

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

**Seventy-Seventh Session
April 12, 2013**

The Committee on Government Affairs was called to order by Chairwoman Teresa Benitez-Thompson at 9:18 a.m. on Friday, April 12, 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
Assemblywoman Peggy Pierce
Assemblyman Lynn D. Stewart
Assemblywoman Heidi Swank
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None



GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Ted Olivas, representing City of Las Vegas

Chairwoman Benitez-Thompson:

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

We are not taking any testimony today because we have no bill hearings. We are conducting a work session on a handful of bills. We will start the work session with Assembly Bill 25.

Assembly Bill 25: Revises provisions governing special assessments for the abatement of certain conditions and nuisances. (BDR 21-252)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit C](#)).]

Chairwoman Benitez-Thompson:

I will accept a motion to amend and do pass as presented in the mock-up, which incorporates changes from the amendments from the City of Las Vegas and Clark County.

ASSEMBLYMAN HEALEY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 25.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Is there any discussion on the motion?

Assemblyman Daly:

In the hearing, the City of Reno asked if they could be included, so I want to make sure this is statewide.

Chairwoman Benitez-Thompson:

For clarification, the Clark County amendment makes this apply to all local governments. We have uniform language that applies statewide for the three different types of nuisances in the statute.

Assemblywoman Bustamante Adams:

I have a question on page 5, section 2, subsection 5, paragraph (a) regarding the 180 days. I want to make sure the special assessment against the property cannot be made until after six months has lapsed. Am I understanding that correctly?

Chairwoman Benitez-Thompson:

Yes. That was the purpose of the language. The initial bill presented said the assessment could be levied after 30 days, but the amendment states 180 days, or six months. The original status quo language was one year. Section 1 relates to general nuisances, and remains one year, as stated in subsection 5, paragraph (a). Sections 2 and 3 relate to chronic and abandoned nuisances, which have the reduced time frame of six months. Are there any additional questions? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Healey. We will move to Assembly Bill 50.

Assembly Bill 50: Revises provisions relating to local government finance.
(BDR 22-253)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit D](#)).]

Chairwoman Benitez-Thompson:

There have been many changes and a lot of discussion surrounding this bill. A lot of work has gone into this bill. The language will state that if we are going to do this as a public policy and extend the life of redevelopment agencies, then we will have a good public policy in place.

In the amendment, you will see that section 1, subsection 2 is building into the statute criteria within *Nevada Revised Statutes*. As we move forward and contemplate similar issues around redevelopment, we have some criteria in looking at extensions in a redevelopment area.

There are a lot of reporting requirements because that was important to Committee members and Assemblywoman Kirkpatrick, as well. It is important to have transparency in terms of how these taxpayer dollars are going to be used and reseeded in the community.

I would like to clarify something on the educational component and the reason we are looking at allowing for the investment dollars to go to capital expenses for existing buildings and infrastructure versus operational. In our conversations with Clark County School District, there is no way to track the dollars that go into operational funds. The whole point of these dollars is to keep them going to schools within the redevelopment area. The only way to actually track that and have accountability is in the capital budget, which is separate than the operational budget. We could then pinpoint which money is going to which school and how it is being spent.

The last comment I want to make as Chairwoman is you will see there is a chart attached to the work session document on the last page. This was graciously provided by the City of Las Vegas because there were quite a few Committee members who wanted to see how this pencils out. This is something we are going to be asking of all redevelopment agencies. We know you have run the numbers and have done the projections, so let us make that part of the public record. Show us where you are good stewards of public money.

Some things to note on the chart is that the action we are taking today really does not start impacting the amount of dollars—in terms of increasing the amount of dollars—until 2026. Otherwise, the amount of money available now within the redevelopment area stays about the same. In 2026, we see the numbers start to change from where they are now. We are all betting that the assessed value of property is going to grow at the capped rate and we are going to have growth from now until 2046. That is something we all hope for. There are a few years with debt service issues where there is a close margin between what is coming in and what has to be spent on debt service. By 2046, they plan to have reseeded themselves and have a redevelopment area that is self-sufficient.

I imagine we are going to be having a lot of conversations about extensions. Within these conversations about extensions, we want to be mindful that we are giving a 15-year extension to Las Vegas with this bill and the goal is this is

the last and final extension because they are planning for a redevelopment agency that becomes whole and self-sufficient. That is why we are passing this bill. We are not passing it not to have this conversation again in a couple of years if things do not work out on paper the way we planned, or if the economy does something different.

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

ASSEMBLYWOMAN SWANK MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 50.

ASSEMBLYWOMAN NEAL SECONDED THE MOTION.

Assemblyman Daly:

My concern is regarding section 5, subsection 4 on page 9 of the mock-up, where we are allowing a redevelopment agency to overlap with a tourism improvement district. Perhaps one of the public bodies can comment, but I want to make sure the tourism improvement district has its own set of criteria. I only see reference to *Nevada Revised Statutes* (NRS) 271A.120. The tourism improvement district has a whole set of criteria on what they have to do as a development agency in order to qualify, then there is a whole set of reporting requirements attached to that. Due to recent experiences, I want to make sure all of that applies.

Chairwoman Benitez-Thompson:

Yes. That is something we were very careful about changing from the first version. I was very concerned about that as well. It has to be and/or, so within the redevelopment area, they can carve out a tourism improvement district, but they cannot have that area be redevelopment and tourism; it has to be one or the other. That way we do not have an area where there is nothing coming in from property value and sales tax. We are not going to do that again.

In addition, we have had conversations because on the other side there are some changes being made to tighten reporting on the tourism improvement districts and how that language works. There is the understanding that, if for some reason that language does not work out, we will make sure it works out to make it applicable for this. I think everyone has been working in the spirit of transparency and reporting on those tourism districts as well, but we are keeping a close eye on it.

Assemblyman Daly:

I read the language that said they can only have one or the other; it is just a word of caution. I think I can support the bill, but I just wanted to make sure on the record. There are two different funding mechanisms. Redevelopment agency funds provide incentive off of a tax increment, meaning they are going to build an infrastructure and consolidate land, but the developer has to put up a great deal of money and risk an investment with some aid from the redevelopment agency. The tourism improvement district is a tax incentive. That is what we have seen and I want to caution against the cannibalism of other areas. Businesses are moving where they can get a better break, so I want to caution on that. Other than that, I believe my questions have been answered.

Assemblyman Elliot Anderson:

I want to go on record that I am happy to support this measure. I would also like to thank some of our Committee members—the Chairwoman, the Vice Chairwoman, Assemblyman Healey, and Assemblywoman Swank—for their work on this bill. They have been putting in a lot of hours, and I appreciate that because I do want to continue momentum in the downtown area.

Assemblyman Livermore:

I am also going to support this measure, but I would like one clarification regarding section 2, subsection 2. Could you clarify if that is seven business days or seven calendar days? The open meeting law refers to working days.

Chairwoman Benitez-Thompson:

I can have Mr. Penrose clarify. My understanding is the local city is subject to open meeting law regulations, so it would be per the Nevada Open Meeting Law.

Jim Penrose, Committee Counsel:

The meeting would be subject to the open meeting law, but as I read the bill, it would be seven calendar days, not seven working days.

Chairwoman Benitez-Thompson:

Mr. Olivas, would you like to come up so we can get your name and comment on the record?

Ted Olivas, representing City of Las Vegas:

Assemblyman Livermore, we read this consistent with Mr. Penrose. It would be seven calendar days.

Assemblyman Healey:

I would like to thank the City of Las Vegas and you, Madam Chairwoman, for your work on this bill. This is not my district; however, what happens in this part of the valley certainly affects the residents of my district and the residents of all the districts in the south. Being able to continue the momentum that the mayor and the city manager have been able to keep going—and we are just in the beginning phase of it—is such an amazing thing. Being in Las Vegas for 20 years, seeing what we have done to this point, and what we are building, it will allow us the opportunity to continue that momentum, create more jobs, and create an environment that is strong for tourism, which is just great for our state.

Assemblyman Oscarson:

I, too, support this bill. I think economic development is necessary for us to continue to grow and develop. I did not realize there had been so much work, but I appreciate all the work that has gone on behind the scenes.

Assemblywoman Neal:

I want to put on the record that I might be the person who is looked at as the Grinch associated with this bill. However, the reason I wanted certain language on page 6 of the amendment, section 3.5, subsections 1 and 2 struck, and replaced with the supplanting language is because I support the school district. However, I also understand there are needs that need to be met right now. These are needs that may be met through their own direct property source. When I found that operational expenses went into the General Fund and would pay everything from salaries to textbooks, I could not understand how they would do the reporting that gave a direct expenditure of what the monies would be spent on. The General Fund of the Clark County School District could have encompassed more than just the schools within one mile of the redevelopment area. That is why I erred on the side of caution and was more conservative. I believe in support, but I do not believe in support beyond support.

Assemblywoman Bustamante Adams:

In section 1.5, subsection 2, where it talks about the population of 500,000 or more, is this only for the City of Las Vegas?

Chairwoman Benitez-Thompson:

My understanding is yes. There were two redevelopment areas started in January, the City of Sparks and the City of Las Vegas. My understanding is the population referenced sets it so it is only applicable to the City of Las Vegas.

Assemblywoman Bustamante Adams:

What about the population of the City of Reno?

Chairwoman Benitez-Thompson:

Reno's redevelopment falls after the date of January 1, 1991, mentioned in section 1.5, so they would not be included.

Assemblywoman Bustamante Adams:

On page 7, section 4, could you remind me why we are striking that language?

Chairwoman Benitez-Thompson:

Mr. Olivas, would you answer that question? It was part of the original bill draft, but in the original testimony, that was one of the sections you deleted at the request of who it would impact.

Ted Olivas:

In section 4, when the bill was originally submitted, it had a provision that related to the Fremont Street Experience. At our first hearing, we deleted that language. This is the correct way to clearly identify that NRS 268.804 is going to stay as is.

Chairwoman Benitez-Thompson:

We have a motion before us to amend and do pass as presented in the mock-up.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblywoman Swank. We will move on to Assembly Bill 59.

Assembly Bill 59: Revises various provisions relating to the State Public Works Division of the Department of Administration. (BDR 28-282)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit E](#)).]

Chairwoman Benitez-Thompson:

We heard this bill on February 11, 2013, and the amendment came from the bill hearing. There was a lot of discussion and questions regarding if the State Public Works Division was exempted, then who would ultimately be the final responsible agency. We received some information, but it seemed to be the comfort level among Committee members to keep Public Works as the final agency on overseeing those facilities.

I will accept a motion to amend and do pass.

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 59.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Livermore. We will move on to Assembly Bill 76.

Assembly Bill 76: Revises provisions relating to uniforms and equipment of peace officers. (BDR 23-405)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit F](#)).]

There were several fiscal notes on this bill, but all had zero impact.

Chairwoman Benitez-Thompson:

I will accept a motion to do pass.

ASSEMBLYMAN HEALEY MOVED TO DO PASS
ASSEMBLY BILL 76.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any comments on the motion?

Assemblywoman Bustamante Adams:

Did this bill have a fiscal note attached to it?

Chairwoman Benitez-Thompson:

It has been made exempt, but there is not a specific fiscal note. We will send it to the floor and it will be picked up, but we do not have a specific fiscal note at the moment.

Jennifer Ruedy:

This bill had a long list of fiscal notes that were requested, but they all came back with a zero impact.

Assemblyman Ellison:

I am confused on how these fiscal notes work.

Chairwoman Benitez-Thompson:

We would pass out the policy as is. If there are amendments in the Senate that would produce a fiscal impact, then those fiscal notes would be added. This is the same as when we get bills from the Senate, it would be our job to dig into those and look at the policy changes.

Assemblywoman Bustamante Adams:

I would like to reserve my right to change my vote on the floor.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Livermore. We will move on to Assembly Bill 99.

Assembly Bill 99: Enacts the Revised Uniform Law on Notarial Acts.
(BDR 19-1)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit G](#)).]

Assemblyman Ellison:

I received a couple of emails concerning Assembly Bill 99, section 14. I was trying to make sure it was addressed in the mock-up, but I do not see it.

Jennifer Ruedy:

Assemblyman Ellison, section 14 in the mock-up is one of many sections that are actually deleted.

Chairwoman Benitez-Thompson:

There is a lot deleted in this bill, but it still grabs the intent of what the bill's sponsor was trying to get at. I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYMAN ELLIOT MOVED TO AMEND AND DO PASS.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Ohrenschall. We will move on to Assembly Bill 283.

Assembly Bill 283: Makes various changes to provisions governing bidding for public works. (BDR 28-658)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit H](#)).]

Chairwoman Benitez-Thompson:

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

ASSEMBLYMAN HEALEY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 283.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

Assemblyman Stewart:

I appreciate all the hard work that has been done on this bill. I think there needs to be more work done because it is a work in process. I will be voting yes with the option to change my vote on the floor.

Assemblywoman Woodbury:

I will also be voting yes, but I would like to reserve the right to change my vote on the floor.

Assemblyman Oscarson:

I will be voting yes, but would like to reserve the right to change my vote on the floor.

Assemblyman Livermore:

I will be voting yes, but would like to reserve the right to change my vote on the floor.

Assemblyman Ellison:

I really appreciate all the hard work the sponsor did to get to where we are. He has come a long way. My concern is I just do not know if we can hit some of the areas we really need to hit. I am hearing from people who still have a lot of concerns on the projects. I will vote yes, but I am going to reserve the right to change my vote on the floor. Before it hits the Senate floor, I would like to meet with Assemblywoman Kirkpatrick to get some recommendations.

Assemblyman Daly:

We have done a lot of work on this. We have had four meetings with more than 20 people. It is not easy to get that kind of consensus. With time lines and various things, we know we still need to work on it. We are moving in a direction where some things cannot be put into legislation, but we are going to try to develop some best practices over the next two years. Unfortunately, you will probably see a similar bill in the future. These things are a work in progress and we cannot predict everything, so we try to fix the unintended consequences, close loopholes, see how that works, then come back and adjust, which is what we do a lot in this building. I appreciate everyone's support and I understand everyone's position.

Chairwoman Benitez-Thompson:

We have a motion on the floor.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Daly. We will move on to Assembly Bill 291.

Assembly Bill 291: Revises provisions relating to preferences in state purchasing for businesses owned by a veteran with a service-connected disability. (BDR 27-592)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit I](#)).]

Chairwoman Benitez-Thompson:

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

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 291.

ASSEMBLYWOMAN NEAL SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the bill?

Assemblyman Ellison:

I want to thank the bill's sponsor. The list of names on this bill is all over the board. I am glad they could sit down and work out some of the small details

that really brought this bill back to life. I think this is a good bill and we should be proud that they did bring this forward to keep our veterans working.

Assemblywoman Bustamante Adams:

Was there a fiscal note attached to this bill for the certification by the Nevada Governor's Office of Economic Development (GOED)?

Jennifer Ruedy:

There were three fiscal notes attached to this bill, but they all had zero impact.

Assemblywoman Bustamante Adams:

Was one of the fiscal notes from GOED? Who were the three agencies that responded?

Jennifer Ruedy:

I will have to get that for you.

Assemblyman Ellison:

The Department of Administration, Nevada Office of Veterans Services, and the Nevada Governor's Office of Economic Development were the agencies that submitted fiscal notes.

Assemblywoman Bustamante Adams:

The Governor's Office of Economic Development said their cost would be zero to do the certification?

Jennifer Ruedy:

Assemblywoman Bustamante Adams is correct. When I looked earlier, there were three fiscal notes, but now there is a fourth. I am not sure when that was added, but it is from the Governor's Office of Economic Development and it is \$1.4 million.

Chairwoman Benitez-Thompson:

Assemblyman Stewart, I am sure we will have some follow-up conversations, but we are here to consider the policy.

Assemblywoman Bustamante Adams:

I did get to speak to Assemblyman Stewart, I do appreciate what our state does for veterans, and I supported several pieces of legislation last session and this session regarding our veteran community. Personally, I think there is still a lot of work that needs to be done on this bill. I think it is too broad and needs to be defined. For that reason, I would like to reserve the right to change my vote on the floor.

Assemblyman Daly:

When I am looking at the mock-up, where we retain the language about the \$100,000, I understand there are different ways—if you are under \$100,000, there are different requirements. On the last page of the mock-up, section 16, subsection 2, it states the estimated cost is more than \$100,000 but less than \$250,000. I want to make sure that all the bidding requirements and the advertisement for jobs over \$100,000 would still be in place. You do not consider the certification if it was in that range. It would still need to be bid and advertised. I want to make sure that is clear with the new language.

Chairwoman Benitez-Thompson:

Yes. That is the bill sponsor's intent.

Assemblyman Ellison:

I have seen this twice now. After we look at the bill, another fiscal bill shows up. I have not seen that happen prior to this session. Now that there is such a large fiscal note, will this go to the Assembly Committee on Ways and Means?

Chairwoman Benitez-Thompson:

It will be captured by Ways and Means. I am taking a motion on the policy, so you will vote on the policy position. Ways and Means will consider the budget impacts.

We have a motion with a first and a second.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Stewart. We will move to Assembly Bill 321.

Assembly Bill 321: Revises provisions governing the Merit Award Program for state employees. (BDR 23-760)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit J](#)).]

Last session, Senate Bill 286 of the 76th Session increased the maximum award limit from \$500 to \$25,000 or 10 percent. The proposed amendment is leaving that alone and letting it go back to how it was changed in 2011.

Chairwoman Benitez-Thompson:

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

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 321.

ASSEMBLYMAN HEALEY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Paul Anderson. We will move to Assembly Bill 327.

Assembly Bill 327: Revises provisions governing state accountability.
(BDR 31-554)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit K](#)).]

Chairwoman Benitez-Thompson:

This bill went down in size and what it does now is ask the department directors to post and make more public the fraud reporting number. I will accept a motion to amend and do pass as presented in the mock-up.

ASSEMBLYWOMAN NEAL MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 327.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Martin. We will move on to Assembly Bill 333.

Assembly Bill 333: Requires the proposed budget of the Executive Department of the State Government to contain certain information relating to incentives for economic development. (BDR 31-811)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit L](#)).]

There were three fiscal notes on the bill, but they all had zero impact. The fiscal notes were from the Department of Administration, Nevada Governor's Office of Economic Development (GOED), and the Office of the Governor.

Chairwoman Benitez-Thompson:

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

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 333.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any comments or questions on the motion?

Assemblywoman Bustamante Adams:

Did GOED provide a fiscal note for the additional reporting they are going to have to do?

Jennifer Ruedy:

They did submit a fiscal note, but it shows zero. The fiscal notes states, "While this bill might imply some additional workload with respect to a retroactive 'look-back' and analysis on incentives approved prior, the cost/benefit analysis discussed here is representative of analyses already implemented and applied during the existing incentive approval process. Any such additional analyses required could feasibly be accomplished with existing resources within the agency. Any additional reporting required post-approval of incentives would be carried out by the Department of Taxation."

Chairwoman Benitez-Thompson:

Are there any additional questions or comments on the motion? [There were none.] I have a motion to amend and do pass.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Healey. We will move on to Assembly Bill 363.

Assembly Bill 363: Makes various changes relating to abatement of public nuisances and conditions by local governments. (BDR 20-663)

Jennifer Ruedy, Committee Policy Analyst:

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

Chairwoman Benitez-Thompson:

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

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 363.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any questions or comments on the motion?

Assemblywoman Bustamante Adams:

I did get a chance to speak with the bill's sponsor. I know this would negatively impact my district and for that reason, I will not be supporting the bill.

Assemblywoman Neal:

If a car is identified as being inoperable, will a tow truck be able to come on to private property and remove the car? If that is the case, I am probably going to vote no. I was thinking about how this could impact my district and I am not comfortable with that. Is there someone here who could clarify that for me?

Chairwoman Benitez-Thompson:

If we have questions, I can ask the bill's sponsor to come down. I do not want to put words in his mouth.

Assemblyman Ellison:

Assemblyman Carrillo said the property owner would be notified and given plenty of time to either move or cover the property. If that did not happen, the property would be hauled at that point in time. I thought the bill's sponsor did a good job of trying to meet all the concerns of the public.

Assemblywoman Neal:

I will vote yes, but would like to reserve the right to change my vote on the floor.

Chairwoman Benitez-Thompson:

Any additional comments or questions on the motion?

THE MOTION PASSED.

(ASSEMBLYWOMAN BUSTAMANTE ADAMS VOTED NO.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Carrillo. We will move on to Assembly Bill 382.

Assembly Bill 382: Authorizes the governing bodies of certain cities to impose a fee on certain activities for certain purposes and authorizes, ratifies, approves and confirms certain ordinances enacted by those cities which impose such a fee. (BDR 21-633)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit N](#)).]

Chairwoman Benitez-Thompson:

I will accept a motion to amend and do pass.

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 382.

ASSEMBLYWOMAN NEAL SECONDED THE MOTION.

MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblyman Hardy. We will move on to Assembly Bill 417.

Assembly Bill 417: Makes various changes relating to redevelopment.
(BDR 22-234)

Jennifer Ruedy, Committee Policy Analyst:

[Ms. Ruedy read from the work session document ([Exhibit O](#)).]

There were some fiscal notes associated with this bill. Carson City submitted a \$160,000 fiscal note. The City of Las Vegas submitted a \$25,000 fiscal note. Douglas County also has a positive impact fiscal note. The other fiscal notes had zero impact.

Chairwoman Benitez-Thompson:

There were a lot of people working on this bill and they tried to build into the language certain public policy statements.

Assemblyman Daly:

I would like to quickly comment on the prevailing wage portion of the bill. I am in support of the loan program. I think it is beneficial and will help small business in that area. We want to make sure we are supporting all levels of the economy, and middle-class people, as well. I want to get on the record that that is the intent—to have the people who receive this loan pay prevailing wage

if they are doing any construction, and only if they received the loan at less than market value. Hopefully, we make sure the language says that.

Chairwoman Benitez-Thompson:

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

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 417.

ASSEMBLYMAN ELLIOT ANDERSON SECONDED THE MOTION.

Chairwoman Benitez-Thompson:

Are there any comments or questions on the motion?

Assemblywoman Bustamante Adams:

In section 13.3, subsection 2, paragraph (b), are we saying if a loan is taken by a small business under a certain amount then they have to pay prevailing wage? We would be putting an extra burden on small businesses, but I am not sure if I understand it correctly.

Chairwoman Benitez-Thompson:

My understanding is right now prevailing wage already exists in redevelopment statutes and there are already triggers for prevailing wage, whether you are looking at redevelopment areas or tax increment areas. With the new component of loans being put up, it should be there also so we have everyone who is getting a little and everyone who is giving a little; the business community, the public governments, and our workers as well.

Assemblyman Ellison:

I know they have done a lot of work on this bill and I will vote yes, but I would like to reserve the right to change my vote on the floor.

Assemblywoman Bustamante Adams:

I will also vote yes, but would like to reserve the right to change my vote on the floor.

Assemblyman Livermore:

I will be voting yes, but would like to reserve the right to change my vote on the floor.

I would also like to ask a question about your statement regarding prevailing wage. Is the threshold still \$100,000?

Chairwoman Benitez-Thompson:

I believe the threshold is \$100,000 if the loan is given below market value. We will let Mr. Penrose clarify that.

Jim Penrose, Committee Counsel:

As I understand, the purpose of the amendment is to apply to all loans made below market rate pursuant to the bill, regardless of whether they exceed the \$100,000 threshold. Mr. Daly can correct me if I am misinterpreting his intent.

Assemblyman Livermore:

I know in some areas, when I was a local county official, we granted small loans, \$10,000 or \$20,000, to projects that were less than \$100,000. Are you saying that if a loan is granted, then the project is subject to prevailing wage?

Assemblyman Daly:

Nevada Revised Statutes (NRS) 279.500 currently has two triggers for redevelopment agencies, because there are two types of incentives that can be given. If land is sold at less than fair market value, even if it is \$1 less than fair market value, it triggers the prevailing wage requirements for any development that is done. If there is an incentive by the redevelopment agency to pave the way for the development, then that triggers the prevailing wage, and that is the \$100,000 threshold.

This new provision just follows along with that. If there is an incentive provided that is partially financed with public money, and if the loan is less than fair market value, then that would trigger prevailing wage. It would not matter how much the loan was. However, it would only apply if they were doing construction.

Assemblyman Elliot Anderson:

To help clarify Assemblyman Daly's point, this bill just fits into the existing chapter. This bill does not change anything with prevailing wage, but adds a new provision into the chapter. When Assemblyman Daly cited NRS 279.500, it applies to the new language. People should not think this bill is changing prevailing wage, it just fits into the existing chapter, NRS Chapter 279.

Assemblywoman Bustamante Adams:

If it is not changing anything, then why is it necessary?

Chairwoman Benitez-Thompson:

Because Assemblywoman Kirkpatrick wanted it in. We have a motion and a second on the floor.

THE MOTION PASSED.
(ASSEMBLYWOMAN BUSTAMANTE ADAMS VOTED NO.)

Chairwoman Benitez-Thompson:

I will assign the floor statement to Assemblywoman Woodbury. We will move on to Assembly Bill 424 ([Exhibit P](#)).

Assembly Bill 424: Authorizes the State Fire Marshal and the State Board of Fire Services to issue administrative citations. (BDR 42-1151)

We have an amendment to Assembly Bill 424 ([Exhibit Q](#)). We will have hard copies for everyone in just a few moments. The amendment is on the Nevada Electronic Legislative Information System (NELIS).

This amendment allows the State Fire Marshal to be able to assess a fine according to a tier schedule not to exceed \$50,000. It also states the State Fire Board must adopt regulations for the purpose of establishing a three-tiered fine system. This is considered a friendly amendment and was submitted by Tray Abney, representing The Chamber. I think it is good public policy and I would like to thank Mr. Abney and Ms. Vilardo, as I believe she had some input on this, for coming up with the question of how the fine is assessed and what the process is.

I will accept a motion to amend and do pass with the conceptual amendment.

ASSEMBLYMAN ELLISON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 424.

ASSEMBLYWOMAN NEAL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Benitez-Thompson:

This bill does have a fiscal impact, so it will be picked up by the Assembly Committee on Ways and Means. I will assign the floor statement to Assemblywoman Pierce.

Assemblyman Stewart:

I would like to commend Ms. Ruedy for the great job she did. I would also like to commend the Chairwoman for hanging in there during this very difficult week under very arduous circumstances. We have nothing but admiration for you, Madam Chairwoman.

Chairwoman Benitez-Thompson:

Thank you. I do want to acknowledge our Government Affairs staff, not only our Policy Analyst and our Legal Counsel, but also all of our secretaries, including Ms. Hoffecker, who was here until after 8 p.m. last night getting things ready for today. I want to thank you all very much and they absolutely deserve all of our admiration for the work they have done.

[This meeting was adjourned behind the bar of the Assembly at 11:47 a.m.]

RESPECTFULLY SUBMITTED:

Lori McCleary
Committee Secretary

APPROVED BY:

Assemblywoman Teresa Benitez-Thompson, Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: April 12, 2013

Time of Meeting: 9:18 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 25	C	Jennifer Ruedy, Committee Policy Analyst	Work session document
A.B. 50	D	Jennifer Ruedy	Work session document
A.B. 59	E	Jennifer Ruedy	Work session document
A.B. 76	F	Jennifer Ruedy	Work session document
A.B. 99	G	Jennifer Ruedy	Work session document
A.B. 283	H	Jennifer Ruedy	Work session document
A.B. 291	I	Jennifer Ruedy	Work session document
A.B. 321	J	Jennifer Ruedy	Work session document
A.B. 327	K	Jennifer Ruedy	Work session document
A.B. 333	L	Jennifer Ruedy	Work session document
A.B. 363	M	Jennifer Ruedy	Work session document
A.B. 382	N	Jennifer Ruedy	Work session document
A.B. 417	O	Jennifer Ruedy	Work session document
A.B. 424	P	Jennifer Ruedy	Work session document
A.B. 424	Q	Tray Abney, representing The Chamber	Proposed amendment