

**MINUTES OF THE
SENATE COMMITTEE ON FINANCE**

**Seventy-sixth Session
May 28, 2011**

The Senate Committee on Finance was called to order by Chair Steven A. Horsford at 12:37 p.m. on Saturday, May 28, 2011, on the Senate Floor of the Legislative Building, Carson City, Nevada. There was no Agenda. There was no Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Steven A. Horsford, Chair
Senator Sheila Leslie, Vice Chair
Senator David R. Parks
Senator Moises (Mo) Denis
Senator Dean A. Rhoads
Senator Barbara K. Cegavske
Senator Ben Kieckhefer

GUEST LEGISLATORS PRESENT:

Senator Joseph (Joe) P. Hardy, M.D.

OTHERS PRESENT

Morgan Baumgartner, Marnell Sher Gaming

STAFF MEMBERS PRESENT:

Mark Krmpotic, Senate Fiscal Analyst
Patricia O'Flinn, Committee Secretary

CHAIR HORSFORD:

I will open the hearing for the purpose of amending Senate Bill (S.B.) 471.

[SENATE BILL 471](#): Revises provisions relating to public health. (BDR 40-1200)

The Legal Division has indicated the Committee should rescind the action taken on S.B. 471 during the May 27, 2011, Committee meeting which amended the bill. Proposed Amendment No. 7001 to S.B. 471, ([Exhibit A](#)), includes the

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language requested by Staff at the May 27, 2011 hearing, in addition to new language added to *Nevada Revised Statutes* (NRS) 439.362.

SENATOR LESLIE MOVED TO RESCIND THE ACTION TAKEN ON
S.B. 471 IN THE FINANCE COMMITTEE HEARING ON FRIDAY
MAY 27, 2011.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR CEGAVSKE:
What is the purpose of this amendment?

SENATOR JOSEPH (JOE) P. HARDY, M.D. (Clark County Senatorial District 12):
This amendment refers to the district board of health which is created in NRS 439.361 and applies to a county whose population is 400,000 or more. Effectively, this means Clark County. The district board of health has the same powers and duties that county boards of health have in smaller counties. It appears that the amendment adds a twelfth member to the board. This new member will be from the gaming industry.

MORGAN BAUMGARTNER (Marnell Sher Gaming):
Currently, there is a gaming industry representative on the board, but his term expires at the end of this year. The statute calls for "one representative of a business or from an industry that is subject to regulation by the health district," page 2 of [Exhibit A](#). Amendment No. 7001 proposes that a gaming industry representative be added to the board.

SENATOR KIECKHEFER:
Does the industry want to have two representatives on the board?

MS. BAUMGARTNER:
No, we want to be assured there is always an industry representative on the board. We are subject to the board's jurisdiction regarding hotel room inspections, restaurant inspections and pool inspections. It has been beneficial to both parties to have a gaming industry representative on the board.

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CHAIR HORSFORD:

Subparagraph 4 of NRS chapter 439, section 362, subsection 2, paragraph (b) states that one "representative of a business or from an industry that is subject to regulation by the health district" shall represent the health district at large. This representative could be from the gaming industry, which would give the industry two representatives on the board.

SENATOR CEGAVSKE:

Is the industry aware that adding a member will create a board with an even number of members?

MS. BAUMGARTNER:

We did not notice that.

SENATOR KIECKHEFER:

Is this a contentious board? Will an even number of members create problems?

SENATOR PARKS:

No, it is a collegial body.

SENATOR HARDY:

I serve as an alternate and have not known the board to be contentious.

SENATOR CEGAVSKE:

Does the Health Division support this amendment?

SENATOR LESLIE:

This amendment was brought to my attention by the Division. I thought it was generated through them.

SENATOR KIECKHEFER:

Why is this amendment being brought so late?

MS. BAUMGARTNER:

We just realized that the two-year term to which our representative had been elected would expire at the end of this year. We believe a permanent seat on the board from a gaming industry representative will be beneficial to all parties involved.

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SENATOR LESLIE:

Can we add language to subparagraph (4) that the business or industry represented by this member is not the gaming industry?

SENATOR HORSFORD:

That seems fair.

MS. BAUMGARTNER:

Yes, absolutely.

SENATOR LESLIE MOVED TO AMEND AND DO PASS S.B. 471 WITH THE LANGUAGE SUGGESTED BY STAFF AT THE FRIDAY, MAY 27, 2011 MEETING AS WELL AS AMENDMENT NO. 7001 WITH THE ADDITION TO SUBPARAGRAPH (4) THAT THE BUSINESS OR INDUSTRY REPRESENTED BY THIS MEMBER SHALL NOT BE FROM THE GAMING INDUSTRY.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HORSFORD:

As there is no further business to come before this Committee, we are adjourned at 12:50 p.m.

RESPECTFULLY SUBMITTED:

Patricia O'Flinn,
Committee Secretary

APPROVED BY:

Senator Steven A. Horsford, Chair

DATE: _____

| <u>EXHIBITS</u> | | | |
|-----------------|---------|------------------|----------------------------|
| Bill | Exhibit | Witness / Agency | Description |
| 471 | A | Legal Division | Proposed Amendment 7001 |