

**Karen Jurasinski, Vice President, American Bikers Aimed Towards Education,
Las Vegas, Nevada:**

Thank you for acknowledging us down here in Las Vegas. We are very concerned about BDR 43-735, which is going to come up in front of this Committee, and we are making sure we adhere to the correct procedure by crossing all our t's and dotting all our i's. We are coming in on the ground floor with this and plan to follow it all the way through the session.

Chairman Atkinson:

We will make sure that you are notified when the bill does come up for a hearing, so all of you can come out in full force again. Is that fair?

Karen Jurasinski:

That is great, and thanks so much.

Chairman Atkinson:

Does any one else in Las Vegas care to be heard? Seeing none, I will move on.
Is there any additional information requiring the Committee's attention today?
All right, then we will adjourn [2:07 p.m.].

RESPECTFULLY SUBMITTED:

Marlen Schultz
Committee Secretary

APPROVED BY:

Assemblyman Kelvin Atkinson, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Transportation

Date: February 3, 2009

Time of Meeting: 1:35 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Chairman Kelvin Atkinson	Standing Rules of the Assembly Committee on Transportation
	D	Marjorie Paslov Thomas, Committee Policy Analyst, LCB	Committee Brief