

**MINUTES OF THE
SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

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

The Senate Committee on Legislative Operations and Elections was called to order by Chair David R. Parks at 7:32 p.m. on Monday, June 6, 2011, in Room 2144 of the Legislative Building, Carson City, 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 David R. Parks, Chair
Senator Moises (Mo) Denis, Vice Chair
Senator Steven A. Horsford
Senator Barbara K. Cegavske
Senator James A. Settelmeyer

STAFF MEMBERS PRESENT:

Carol Stonefield, Policy Analyst
Eileen O'Grady, Counsel
Danielle Barraza, Intern, Assemblyman William C. Horne
Crystina Coats, Analyst, Assembly Leadership Office
Donald O. Williams, Research Director, Research Division
Michelle Ené, Committee Secretary

OTHERS PRESENT:

Dan Musgrove, City of North Las Vegas
Kevin R. Ranft, American Federation of State, County and Municipal Employees
Local 4041
Teresa Thienhaus, Director, Department of Personnel
Kyle Davis, Nevada Conservation League
Terry K. Graves, Scrap Metal Processor Group
Randy A. Soltero, Sheet Metal Workers Local Union No. 88
Fran Almaraz, Teamsters Local 631
Jack Mallory, Southern Nevada Building and Construction Trades Council
Danny Thompson, Nevada State AFL-CIO
Anthony Rogers, Bricklayers and Allied Craftworkers of Local 13

Paul J. Enos, Chief Executive Officer, Nevada Motor Transport Association

CHAIR PARKS:

We have seven bills to consider and a short period of time in which to do it. We also have Assembly Bill (A.B.) 578 which was passed out of this Committee last night on an amend and do pass. The amendment will be considered at the next Senate Floor Session. Assembly Bill 578 revises the interim committee structure of the Legislature. The important thing to note is that there has been a major change in how the Legislature will operate during the interim period. We have decided through this legislation to assign certain powers and duties of repealed statutory committees to the new Joint Interim Standing Committees.

ASSEMBLY BILL 578 (1st Reprint): Revises the interim committee structure of the Legislature. (BDR 17-942)

Typically, a joint standing committee during the interim would be for example, Legislative Operations and Elections, composed of eight members, five from the Assembly and three from the Senate. That committee will conduct business during the interim period. Most of the studies on which we have heard testimony up to now and the anticipated testimony this evening will be referred to those committees for consideration of a study.

I will open the hearing on each of these seven bills. Unless there is strong opposition against a bill, this Committee will approve each of the bills and refer it for the interim to the respective interim committee for consideration. The interim committee will determine how to proceed with the study.

If there are no further questions from the Committee, I will open the hearing on A.B. 71.

ASSEMBLY BILL 71: Directs the Legislative Commission to conduct an interim study concerning the equitable allocation of money distributed from the Local Government Tax Distribution Account. (BDR S-256)

DAN MUSGROVE (City of North Las Vegas):

This is a veteran Committee that is well aware of the Consolidated Tax (CTX) Distribution: sales and use tax; Intoxicating Liquor Tax; Cigarette Tax; Real Property Transfer Tax and Governmental Services Tax. It is time to review the CTX. With the changes in the economy, we face a new reality; local

governments across the state have experienced tremendous changes in how they are receiving CTX. In an effort to be inclusive with the State, we reached out to every local government in the State that gave us parameters on what should be studied. A few entities do not want to see change—a fear their formulas might change. A lot of things took place when it was contemplated that the CTX might change. It is time to bring back what we envision as a local government-generated technical committee which would work under a new interim taxation committee. Those local government experts, along with help from the Department of Taxation, would sit down and grind through everything including methodologies for inclusion in the CTX formula, the initial base allocations, the competing growth versus population and all of those issues. There is complete agreement on the Assembly side that a study is due and timely. We hope the Senate will also see this as important.

SENATOR SETTELMAYER:

Is there language within this bill, or do we need to add language, to ensure there is an equitable distribution of funds and responsibilities? In some situations, in my legislative district, I have become aware that agreements were done, and some entities are getting a disproportionate share of the money but also a disproportionate share of the responsibilities. For example, if a city is not responsible for sheriffs or police, that city does not get as much money.

MR. MUSGROVE:

That is an excellent question. Our intent is to look at all those variables and bring information back to the Legislature to be reviewed to arrive at a policy decision. We want to provide you the information. The bill is written wide open so we can bring in all of those things. The Legislators who sit on the interim taxation committee can drive us to make sure we bring back that information, so in the 2013 Session those kinds of decisions can be made.

SENATOR SETTELMAYER:

If it is the decision of the body to go forward with this bill, I will support it, but I am concerned. Specifically, the language does not show an examination of the responsibilities. It only shows how the revenue is being allocated. I will get my concern on the legislative record now and hopefully other people will agree with the concept of looking at how the responsibilities are handled. I will express my concerns on the Senate Floor as well.

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MR. MUSGROVE:

Those are some of the exact same questions that Chair Marilyn Kirkpatrick, Assembly Committee on Taxation, put on the record when this bill was first heard on the Assembly side.

CHAIR PARKS:

Is there anyone else who would like to speak for or against A.B. 71?

SENATOR HORSFORD MOVED TO DO PASS A.B. 71.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR PARKS:

We will close the hearing on A.B. 71 and open the hearing on A.B. 354.

ASSEMBLY BILL 354 (1st Reprint): Revises provisions relating to the State Personnel System. (BDR 23-1014)

KEVIN R. RANFT (American Federation of State, County and Municipal Employees Local 4041):

I would like to thank Assemblyman Tick Segerblom; Teresa Thienhaus, Director, Department of Personnel; Shelley D. Blotter, Division Administrator, Employee and Management Services, Department of Personnel; Amy Davey, Personnel Analyst, Department of Personnel and Mark Evans, Supervisory Personnel Analyst, Department of Personnel. They worked with the American Federation of State, County and Municipal Employees and other local and State employee associations to reform the Employee-Management Committee (EMC).

At first, this bill was put together to eliminate the EMC and do arbitration. It is not a good year to have arbitration, so this bill was amended and put in place with some minor reforms which are stated in the handout ([Exhibit C](#)). These reforms are minimal but at the same time are positive to ensure there is due process put back into the EMC. These changes are positive for all sides to ensure a fair grievance process with the State and the State employees themselves. I ask for your support on A.B. 354 with these minor changes.

SENATOR SETTELMAYER:

The original law stated "the majority vote of the members," and now we are changing it to "all persons appointed to serve." What is the difference?

MR. RANFT:

The difference is there are alternates as well as permanent members. It would require all Governor-appointed members and alternates to appoint the chair of the committee. Sometimes there are only a handful of sitting members due to members leaving State service.

TERESA THIENHAUS (Director, Department of Personnel):

I am here to speak in favor of A.B. 354. We worked diligently with the employee associations. We took a look at the concerns with our EMC. The regulations that will be implemented pursuant to what we have talked about in this bill, were discussed at a workshop last week. We are already in the process of trying to get needed changes to the way the EMC operates. We appreciate all the work the employee associations have put into this. We urge your support for A.B. 354.

SENATOR SETTELMAYER:

What is the number of members on the EMC compared to those who are appointed?

MS. THIENHAUS:

Everyone on the EMC is appointed by the Governor. Persons are appointed as representatives of the employee side and the management side. There are alternates. Are you referring to section 1.3, subsection 2 of the bill?

SENATOR SETTELMAYER:

I am referring to section 1, lines 3 and 4 of the bill.

MS. THIENHAUS:

The key word there is "all" not "appointed." All persons appointed to serve as members would be in the same room together to choose the chair. That is how it would work. Instead of having a meeting where a certain number of people come together to hold a meeting of the EMC, and just those people get to choose the chair, this language requires all of the people appointed by the Governor to come together and choose the chair of the EMC.

SENATOR SETTELMAYER:

I am concerned about that—the concept of whoever shows up to work gets to vote. If someone does not show up to the meeting, the vote is delayed until the next meeting. Everyone needs to show up to vote. Am I reading that correctly?

MS. THIENHAUS:

I am not sure what is anticipated in terms of whether this would happen at an open meeting. I am not sure if we could have people participating by telephone. It is important that all persons on the EMC have a vote.

SENATOR CEGAVSKE:

That is how I am reading the bill. The alternate members would select a chair. I have concerns that a decision could be delayed by one side if a certain member did not show up. The meeting would have to be continually postponed until the member arrived. Am I wrong in that interpretation?

MS. THIENHAUS:

The key is the vote of each member counts, whether it is a vote where a member is there in person or appearing by telephone. I do not know if there are other methods available to facilitate the vote; it depends on the open meeting laws.

SENATOR CEGAVSKE:

This is important, and we need to know. We need a legal ruling. If you could delay a decision, if one side was not equally represented, someone who does not want the decision to happen will stop showing up. That is a concern; we need to have a clarification.

MS. THIENHAUS:

The issue of not participating was not anticipated because the members are Governor appointees. If that is the case, the Governor could “unappoint” them quickly. It is anticipated that members would be at the meeting to participate, if not in person, then telephonically.

SENATOR CEGAVSKE:

I understand, but there is no provision if one side decides not to show up which could continuously delay a meeting. There are no provisions that state what would happen in that case. That is why I am looking for a legal opinion as to

what happens. Can you go ahead and vote if a person decides not to show up after so many times? I did not see anything in the provision. I am concerned.

CHAIR PARKS:

The language in section 1, subsection 1 reads: "The Chair of the Employee-Management Committee must be chosen by a majority vote of all persons appointed to serve as members ... including, without limitation, the persons appointed to serve as alternates."

It is a majority vote, and you have to be present to participate. Perhaps, Mr. Ranft has further clarification.

MR. RANFT:

Another alternative for more clarification would be to have Theresa Thienhaus put a provision in place and request the Personnel Commission, Department of Personnel, to write clearer regulatory language that would eliminate a lot of the concern regarding this issue. The majority of the EMC provisions are done through the regulatory process.

MS. THIENHAUS:

I want to comment on what Mr. Ranft said. We are in the process of putting together procedural rules for the EMC. We could include something in the procedural rules to that effect. We will continue to look at regulations and revise them accordingly to make sure that eventuality does not happen.

SENATOR HORSFORD:

To address Senator Cegavske's concerns, section 1.7 does refer to the regulations and does add a new paragraph (c), that says: "If requested by an employee or agency, the use of a resolution conference to resolve a grievance." Ms. Thienhaus can address, as part of the regulation process, the concern of having repeated meetings where one side or the other fails to show up to delay a vote. She has the authority now to do that. Can you put that on the record so it will address part of the concern?

MS. THIENHAUS:

Yes, we can do that. We will continue to work on the procedural rules of the EMC and also on the regulations pertaining to their procedures.

SENATOR SETTELMAYER:

I want to move on to the next issue. Section 1.3, subsection 2 says:

The Committee shall not hold any hearing or make a final decision for the adjustment of a grievance unless an equal number of members appointed pursuant to paragraphs (a) and (b) of subsection 2 of NRS 284.068

We are going to change the law to state that unless there are the same amount of representatives for management and employees, a decision cannot be made. Is that correct?

MS. THIENHAUS:

That is correct. That is how we worked it out with the employee associations. There are times, due to scheduling or other difficulties, when there are more management representatives on the EMC than employee representatives or vice versa. This provision will mandate each time the panel meets there be an equal number of representatives.

MR. RANFT:

Right now, you have six members of the EMC, three management and three employees—equal sides to be able to make a decision on the grievance. If only three members show up on the management side and two show up on the employee side, the number would go down to two on each side. You would still have the equal number on each side, it does not have to necessarily be three and three.

CHAIR PARKS:

But that is also why you have alternates. Are there any further questions from the Committee? Is there anyone who would like to speak for or in opposition of A.B. 354?

SENATOR DENIS MOVED TO DO PASS A.B. 354.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS CEGAVSKE AND SETTELMAYER VOTED NO.)

CHAIR PARKS:

We will close the hearing on A.B. 354 and open the hearing on A.B. 383. Is anyone present who would like to speak on A.B. 383? This is a bill which would go to the committee on judiciary in the interim; however, it could be determined it should go to the interim committee on commerce, labor and energy.

ASSEMBLY BILL 383: Directs the Legislative Commission to conduct an interim study concerning trademark and copyright law. (BDR S-983)

SENATOR CEGAVSKE MOVED TO DO PASS A.B. 383.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR PARKS:

We will close the hearing on A.B. 383 and open the hearing on A.B. 405. Assembly Bill 405 was requested by Assemblyman John Ocegura.

ASSEMBLY BILL 405 (1st Reprint): Revises provisions governing the Public Employees' Retirement System. (BDR S-964)

CRYSTINA COATS (Policy Analyst, Assembly Leadership Office):

Assembly Speaker John Ocegura is still conducting Floor Session so I am here substituting for him. Assembly Bill 405 requires the Interim Retirement and Benefits Committee of the Legislature to undertake a study of the Public Employees' Retirement System (PERS) and to report its findings to the Legislative Commission by October 1, 2012. The study would require an analysis of the existing retirement plan and potential alternative plans including comparisons of plan alternatives, financial and policy impacts of each alternative and fraud monitoring.

The Legislative Commission would be required to report the results of the study and make recommendations for legislation for next Session by December 31, 2012. The study would be funded half by the State and half by private business, \$250,000 each.

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CHAIR PARKS:

Can you tell us whether the funding has been appropriated in the budget?

Ms. COATS:

I am not completely familiar with this bill.

SENATOR HORSFORD:

Yes, it has been appropriated. The study will be matched with private resources so a full study can be done using an actuarial consultant from PERS, as required in the Nevada Constitution.

CHAIR PARKS:

Are there any questions from the Committee? Is there anyone who would like to speak in support or opposition to A.B. 405?

SENATOR HORSFORD MOVED TO DO PASS A.B. 405.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We will close the hearing on A.B. 405 and open the hearing on A.B. 427.

[ASSEMBLY BILL 427 \(2nd Reprint\)](#): Directs the Legislative Commission to conduct an interim study concerning the establishment of a program requiring the payment of deposits and refunds on recyclable products sold in this State. (BDRS-1079)

DANIELLE BARRAZA (Intern, Assemblyman William C. Horne):

Assemblyman James Ohrenschall is currently on the Assembly Floor, so I am here on his behalf. I will be giving a brief overview of A.B. 427. Assembly Bill 427 directs the Legislative Commission to conduct a study on recycling and refunds of deposits on recyclable products in this State. The products under consideration would include plastics, glass, aluminum, tin containers, plastic grocery and shopping bags. The study would analyze the

process for the payment and refund of the deposit on recyclable productions including the creation of possible redemption centers. It is a recycling bill.

SENATOR CEGAVSKE:

I know we are a policy committee, but this bill has over one-half million dollars as a price tag on it.

KYLE DAVIS (Nevada Conservation League):

As the bill was introduced, it would have set up a container deposit program in the State, and there was an original fiscal note on the bill. As the bill is amended, we are looking at a study of those issues. We did have an extensive discussion in the policy committee on the concept. Although most people were on board with the concept of trying to increase our recycling rates, there were a lot of challenges to be worked out about how we get a program started. That is why this bill was amended to conduct an interim study.

Under the new structure, this bill would go to the Interim Committee on Natural Resources. This way, we could take a more global view of not just bottle deposits but also other types of recycling programs—other ways we can increase the recycling rate in our State. It is certainly not the only challenge we face in both our urban and rural areas. This is the concept behind the bill.

SENATOR CEGAVSKE:

No amendment shows the cost has been removed. I am curious as to why it is not removed.

MR. DAVIS:

This bill did go to the Assembly Committee on Ways and Means and was amended to become a study. I believe you have the original fiscal note on the bill.

SENATOR SETTELMAYER:

I appreciate the concept of doing a study. I hope there will be a study of the other systems in other states. I have heard from my colleagues in California, and it has been a failure. The amount of money lost every year in the program is completely unsustainable. I hope that will be looked at and you try to find a system that actually pays off.

MR. DAVIS:

You are exactly right. In the policy committee, we discussed reviewing how these programs work in other states. Some states are successful, and other states, California being one of them, have made recycling more complicated than it needs to be. That issue would be part of the continuing discussion.

The concept of container deposit should be the focus of the discussion. Section 1, subsection 3, paragraph (b) states, "May include consideration of other methods of encouraging recycling," this issue could be broader as well. We could talk about single stream recycling for which we have had pilot programs in both Washoe and Clark Counties, or any other programs we could come up with. Last Session, Senator Settlemeyer and I worked on a way to increase recycling rates in rural areas, which would be appropriate to look at again.

Long ago, we set a goal of reaching 25 percent recycling in the State. Our recycling rate in the State now has not yet reached that goal. It is an appropriate move for the Legislature in this new interim committee process to take a look at recycling and see what we might be able to do to help increase the recycling rate and the associated benefits that go along with it. We are in support of A.B. 427.

TERRY K. GRAVES (Scrap Metal Processor Group):

I am here representing the Scrap Metal Processor Group. This is a group of scrap metal processors in Las Vegas who recycle a lot of materials. My purpose here today is to establish a placeholder for them if this study goes forward. They would like to participate in the recycling study process. We are neutral on the bill.

CHAIR PARKS:

I know last Session, Assemblywoman Peggy Pierce and I had a bill dealing with electronic waste, and we tried to put some programs together. I am sure that will be a factor as well. Are there any other comments on A.B. 427?

SENATOR HORSFORD MOVED TO DO PASS A.B. 427.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We will close the hearing on A.B. 427 and move on to A.B. 550.

ASSEMBLY BILL 550 (1st Reprint): Directs the Legislative Commission to conduct an interim study concerning state ports of entry. (BDRS-892)

RANDY A. SOLTERO (Sheet Metal Workers Local Union No. 88):

Assembly Bill 550 started out as a bill to look at and construct state ports of entry. It has been whittled down and amended to an interim study. One of the issues we feel is important to this bill is that in the contiguous United States, there are only two states that do not have ports of entry—New York and Nevada. Nevada Highway Patrol officers only conduct random inspections. There are some sites at different parts of the interstate highways in Nevada, but they are opened temporarily. This is an independent interim study by this legislative body, and we ask for your approval.

FRAN ALMARAZ (Teamsters Local 631):

We are in support of this interim study. There was a study done about five years ago by the Nevada Department of Transportation (NDOT). They only figured out how much it would cost to build permanent ports of entry. This study takes in many different entities including the states surrounding Nevada as to the feasibility of these studies and how much money those states actually make with the fines. We feel, with the inland port bill the Governor signed, there is going to be a lot more truck traffic coming through Nevada. A lot of commercial trucks carry hazardous materials and other material which can be a safety hazard. We would like Nevada to have ports to inspect these trucks and know what is coming through our State.

Right now, only random sites are set up occasionally. We do not know what is in the trucks coming through the State.

Some states make millions of dollars from ports of entry. Nevada is losing out by not having these ports.

SENATOR SETTELMAYER:

You referenced a prior study. What did the cost ratio come out to be? Was it a winner or a loser?

MS. ALMARAZ:

That study only looked at how much it would cost to build permanent facilities. It did not study how much money the State would make, how much it would cost to run them or how much other states are making, things like that. This study would be a lot more comprehensive.

SENATOR SETTELMAYER:

Are you saying the study did not include anything other than the costs to build? Did it not look at anything else?

MS. ALMARAZ:

Not the study I saw. I only saw where they had a \$245 million figure to build the ports.

SENATOR CEGAVSKE:

Do you know the cost and who has to pay? Are you asking the State to pay for the ports?

MS. ALMARAZ:

Yes. The NDOT would pay for the ports. They get federal funds and grants.

SENATOR CEGAVSKE:

Who would operate the ports?

MS. ALMARAZ:

That is one of the things we will ask in the study. In other states, their departments of motor vehicles run the ports. The state troopers assess the fines and do the inspections. Certain officers are trained to do that job.

SENATOR CEGAVSKE:

How many ports are you looking at, and where would they be located? Was that in the study as well?

MS. ALMARAZ:

Right now in Nevada, on Interstate Highway 80 and on Interstate Highway 15, there are partial ports. The cement is there, where drivers can pull off, there are not any permanent buildings or scales. In other states, the ports are on all major roads.

SENATOR CEGAVSKE:

The ports are just for inspections of vehicles that come through. What size would the vehicles be that are inspected? Would it be long hauls? If I am traveling through and I have a U-Haul, would I have to go through an inspection? I am curious about what you are looking for.

MS. ALMARAZ:

In most states it is only if you have 26,001 pounds. However, a trailer that has the hazardous materials placard on it would be required to be inspected.

SENATOR CEGAVSKE:

Has there been a problem in Nevada with stuff coming through that should not be coming through? Is that what is prompting this?

MS. ALMARAZ:

We do not know what is in the trucks crossing our State because the Department of Motor Vehicles (DMV) or NDOT only set up inspections randomly.

SENATOR CEGAVSKE:

During the random checks, are State troopers finding things that are illegal?

MS. ALMARAZ:

Yes.

SENATOR CEGAVSKE:

Are they finding a lot or a little? This is all new to me. I do not know anything about this topic. That is why I am asking so many questions.

MS. ALMARAZ:

I cannot tell you how much. I have had conversations with State troopers who are trained and set up these random stations. They have been finding several

vehicles that are overweight or overlength. As for vehicles containing hazardous materials, I do not know if State troopers have been finding those vehicles.

SENATOR CEGAVSKE:

You are looking at what is happening to the roads because vehicles are overweight and looking at the wear and tear on the highways. Is that the concern?

MS. ALMARAZ:

Yes. In many instances, when the trucks are overweight, they put a lot more load on our roads. We are concerned with not only the overweight and overlength vehicles, but also with what is in those trailers.

SENATOR CEGAVSKE:

In the inspections, are State troopers finding illegal things, like smuggled drugs or people? What are we finding during the inspections?

MS. ALMARAZ:

They have in the past. I cannot tell you how much or how often.

SENATOR CEGAVSKE:

Are you talking about drugs or people?

MS. ALMARAZ:

Both.

CHAIR PARKS:

They also find rats. We had a lot of palm trees brought in that should have been regulated—another aspect of it. The questions Senator Cegavske is asking are questions the interim committee would be asking.

JACK MALLORY (Southern Nevada Building and Construction Trades Council):

We are in support of the bill as it has been reprinted. This is nothing more than direction to have your Legislative Commission Subcommittee on Transportation conduct a study of the feasibility of building ports of entry. They will have a lot of different things to look at. The bill answers a lot of questions that have been asked by the members of the Committee on some of the previous studies that were proposed.

A lot of different partners within the industry are supposed to take part in this study. Ultimately, if the result of the study is that the Legislative Commission recommends legislation which would build ports of entry, that is our interest. We would like to see folks go to work.

CHAIR PARKS:

Is there anybody else who would like to say something that has not already been said?

DANNY THOMPSON (Nevada State AFL-CIO):

I just want to say "Me too." We support this bill.

ANTHONY ROGERS (Bricklayers and Allied Craftworkers of Local 13):

We also support the bill as well.

CHAIR PARKS:

Is there anyone else in support of A.B. 550? Is there anyone in opposition?

PAUL J. ENOS (Chief Executive Officer, Nevada Motor Transport Association):

I am here to speak in opposition to A.B. 550. Ms. Almaraz is right. We did do a study resulting from A.B. No. 195 of the 72nd Session. The study was very comprehensive and led by the NDOT in concert with the Department of Taxation, the State Department of Agriculture, the State Department of Conservation and Natural Resources, DMV and the Department of Public Safety.

Ms. Almaraz is incorrect when she stated they just looked at the cost of the ports. They did look at the benefits the State would receive. There is a benefit-cost ratio in the study. The study focused in two different areas since Nevada is a bridge state and has surrounding states with ports of entry.

We did consider doing it with a joint partnership with some of the other jurisdictions. We also looked at going it alone. When you see what benefit the State would receive for every dollar spent—through temporary license and annual registration—that makes sure the people who come through the State are paying their fair share.

Every interstate carrier in the Country and in Canada, is required to be a member of the International Registration Plan, a pool where registration fees are paid into a base state and the money is then distributed to all the states in which a carrier

travels. If that carrier travels 10 percent in Nevada, it is going to pay 10 percent of that fee. We also do the same thing with fuel tax, through the International Fuel Tax Agreement. That just makes sure all carriers not registered in Nevada or not buying fuel here are paying their fair share to the State. That is one of the conditions the federal government put on all states that collect fuel taxes and register carriers.

CHAIR PARKS:

We have to get on to another hearing so this is all the discussion that will go in front of the interim transportation committee.

MR. ENOS:

They did take a look at those benefits and the costs and what they found was if the State were to go it alone, for every dollar spent, it would see 32 cents in a benefit-cost ratio. That means the State is out 68 cents for every dollar spent. If we were to go with California, the State would be out 44 cents for every dollar. It is little better to do a joint partnership with some of those states. The trucking industry and the federal government are comprehensively enforcing truck laws and safety. We do know what is going through this State in these trucks. Every carrier of hazardous materials coming into the State is required to get a hazardous materials permit.

CHAIR PARKS:

We do have to move on. This is all information we will share with the transportation committee in the interim. Is there anyone else who would like to speak in opposition to A.B. 550?

SENATOR HORSFORD MOVED TO DO PASS A.B. 550.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS CEGAVSKE AND SETTELMAYER VOTED NO.)

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CHAIR PARKS:

We will close the hearing on A.B. 550 and open the hearing on Assembly Concurrent Resolution (A.C.R.) 12.

ASSEMBLY CONCURRENT RESOLUTION 12: Directs the Legislative Commission to conduct an interim study concerning the structure and operations of the Nevada Legislature. (BDR R-1312)

DONALD O. WILLIAMS (Research Director, Research Division):

I am appearing today on behalf of the Assembly Committee on Legislative Operations and Elections and Assemblyman Tick Segerblom. This resolution would direct the Legislative Commission to conduct an interim study concerning the structure and operations of the Nevada Legislature. The bill requires:

That the study must include, without limitation, an examination of:

1. The timing, frequency and length of regular legislative sessions, including, without limitation, an examination of the efficiency and effectiveness of annual regular legislative sessions;
2. Legislative procedures and matters relating thereto; and
3. The appropriate compensation of Legislators

This study is very broad, and the report would be submitted to the 77th Session of the Nevada Legislature. This is not a Legislative Counsel Bureau bill. The last time we had a comprehensive study was 20 years ago. The timing is correct for such a study.

CHAIR PARKS:

Are there any questions from the Committee? Is there anybody who would like to speak on A.C.R. 12?

SENATOR DENIS MOVED TO ADOPT A.C.R. 12.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SETTELMAYER VOTED NO.)

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CHAIR PARKS:

There being no further business, we are adjourned at 8:27 p.m.

RESPECTFULLY SUBMITTED:

Michelle Ené,
Committee Secretary

APPROVED BY:

Senator David R. Parks, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 354	C	Kevin R. Ranft	Presentation