

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

**Seventy-Seventh Session
May 17, 2013**

The Committee on Government Affairs was called to order by Chairwoman Teresa Benitez-Thompson at 10:26 a.m. on Friday, May 17, 2013, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Teresa Benitez-Thompson, Chairwoman
Assemblywoman Dina Neal, Vice Chairwoman
Assemblyman Elliot T. Anderson
Assemblywoman Irene Bustamante Adams
Assemblyman Skip Daly
Assemblyman John Ellison
Assemblyman James W. Healey
Assemblyman Pete Livermore
Assemblyman Harvey J. Munford
Assemblyman James Oscarson
Assemblyman Lynn D. Stewart
Assemblywoman Heidi Swank
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblywoman Peggy Pierce (excused)

GUEST LEGISLATORS PRESENT:

Senator James A. Settelmeyer, Senatorial District No. 17

Minutes ID: 1158



STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Jim Penrose, Committee Counsel
Bonnie Hoeffcker, Committee Manager
Lori McCleary, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

None

Chairwoman Benitez-Thompson:

[Roll was called. Rules and protocols were explained.]

We have a work session document and two mock-ups in front of us. The most recent copies were just handed to you. Please switch those updated mock-ups with the mock-ups in your work session documents for Senate Bill 66 (1st Reprint) and Senate Bill 273 (1st Reprint).

We have nine bills on work session this morning. We will start with Senate Bill 5 (1st Reprint) and have our Committee Policy Analyst, Jennifer Ruedy, walk us through the bill.

Senate Bill 5 (1st Reprint): Revises provisions relating to the purchasing and labeling of motor vehicles by the State. (BDR 27-285)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document ([Exhibit C](#)).]

As you are aware, Assembly Bill 16, heard earlier in this Committee regarding placing the Nevada State Administrative Manual (SAM) into law, has been passed by both houses. The language on page 2 of the mock-up, section 1, subsection 4, replaced "regulations" with "policies and procedures." This would be in line with A.B. 16. There is still the requirement to label the vehicles, but it is now up to the State Board of Examiners to decide how to do that.

Chairwoman Benitez-Thompson:

We have some policy changes that reflect conversation that was had during the hearing. Assemblyman Livermore wanted to ensure the labeling requirement stayed, so that is why you see the new language in section 1, subsection 4, that states, "Any motor vehicle which is subject to the requirement must be

labeled 'State of Nevada' and 'For Official Use Only' in the manner prescribed by the State Board of Examiners." We are giving the department, through SAM, the ability to decide the details.

I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYWOMAN NEAL MOVED TO AMEND AND DO PASS
SENATE BILL 5 (1ST REPRINT).

ASSEMBLYMAN DALY SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblywoman Woodbury. We will move to Senate Bill 18 (1st Reprint).

Senate Bill 18 (1st Reprint): Makes various changes to provisions governing the Office of the Military, Nevada National Guard, Nevada National Guard Reserve and volunteer military organizations licensed by the Governor. (BDR 36-316)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document ([Exhibit D](#)).]

There was a lot of confusion the day this bill was heard in Committee. Subsequent to that Committee hearing, there was quite a bit of discussion and what came forward was a mock-up. The mock-up is only seven pages because it only shows the sections that are being proposed for changes.

Chairwoman Benitez-Thompson:

This was a big bill with a lot of clean-up language. The Office of the Military is making revisions to this statute that I do not think have been touched in 50-plus years. Many folks worked on this and I would like to thank them for the time they took reviewing each of the many sections in this bill to make sure we were getting them what they needed and that we had good policy.

Before I take comments or questions, I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYMAN ELLIOT ANDERSON MOVED TO AMEND AND DO
PASS SENATE BILL 18 (1ST REPRINT).

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE
MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion?

Assemblyman Livermore:

My question goes to the numbers of the sections. On page 5, it goes from section 31 to section 70. Is that a numerical misprint?

Chairwoman Benitez-Thompson:

Because the bill was so large, for the mock-up purposes we only included the sections with the changes.

Assemblyman Elliot Anderson:

I just want to go on the record to say I do feel very comfortable with this bill. Between myself, Chairwoman Benitez-Thompson, and Assemblyman Duncan, who was a big help because he is a Judge Advocate General himself, we spent hours on this bill. I know the Chairwoman feels comfortable and I feel comfortable, so I certainly urge you to support this bill to give the Nevada National Guard the tools they need to operate.

Chairwoman Benitez-Thompson:

I have a motion to amend and do pass with the changes presented in the mock-up.

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Elliot Anderson. We will move to Senate Bill 66 (1st Reprint). Committee members, please refer to the updated mock-up that was just provided to you ([Exhibit F](#)). I will have Ms. Ruedy walk us through this bill.

Senate Bill 66 (1st Reprint): Revises provisions governing the powers and duties of counties. (BDR 20-225)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document [([Exhibit E](#)) and ([Exhibit F](#)).]

The updated mock-up actually deletes everything in the bill except sections 1, 2, and 8. Counties with populations less than 15,000, which are currently Esmeralda, Eureka, Lander, Lincoln, Mineral, Pershing, Storey, and White Pine Counties, would be subject to the provisions in section 1, which allows the use of county highway patrols and county equipment on private roads. The provisions in section 2 apply to all the other counties.

Chairwoman Benitez-Thompson:

I will note for the record that Senator Goicoechea, who is one of the bill's primary sponsors, has approved of the updated version of the mock-up and did have input on it. I will accept a motion to amend and do pass as presented in the updated mock-up ([Exhibit F](#)).

ASSEMBLYWOMAN NEAL MOVED TO AMEND AND DO PASS
SENATE BILL 66 (1ST REPRINT).

ASSEMBLYMAN LIVERMORE SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Ellison. We will move to Senate Bill 90 (1st Reprint).

Senate Bill 90 (1st Reprint): Revises provisions relating to certain confidential information. (BDR 19-468)

Jennifer Ruedy, Committee Policy Analyst:

There is a summary of the bill as it came over from the Senate, which was the first reprint. The mock-up was prepared subsequent to the Committee hearing on May 3, 2013. The amendment contained in the work session document ([Exhibit G](#)) deletes sections 1 through 8 of the bill. Sections 9 and 10 were deleted by the Senate. The mock-up adds new language to section 10.5, subsection 2, on page 5, that states, "Any information made confidential by subsection 1 must also be kept confidential by any other state or

local governmental entity during the period the information is confidential pursuant to subsection 1 if the information is submitted to the entity in connection with an application for a special use permit or for any other license, permit or similar approval."

This is language relevant to geothermal resources, and this is an amendment to existing state law addressing confidentiality of certain information relevant to geothermal resources to provide further definition.

Chairwoman Benitez-Thompson:

Please do not be deceived by the volume of the purple and green in the mock-up. There was a lot of conversation on this bill to make sure we would be able to allow the small counties that have geothermal investments and prospects to be able to have the same privilege the Division of Minerals and the Commission on Mineral Resources has in terms of what type of proprietary information they can keep confidential. In talking with folks at the local level and with the Division of Minerals about what is considered confidential, we think this is a really good fit.

I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS
SENATE BILL 90 (1ST REPRINT).

ASSEMBLY DALY SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Livermore. We will move to Senate Bill 230 (1st Reprint).

Senate Bill 230 (1st Reprint): Authorizes the construction or installation of a memorial dedicated to Nevada's fallen soldiers. (BDR S-553)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document ([Exhibit H](#)).]

Chairwoman Benitez-Thompson:

At the request of Committee members, specifically Assemblyman Anderson, we added the Nevada Veterans' Services Commission to this bill. We did so much work on this bill earlier in session, we thought now that they are pretty well established, it would be a good fit for them to have input into the design of the program and be part of the design process. Thank you to Senator Parks for acknowledging and accepting the amendment knowing that it is good public policy.

I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYMAN ELLIOT ANDERSON MOVED TO AMEND AND DO
PASS SENATE BILL 230 (1ST REPRINT).

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion?

Assemblyman Elliot Anderson:

I also want to go on the record to thank Senator Parks. I think it is really important that this monument last a long time. The Veterans' Commission has representatives from the heads of all the various veterans' services organizations. By routing this through the Veterans' Commission for approval, it also ensures that the veterans' community has buy-in. Whatever is approved, they can say they approved it and no one can complain later if they do not like it. I think it is important to get that buy-in up front.

Chairwoman Benitez-Thompson:

Any additional questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblywoman Bustamante Adams. We will move to Senate Bill 236 (1st Reprint).

Senate Bill 236 (1st Reprint): Revises provisions governing state agencies.
(BDR 19-769)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document ([Exhibit I](#)).]

Chairwoman Benitez-Thompson:

We have the amendment before us and the mock-up as presented. Thank you to the bill sponsor for addressing our Committee concerns by allowing the amendment. It has been a theme this session with the statutes regarding confidentiality allowing for language changes to make sure we indeed have good public policy in place.

I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
SENATE BILL 236 (1ST REPRINT).

ASSEMBLYWOMAN NEAL SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Daly. We will move to Senate Bill 273 (1st Reprint).

Senate Bill 273 (1st Reprint): Revises provisions relating to deputy sheriffs.
(BDR 20-470)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document [([Exhibit J](#)) and ([Exhibit K](#)).]

The mock-up included with the work session documents has been replaced with the mock-up provided at the hearing, proposed amendment 9002 ([Exhibit K](#)). It places a population cap in section 1, subsection 2. These provisions would now apply to counties with populations of 45,000 or less. The updated mock-up retains all the same language, but provides for due process in section 1, subsection 3, specifically stating, "Nothing contained in subsection 2 shall be construed to limit or impair any internal grievance procedure, grievance

procedure negotiated pursuant to chapter 288 of NRS or administrative remedy otherwise available to a deputy." This is the version for consideration today.

Chairwoman Benitez-Thompson:

If you all remember, this was a lively hearing. This is language that the bill sponsor and both parties have agreed to. I would like to thank them for continuing conversations off-line and for continuing to talk about a way to make this good policy and policy that this Committee is glad to support.

I will accept a motion to amend and do pass as presented in the updated mock-up.

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS
SENATE BILL 273 (1ST REPRINT).

ASSEMBLYMAN HEALEY SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion?

Assemblywoman Bustamante Adams:

The first mock-up we received today at the hearing had signatures on it. Do those same people still agree?

Chairwoman Benitez-Thompson:

I will invite Senator Settelmeyer to the witness table for confirmation.

Senator James A. Settelmeyer, Senatorial District No. 17:

Yes. All parties are still in agreement.

Chairwoman Benitez-Thompson:

Are there any additional questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblywoman Swank. We will move to Senate Bill 364 (1st Reprint).

Senate Bill 364 (1st Reprint): Revises provisions governing governmental administration. (BDR 19-185)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill and the proposed amendment from the work session document ([Exhibit L](#)).]

There were several clerks and county recorders who were here at the hearing to testify that complying with the deadline of 2017 would be extremely difficult, although it is still a priority for them. The deadline of 2017 was removed from section 1, subsection 5. As money is available, they will continue their work of removing the confidential information. It provides the agencies a little more flexibility.

Chairwoman Benitez-Thompson:

The amendment was just a technical change to clarify that we are not removing the responsibilities for the local governments to diligently be doing this, but we modified it to say they have to do it but within the limits of available resources. That is what we were hearing from folks; that they are doing the best work they can, but with the resources at hand, it just ties their hands at meeting the deadline. That was the only change to this bill.

I will accept a motion to amend and do pass as presented in the amendment.

ASSEMBLYWOMAN NEAL MOVED TO AMEND AND DO PASS
SENATE BILL 364 (1ST REPRINT).

ASSEMBLYMAN LIVERMORE SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Munford. We will move to Senate Bill 437 (1st Reprint).

**Senate Bill 437: Makes various changes to provisions relating to false claims.
(BDR 31-1090)**

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read an explanation of the bill from the work session document ([Exhibit M](#)).]

Chairwoman Benitez-Thompson:

We have the bill before us and there are no amendments. I will accept a motion to do pass.

ASSEMBLYMAN DALY MOVED TO DO PASS SENATE BILL 437.

ASSEMBLYWOMAN NEAL SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion?

Assemblyman Ellison:

There are still a few things I am concerned about regarding a couple of issues in the bill. I will vote yes, but I would like to reserve the right to change my vote on the floor.

Chairwoman Benitez-Thompson:

Are there any further questions or comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYWOMAN PIERCE WAS
ABSENT FOR THE VOTE.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblywoman Neal.

[The hearing was recessed at 11:04 a.m.]

[The hearing was reconvened on Monday, May 20, 2013, at 12:55 p.m. and adjourned behind the bar of the Assembly at 12:56 p.m.]

RESPECTFULLY SUBMITTED:

Lori McCleary
Committee Secretary

APPROVED BY:

Assemblywoman Teresa Benitez-Thompson, Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: May 17, 2013

Time of Meeting: 10:26 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 5 (R1)	C	Jennifer Ruedy, Committee Policy Analyst	Work session document
S.B. 18 (R1)	D	Jennifer Ruedy	Work session document
S.B. 66 (R1)	E	Jennifer Ruedy	Work session document
S.B. 66 (R1)	F	Jennifer Ruedy	Proposed amendment
S.B. 90 (R1)	G	Jennifer Ruedy	Work session document
S.B. 230 (R1)	H	Jennifer Ruedy	Work session document
S.B. 236 (R1)	I	Jennifer Ruedy	Work session document
S.B. 273 (R1)	J	Jennifer Ruedy	Work session document
S.B. 273 (R1)	K	Jennifer Ruedy	Proposed amendment
S.B. 364 (R1)	L	Jennifer Ruedy	Work session document
S.B. 437	M	Jennifer Ruedy	Work session document