

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

**Seventy-Sixth Session  
April 14, 2011**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 5:25 p.m. on Thursday, April 14, 2011, in Room 4100 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/76th2011/committees/](http://www.leg.state.nv.us/76th2011/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:**

Assemblywoman Marilyn K. Kirkpatrick, Chair  
Assemblywoman Irene Bustamante Adams, Vice Chair  
Assemblyman Elliot T. Anderson  
Assemblywoman Teresa Benitez-Thompson  
Assemblyman John Ellison  
Assemblywoman Lucy Flores  
Assemblyman Ed A. Goedhart  
Assemblyman Pete Livermore  
Assemblyman Harvey J. Munford  
Assemblywoman Dina Neal  
Assemblywoman Peggy Pierce  
Assemblyman Lynn D. Stewart  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblyman Crescent Hardy, Clark County Assembly District No. 20

**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 was called.] I just want to give the Committee a little bit of a heads up. I know we are meeting tonight, and you have all done a great job. Tomorrow we still have an additional 16 bills, and 4 of those are hearings. We are working as fast as we can to get things out, so we will start at 7:30 tomorrow morning with the hope of going to floor and not having to come back to Assembly Government Affairs until the following week.

With that, we are going to go through this work session. This is all we have tonight. I just wanted to tell you where we are at. I did add some last minute bills: Assembly Bill 45, and I believe most of you saw the emails; Assembly Bill 172; Assembly Bill 198; and Assembly Bill 243. We are trying to move these bills out. We will start with Assembly Bill 122.

**Assembly Bill 122: Authorizes the imposition of certain reasonable restrictions or requirements relating to systems for obtaining wind and solar energy. (BDR 22-592)**

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit C](#)).]

After reviewing the proposed amendments and considering the matter, the Chair has proposed the attached conceptual amendment ([Exhibit D](#)). Turning the page, you will see that this would make three conceptual changes to the bill.

The first would be to add setback as one of the restrictions, provided it was reasonable. It would also do the same thing with respect to the solar energy systems. So, those two provisions would stay relatively parallel. It would also add, for residential lots only, a requirement, that the local jurisdiction use a special use or conditional use permit process to provide notice and an opportunity to be heard by interested and affected parties.

Finally, it would allow new language that would permit a local jurisdiction, but not require it, to set a minimum lot size of one acre for wind energy systems, again only on residential lots.

**Chair Kirkpatrick:**

For the Committee members, you will probably remember that this was a four-hour meeting on a Monday that we had way back when. I have the book from all the ordinances across the state as well as some other places on what they do. We tried to find something that was comparable to work with. This still allows local government to do what is best for their communities. The other part that I want to clarify is that "appearances" will include the finish, and I did work with Assemblyman Livermore on that. So, this still allows local government to do what they need to do for their entity.

The second piece of this is a special use permit or conditional use permit with something that was pretty consistent. That way the public had an opportunity to be heard on it.

Are there any questions? [There were none.]

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 122.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN GOEDHART VOTED  
NO.)

We will now move to Assembly Bill 228.

[Assembly Bill 228:](#) Revises provisions governing contracts for public works.  
(BDR 28-582)

**Susan Scholley, Committee Policy Analyst:**

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

Turning to the conceptual amendment ([Exhibit F](#)), you will see that this would include the consideration of this item during the interim. As some of you may know, there is a proposal and this conceptual amendment assumes that the interim study committees will be modified to parallel the session standing committees, and so in this instance, this matter would be referred to the interim Government Affairs Committee.

**Chair Kirkpatrick:**

I will tell you that I am committed to look at those forms because I think it is ridiculous that we have to have these huge fiscal notes to look and see if we can be more efficient.

ASSEMBLYMAN ANDERSON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 228.

ASSEMBLYMAN ELLISON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I just want to reiterate for those of you listening on the Internet, as well as those in the audience, we work very hard to ensure that Committee members get plenty of time to review these documents, as well as working with the bill sponsors. Although our work sessions run very smoothly, it is because the Committee members have had plenty of time to look at this.

We will now move to Assembly Bill 240.

**Assembly Bill 240:** Revises provisions governing contracts for services entered into by certain public employers. (BDR 23-149)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit G](#)).]

Turning to the mock-up ([Exhibit H](#)), you will see on page 1 the change going from one to two years for the cooling-off period. Page 2 has a number of changes that transfer the responsibility for reviewing and approving these contracts from the Interim Finance Committee (IFC) to the State Board of Examiners. Page 3 is the refinement of the business license language proposed by the Secretary of State. The sponsor also asked that it be made clear that in subsection 8 with the exceptions for the Nevada System of Higher Education, Public Employees' Benefits Program, the State Plan for Medicaid, and contracts for financial services that the intent here was to only exempt the so-called master contracts of these entities, and not all the other smaller contracts that may be executed by them.

Finally, on page 5, again, this is the business license language which was requested to be clarified by the Secretary of State.

**Chair Kirkpatrick:**

On Assembly Bill 240 I know that Assemblywoman Smith worked with Mr. Andrew Clinger, Director, Budget and Planning Division, Department of Administration, on the way that the Governor's Task Force was set up, and they had worked together on this quite a bit.

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 240.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

[Vice Chair Bustamante Adams assumed the Chair.]

**Vice Chair Bustamante Adams:**

We will now move on to Assembly Bill 242.

[Assembly Bill 242](#): Requires quasi-public organization to submit annual report to Legislative Commission detailing disposition and use of money conveyed to organization by state agency. (BDR 31-67)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit I](#)).]

After consideration, the sponsor has proposed the attached substitution ([Exhibit J](#)) which would delete the bill in its entirety except that the definitions do carry over. You may wonder what is in section 2 of the proposed amendment. There was a weird glitch in the document, and I could not remove it. I do not know what that is, but it is not part of the bill.

Section 5 is the guts of the new amendment, which would simply be that quasi-public organizations that receive money from a state agency would be required to post on a website the names and the terms of the organization's board of directors, their most recent annual report, and a mission statement. They would also be required to submit copies of their reports that they otherwise are preparing with respect to the money received from the state agency to the Director of the Legislative Counsel Bureau.

**Vice Chair Bustamante Adams:**

Are there any questions? [There were none.]

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 242.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

[Chair Kirkpatrick reassumed as the Chair.]

**Chair Kirkpatrick:**

We will now move to Assembly Bill 248.

**Assembly Bill 248:** Revises certain requirements for the proposed budget of the Executive Department of the State Government. (BDR 31-146)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit K](#)).]

The sponsor has since proposed some amendments in the attached mock-up ([Exhibit L](#)) which further refine the process by which the performance budgeting would be carried out between the Executive Branch and the Legislative Branch. It is my understanding that these amendments were worked out in consultation with the Department of Administration.

**Chair Kirkpatrick:**

I know that there was some concern that the Office of the Governor had questions on this. I can tell you that Assemblywoman Smith worked with Ms. Vilardo, who is nodding her head, and Mr. Clinger to clarify how it works so that the Office of the Governor is very much on board with this. This helps with the future budgeting process.

ASSEMBLYMAN ANDERSON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 248.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE  
MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will move on to Assembly Bill 257.

**Assembly Bill 257:** Revises provisions relating to the Open Meeting Law.  
(BDR 19-107)

**Susan Scholley:**

[Read from work session document ([Exhibit M](#)).]

If you turn to the mock-up ([Exhibit N](#)), you will see that this clarifies the proposed amendment that Assemblyman Ellison presented at the hearing, and I am sure he would be happy to answer any questions.

**Chair Kirkpatrick:**

Assemblyman Ellison do you have anything for us?

**Assemblyman Ellison:**

There was a concern that commissioners, assemblymen, and elected bodies like city councils already have action items on their agendas for the open meeting law. They want to make sure that the public knows that stuff is going to stay there. All this does is add open comments at the beginning and at the end for those that are not doing it.

**Chair Kirkpatrick:**

Okay. Is there any further discussion?

ASSEMBLYMAN ANDERSON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 257.

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will move on to Assembly Bill 265.

**Assembly Bill 265:** Revises provisions governing the rights of peace officers.  
(BDR 23-716)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit O](#)).]

There was a compromise amendment ([Exhibit P](#)) submitted at the April 7, 2011, hearing which is attached. At that hearing, the Department of Public Safety testified in opposition to certain of those proposed amendments, but since then they have reached agreement with the Peace Officers Research Association of Nevada (PORAN) and the Nevada Sheriffs' and Chiefs' Association on some of

their concerns and have agreed to work out their few remaining differences on the Senate side.

**Chair Kirkpatrick:**

Most of you will know that we went back and forth on this bill and I made them sign in blood. Remember, you have a copy of those that were working together. There was one additional concern by Chris Perry of the Department of Public Safety, though he did send me an email and said that he is committed to work it out on the other side. I want to let the Committee know that if it does not get worked out, we will see it because the bill would have to come back to this Committee for us to concur. So, it is relatively out of time. We have come a long way with this bill, and we do have the option to ensure that it is worked out on the Senate side. I have saved it. Most of you know I collect all the information for when things do come back.

**Assemblyman Ellison:**

I thought that everything was worked out, other than a couple of little details. There was a lot of time put into that bill to try to ensure that everyone was on the same playing field. I would like to make a motion.

**Chair Kirkpatrick:**

There is a motion on the floor by Assemblyman Ellison.

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 265.

ASSEMBLYMAN LIVERMORE SECONDED THE MOTION.

I have further discussion from Assemblyman Goedhart.

**Assemblyman Goedhart:**

On page 6, section 2, subsection 2, was that amended out? I want to make sure that this is the final bill that we have. I see a line crossed through it.

**Chair Kirkpatrick:**

That is correct. They agreed with the concerns regarding the fees in Committee, and they agreed to take it all out. Is there any further discussion?

There is a motion on the floor by Assemblyman Ellison and a second by Assemblyman Livermore, all those in favor please say, "Aye." Any opposed? [There was no one.]



THE MOTION PASSED UNANIMOUSLY.

We will now move on to Assembly Bill 332.

**Assembly Bill 332:** Makes various changes relating to the Economic Forum.  
(BDR 31-307)

**Susan Scholley, Committee Analyst:**  
[Read from work session document ([Exhibit Q](#)).]

Whether it is rereferred with or without recommendation, of course, is at the discretion of the Committee.

**Chair Kirkpatrick:**  
I will say for the Committee since we do not have anything to work off, it would probably be better to rerefer it without recommendation to the Assembly Committee on Ways and Means.

ASSEMBLYMAN STEWART MOVED TO REREFER TO THE  
ASSEMBLY COMMITTEE ON WAYS AND MEANS WITHOUT  
RECOMMENDATION ASSEMBLY BILL 332.

ASSEMBLYWOMAN WOODBURY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will now move on to Assembly Bill 365.

**Assembly Bill 365:** Makes various changes relating to the Public Employees' Benefits Program. (BDR 23-604)

**Susan Scholley, Committee Analyst:**  
For the record, Assembly Bill 332 does have a notice of eligibility for exemption.

We will move to A.B. 365. [Read from work session document ([Exhibit R](#)).]

The mock-up is attached ([Exhibit S](#)).

The Chair proposes for the Committee's consideration an amendment that would delete those portions of the bill relating to open meeting law exceptions. With that, I think the changes from what the Committee saw at the hearing were summarized. I will not go through it any further unless there are questions.

**Chair Kirkpatrick:**

Are there any questions?

**Assemblyman Livermore:**

I do have a problem with the closed meeting to conduct the annual review of the executive officer. Because of that, if that continues to be a meeting closed to the public, I will not support this bill.

**Chair Kirkpatrick:**

Let me just say that I did speak with the bill sponsor, Assemblyman Kirner and I told him that as long I am here, we are not going to do behind-closed-door meetings. This has been something I have stuck with since 2005, and I am not changing it now. I did put the amendment ([Exhibit S](#)) in, which the Committee has the opportunity to accept. It is on page 2, line 38, I propose getting rid of that so that they are subject to everything else.

**Assemblyman Ellison:**

I accept the amendment. I thought it was a good one, and I move that we approve A.B. 365 with the amendment as stated.

**Chair Kirkpatrick:**

There is a motion on the floor.

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 365.

ASSEMBLYMAN ANDERSON SECONDED THE MOTION.

Is there any further discussion?

**Assemblyman Livermore:**

Please clarify the amendment one more time.

**Chair Kirkpatrick:**

The amendment would be as Assemblyman Kirner presented it within Committee, with the exception of taking out the open meeting exemption. It is in the mock-up.

**Susan Scholley:**

If I can clarify for the record, as I understand it, the motion would be to amend and do pass and it would be the mock-up that is currently in your work session notebook, because there are two additional changes there from what was presented at the hearing from Assemblyman Kirner and then the other change

would be to delete the open meeting law exception provision on page 2, as noted by the Chair.

**Assemblyman Livermore:**

I am not opposed, but I am still not clear. What I have in my work session notebook states that the board shall conduct an annual review of the performance of the executive officer and after receiving public comment during an open meeting, the board may meet in closed session to conduct the review.

**Chair Kirkpatrick:**

Let me clarify how this works for the Committee members. We will get amendments that will come out in the next week or so, and you will see that that section will be removed. But I am not a Committee Chair that just automatically assumes and takes it out because I think that is a policy decision that has to be determined by . . .

**Assemblyman Livermore:**

Madam Chair, under that condition I vote yes.

**Chair Kirkpatrick:**

Perfect. That is a policy decision, but I always try to give an amendment based on the discussion. With that, let me be clear. All those in favor, please say, "Aye." Any opposed? [There was no one.]

THE MOTION PASSED UNANIMOUSLY.

We will now move on to Assembly Bill 376.

**Assembly Bill 376:** Makes various changes regarding the financing of certain local improvements with revenue pledged from sales and use taxes. (BDR 21-148)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit T](#)).]

["Date Heard" on work session document listed as April 11, 1011, should be April 11, 2011.]

The amendment, as I indicated, was presented at the hearing. The mock-up ([Exhibit U](#)) is attached. No changes have been made from the hearing, and there are some conceptual amendments in the textboxes, but otherwise, it is unchanged.

**Chair Kirkpatrick:**

Is there any discussion? I would take a motion

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO AMEND  
AND DO PASS ASSEMBLY BILL 376.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE  
MOTION.

THE MOTION PASSED UNANIMOUSLY.

Now we will move on to Assembly Bill 400.

[Assembly Bill 400](#): Revises provisions relating to town advisory boards.  
(BDR 21-818)

**Susan Scholley, Committee Analyst:**

[Read from work session document ([Exhibit V](#)).]

The conceptual amendment ([Exhibit W](#)) would limit the scope of this bill to rural town advisory boards in Clark County. [She continued to read from amendment.]

**Chair Kirkpatrick:**

Are there any questions?

**Assemblyman Anderson:**

I just wanted to go on record and thank the bill sponsor for amending out the more urban town boards. Originally with that, I would have had to vote against this bill because my constituents were against it, but with them out, I am very happy to support this bill.

**Chair Kirkpatrick:**

Is that in a form of a motion?

ASSEMBLYMAN ANDERSON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 400.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE  
MOTION.

Is there any discussion?

**Assemblywoman Neal:**

I thought this was one of the bills where we were not sure how this election process was actually going to work. How were they going to do an election for the advisory board?

**Chair Kirkpatrick:**

We did have plenty of discussion. It was back and forth on the straw poll, but Assemblyman Hardy did also speak to the five town advisory boards within his particular district who wanted to be all the way out of the current process and have the constituents do it. Would you like the have Assemblyman Hardy come up and explain it?

**Assemblywoman Neal:**

Yes, is it going to be a straw poll? What is it going to be?

**Assemblyman Cresent Hardy, Clark County Assembly District No. 20:**

Yes, we will go with the election. The election process is done within the county and the cities at the same time, and if there are not enough people at that point who have filed for candidacy, the Commission will be able to appoint the remaining positions.

**Chair Kirkpatrick:**

Are there any other questions?

**Assemblyman Ellison:**

I spoke during the Committee meeting with a lot of concern, and I got a lot these issues addressed. I believe in home rule, and I think this is a position where the people can make those decisions. I support the bill.

**Chair Kirkpatrick:**

There is a motion by Assemblyman Anderson and a second.

Is there any further discussion? All those in favor please say, "Aye." Any opposed? [There was no one.]

THE MOTION PASSED UNANIMOUSLY.

Now I would like you to turn your attention to Assembly Bill 477.

**Assembly Bill 477:** Revises provisions relating to the administration of the Public Employees' Retirement System. (BDR 23-1028)

**Susan Scholley, Committee Policy Analyst:**  
[Read from work session document ([Exhibit X](#)).]

**Chair Kirkpatrick:**

We are on A.B. 477. We skipped a couple of bills. Is there a motion?

ASSEMBLYMAN LIVERMORE MOVED TO DO PASS  
ASSEMBLY BILL 477.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

At this time because there will be further discussion on the two other bills, we are going to take a 15-minute break. Please come back and we will finish those two bills. Remember that we have to be here at 7:30 in the morning with 16 bills on our agenda. We will stand in recess at 6:02 p.m.

[Meeting resumed at 6:23 p.m.]

The Assembly Committee on Government Affairs is called back to order. We are going to move on to Assembly Bill 405.

**Assembly Bill 405:** Revises provisions governing the Public Employees' Retirement System. (BDR 23-964)

**Susan Scholley, Committee Policy Analyst:**  
[Read from work session document ([Exhibit Y](#)).]

I apologize to the Las Vegas Police Protective Association and the Nevada Chiefs' and Sheriffs' Association, but every time I summarize the testimony at least once during a session I totally garble it, and they should be shown as testifying as in opposition to the bill. I apologize to them and would like the records to be corrected.

**Chair Kirkpatrick:**

I will tell you that Ms. Scholley has been here as late as I have. Is there a motion?

ASSEMBLYMAN ELLISON MOVED TO DO PASS  
ASSEMBLY BILL 405.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE  
MOTION.

THE MOTION PASSED UNANIMOUSLY.

We now move to Assembly Bill 474.

**Assembly Bill 474:** Creates the Sunset Subcommittee of the Legislative  
Commission to review certain boards and commissions. (BDR 18-889)

**Susan Scholley, Committee Policy Analyst:**  
[Read from work session document ([Exhibit Z](#)).]

There are several other bills purposing sunset committees, namely Assembly Bill 406, which is in this Committee, and Senator Kieckhefer has a similar bill, Senate Bill 251. There was testimony in support of all the bills proposing sunset commissions of one form or another, as noted.

[She continued to read from work session document ([Exhibit Z](#)).]

The mock-up ([Exhibit AA](#)) is attached. The sponsor has proposed amendments that would clarify that the members of the Subcommittee serve at the pleasure of their respective appointing authorities and would also be required to be appointed within 60 days after the effective date of the bill. Also the sponsor asked that it be clarified that the members appointed by the Majority Leader of the Senate and the Speaker would be members of the Legislature.

Turning to page 3 and continuing on to page 4, the sponsor asked for some additional information to be included in the reports from the boards and commissions to the Sunset Subcommittee of the Legislative Commission. The deletion on page 4 in section 5 at lines 34 through 38 was because this was considered to be superfluous and an anyway provision.

On page 5, there is a deadline set at lines 8 through 13 for making recommendations so that the first set of recommendations would be in time to permit the drafting and prefiling of legislation for the 2013 Legislature.

The sponsor also asked that the provisions of section 7 be stricken from the bill. That concludes the summary of the changes in the mock-up.

**Chair Kirkpatrick:**

The only other thing that I would add to that is that when we do make a motion, we include a motion to include that Assemblyman Hansen's name be added to it. As you know, we had bipartisan support here, and I want to make sure that I keep my word that his name will be amended to it.

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 474 WHICH INCLUDES ADDING ASSEMBLYMAN  
HANSEN'S NAME.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assembly Bill 45 is the next work session document. I know I only gave you a short window to review this. There are couple of bills that need to be rereferred to the Assembly Committee on Ways and Means as we did talk about the grants bills, and we will do that.

However, we will start with A.B. 45.

[Assembly Bill 45](#): Revises provisions governing district attorneys. (BDR 20-251)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit BB](#)).]

There were various issues brought up on the bill, and there was testimony in opposition. Since that time Esmeralda County, Eureka County, Nevada Association of Counties (NACO), and the Office of the Attorney General have worked to try to come up with something that made sense.

It was identified that this whole concept of a split between the counties based on the number of votes in the last Congressional election seemed to be a bit of a dinosaur, and so there is a proposed substitute bill which essentially now splits the district attorneys in Chapter 252 of *Nevada Revised Statutes* in counties with a population of more than 9,000. The provisions would remain as they currently are and that affects the six larger counties. These would essentially remain full-time district attorneys.

There is a new subsection 3. [She read from ([Exhibit CC](#)).]

This would apply to the seven counties that I have listed in the cover sheet ([Exhibit CC](#)). [Continued to read from ([Exhibit CC](#)).]



Subsection 4 is and has been for some time an obsolete provision because there has not been a county with a population under 700 persons for quite a while. This has not applied to anyone for some time.

Section 3 clarifies and updates what the duties of the district attorney are. This is pretty similar to what was presented in the original bill with a few tweaks. With that, I would be happy to answer any questions, and I can represent to you that Esmeralda County is in support of this. Eureka County and the Office of the Attorney General is also in support of this amendment.

**Chair Kirkpatrick:**

Do I have a motion?

ASSEMBLYMAN GOEDHART MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 45.

ASSEMBLYMAN ELLISON SECONDED THE MOTION.

Is there any discussion? I will say that this bill has been worked on for many hours to ensure that those residents do get what they are paying for. I just want to commend everyone for working together and making sure that we got rid of the dinosaur language and are up to par with current statute.

All those in favor please say, "Aye." Any opposed? [There was no one.]

THE MOTION PASSED UNANIMOUSLY.

We will now go to Assembly Bill 172.

[Assembly Bill 172:](#) Requires the employment of certain persons in the Department of Health and Human Services and the Office of Energy. (BDR 18-706)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit DD](#)).]

As was noted earlier, there are several other bills which also propose the addition of grant writing or grant coordinator positions.

**Chair Kirkpatrick:**

I just want to say for the Committee there are two grant bills. We did discuss with both bill sponsors as well as the Office of the Governor that they are all

going to work together to roll these bills into one bill which will accommodate all aspects because everyone is trying to get to the same place.

However, in the interest of time we tried to do that, and it did not work out that well. So, a recommendation to send to the Assembly Committee on Ways and Means without recommendation is probably the most appropriate, knowing that at least the bill sponsor on this bill is going to work to address all the issues. With that, I would take a motion.

ASSEMBLYMAN STEWART MOVED TO REREFER WITHOUT RECOMMENDATION TO THE ASSEMBLY COMMITTEE ON WAYS AND MEANS ASSEMBLY BILL 172.

ASSEMBLYMAN GOEDHART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY

With that, I want skip to Assembly Bill 243 which is almost within the same discussion.

**Assembly Bill 243**: Creates the position of State Grants Coordinator within the Budget Division of the Department of Administration. (BDR 31-585)

**Susan Scholley, Committee Policy Analyst:**  
[Read from work session document ([Exhibit EE](#)).]

I should also point out that the provisions of the bill relating to the changes in the Interim Finance Committee (IFC) review of gifts and grants is also contained in several other bills.

**Chair Kirkpatrick:**

I want to repeat my statement from earlier that I also spoke with this bill's sponsor and the Governor's staff. They are all working together. There is also a bill on the Senate side that they are working with, and they have all agreed that they will all amend their names together and they will come up with some consistent language in order to meet with the Governor's budget.

With that, I would think that the appropriate motion would be to send the bill to the Assembly Committee on Ways and Means without recommendation.

ASSEMBLYMAN ELLISON MOVED TO REREFER WITHOUT RECOMMENDATION TO ASSEMBLY COMMITTEE ON WAYS AND MEANS ASSEMBLY BILL 243.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Our last bill for the night will be Assembly Bill 198.

**Assembly Bill 198:** Revises provisions governing the Nevada Rural Housing Authority. (BDR 31-376)

**Susan Scholley, Committee Policy Analyst:**

[Read from work session document ([Exhibit FF](#)).]

I have included a definition of "area of operation" of the Nevada Rural Housing Authority because there was some discussion at the hearing on that point.

**Chair Kirkpatrick:**

I did speak to the bill sponsor. I know Assemblywoman Pierce had talked about the two amendments during Committee. The bill sponsor is fine with that. I know there was some opposition from the Housing Authority. However, I tried to work with them, and they were adamantly opposed no matter what.

I believe that we should go with what the Committee is comfortable with. I am happy to accept a motion.

ASSEMBLYWOMAN PIERCE MOVED TO AMEND AND DO PASS ASSEMBLY BILL 198.

ASSEMBLYMAN ELLISON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

That does conclude our work session for this evening. That was 18 bills. To give you an idea for tomorrow, we have 4 bills with hearings and 12 bills on work session. Tomorrow is the deadline, so for those four bills that will be heard tomorrow, I will be open to take the position to move them. I typically do not do that because it is the last day. The Governor will be proposing an entire amendment for Assembly Bill 406 tomorrow.

I felt that it was in the best transparency to propose it in Committee so that we could actually have the hearing.

Assembly Bill 549, which is a homeland security bill, will also be having a hearing. We will also be having the fire performers first thing in the morning.

Assembly Bill 479 will be the 4 day/10 hour workweek and we will be teleconferencing to Utah for that bill, and because of that we need to be somewhat time-certain as well as videoconferencing from Las Vegas.

These bills will all be up for discussion tomorrow. With that, I want to thank you for working so hard, and we will adjourn until tomorrow morning at 7:30 a.m. and we will be in our regular Government Affairs room.

[Meeting adjourned at 6:43 p.m.]

RESPECTFULLY SUBMITTED:

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Cheryl Williams  
Committee Secretary

APPROVED BY:

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Assemblywoman Marilyn K. Kirkpatrick, Chair

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

## EXHIBITS

**Committee Name:** Committee on Government Affairs

**Date:** April 14, 2011

**Time of Meeting:** 5:25 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 122	C	Susan Scholley	Work Session Document
A.B. 122	D	Susan Scholley	Amendment
A.B. 228	E	Susan Scholley	Work Session Document
A.B. 228	F	Susan Scholley	Amendment
A.B. 240	G	Susan Scholley	Work Session Document
A.B. 240	H	Susan Scholley	Amendment
A.B. 242	I	Susan Scholley	Work Session Document
A.B. 242	J	Susan Scholley	Amendment
A.B. 248	K	Susan Scholley	Work Session Document
A.B. 248	L	Susan Scholley	Amendment
A.B. 257	M	Susan Scholley	Work Session Document
A.B. 257	N	Susan Scholley	Amendment
A.B. 265	O	Susan Scholley	Work Session Document
A.B. 265	P	Susan Scholley	Amendment
A.B. 332	Q	Susan Scholley	Work Session Document
A.B. 365	R	Susan Scholley	Work Session Document
A.B. 365	S	Susan Scholley	Amendment

A.B. 376	T	Susan Scholley	Work Session Document
A.B. 376	U	Susan Scholley	Amendment
A.B. 400	V	Susan Scholley	Work Session Document
A.B. 400	W	Susan Scholley	Amendment
A.B. 477	X	Susan Scholley	Work Session Document
A.B. 405	Y	Susan Scholley	Work Session Document
A.B. 474	Z	Susan Scholley	Work Session Document
A.B. 474	AA	Susan Scholley	Amendment
A.B. 45	BB	Susan Scholley	Work Session Document
A.B. 45	CC	Susan Scholley	Amendment
A.B. 172	DD	Susan Scholley	Work Session Document
A.B. 243	EE	Susan Scholley	Work Session Document
A.B. 198	FF	Susan Scholley	Work Session Document