

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-sixth Session
March 15, 2011**

The Senate Committee on Judiciary was called to order by Chair Valerie Wiener at 8:07 a.m. on Tuesday, March 15, 2011, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 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 Valerie Wiener, Chair
Senator Allison Copening, Vice Chair
Senator Shirley A. Breeden
Senator Ruben J. Kihuen
Senator Mike McGinness
Senator Don Gustavson
Senator Michael Roberson

GUEST LEGISLATORS PRESENT:

Senator Michael A. Schneider, Clark County Senatorial District No. 11

STAFF MEMBERS PRESENT:

Linda J. Eissmann, Policy Analyst
Bradley A. Wilkinson, Counsel
Kathleen Swain, Committee Secretary

OTHERS PRESENT:

John Pappageorge, Republic Services
Dan Musgrove, City of North Las Vegas
Kyle Davis, Nevada Conservation League
Robert A. Ostrovsky, Waste Management, Inc.
Tim Stebbins
Favil West

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Jonathan Friedrich
Rana Goodman
Robert Robey
Robin Huhn, D.C.

Karen D. Dennison, American Resort Development Association; Resort Owners Coalition

Stephany Madsen, American Resort Development Association

Gail J. Anderson, Administrator, Real Estate Division, Department of Business and Industry

Barry Smith, Executive Director, Nevada Press Association, Inc.

CHAIR WIENER:

I will open the hearing on Senate Bill (S.B.) 183.

SENATE BILL 183: Restricts the authority of associations of certain planned communities to regulate the storage and placement of containers for the collection of recyclable material. (BDR 10-610)

SENATOR MICHAEL A. SCHNEIDER (Clark County Senatorial District No. 11):

Senate Bill 183 is different from other homeowners' association (HOA) bills this Session. This is a recycling bill and related to the environment.

In 2008, Republic Services implemented a pilot recycling program at the request of the Clark County Board of Commissioners. Each participating resident received a large wheeled cart for trash and one for recycling. Recyclable material can be comingled under the program. Residents can select from three different sized carts. Most residents prefer the largest cart, which may or may not fit into their garages. By the end of 2010, Republic Services had implemented pilot programs in unincorporated Clark County and the Cities of Las Vegas, North Las Vegas and Henderson. Approximately 72,000 homes are participating in the program. North Las Vegas implemented the program citywide. Residents commonly complain the homeowners' associations require them to keep the wheeled trash and recycling carts in their garages.

Senate Bill 183 would enable residents to store their recycling carts on the side or at the rear of their homes as long as the cart is screened from view.

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JOHN PAPPAGEORGE (Republic Services):
I will read from my written testimony ([Exhibit C](#)).

CHAIR WIENER:
How many HOAs in southern Nevada do not participate in the recycling program?

MR. PAPPAGEORGE:
I do not know. Several are participating in the pilot program and like it.

CHAIR WIENER:
Please provide that information and advise the total number of associations, including the number participating and not participating in recycling beyond the pilot program.

SENATOR COPENING:
When Republic Services initially proposed the program, some HOAs rejected it because homeowners would have two large containers, one for recyclables and one for solid waste. The pickup schedule would be once a week rather than twice a week. Some associations were concerned about the odor if trash was picked up only once a week. If this bill passes, would trash be in one large container picked up only once a week?

MR. PAPPAGEORGE:
This bill does not address that issue. The Board of County Commissioners and the Las Vegas City Council will work out the pickup schedule with Republic Services.

SENATOR COPENING:
Section 1, subsection 1 of the bill says, "... the association of the planned community may not: (a) Prohibit a unit's owner or a tenant of a unit's owner from storing a recycling container on the premises of the unit; or (b) Regulate or restrict the manner in which a recycling container is stored." Section 1, subsection 2 of the bill says, "An association of a planned community may adopt rules that reasonably restrict the storage of a recycling container" One subsection says HOAs cannot restrict, and the other says they can.

BRADLEY A. WILKINSON (Counsel):

The preface to section 1, subsection 1 of the bill says, "Except as otherwise provided in this section," The general rule is stated that, other than as provided in subsection 2, the association may not regulate or restrict the manner in which a recycling container is stored.

SENATOR BREEDEN:

I live in Henderson, and I participate in the pilot program with these containers. Our pickup is once a week. There is no odor. I keep both containers in my garage. The containers are large, but that is better than having numerous trash cans. I do not see a problem with this.

If HOAs are allowed to determine the type of screening required, will homeowners have to contract with one particular person or company specified by the HOA to have the screening installed?

SENATOR SCHNEIDER:

Each HOA is different, and the exteriors of the homes are different. Republic Services will probably have an architect design the proper screen for the different houses. For instance, some houses in Las Vegas are three stories with a garage on the main floor and two stories of living space above. They are narrow. In newer houses, the garages are small and do not have a setback area to put trash cans.

CHAIR WIENER:

That is not designated in the bill. I live in a home where there is no place for the recycling container. I would have to store it in my garage.

SENATOR SCHNEIDER:

Red Rock Country Club participated in this pilot program, and it is happy with it. Republic Services will work with the associations.

SENATOR OPENING:

Does Red Rock Country Club or any HOA offer a screening mechanism, or does Red Rock require the containers to stay in the garage?

MR. PAPPAGEORGE:

I will get that information for you.

SENATOR COPENING:

Do you have a solution for condominiums?

MR. PAPPAGEORGE:

The bill does cover condominiums. They usually have a collection area near the trash area. Many of them have recycling bins. I do not know what type of recycling container would be provided.

SENATOR COPENING:

The Common-Interest Communities and Condominium Hotels (CICCH) Commission would adopt regulations regarding everything from size, location, color and material for approximately 3,000 HOAs. The individual associations would be the better entities to determine the regulations because they know their communities better than the Commission does. Most people will probably not do the screening, but will keep the containers in their garages.

SENATOR SCHNEIDER:

We are trying to make this uniform for all of Clark County. One truck route can include Las Vegas, the County and North Las Vegas. A truck can pick up from three different entities, all in one hour. We are trying to do the same with HOAs. It would be easier for truck drivers to dispose of the trash.

Condominiums and apartment buildings have common trash areas. Some of those areas were adequate when they were built. However, Republic Services will have to work with those associations to redesign them. Republic Services will have to address high-rise buildings. Many of them have chutes. How would recycling be handled there? Now, we carry the recycling down.

SENATOR GUSTAVSON:

We are opening another can of worms. Who will bear the cost of this, Republic Services, the HOA or individual homeowners? Who would pay an architect? The bill might not be specific enough.

MR. PAPPAGEORGE:

You may be right regarding high-rise buildings. Republic Services said the homeowner would probably have to pay for the screen on the gates.

SENATOR COPENING:

The bill should include cost measures—who pays for what; who pays for the architect. If the association pays, all the homeowners would bear the cost for those who want the gate. Would the homeowners pay individually?

SENATOR GUSTAVSON:

How is Red Rock handling this?

SENATOR SCHNEIDER:

Red Rock likes the program. Red Rock is a large master association that has many different types of housing. We will get that information for you.

DAN MUSGROVE (City of North Las Vegas):

The City of North Las Vegas adopted the comingled program. It has been successful. This bill is important because it removes barriers for people to recycle. Recycling was complicated when it involved three containers. When North Las Vegas switched to the comingled program—one container for all recycling—our recycling rate increased from 3 percent to 24 percent. We support S.B. 183. We will work with our City Council to adopt an ordinance allowing HOAs to do this. This bill would be helpful.

SENATOR COPENING:

Please explain how this works. If a city adopts this program, are HOAs required to offer it to their members or would it just apply to city entities?

MR. MUSGROVE:

Homeowners' associations have had complaints about where people store their containers. Some of the newer homes do not have suitable places to store them. They are not always behind a fence. As a result, people tend not to recycle.

We need to make it as easy as possible for people in age-restricted communities to roll the container to the curb. If the container is behind a fence, people are less interested in recycling. The comingled program removes barriers and makes it easier for people to recycle.

SENATOR COPENING:

Are HOAs allowed to prohibit their members from participating?

MR. MUSGROVE:

We do not have an ordinance that would prohibit anything. Each HOA can determine what their covenants, conditions and restrictions (CC&R) allow and do not allow. This bill would help us move forward.

SENATOR COPENING:

I hear the same concerns. People would recycle if they had a place outside the garage to store the container.

KYLE DAVIS (Nevada Conservation League):

We support S.B. 183. We promote recycling. Single-stream recycling is effective in increasing recycling rates and getting more material recycled.

This bill would help make recycling easier. Homeowners would pay for the screen required by the HOA. This bill would give homeowners the ability to store the container outside. If the cost is a problem, they could store the container behind a fence or in the garage.

Condominiums and apartment complexes are more difficult. Garbage and recycling material may get mixed, but we are working to make recycling easier for those homeowners.

ROBERT A. OSTROVSKY (Waste Management, Inc.):

We use the single-stream system in northern Nevada. The HOAs in the north have options regarding how to handle these cans. The program is voluntary. That is the downside. The upside is our recycling levels are up to 25 percent and 35 percent. Recycling has increased since we went to the single-stream system. From a homeowners' perspective, one can is a lot easier. We do the sorting; it is not a problem for us.

We need a large stream of recyclable material to increase the recycling industry in Nevada. Anything we can do to encourage recycling helps it become a growth industry for our State. We do not produce enough waste yet to make it economically viable to open recycling plants. We ship our recycled materials outside the State after they have been collected for the processing. We sort it, but it does not get used here. I encourage you to take every step you can to reasonably encourage people to recycle.

The CC&Rs in Summerlin do not permit anything on the side of the house that is visible from the street. Almost every home in Summerlin has a screened gate installed by the builder or the homeowner. Many HOAs already require screened gates. Screened gates are the most common. We have had no problems in the north. We do not have as many HOAs, and we have more space between houses.

TIM STEBBINS:

This bill is good for recycling but should not impinge on property rights. Some of the bill is dangerously close to that. I spoke with someone in Las Vegas who participates in the pilot program. He puts his trash can next to his garage, but it is not screened. If screening is mandatory, HOAs prefer consistency with all homeowners. Why could trash containers not be stored on the sides of the homes?

Homeowners' associations are different—some may penalize people for not screening the container; others may not penalize if containers do not affect the aesthetics of the community. Be careful to respect the rights of homeowners. Do not force them to participate and pay for something they do not wish to do. I encourage people to recycle.

FAVIL WEST:

I am a member of the Commission for CICCH. I am representing myself today. The Legislature is creating a statute. The association would create rules, and the Commission would create regulations. This could be problematic because one could create a problem for the other. Our State has approximately 3,000 HOAs, and one size will not fit all. Republic Services and Waste Management may not pay for the architectural design for all the HOAs.

This bill is complex because it benefits the garbage people at the expense of the homeowners. I am concerned this will discourage recycling. Homeowners will not be willing to pay \$200, \$300 or \$400 to change their landscaping. Many of the newer homes do not have side gates. The landscaping is mostly desert scape. People in their late 60s, 70s and 80s will be moving these wheeled carts. That concerns me. Sidewalks would have to be added so the carts could be more easily moved.

JONATHAN FRIEDRICH:

I will read from my written testimony ([Exhibit D](#)).

I have a copy of a monthly newsletter put out by the Howard Hughes Corporation for the communities in Summerlin. Toward the bottom of an article in the "News From the West" section, it says, "Following pickup, your cans and recycle bins should be stored out of view as soon as practical, but in any case on the same day as the trash pickup." The HOAs include this in their CC&Rs. We do not need more legislation. With all the problems we have, this Committee should not spend so much time on this issue.

RANA GOODMAN:

I live in a senior community where the majority of homeowners are aged 65 and older. Most of our landscaping is xeriscape and desert landscaping. I have a three-car garage and have room in my garage for these containers because I do not play golf.

When Republic Services introduced this program, I surveyed my readership. The majority of my readers were concerned about manipulating the containers when they were full. I cannot roll the container to my gate because the landscaping is rocks. I would have to remove the landscaping and install a pathway.

Many people in Sun City and Summerlin are golfers. They cannot use their garages to store these containers because one garage is used for golf carts and the other, for cars. They would have to remove the landscaping or install screens or shrubbery to hide the container from the street.

The purpose of an HOA is to keep the landscaping and community looking nice. We have more rules and regulations than we agreed to when we bought in. This is not fair to the homeowners.

ROBERT ROBEY:

I provided you with a five-page report ([Exhibit E](#)), which says the City of Reno does not allow homeowners to store garbage cans in their garages. The report specifies a garbage can may not be placed in any locked room, [Exhibit E](#), page 2.

In my community, we put our garbage out in trash bags. We do not have trash cans. Taxpayers are being subjected to capricious and arbitrary rules. I support recycling. Passage of this bill would create a situation where we will be back here in 2013 complaining about unfair penalties. Allow the city ordinances and

managers of garbage companies to handle this. Do not pass legislation that would require the Commission to write regulations.

ROBIN HUHN, D.C.:

Where I live, we have large trash cans because we participate in streaming recycling. Our garages are too small to accommodate these containers. I have to take my car out of the garage to get my trash cans out of the garage. I have to remove my car and move my trash cans so I can get to my workbench or cabinet where my tools are stored. Why can we not store trash cans on the side of our homes, especially in the newer homes?

My HOA sued me. We went to court, and I won. The HOA appealed to the Nevada Supreme Court, where we mediated and settled the case. The HOA then went to another district judge who dismissed everything and ordered me to go to the Ombudsman's Office. Yesterday, I discovered I could not file my grievance with the Ombudsman because the matter is more than one year old. The HOA did not allow me to file with the Ombudsman's Office and now, it is too late. Most people, especially the elderly, do not understand the programs and the fines.

CHAIR WIENER:

Can people order different sizes of these containers?

MR. PAPPAGEORGE:

Three different sizes are available.

CHAIR WIENER:

Will that information be provided to those who participate in the program?

MR. PAPPAGEORGE:

Yes.

CHAIR WIENER:

Once an HOA decides to participate in a recycling program, do individual homeowners have the option whether to participate?

MR. PAPPAGEORGE:

Each owner has a right to participate or not to participate. If a municipality adopts this service, it is obligated to at least offer the service.

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SENATOR BREEDEN:

We did not have the option in our HOA. The HOA determined we would participate.

CHAIR WIENER:

I will close the hearing on S.B. 183 and open the hearing on S.B. 200.

SENATE BILL 200: Makes various changes relating to time shares. (BDR 10-217)

SENATOR SCHNEIDER:

Senate Bill 200 pertains to time-shares. I will disclose that I previously owned a percentage of a time-share development company. I am on the board of a time-share company. It is an unpaid position, and I am the developers' appointment to the board. I have no conflict and no financial interest.

The recession has hurt the real estate industry throughout Nevada. This State is one of the largest time-share development states in the Nation. Many time-share units are for sale in Nevada. Time-shares are a luxury, and they have been hit hard by this recession. We are trying to make it more equitable for all parties involved.

KAREN D. DENNISON (American Resort Development Association; Resort Owners Coalition):

Sections 2 and 3 of the bill relate to time-share owner association lists. This bill balances the owner's right to privacy of personal information with the need of owners to communicate with other members of that association.

Kevin Blair wrote a letter ([Exhibit F](#)) describing a problem time-share owners have with resale companies. These companies obtain owner lists and badger the owners to sell their time-shares. They take up-front fees and do nothing for those fees.

Owner lists for time-shares should be dealt with separately. *Nevada Revised Statute* (NRS) 82 governs nonprofit corporations and states members can obtain owner lists after they have been board members or association members for at least six months. The members must sign affidavits stating they will not use the list to solicit money or property. Unfortunately, people will buy one time-share

at a good price, become members and obtain owner lists. They then use the lists for purposes not related to the time-share association business.

Section 2, subsection 1 of the bill requires the manager or board to update the list at least quarterly. This is important for communication among the members.

The second part of the bill deals with master associations. Often, a time-share project is part of a larger community which includes whole ownership, either condominiums or homes. They are all governed by a master association. Section 2, subsection 2 of the bill says if a project elects delegates to the master association, the delegates' names and addresses are included on the owner list. If there are no delegates, the time-share association's name and address is on the owner list.

Section 2, subsection 3 of the bill provides an owner can give written consent for personal information to be given to another person. We proposed an amendment allowing an owner options regarding disclosure of that information and giving a warning to the owner who provides consent ([Exhibit G](#)). An owner can limit the information given to a third party to his name and mailing address. The owner can stipulate the information only be used for matters of association business. If an owner does not elect to limit the information to matters of association business, the following warning would be given to the owner before disseminating personal information: "By giving your consent to publish or furnish your personal information for purposes other than legitimate matters of business of the association, your personal information could be used for commercial or other purposes," [Exhibit G](#), page 2.

Section 2, subsection 4 of the bill supersedes the provisions of NRS 82 where the owner list is given to any member who has been a member for six months.

Section 3, subsection 1 of the bill requires the board or manager to establish reasonable procedures for owners to communicate with one another. The gatekeeper of the owner list is either the association manager or the board. It is usually the association manager because board members are usually out of state. The gatekeeper will determine whether the owner requesting a mailing is requesting that mailing for legitimate purposes of the association. The mailing is conducted by the manager or the board. Owners can do proxy solicitations or provide position statements on matters before the board of the association or the owners through a mailing.

This portion of the bill would protect the privacy of the owners and the legitimate interests of members to communicate with one another. This was patterned in part from a Florida statute regarding owner association lists.

CHAIR WIENER:

Please clarify the definition of mail. Your definition includes electronic transmission. In other measures, the definition includes both hard copy and electronic transmission to make sure every effort is made for the benefit of the person receiving the message. Does your definition mean one or the other?

MS. DENNISON:

The definition means mailing could be electronic transmission. Not all owners elect to give their e-mail address to the association. It does not mean both mailing and electronic transmission. It is one or the other pursuant to the owner's preference.

CHAIR WIENER:

Would we know the owner's preference?

MS. DENNISON:

If an owner gives an e-mail address, he is not necessarily saying electronic transmission is his preference. He is saying it is permissible to e-mail the notice as well as mail it. Some notices must be mailed. Foreclosure notices require registered or certified mail.

CHAIR WIENER:

I need clarification when there are options for the kind of mailing and when hard copies are required.

MR. WILKINSON:

The definition of mail and mailing contained in section 2 of the bill is added for the new provisions. It is not clear whether that is done at the request of the owner or the association. An amendment clarifies that the association determines the manner in which mailing is accomplished, [Exhibit G](#), page 3. We can sort out whether it will be provided by electronic mail if it is requested. For example, NRS 116 includes that kind of provision.

CHAIR WIENER:

Section 4 of the bill has many references to mail that do not relate to the new language because it relates to the previous sections. We will work on that to create clarity and consistency.

MS. DENNISON:

The bill addresses time-share foreclosures, not home foreclosures ([Exhibit H](#)), pages 6 through 12. I have provided a sample notice of sale, [Exhibit H](#), pages 14 through 23. This illustrates how long a notice of sale can be. The cost of this notice was \$2,700. It includes 40 time-share intervals, which is not that costly per interval. There may not always be 40 intervals being foreclosed. The time-share owners do not pay the association for the cost of this publication. The cost is borne by the association, which is already cash-strapped. The HOAs are experiencing an unprecedented number of foreclosures, and sometimes they cannot afford the foreclosure costs. We are trying to minimize the cost and maximize the foreclosure notice of sale given to third parties.

A notice of sale must go through four steps. This bill adds a requirement the notice of sale be recorded with the county recorder's office in the county where the property is located, [Exhibit H](#), page 7. With this bill, notices of sale for HOAs and deeds of trust will require the same steps. Recording the notice of sale will establish a permanent record. It notifies third parties a sale will occur. A notice of default must be recorded before the notice of sale.

The second step gives notice of sale to the owner. The notice must be served by certified or registered mail or personal service.

The third and fourth steps advise the general public of an auction. The notice must be posted in three public places in the township or city where the time-share is located.

We are focusing on publishing the notice of sale once a week for three successive weeks in the newspaper. We propose to publish a short notice in the newspaper once a week for three weeks, but publish the entire notice of sale on an Internet Website. The newspaper publication would direct interested parties to the Website, [Exhibit H](#), page 7. This would minimize foreclosure costs. I provided you with an example of a notice of sale, [Exhibit H](#), page 24. Our bill proposes the newspaper publication would include the notice of sale,

state the notice is on the Internet, give the Website address, and identify the project name and the address of the time-share.

Section 5 of the bill clarifies that both publishing and posting of the notice are required, [Exhibit H](#), page 10. Title companies require the four steps in giving notice of sale. An affidavit of posting verifies a notice of sale has been posted in three public places in the county. An affidavit of publication is required. We could require the person maintaining the Website to provide an affidavit verifying the notice was posted for three solid weeks, not just once a week for three weeks.

I urge you to pass this bill. It is good policy and is supported by the time-share industry in general, including time-share owners.

STEPHANY MADSEN (American Resort Development Association):

I support S.B. 200. This bill is important to owners' associations in the time-share industry. Nevada is one of the top five states for the time-share industry, Florida is No. 1. Nevada has 61 time-share resorts in both the north and south. That includes over 6,800 whole units. Whole unit means singular villas or apartments. When condominiums are divided into time-share interests, there are more than 350,000 individual time-share interests. Nevada is a popular destination.

I am addressing time-share assessment lien foreclosures. In this economy and in older time-share resorts, time-share owners may be retired. Some may have lost their jobs. Some may have used their time-shares for 20 years and are tired of owning because it does not fit their lifestyle any more. If these owners want to reduce costs, the time-share annual maintenance fee or assessment may be one of the first things to go. Some time-share owners walk away from their ownership, especially when they have owned for a long time. This can result in the accumulation of bad debt for the time-share association. In some older time-share associations, the accumulation of bad debt for unpaid assessments over a period of five years may nearly equal half the annual budget for that association. The impact on the paying owners can be high. The costs of foreclosure are high. These costs include publication.

Some associations cannot afford to foreclose. From the standpoint of the owners and owners' associations, it is important to reduce every possible cost

so the association can seek new, paying owners to support the viability of the resort.

A group of more than 1 million time-share owners across the Country voluntarily contribute \$3 to \$10 as part of their annual maintenance assessments to ensure their interests are protected with good legislation at the state and federal levels. They support this bill to protect their privacy in Nevada and reduce foreclosure costs in every possible way.

CHAIR WIENER:

How many units are in this category at any one time?

MS. MADSEN:

We do not have data on that. We are conducting surveys through our foundation to acquire that data. It varies widely, depending on the age and location of the association. We have some anecdotal information from another state where one small resort had no defaults on assessments. We had another one with a 5 percent default rate and one with a 25 percent default rate that could not afford to foreclose. We are pursuing nonjudicial foreclosure in that state.

CHAIR WIENER:

Would the Real Estate Division have any information on that? Does it parallel the situation in the homeownership community?

MS. DENNISON:

It will be difficult to gather the information. Two title companies conduct many of the foreclosures. Logically speaking, a person facing foreclosure on a home and foreclosure on a time-share would keep the home and let the time-share go.

GAIL J. ANDERSON (Administrator, Real Estate Division, Department of Business and Industry):

We support S.B. 200, particularly section 2. The Real Estate Division regulates the sale of time-shares under NRS 119A and NRS 645 for real estate brokers. Every time-share project must have a real estate broker to oversee all sales activity of the project. Time-share resale is a different issue. Nevada law requires a broker's license for any time-share resale activity of more than 12 units. That would include units in this State or marketed to residents in this

State. A number of resale offices in Nevada are overseen by the broker of one of the projects.

The Real Estate Division receives more complaints on time-share resale scams than any other time-share issue. Individuals contact the Real Estate Division when they have been solicited with offers to sell their time-share for cash. Scammers ask owners to send a fee, and they promise to send a buyer. I hope this legislation will help curtail some of the marketing scams people have succumbed to.

BARRY SMITH (Executive Director, Nevada Press Association, Inc.):

I provided you with a handout showing examples of notices of sale ([Exhibit I](#)). The publication of the notice of sale should continue. It notifies the public. This is important because it involves people's ownership and foreclosure. The notice should be thorough, complete and timely. The newspaper publication provides the third-party verification that the notification was done.

This bill proposed to place the notice on the Internet and to advise people it is on the Internet. There would be no verification. There is no security. I am concerned because it is not possible to tell whether the first posting is the same as the third. It may have been changed or a mistake may have been made in the address. Public notices in the newspaper are important because of verification and possibility of alteration.

The public notices in a newspaper go to a central statewide public notice Website. Nevada is one of 42 states with something similar where people from all over the Country can access these public notices. A free search is available.

I am not familiar with the example you were given of \$2,700 in costs. That seems like a lot of money. The cost goes down if a smaller notice with fewer units is published. The examples I have provided from *Nevada Legal News* in southern Nevada show total publication costs of \$400, [Exhibit I](#), page 2, and some examples with lower costs, [Exhibit I](#), page 11. These are not high costs for what you are doing and what the notices accomplish. The publication provides verification that notices were accurately published on a timely basis.

CHAIR WIENER:

I will close the hearing on S.B. 200 and open the hearing for public comment.

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There being nothing further to come before the Committee, we are adjourned at 9:51 a.m.

RESPECTFULLY SUBMITTED:

Kathleen Swain,
Committee Secretary

APPROVED BY:

Senator Valerie Wiener, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 183	C	John Pappageorge	Written testimony
S.B. 183	D	Jonathan Friedrich	Written testimony
S.B. 183	E	Robert Robey	Storage of Recycling Containers
S.B. 200	F	Karen D. Dennison	Letter from Kevin J. Blair
S.B. 200	G	Karen D. Dennison	Proposed Amendment to S.B. 200
S.B. 200	H	Karen D. Dennison	Testimony in Support of S.B. 200 and Proposed Amendment
S.B. 200	I	Barry Smith	Examples of Publication of Notices of Sale