

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-sixth Session
April 6, 2011**

The Senate Committee on Government Affairs was called to order by Chair John J. Lee at 8:11 a.m. on Wednesday, April 6, 2011, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412E, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator John J. Lee, Chair
Senator Mark A. Manendo, Vice Chair
Senator Michael A. Schneider
Senator Joseph (Joe) P. Hardy
Senator James A. Settelmeyer

GUEST LEGISLATORS PRESENT:

Senator Greg Brower (Washoe County Senatorial District No. 3)
Senator Ben Kieckhefer (Washoe County Senatorial District No. 4)

STAFF MEMBERS PRESENT:

Michael Stewart, Policy Analyst
Heidi Chlarson, Counsel
Cynthia Ross, Committee Secretary

OTHERS PRESENT:

Caleb S. Cage, Executive Director, Office of Veterans' Services
Warren B. Hardy II, Ex-Senator
Larry Brown, Clark County Board of Commissioners
Kyle Davis, Nevada Conservation League
Shaaron Netherton, Friends of Nevada Wilderness
Charles Donohue, Deputy Administrator, Division of State Lands, State
Department of Conservation and Natural Resources

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John Hiatt, Friends of Nevada Wilderness

Leo M. Drozdoff, P.E., Director, State Department of Conservation and Natural Resources

Pete Anderson, State Forester, Division of Forestry, State Department of Conservation and Natural Resources

Stacey Giomi, Fire Chief, Carson City Fire Department

Rusty McAllister, Professional Fire Fighters of Nevada

Guy LeFever, Fire Chief, Tahoe Douglas Fire Protection District

Sharon Brown

James M. Wright, Chief, State Fire Marshal Division, Department of Public Safety

David Fogerson, Deputy Fire Chief, East Fork Fire and Paramedic Districts

CHAIR LEE:

I open the Senate Committee on Government Affairs with a work session. We have five bills. The first bill is Senate Bill (S.B.) 251.

[SENATE BILL 251](#): Creates the Nevada Sunset Commission to evaluate certain governmental programs and services. (BDR 18-745)

MICHAEL STEWART (Policy Analyst):

Senate Bill 251 is brought forward by Senator Ben Kieckhefer. It creates the Nevada Sunset Commission to evaluate certain governmental programs and services. The work session document incorrectly states there are no amendments, but two amendments ([Exhibit C](#)) are attached.

The first amendment addresses section 3 of the bill and changes the Nevada Sunset Commission membership requirements. It adds language to provide that members must be selected from the general public, be versed in areas of state and local government and must be sufficiently experienced in business to bring knowledge and sound judgment to the review of governmental programs and services.

The commission was authorized to apply for and receive grants, gifts, contributions and other money from governmental and private agencies, affiliated associations and other persons in section 6. The second amendment addresses section 6 and proposes that no agency under review by the Nevada Sunset Commission can gift, grant or contribute to the Commission.

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CHAIR LEE:
Can you explain the change?

SENATOR BEN KIECKHEFER (Washoe County Senatorial District No. 4):
The amendment, [Exhibit C](#), proposes to add an additional qualification.

CHAIR LEE:
Who would be responsible for the additional qualification?

SENATOR KIECKHEFER:
It would be everyone's responsibility. It is a universal requirement for membership on the Commission.

CHAIR LEE:
Page 2, lines 9 through 21, of the bill explains the Commission's membership. How do these appointments pertain to the general public?

SENATOR KIECKHEFER:
Each appointee is a member of the general public. One qualification of the membership is that they cannot be elected officials, they must be members of the general public and have the business knowledge to review government efficiency.

CHAIR LEE:
Can you explain the amendment, [Exhibit C](#), regarding section 6?

SENATOR KIECKHEFER:
It prevents agencies under review from gifting or making contributions to the Commission for operational purposes to prevent conflicts of interest and impropriety.

CHAIR LEE:
The amendments make for a strong Commission.

SENATOR HARDY:
Senate Bill 251 pertains to State government and not local governments. Are locally elected officials members of the general public, or are they excluded?

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SENATOR KIECKHEFER:

The qualification for membership on the Commission prohibits any elected official from serving. The interests and knowledge of local government will be represented through the appointment authority of the Nevada League of Cities and municipalities and the Nevada Associations of Counties. The Commission and its charge does intend to review for duplication of service at State and local levels.

SENATOR HARDY:

If appointees are versed in State and local government, does this mean the members would have held offices? Are you encouraging former elected officials for membership? How is the "versed in State and local government" determined?

SENATOR KIECKHEFER:

The discretion is up to the appointing authority.

SENATOR SCHNEIDER:

Chief of Staff Heidi Gansert testified before the Committee that the Office of the Governor wants to create an Inspector General position to look at commissions and boards for fraud, abuse, duplicity and other inefficiencies. Are we getting review duplication? Can we blend Ms. Gansert's proposal in S.B. 325? There are 25 investigators to address Medicare fraud. We are hitting this issue hard, and people are coming in from different angles. We want to eliminate waste, fraud and abuse, and we might create waste through duplication of review services. I do not have a problem with the Commission, but there are other similar bills.

SENATE BILL 325: Creates the Office of Inspector General in the Department of Administration. (BDR 18-1062)

CHAIR LEE:

I understand S.B. 325 has issues. Senate Bill 251 will use private citizens with business sense to look into governmental agencies, boards and commissions.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED S.B. 251 WITH THE PROPOSED AMENDMENTS.

SENATOR HARDY SECONDED THE MOTION.

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THE MOTION CARRIED UNANIMOUSLY.

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CHAIR LEE:

The next bill in work session is S.B. 280.

SENATE BILL 280: Revises provisions relating to the use of special fees collected from the issuance of certain veterans' license plates. (BDR 37-1063)

MR. STEWART:

Senate Bill 280 clarifies that money deposited in the Gift Account for Veterans from fees collected from holders of Nevada's veterans' license plates can be used for veterans outreach programs and services for veterans and their families. There are no amendments (Exhibit D).

CHAIR LEE:

Can you summarize this bill's intent?

SENATOR GREG BROWER (Washoe County Senatorial District No. 3):

The fund was established to take fees generated from the veterans' license plates and create a fund to be spent on veterans outreach programs and services. There was confusion in the Executive Branch within the budget bureaucracy as to the definition of outreach and services and how the funds can be used. The Office of the Attorney General (AG) has rendered one opinion that supports the legislative intent that funds can be used for outreach or services. This bill's purpose is to avoid the need to get the AG's opinion every time bureaucracy has a misunderstanding. It also clarifies how the money from the Gift Account for Veterans is used for outreach programs or services for veterans and their families as determined by the Executive Director for the Office of Veterans' Services.

CHAIR LEE:

I had a similar money situation occur with the Mt. Charleston License Plate Fund because the legislation was not specific.

SENATOR SCHNEIDER:

How much money is involved?

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CALEB S. CAGE (Office of Veterans' Services):
We have about \$600,000 in the fund and approximately \$450,000 is generated annually through this fund.

SENATOR MANENDO MOVED TO DO PASS S.B. 280.

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR LEE:

The next bill is Senate Bill 361. I am holding this bill because Senator Dean Rhodes informed me of an issue with the Nevada Cattlemen's Association.

SENATE BILL 361: Authorizes the issuance of a temporary permit to appropriate water to establish fire-resistant vegetative cover in certain areas.
(BDR 48-285)

The next work session bill is Senate Bill 375.

SENATE BILL 375: Authorizes counties and cities to create renewable energy corridors. (BDR 20-18)

MR. STEWART:

Senate Bill 375 concerns energy corridors. The bill authorizes a board of county commissioners or a city council to create, by ordinance, one or more renewable energy corridors within a county or city. These governing bodies can offer incentives for participation in these corridors to include an abatement or partial abatement of taxes to a person or business located within the energy corridor. The bill also allows counties and cities to enter into cooperative agreements to establish regional renewable energy corridors. It clarifies that renewable energy includes biomass, fuel cells, geothermal energy, solar energy, waterpower and wind. There was a conceptual amendment (Exhibit E) offered by the Nevada Association of Counties (NACO).

There was a concern about double abatements. The attached amendment, Exhibit E, addresses this concern. Since the bill applies to the governing bodies

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of cities, the Committee might want to extend the amendment to section 2 of the bill. Section 2 deals with *Nevada Revised Statutes* (NRS) 268 and section 1 deals with NRS 244 as it relates to counties.

The amendment, [Exhibit E](#), addresses the issue of getting one abatement as opposed to multiple abatements for this activity.

CHAIR LEE:

There was a proposed amendment to include nuclear energy and changes to clean fuel, but the Chair did not accept the amendment.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED S.B. 375 WITH THE NACO AMENDMENT.

SENATOR MANENDO SECONDED THE MOTION.

SENATOR HARDY:

The amendment includes the counties and the cities in both sections.

MR. STEWART:

Yes.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR LEE:

The last bill in work session is Senate Bill 438.

[SENATE BILL 438](#): Requires the issuance of bonds for environmental improvement projects in the Lake Tahoe Basin. (BDR S-97)

MR. STEWART:

Senate Bill 438 is the bond bill that comes forward every Session. It comes to us from the Senate Committee on Finance on behalf of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System, which was chaired this past interim by Senator Lee.

The bill authorizes the issuance of general obligation bonds of not more than \$12 million to provide money to carry out certain environmental improvement projects included in the second phase of the Environmental Improvement Program (EIP) ([Exhibit F](#)). No amendments were offered.

CHAIR LEE:

Every two years, we approve bonds and continue to work on the improvement projects in the Tahoe Basin. This legislation helps to fund the EIP to carry out projects to improve the environment in the Lake Tahoe Basin.

SENATOR SETTELMAYER MOVED TO DO PASS S.B. 438.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR LEE:

Work session is finished. I am opening the hearing on S.B. 396.

SENATE BILL 396: Changes the governmental entity entrusted to administer and distribute the additional funds generated by the special license plates for the support of the natural environment of the Mount Charleston area. (BDR 43-919)

WARREN B. HARDY II (Ex-Senator):

I have been involved in discussions concerning the use of the license plate fund, and these discussions have led to S.B. 396.

Issues are best managed and handled at the level of government closest to the people. This legislation fits into this category. The community wants to have more input into the process of how the funds are spent. The Division of State Lands has the responsibility but is overburdened with other responsibilities. The Division has put forward a good process, but it can be improved upon by providing additional input. We have an amendment ([Exhibit G](#)) proposed by Clark County. When I asked the bill to be drafted, I had it drafted with the funds going to the Mount Charleston Town Advisory Board. The intent has always

been for the funds to go to the Clark County Board of Commissioners and to be distributed upon the advice of the Town Advisory Board.

I received a question from the Nevada Conservation League about what will happen with existing applications. This bill will not change existing applications.

LARRY BROWN (Clark County Board of Commissioners):

I represent District C, which includes Mount Charleston. The Mount Charleston license plate was conceived, designed and brought to fruition by the Mount Charleston Town Advisory Board. The Mount Charleston license plate legislation was passed by A.B. No. 27 of the 70th Session, the plates were offered to the public in 2005, and by September 2007, sufficient revenue had accumulated and applications were accepted for the first round of project funding.

Two statutory references are in the legislation. *Nevada Revised Statute* 482.37935 deals with the plate's creation and collection of fees, and NRS 321.5959 contains the language directing how the money should be spent. Administration of the license plate program was given to the Division of State Lands in the legislation. The Division develops the regulations governing the program.

The amendment, [Exhibit G](#), proposes to transfer administrative authority from the Division of State Lands to the Mount Charleston Town Advisory Board. It would not be appropriate for the Advisory Board to receive grant dollars. We do not know if it will be legal for them to administer the funds and have the final say of the award of the grant funds. Clark County's legislative staff has submitted a change to the language whereby authority would transfer from the Division of State Lands to the Clark County Board of Commissioners. The County Commissioners would take advice and recommendations from the Mount Charleston Town Advisory Board regarding the program, but the Commission would hold the funds and have the final say over regulations and grant awards.

The system enjoys a Technical Advisory Committee, and the Conservation District of Southern Nevada serves as the fiscal agent. We would support this system to stay in place as it works well.

The bill as amended would accomplish the following. It would provide a local presence in southern Nevada for the program's administration, reduce divisional cost for the Division of State Lands in administering a southern Nevada program from northern Nevada, allow the Clark County Board of Commissioners the opportunity to look at the program independent of other programs and determine what is best for the various stakeholders with input from the Advisory Board. The County Commissioners—working with our own financing, purchasing and other departments—could identify opportunities to make program funds available to more grassroots organizations that do not have seed money to qualify. We have been in discussion with James R. Lawrence, Administrator and State Land Registrar for the Division of State Lands; we appreciate his cooperation and the time he and his staff have spent. We also pledge to beneficiaries of the program that they will be engaged and a part of the transition. We will work with the Division of State Lands for an orderly transition. Clark County does not want to impede any outstanding reimbursements of projects underway or impact recommendations for awards in the round of applications under consideration.

This legislation will bring the administration of the grant funding down to the local level and put it into the hands of the people who are the eyes and ears on Mount Charleston.

CHAIR LEE:

Under the bill, when the Board of County Commissioners takes over the money responsibility, page 3, lines 14 through 22 will stay the same:

(1) For the support of programs for the natural environment of the Mount Charleston area, including, without limitation, programs to improve the wildlife habitat, the ecosystem, the forest, public access to the area and its recreational use. (2) To make grants to governmental entities and nonprofit organizations to carry out the programs

The intent of the bill remains. The legislation is only giving more local control to those on Mount Charleston to decide how they can best use the money.

MR. BROWN:

Correct. Plus the Board of County Commissioners might also allow local stakeholders—that in the past were not able to come up with the matching

grants or initial investment—to come aboard as we can identify other funds within Clark County to assist them.

KYLE DAVIS (Nevada Conservation League):

The amendment, [Exhibit G](#), takes care of most of our concerns, but we do have a few questions.

SHAARON NETHERTON (Friends of Nevada Wilderness):

We have been the recipients of money from the license plate fund. I am in support with the amendment presented by Clark County. I want to ensure that ongoing grant agreements in Rounds 1, 2 and 3 will not be affected by a new system. We want to submit our reimbursable receipts. The Division of State Lands has been handling that well. We do not want to transition out of that system into a new one in the middle of the grants. We also support the broad representation that the Technical Advisory Committee brings. The Mount Charleston Town Advisory Board has a wonderful view and has been instrumental in helping the environment. We encourage that the broader constituents also have a say in how money is distributed. Further testimony has been submitted ([Exhibit H](#)).

CHAIR LEE:

This act would become effective July 1. Will the projects you referenced be completed?

MS. NETHERTON:

The projects will continue past the effective date, so we recommend language in the bill stating that projects in the works stay with the Division of State Lands. Projects beginning in Round 4 or beyond can be in the new system.

CHAIR LEE:

We will cover your concerns.

CHARLES DONOHUE (Deputy Administrator, Division of State Lands, State Department of Conservation and Natural Resources):

The Division of State Lands has been administering the Mount Charleston license plate program. The Division has worked closely with Clark County and the Town Advisory Board to develop the Technical Advisory Committee and the program procedures associated with implementing projects. There have been 12 grant awards in Rounds 1 and 2. Two of the grant projects have been

completed, and a number of the projects are scheduled to go past the July 1 implementation date.

The Division of State Lands is neutral on this legislation. We would like clarification relating to the July 1 implementation date. Our concern addresses testimony and discussions with Clark County in regard to the status of grants with grant awards and project agreements in place. Clark County Round 3 was reviewed by the Technical Advisory Committee, and we have put the round into a holding status until this legislation is resolved.

JOHN HIATT: (Friends of Nevada Wilderness):

I am a board member and a tentative recipient of a grant in Round 3. The legislation does not give the substance to the Technical Advisory Committee that needs to be done if we are going to change the law. I have other concerns. The Conservation District of Southern Nevada is the fiscal agent because of Clark County's inability to be a functional fiscal agent in the past, what with not writing a check in less than 60 days from the time of an invoice submittal. We need to have a guarantee from the County that it can work in a responsible and timely fashion.

CHAIR LEE:

I would like the issue of processing and reimbursements to be addressed because people are spending money.

SENATOR W. HARDY:

The intent is that any project in the pipeline will continue in the same process. The open process we develop will include the input of all stakeholders in terms of how future decisions are made and how the distribution is done.

MR. BROWN:

We need to emphasize that we will continue to work with the Division of State Lands for an orderly transition. This will be a priority that protects grants and projects in the pipeline. I do not want to create a bureaucracy in southern Nevada that would create barriers. We will work to expedite the processing of dollars and use the Conservation District as the fiscal agent. The intent of S.B. 396 is to bring the administration and distribution of funds to the local level, expedite the process and expand the opportunities for stakeholder groups who have been prohibited by the process.

CHAIR LEE:

The hearing is closed on S.B. 396 and the hearing is open on S.B. 494.

SENATE BILL 494: Repeals provisions relating to certain fire districts and establishes wildfire protection programs. (BDR 42-1220)

LEO M. DROZDOFF, P.E. (Director, State Department of Conservation and Natural Resources):

Due to the Governor's recommended budget, we have called out that certain all risk emergency duties, residing in two counties and a part of a third, transition to the counties. The counties are Elko, Eureka and Clark. This is a budget issue. The Division of Forestry (NDF) has been subsidizing activities there and will realize savings as we eliminate managers and support staff.

The transition allows for the NDF, the counties and local fire districts to have an additional tool that does not have a direct bearing on the Governor's recommended budget. We want to explain the term "all risk" and NRS 473. Comments have resulted in the amendment ([Exhibit I](#)).

PETE ANDERSON (State Forester, Division of Forestry, State Department of Conservation and Natural Resources):

Senate Bill 494 provides a comprehensive approach to wildfire management, which is in partnership with Nevada counties and fire districts. Our proposal is to transition our all risk emergency services back to Elko, Eureka and Clark Counties and portions thereof and create a new participatory wildfire protection program available for the 17 counties and included fire districts if they choose. It is a voluntary program. [Exhibit I](#) gives the description of the Division's required structure, which includes all risk emergency service and wildfire management. The written testimony also provides an overview of our proposed amendments.

SENATOR HARDY:

Is it possible for a fire district to consist of two or more counties? Has it been discussed or allowed?

MR. ANDERSON:

It is not precluded. It has not been done, but a regional approach to wildfire management could be accomplished. We can clarify this in the bill to allow for its capability.

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SENATOR HARDY:
You are not averse to including that in the bill?

MR. ANDERSON:
No.

SENATOR HARDY:
Page 6, lines 15 through 22, of the bill discusses fireworks and welding. Would the fire district laws for fireworks or a welding torch supersede this if inside a city limit or a county that has building permits? What is the parameter of welding or fireworks? Could a person weld without getting a permit from the State Forester Firewarden or from the State Forester Firewarden's duly authorized agent?

MR. ANDERSON:
You are referring to existing language in NRS 473. We would like to work through regulation development to ensure that the authority rests with the county or the fire district when it comes to the specifics of managing ignitable sources. The State Fire Marshal and our Division would be there to assist in the design. We want to reach a consistent platform between the responsibilities of the Division of State Lands, the Fire Marshal, NDF, the counties and fire districts to avoid conflicts in the law.

SENATOR HARDY:
If I am setting off fireworks with my grandchildren in front of my home in Boulder City, do I have to get a permit from the State Firewarden?

MR. ANDERSON:
At this time, you would not get a permit from the State Forester Firewarden, but there are restrictions on how fireworks are utilized in a front yard that also concern the magnitude in size. Aerial fireworks would require permits from local jurisdictions.

SENATOR HARDY:
The local jurisdiction would have preemptive power.

MR. ANDERSON:
Correct.

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SENATOR HARDY:

The local entity would be in charge for welding as well?

MR. ANDERSON:

Correct. We get involved with open ignitions during periods of high fire. In the bill's language, we want to specify that if extreme temperatures are causing a fire hazard, we will restrict uses of open fire on wildlands. This is the focus.

SENATOR HARDY:

Does language in the amendment ([Exhibit J](#)) address the hazardous times?

MR. ANDERSON:

There is language in NRS 473, but we can either add the additional language into NRS or the regulations. It is better suited for the regulations as they develop with the participating counties.

SENATOR HARDY:

The language is on the record, not in the bill.

MR. ANDERSON:

Correct.

MR. DROZDOFF:

In the initial discussions of getting out of all risk, stopping the ambulance calls in certain counties and helping with pet calls, there as a common refrain: "But we need you in wildfires." When we started transitioning out of all risk, we received feedback that counties did not want us to abandon ship. Initial attack and wildland is core to our mission. This is the basis for moving forward with S.B. 494. We moved fast and the bill needs work, but the concept is that the wildfire protection program is participatory for counties and fire districts. It will allow us to continue good relationships with the counties and fire districts in our core fire and wildland mission.

CHAIR LEE:

Will firefighters in the counties and districts need more training and certification?

MR. ANDERSON:

It is specific to 1 of the 473 fire districts. Our staff is trained in Elko, Eureka and on Mount Charleston in all risk, and wildfire management holds all qualifications and certifications. All departments do not have this level of training.

MR. DROZDOFF:

This bill provides that if there is a desire to participate in the wildland piece, NDF can shoulder the burden through the participatory program as opposed to requiring locals to get training they might not have.

STACEY GIOMI (Fire Chief, Carson City Fire Department):

There is not a fire chief in Nevada who would disagree with the important role the Division of Forestry plays. Division's services are vital to the health, safety and welfare of the people in the State. What the State Forester said at the end of his statement is disconcerting to local governments. He said that S.B. 494 is critical for the mission of the Division. It is critical for the funding of the Division.

The funding is at the expense of local governments. There is also a concern because this is a participatory bill. If the function of the State Forester Firewarden and NDF is so critical, how can it be funded in a participatory fashion? If suppressing fires is a vital function, how can we fund it in the manner that is based upon county participation? This legislation brings up many questions. What if no counties participate? Does this mean that the programs go away? And if they do, what does that mean to each county?

There was a rush to get this legislation introduced. As it stands, it raises more questions than it answers. The bill presents a wildcard. If NDF was properly funded, many of the issues could be addressed with an interlocal agreement, which is how we have addressed shared resources in the past. If NDF has no funding to carry out its mission and the only funding it can extract is through county participation, it might have no ability to exist. This is not safe for the people in Nevada.

RUSTY MCALLISTER (Professional Fire Fighters of Nevada):

We have not had time to look at the amendment, [Exhibit J](#), in detail. The Division of Forestry amended access restrictions to the Disaster Relief Account and the Emergency Account, and that helps counties.

My questions relate to Mount Charleston. The Division of Forestry decided to get out of the all risk fire service on Mount Charleston. The State Forester says that wildland fire protection is its mission, and the goal is to keep fires in the initial attack phase, getting them when they are small. The Division of Forestry is shutting down the fire station on Mount Charleston and will not provide all risk fire service. The Division will depend on a seasonal fire department. Senate Bill 494 says that if Clark County decides to participate, it can access funds—if they are available—and the services of the NDF to help suppress fires. The Division is taking the fire engine out of service on Mount Charleston. The only access or services for Mount Charleston are inmate crews from High Desert State Prison in Indian Springs. These crews are a valuable resource, but it will take the crews some time to get to Mount Charleston to fight a fire; by the time they arrive, the fire will be out of hand. Clark County will become responsible for suppression in the region, and this might be the goal of this legislation.

The fire protection district on Mount Charleston is under NRS 473; it will be repealed to go under NRS 474. I do not understand the goal, but it might change the taxing structure for the fire protection district. Senate Bill 494 seems to serve a mission by the State Forester's Office to get additional funding from the counties to access funds taxpayers already pay. Taxpayers pay into the State Forester's fire suppression account. This bill will make them pay again to access it.

CHAIR LEE:

The Governor's *Executive Budget* is influencing the bill. Departments and divisions of the State are responsible to carry out the Governor's order.

GUY LEFEVER (Fire Chief, Tahoe Douglas Fire Protection District):

This is my first bite at the apple reading the amendment, [Exhibit J](#). There are a few errors. We had a good discussion with Mr. Anderson two days ago, and there are adjustments to the amendment. I want to review the amendment with Mr. Anderson again and with other chiefs to see if the amendment meets our objective. It is premature to support or not support the amendment.

SHARON BROWN:

I am a resident of Mount Charleston representing the Mount Charleston task force. We have questions. Will S.B. 494 abolish NRS 473 and get rid of the all risk fire protection? Where will the NDF be located? Where will the fire

equipment be located? If equipment is moved off the mountain and the NDF wants to continue to support fire suppression, where will the NDF be coming from? The NDF crews will not be able to provide a quick response if they locate off the mountain. Last July, we had an incident with a wildland fire that would have taken over the mountain without an immediate response. An airplane crashed into the Echo View subdivision area, and the response took eight minutes. Had the response come from a location further away, the fire would have taken over the mountain and lives would have been lost. Does Senate Bill 494 take away the right of the Mount Charleston residents to vote for our fire protection district? Mount Charleston has special needs with approximately 2.5 million visitors and their impact. The road to Mount Charleston is the same State highway used for more than 70 years. The residents of Mount Charleston pay high taxes that support the NDF and needs of the community and visitors. There is the issue of fire insurance. If we do not have a fire station in close proximity, I understand we will lose our fire insurance. In the subdivision I live in, there have been 16 house fires in the last 30 years, and 2 of those fires have bordered my property. If it was not for the quick response of the fire department, the results would have been catastrophic. This legislation came quickly. We want more time to do our homework. We are dumping a lot of responsibility onto Clark County, and the station the County has cannot meet the needs. There is only one way in and out of Mount Charleston. I ask that more time is taken to assess this legislation.

MR. GIOMI:

Local governments are put in a quandary because if S.B. 494 does not pass, the NDF will not have funding to do its mission. We are in a position where we are held hostage. If we do not agree to the terms in S.B. 494, NDF will not have funding through the State mechanism. This is central to our decision-making process. We are in a difficult position, and NDF is in a more difficult position.

CHAIR LEE:

The hearing on S.B. 494 is closed. I am now opening the meeting on S.B. 439.

[SENATE BILL 439](#): Makes various changes relating to fire protection. (BDR 42-1203)

JAMES M. WRIGHT (Chief, State Fire Marshal Division, Department of Public Safety):

An eight-member Board of Fire Services (BFS) serves as an advisory board, making recommendations related to firefighting and fire protection matters to the State Fire Marshal and the Legislature.

There is also an eight-member Fire Service Standards Training Committee (FSSTC) that oversees fire service training standards and certifications. The committee also makes recommendations to the State Fire Marshal and the Legislature regarding fire service matters.

In the spirit of looking for efficiencies and reducing duplication of efforts, I propose merging the two appointed bodies within the State Fire Marshal budget process. The Board of Fire Services and FSSTC have worked with me to formulate this merger. This bill will merge the duties and responsibilities of the BFS and the FSSTC, reduce members from 16 to 10, establish an appeals board for State Fire Marshal regulations, bring about efficiencies and allow the Fire Marshal to support one board, not two. This legislation will also establish a more efficient and effective Board of Fire Services.

DAVID FOGERSON (Deputy Fire Chief, East Fork Fire and Paramedic Districts):

I am also the chair for the Fire Service Standards and Training. The Board of Fire Services and my committee have met twice to find efficiencies between the two groups to make a more effective government structure. The reason we can merge is because the work of the FSSTC has been completed. We were rolled off the Board of Fire Services years ago to promote professional qualification standards of the fire service. The work is done; we want to fold the committee back into the Board of Fire Services.

CHAIR LEE:

What efficiencies are you looking at?

MR. FOGERSON:

The Fire Service Standards and Training Committee has an annual budget of \$5,000. Under NRS, it is required to meet four times a year. The Board of Fire Services does not have a budget, so funds have to come from the State Fire Marshal. It is required to meet two times a year. Our committee's work is finished. By merging the groups, the number of people and meetings is reduced.

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CHAIR LEE:
How are meetings set up?

MR. WRIGHT:
We have consolidated the meetings in the Carson City area as a majority of the members are within the region. We have used teleconferencing and videoconferencing to reduce costs, and we have an annual meeting at the gathering for the Nevada State Firefighters Association.

CHAIR LEE:
The hearing on S.B. 439 is closed. Nobody has appeared on behalf of S.B. 445, so I am not opening the hearing.

SENATE BILL 445: Allows the Office of the Military to collect rent for the use of its facilities. (BDR 36-1205)

CHAIR LEE:
There is no further business to come before the Committee. This meeting of the Senate Committee on Government Affairs is adjourned at 9:26 a.m.

RESPECTFULLY SUBMITTED:

Cynthia Ross,
Committee Secretary

APPROVED BY:

Senator John J. Lee, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 251	C	Michael Stewart	Work Session Document with Proposed Amendment
S.B. 280	D	Michael Stewart	Work Session Document
S.B. 375	E	Michael Stewart	Work Session Document
S.B. 438	F	Michael Stewart	Work Session Document
S.B. 396	G	Warren B. Hardy II	Proposed Amendment
S.B. 396	H	Shaaron Netherton	Testimony
S.B. 494	I	Leo M. Drozdoff	Testimony and Amendment Summary
S.B. 494	J	Pete Anderson	Proposed Amendment