

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

**Seventy-Eighth Session
April 29, 2015**

The Committee on Government Affairs was called to order by Chairman John Ellison at 8:35 a.m. on Wednesday, April 29, 2015, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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: www.leg.state.nv.us/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman John Ellison, Chairman
Assemblyman John Moore, Vice Chairman
Assemblyman Richard Carrillo
Assemblywoman Victoria A. Dooling
Assemblyman Edgar Flores
Assemblywoman Amber Joiner
Assemblyman Harvey J. Munford
Assemblywoman Dina Neal
Assemblywoman Shelly M. Shelton
Assemblyman Stephen H. Silberkraus
Assemblywoman Ellen B. Spiegel
Assemblyman Lynn D. Stewart
Assemblyman Jim Wheeler
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None



GUEST LEGISLATORS PRESENT:

Senator Joyce Woodhouse, Senate District No. 5
Senator Pat Spearman, Senate District No. 1

STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Eileen O'Grady, Committee Counsel
Erin Barlow, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Katherine Miller, U.S. Army Col. (Ret.), Director, Department of Veterans Services
Tamela Ketchmore, Private Citizen, North Las Vegas, Nevada
Tony Yarbrough, Nevada Legislative Representative, Junior Vice Commander/Adjutant, VFW Post 8084, Veterans of Foreign Wars
Joshua Hicks, representing the Southern Nevada Home Builders Association and Nevada Home Builders Association
Nat Hodgson, Chief Executive Officer, Southern Nevada Home Builders Association
Brian Gordon, Principal, Applied Analysis, Las Vegas, Nevada
Michael Brown, Fire Chief, North Lake Tahoe Fire Protection District
Raymond B. Bizal, P.E., Southwest Regional Director, National Fire Protection Association
Jeff Donahue, First Vice President, International Fire Marshals Association
Rusty McAllister, President, Professional Fire Fighters of Nevada
Jay Parmer, representing Builders Association of Northern Nevada; and Nevada Home Builders Association
Peter Krueger, representing Nevada Housing Alliance
Jessica Ferrato, representing Builders Alliance
Chris Knight, Director, Building and Safety, City of Las Vegas
William McDonald, Fire Chief, Las Vegas Fire and Rescue
Robert Fash, Secretary/Treasurer, Nevada Fire Chiefs Association
Jeff Lytle, Fire Chief, North Las Vegas Fire Department
Ron Lynn, Director/Building & Fire Official, Department of Building and Fire Prevention, Clark County
Javier Trujillo, Director of Intergovernmental Relations, City of Henderson

Chairman Ellison:

[Roll was called. Committee rules and protocol were explained.] First, we have a bill for work session, Senate Bill 271 (1st Reprint).

Senate Bill 271 (1st Reprint): Revises provisions relating to the Virgin Valley Water District. (BDR S-730)

Jered McDonald, Committee Policy Analyst:

This bill was sponsored by Senator Hardy and heard in this Committee on April 16, 2015. Senate Bill 271 (1st Reprint) provides that: (1) the Virgin Valley Water District may issue a letter that commits the District to supply water service to a particular property subject to certain conditions precedent; and (2) such a letter must be renewed on an annual basis, subject to a reasonable fee, or the letter will expire. [Continued to read from ([Exhibit C](#)).] We did receive another amendment from Senator Hardy, which is attached to the work session document. You can see that in section 3.5 of the amendment, there is some clarification about the letter that is sent out by the Virgin Valley Water District.

Chairman Ellison:

There have been a lot of people working with our staff to clean this up.

Assemblywoman Spiegel:

I was not aware that this was coming into work session today before I walked into this room, so I am going to vote to move this forward but would like to reserve my right so I can go back and look at my notes that I do not have with me.

Assemblyman Carrillo:

I will also be reserving my right to change my vote.

Chairman Ellison:

I will entertain a motion.

ASSEMBLYMAN STEWART MOVED TO AMEND AND DO PASS
SENATE BILL 271 (1ST REPRINT).

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN FLORES, MOORE,
MUNFORD, AND SILBERKRAUS WERE ABSENT FOR THE VOTE.)

Chairman Ellison:

I will open the hearing on Senate Bill 268 (1st Reprint).

Senate Bill 268 (1st Reprint): Provides certain services for veterans.
(BDR 37-1042)

Senator Joyce Woodhouse, Senate District No. 5:

I am here today to introduce Senate Bill 268 (1st Reprint). I would like to provide you with some brief background before explaining the bill as it is before you today.

Although I am not a veteran, this is an issue that I care a great deal about. I have been fortunate to serve on two interim committees related to veterans during my legislative service: Issues Relating to Senior Citizens and Veterans during the 2007-2008 Interim, and the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs during the 2009-2010 Interim.

The U.S. Department of Veterans Affairs' website defines military sexual trauma (MST) as sexual assault or repeated, threatening sexual harassment that occurred while the veteran was in the military. It includes any sexual activity where someone is involved against his or her will. Other experiences that fall into the category of military sexual trauma include unwanted sexual touching or grabbing; threatening, offensive remarks about a person's body or sexual activities; and/or threatening or unwelcome sexual advances. Both women and men can experience military sexual trauma during their service.

Senate Bill 268 (R1) was amended on the Senate side after discussion with Katherine Miller, U.S. Army Col. (Retired), Director, Department of Veterans Services. The bill before you today, as amended by the Senate, requires the Director and Deputy Director of the Department of Veterans Services to develop plans and programs to assist veterans who have suffered sexual trauma while on active duty or during military training. [Continued reading from ([Exhibit D](#)).]

I would like to turn the microphone over to Senator Spearman, who as you know, is a veteran and a cosponsor for this bill.

Senator Pat Spearman, Senate District No. 1:

I am pleased to join Senator Woodhouse at the table today to support this important legislation to help our veterans. As many of you know, I served in the United States Military Police Corps for almost 30 years. I am a veteran, and this is an issue that I care deeply about. I was fortunate to serve as the vice chair of the Legislative Committee on Senior Citizens, Veterans and

Adults with Special Needs during the 2013-2014 Interim, the same committee Senator Woodhouse had served on previously. In addition, during the 2013-2014 Interim, I served on the Nevada Veterans Services Commission and the State Council for the Coordination of the Interstate Compact on Educational Opportunity for Military Children.

I have talked with several women who have been the victims of MST. In addition to my profound disgust for that happening among the ranks, I also felt a profound sadness for those who had experienced it. No one should ever have to go to war and defend their country and then have to defend themselves from predators. As Senator Woodhouse explained, this bill was amended on the Senate side, and I support the bill as amended. I would like to point out that all 20 senators present for the vote on April 14, 2015 voted in favor of S.B. 268 (R1). This is an important bill that can positively impact thousands of lives in our state. In Nevada, unlike places such as Georgia and Washington, D.C., the military is not prominent in our culture or community. Therefore, there are needs with respect to our veterans that go unnoticed. This is an important bill, and one that I hope will provide a growing toolbox that we Nevadans can use to thank our veterans for their service. I urge your support.

Assemblyman Moore:

I am a 24-year military veteran. Senator Spearman, you alluded to examples of MST. Could you share those with us? Over my time in the military, I never heard of any cases like this.

Senator Spearman:

I think we will hear more about that from someone who is in Las Vegas, but let me say this. One of the reasons this crime has gone unnoticed is because those who experienced it must face the choice of saying something and losing their economic security, or turning inward to keep going. I know of several women who served in the 1970s, 1980s, 1990s, and in the twenty-first century who have experienced this. Some of them came forward, but many did not. Those who did not still deal with that experience today. It has a negative impact not only on them, but on their families as well. When I spoke with Senator Woodhouse and she told me the bill she was sponsoring, I enthusiastically signed on because I believe it is time for us to address every aspect of the lives of our veterans in and out of service that could negatively impact their quality of life. It always takes more than a yellow ribbon to say that we support our troops.

Assemblywoman Shelton:

What is the intent for the monies that are given to this fund? Say someone is a victim of MST, and he or she takes the predator to court. Would the funds be used to help that person with the legal costs?

Senator Woodhouse:

It is my understanding that since this account would be in the Department of Veterans Affairs, that would be the intent. The Department would keep track of how those funds were expended, and then would report to the Interim Finance Committee each August 1 so we would know how the funds are being used.

Assemblywoman Neal:

You are going to create this account. How much do you expect will go into the account to pay for the programs that are listed under the plans and programs in section 1.5, subsection 10? In the Nevada Veterans Comprehensive Legislative Reform Report ([Exhibit E](#)), there was a lot of information that the Interagency Council on Veterans Affairs laid out. They did extensive studies. There were several interagency groups that worked together. Will this overlap any of the already existing councils that are studying the issue or have developed a plan? In that report, there was something for homeless veterans, veterans in re-entry, and they ran the gamut. I think there are over 40 different subcouncils that added to that report.

Senator Spearman:

In both the military and civilian worlds, there is an emphasis placed on generalities. When it comes to MST, that is something that has been a subtext for mostly women and some men regarding their military experience for a long time. Therefore, many of the issues associated with MST that should be elaborated on with more specificity are glossed over. One of the things this bill will do is say that we are intentionally trying to address this.

Assemblyman Wheeler:

I applaud the intent of this bill. Can you give me some anecdotal information on where the money going into this account comes from? The bill mentions claims paid out by the Director. What kinds of claims are we talking about? Are they directly to the veteran, or are they services to the veteran for injuries?

Senator Woodhouse:

The funds coming into this account are from individuals like you or me, and all of us. They are from organizations that are concerned about this issue. It is like in education, where we set up accounts for individuals who want to

contribute to the ongoing efforts of a program. I have no idea what amounts of money would be coming in. I would ask Director Miller to address the claims.

Assemblywoman Spiegel:

I want to thank the Senators for coming forth with this bill. Having also served on the Interim Committee for Senior Citizens, Veterans and Adults with Special Needs, as well as personally emailing our military and active duty service members, I know that this is a very pervasive problem. I applaud your efforts to provide assistance and relief to those who have been traumatized by sexual assault. I think having the account be funded by gifts, grants, and donations will go a long way to helping those affected by MST.

Assemblyman Silberkraus:

Will the intent of this be to mirror any federal support programs for these issues? Or will this fund be coming into an area where the federal government and the military is not providing services?

Senator Woodhouse:

Director Miller might be able to answer that better. The intent of this bill is to put in place a means by which we can provide additional services to our veterans who reside here in Nevada.

Senator Spearman:

I know there are some programs that are starting up. But just like post-traumatic stress disorder (PTSD) and the other emotional challenges that our service personnel experience, there are some things that will never happen if left exclusively in military channels. For those who do not or did not feel safe, this is another tool in what I hope will be a growing toolbox for Nevadans, specifically for those of us who are charged with legislating. I hope that we will pass this and use it as another way to tell the victims of MST that we care about them, and that they can come forward.

Katherine Miller, U.S. Army Col. (Ret.), Director, Department of Veterans Services:

First, I want to address need. According to the United States Department of Veterans Affairs (VA), national statistics reveal that 20 percent of military women suffer from MST. Within Nevada, 27.7 percent of our woman veterans are affected. On the surface, it might appear that Nevada does not need to dedicate time to the problem of MST, as the VA has programs to address it that include mental health counseling, medical treatment, and disability compensation. [Continued reading from ([Exhibit F](#)).]

In the proposed budget is a new agency deputy director position. Yesterday before the Senate Committee on Finance and Assembly Committee on Ways and Means Subcommittees on Public Safety, Natural Resources, and Transportation meeting, that position was recommended for funding. That must still go through a budgetary bill draft request hearing and final approval, but should it be approved, we will certainly have the capacity to do this kind of planning. If it is not approved, we can still accomplish the work, but we will have other projects, and it will take longer to accomplish.

There were a few questions that came up. There was a question as to whether this bill would mirror other federal programs. I would not say that it does, but I see it connecting veterans to federal programs that exist, and where programs do not exist and a need is identified, it would create programs to address that need. I do not know what the program would look like. I see several steps in this. The first is to find victims of MST. We need to conduct a needs assessment to determine what programs exist that we can connect veterans to, and what programs need to be developed. There was a question about how the money would be used for claims. Again, I think the first step is to determine what the need is. For example, we might have women veterans who, because of mental health issues associated with MST such as PTSD, may need to be connected to counseling. The VA does offer that counseling. There might be other types of employment training or assistance required.

Until we have really had a chance to crack the big nut of finding the victims of MST and conducting that needs assessment, determining the appropriate response is probably premature. I would agree that saying we need to develop plans and programs is a much-needed step. There was another question about the Nevada Veterans Comprehensive Legislative Reform Report ([Exhibit E](#)). That report includes a number of detailed studies, but it did not have a detailed study on MST. There were comments from the Women Veterans Advisory Committee that was appointed by the Governor by executive order. Those comments highlighted their concerns about the problem of MST. I am not sure I captured all the questions, but I am ready for other questions you may have.

Assemblywoman Neal:

I was reading what the women's group had to say on page 92 of the report ([Exhibit E](#)). I was looking for discussion on sexual trauma or where the recommendations cite medical problems, but I did not see it. All I saw was a discussion at the back of the report about specialty medical needs on page 206 and housing for medically compromised persons, and that there was a discussion about the integration of medical needs [page 206, ([Exhibit E](#))]. I thought it was interesting that there was not a specific statement I could

identify. I did not see a needs assessment. The women's recommendations did not talk about MST or medical issues.

Katherine Miller:

My takeaway from the Women Veterans Advisory Committee was, as you will find throughout their report, that they had difficulty determining what the needs of Nevada women veterans are because so few of them had come forward. They were not accessing VA benefits, using traditional communication measures, or answering surveys. The Women Veterans Advisory Committee had some data, but they did not have significant enough amounts of data to determine what their needs are. The need that we have identified in the number of women that are affected by MST comes from national VA reports, not from the Women Veterans Advisory Committee. I would be happy to send you the VA reports that lay out details about MST as it affects Nevada women veterans. I think that would be the best place to get information.

The biggest medical issue that was raised in the Nevada Veterans Comprehensive Legislative Reform Report dealt with the lack of obstetric and gynecological services at VA hospitals, especially in southern Nevada. There was significant discussion. Having sat in on committee meetings where the topic of MST came up, I can tell you that it was mentioned several times, but was a recommendation wrapped into finding women veterans, talking with them, and doing needs assessments. As has been identified by the VA and by the Department of Defense, women veterans are reluctant to come forward to discuss the issues associated with MST.

Assemblywoman Neal:

Knowing that women veterans do not self-identify as veterans and that you have to go through the process of locating them, how much time are we talking about before you can get to a point that you have established needs, Nevada-specific statistics, and are able to move forward in an activity? Senator Spearman said that it has been an ongoing and systemic issue. We spent over a year talking and engaging the needs of other issues, but this one is supposedly severe and systemic and we have gotten nowhere with it. It is interesting to me that we are still not off the ground for accessing or relaying data for Nevadan veterans. Nevada houses four large military facilities.

Katherine Miller:

Correct. There is Naval Air Station Fallon, Creech Air Force Base, Nellis Air Force Base, Hawthorne Army Depot, and a number of other smaller military installations throughout the state. I would not say that we have not gotten off the ground in regard to this issue. The VA does offer programs for Nevada's military veterans. I would absolutely agree that we are not where we

need to be. If we cannot find our women veterans, talk with them, and let them know that services are available to address any range of issues such as education, employment and MST, it is hard to connect them with services that are available. There has been significant progress helping to accomplish that in the last several years, but we are not there yet.

You ask how long it will take. There are a few things we are working on in the state that are pretty exciting. The legislature passed a bill last session, Senate Bill No. 244 of the 77th Session, that created the opportunity for veterans to self-identify when they get their driver's license. We are building a database for bringing in information on veterans in the state of Nevada that now, for the first time, helps us identify where veterans are. We can get information about their gender, and it will allow us to distribute surveys.

I see us doing something pretty significant in regard to these surveys within the next year. From a state agency perspective, however, until recently our agency ran cemeteries and veterans homes, and did claims for veterans. We are looking at the needs of Nevada's veterans to grow these programs. It is not that these problems did not exist five years ago, it is that we were not addressing them. I think that within the next one or two years, we will have a much better picture of the situation of Nevada's veterans. Right now, we have to use the federal database, and according to the federal government, 27.7 percent of Nevada's women veterans suffer from MST.

Senator Spearman:

The issues we face with all veterans is that when good things happen to us, we have no problem coming forward. But when there are things that challenge us at our very core, because of our training, we are reluctant to come forward because it shows weakness. Another part of that is exactly like in the civilian sector; victims of rape sometimes do not come forward because they are ashamed or embarrassed. The only major military installation we have is Nellis Air Force Base, and that is in the south. If we were in a place like Atlanta, Georgia or Florida, where the military is very prominent in the community and part of the whole economic process, then much of what we are talking about today would go unsaid because it would be common knowledge. The fact is that we do not have large military bases. Therefore, when people either exit their time of service or retire, many go back home without the understanding that they are now truly a veteran. What we did last session with driver's licenses was a first step, just as Director Miller said.

We are also trying to raise the level of awareness among those of us who have an opportunity to do something with this bill. In raising that awareness, I think that also creates a safe space for women veterans who need to come forward.

It allows them an opportunity to do so. Director Miller said that 25,000 of the 300,000 veterans are women in Nevada. If that is the case, using Nevada's percentage from federal data, that is 6,925 women who have possibly experienced MST in our state. This is the same scenario that the military dealt with back in 2002 through 2009 when they finally admitted that there is an issue with the way service members have to cope with the aftermath of war, and that coping sometimes expresses itself as PTSD. Of course, PTSD existed long before 2002, but it was only in 2009 that the military "admitted" it. Just like PTSD, MST has existed for a long, long time. I think we raise awareness via programming, funding, or just asking the questions like Assemblywoman Neal asked. The issue of MST is always couched in generalities, but I think we have an obligation to our veterans to take the issue from generalities to specifics. That is what we are talking about doing today.

Assemblyman Wheeler:

I think we are asking for a program that we all think we need, but we do not know how much we are going to put into it, where the money will come from, how much will be spent, or where it will go. In my opinion, as long as Director Miller is in charge, I do not have a problem with it. She is one person I trust with both my life and my money. But that may not be the case forever. Since we do not have a definite plan or program here, would you be amenable to sunseting this in two years, and then coming back and taking a look at it again to see what is in place, what it is doing, how much help we are providing, and renewing it at that time?

Senator Woodhouse:

Yes, we will consider that. I just want to dispel your concerns. The account is not state dollars. It will be individual donations, grants, and things like that. But we need to have the Department of Veterans Services work on this plan in order for us to address the issue of MST.

Senator Spearman:

Here, I would have to disagree with my colleague. Because this issue is so pervasive but underground, I think that by saying we are trying for two years and then may or may not move forward would not give this the level of gravity needed to address the issue. I think the message we would send would be that they can come forward for 18 months, but after two years, we may or may not be able to do something for them. This is indeed an issue, and because all of the particulars have not been answered within the scope of S.B. 268 (R1), I think that there are some implied conditions within the explanations that already exist.

There are conditions that say that once this is implemented, there is a certain guarantee for those who need to come forward that the program will be administered correctly and ethically, whether or not Director Miller is there. What we are really trying to do here is say to those who are in the shadows that we care, we understand that this is an issue, we understand the gravity of the issue, and we understand it so well that we are willing to invest. Maybe we do not have funding from the state, but we are going to allow other people who believe that it takes more than a yellow ribbon to contribute to this.

I think if we pass this bill with the contingency that it will come back in two years, it will send the wrong message. I understand that when we talk about something like this, especially issues related to women, it gets segregated to "other stuff." This is one of those issues for which I am a passionate advocate. I am unapologetic about that. This is an issue that has been in the shadows for far too long. I am a former military police officer, as I believe your vice chairman Assemblyman Moore was, and Director Miller was a military police brigade commander as well. If this was something that came in on a charge sheet, we would act without question. Unfortunately, MST has been swept under the rug for so long that now that it is finally being recognized and there are attempts to address it, it is scary. It is scary because it has been happening for so long, and people are wondering why we did not know and why we did not get it. As I said before, it is just like the mentality in the civilian world. If someone is sexually harassed by her boss, she has a hard question to answer. Does she shut up and maintain her economic security, or does she speak out and risk losing her job? Those are real questions.

We always say that the journey of a thousand miles begins with one step. While I was studying in Uganda, I learned a phrase in Swahili that means "The beginning is always tough." This is a beginning, and it is going to be tough. But I believe this body can rise to the challenge and we can begin to address something that has affected mostly women, but also men, for far too long. We can say to those who are in the shadows that they can come out and they will receive ongoing help, not just for 18 months. All the issues we are talking about today may seem like they do not exist, but from talking to the women who have come to me having experienced MST, this is real. They are waiting on people to recognize the reality that they have to deal with on a daily basis. Ms. Tamela Ketchmore is here today to speak, and she has a real-life example of what happens with MST.

Chairman Ellison:

I will hear those in favor of the bill. We will start with Ms. Ketchmore.

Tamela Ketchmore, Private Citizen, North Las Vegas, Nevada:

I am here this morning to put a face on the agony, embarrassment, and what I have lost as a result of being a victim of MST. I am a retired captain. I was a social worker for the military. I spent 17 years on active duty. I went to the Persian Gulf and I have taught combat stress and battle fatigue coping strategies to soldiers. I investigated sexual assault, and I became a victim. For those who do not understand why you have not heard about this, it is just like mental illness. There is a stigma. I am here to tell you that there are a lot of us out here suffering every single day. Every morning that I wake up, I have to take medication because I have experienced mental health problems. I have been diagnosed with bipolar disorder. I graduated from the University of Washington in Seattle with honors, and I was a valedictorian. But my life was destroyed. My husband, a lieutenant colonel, divorced me after this incident.

I have taken the opportunity to register as a nonpaid lobbyist, because I want to stop hiding. It took me ten years to come to the decision that I was going to get help. I am getting help now. This is not something that is fictitious. This is real. I am asking you to please take into consideration that there are a lot of us soldiers who have served this country, but we are still out here suffering and feel that nobody cares.

Chairman Ellison:

Are there any questions? [There were none.] Thank you very much, Ms. Ketchmore.

Tony Yarbrough, Nevada Legislative Representative, Junior Vice Commander/Adjutant, VFW Post 8084, Veterans of Foreign Wars:

I represent over 8,000 veterans of foreign wars in the state, and the thousands of veterans in organizations like the American Legion, Disabled American Veterans, Marine Corps League, Vietnam Veterans Association, Purple Heart Association, and many more that are all part of the United Veterans Legislative Council. The big question seems to be why this issue is not discussed or raised. I will give you four quick points. Military sexual trauma is poorly addressed in the military. We know this. It violates and destroys order within the ranks. Camaraderie and trust are placed at risk. If reported, MST damages the career ladder. The reporting is limited due to its nature. All of you are familiar with the Nevada Veterans Comprehensive Legislative Reform Report ([Exhibit E](#)). Like Assemblywoman Neal said, there is not much in there regarding MST. It is just as Senator Spearman explained. It is still an issue hidden in the shadows that needs to be brought out.

I would like to share a statement ([Exhibit G](#)) from Kate O'Hare-Palmer of the Vietnam Veterans of America Women Veterans Committee. They had a committee meeting in Washington, D.C. This is a statement, but I will just read a few pieces of it. "During the Vietnam War Era, if you reported a sexual assault, there was no hope that it would be taken seriously. There were rarely repercussions for acts against women. The good-ole-boy military did not discipline a man for behaving like a 'normal male'. The stigma about getting raped was so great that victims kept it to themselves. Often, women kept quiet so as not to frighten the other women in their units." How is that for camaraderie? How is that for guarding your fellow service members' backs?

"Carrying a weapon did not guarantee safety. The incidence of a higher-ranking man forcing himself on a woman under his command was common. There was no place to lodge a complaint, let alone feel secure. Transferring or exiting the military were the only ways out. During 2010, 20 percent of female veterans who served in Iraq or Afghanistan reported having experienced MST." [Continued reading from ([Exhibit G](#)).]

The interesting thing that we keep coming to is where the money will go and how we will deal with this. I would like to direct your attention to section 1, subsection 4 of the bill, which says "The Director shall...prepare and submit a report...." I ask that you please pass S.B. 268 (R1) in favor of our promise to our veterans.

Chairman Ellison:

Is there anyone else in favor of the bill? [There was no one.] Is there anyone opposed? [There was no one.] Is there anyone neutral? [There was no one.] Would the bill sponsors like to make closing remarks?

Senator Woodhouse:

We really appreciate the time you have given to this bill. I would like to reiterate the fact that, as several of us have said, especially Senator Spearman, this is an issue that has been in the shadows. It is time that we deal with it and time that we take care of especially our Nevada veterans who are suffering from MST. To repeat something that Senator Spearman said, I will reiterate that this is so much more than showing our support for our veterans with a yellow ribbon. That does not go far enough. We need to take care of our veterans, and we need to start now.

Assemblyman Flores:

I want to quickly thank the Senators for bringing this bill forth, and thank our veterans and military members for their service. Ms. Ketchmore, thank you for your strength in sharing your story. You are making a tremendous difference.

Tamela Ketchmore:

Thank you.

Chairman Ellison:

I would like to echo that. A lot of people have experienced trauma at home and abroad. I also want to thank the National Guard units who were in harm's way in Baltimore, Maryland last night. [([Exhibit H](#)) was submitted but not discussed.] I will close the hearing on S.B. 268 (R1) and open the hearing on Senate Bill 477 (1st Reprint).

Senate Bill 477 (1st Reprint): Revises provisions governing the installation of automatic fire sprinkler systems in certain single-family residences. (BDR 22-1110)

Joshua Hicks, representing the Southern Nevada Home Builders Association; and Nevada Home Builders Association:

This bill deals with residential fire sprinklers. Before going through the bill, it is important to understand the context of current law. Right now, the law is that a local government in a city or county can require fire sprinklers in any kind of residence. In fact, some do. We are trying to put some limitations on that with this bill. This bill is about putting in requirements that a cost-benefit analysis study be put together on certain homes before that requirement is put in place. You will hear some testimony about how expensive these can be, how in many cases there is not a high risk of fire at these places, and the fire sprinklers drive up the cost of homes significantly by thousands of dollars for homeowners who may not know their home's cost is going up that extensively. This bill puts some limitations on the ability of the local government to require fire sprinklers.

Chairman Ellison:

Are you going to address the 2012 code change? That is where this came up. Discussing that code change might shed some light on this. There is also the case of the options that are available for homeowners, and what will happen if this bill fails.

Nat Hodgson, Chief Executive Officer, Southern Nevada Home Builders Association:

I would like to read a few statements first, and then I will address the chairman's concerns. In 2009, there was adoption of the International Residential Code (IRC) sprinkler requirement. The way this was voted on by the IRC was unlike any other code mandate I or the National Association of Homebuilders (NAHB) have heard of [referred to ([Exhibit I](#))]. It was fairly unusual when compared to how everything else got into code. Fire sprinklers are essentially a locally imposed fee of thousands of

dollars on new home buyers, with no corresponding benefit. [Continued to read from [\(Exhibit J\)](#).]

On the Nevada Legislative Information System (NELIS), there is a report prepared by the NAHB [\(Exhibit K\)](#). They have found that 26 states have passed state legislation restricting residential fire sprinklers. Of those 26 states, 20 outlawed imposing any residential fire sprinklers. I think this is a more reasonable approach. After the hearing in the Senate Committee on Government Affairs, we did meet with various fire department personnel, and came to what we think is a reasonable update as best we could. I would ask that Mr. Brian Gordon speak next, as he did the cost-benefit study in 2010 [\(Exhibit L\)](#) and its update that was done recently.

Brian Gordon, Principal, Applied Analysis, Las Vegas, Nevada:

Applied Analysis is a Nevada-based research and analysis firm. My firm has conducted analyses related to the cost and benefits of residential fire sprinklers in single-family residences over the course of the past several years. We had conducted a similar analysis back in 2010, and presented the results of that analysis to the Clark County Board of County Commissioners. In 2011, I was asked to prepare an update to that report.

Most recently, my firm was retained by the Southern Nevada Home Builders Association to prepare an updated analysis [\(Exhibit L\)](#) that assesses the relative costs and benefits of installing fire sprinklers in newly constructed single-family residences. This analysis is specific to Clark County, but we have no reason to believe that results would be materially different throughout the state. The analysis we conducted was relatively straightforward and relied on the methodology prescribed in a national study on the same topic. The study was prepared by the United States Department of Commerce's National Institute of Standards and Technology. I will refer to it as "the national study." As part of our analysis, we localized and updated the assumptions to evaluate the cost-benefit of fire sprinklers in southern Nevada. Key factors and inputs that went into the analysis included localized fire-related incidents and localized costs of local residential fires. The analyses also factored in potential homeowner insurance benefits and sourced residential sprinkler systems, as well as the costs of the systems themselves. Our report used certain values contained in the national study, including the value of the statistical life and the value of a statistical injury. These data were all adjusted for inflation to bring them current to today's value.

I have a few key facts from our analyses that are worth mentioning. The probability of a fire occurrence is relatively low in Clark County versus the national average. Clark County reported a rate of fires that is less than one-half

the national average. In southern Nevada, the probability of a fire was 0.0015, versus the national average of 0.0036. The age of homes and other factors are likely contributors to the lower local fire incidence rates. The probability of fatalities resulting from a fire in a single-family residence is also lower locally, at 0.0043 versus 0.0082 nationally. The probability of injuries was slightly higher locally versus the national average: 0.0498 versus 0.0403 nationally. However, there are still fewer fire related injuries due to a lower overall fire incidence rate locally.

Based on information provided by local builders, the cost of installing residential fire sprinkler systems in single-family residences is approximately \$2 per square foot, as Mr. Hodgson testified earlier. With an average new home size of approximately 2,390 square feet, the total cost of a residential fire sprinkler system is approximately \$4,780 for each new home. After balancing the economic costs and benefits of residential fire sprinklers, our analysis concludes that the overall costs outweigh the benefits based on local fire probabilities and the system installation costs. From a dollars and cents standpoint, the benefits are estimated to total approximately \$2,550 while the costs are estimated at approximately \$4,780. On a net basis, the costs are about \$2,200 higher than the benefits on a per housing unit basis. We also ran a number of alternative scenarios that suggested fire incidence rates would either have to essentially triple, or the cost of installation would have to be cut in half before the cost-benefit ratio were to break even. While the value of a life is priceless, the probability rate of dying in a fire in any one house in Clark County is relatively slim. That probability factor is 0.0000066.

Assemblywoman Neal:

I am looking at page 4 [page 7, ([Exhibit L](#))] of the report. If you look at the bottom of this page and the previous page, it talks about the net benefits of installing sprinklers in homes and the average costs. It says that the net cost for installing fire sprinklers in an average-sized new home is \$2,175, and that accounted for inflation. Talk to me about why that is lower than the Henderson study in 2009 where they did their cost-benefit analysis for the adoption of construction codes. The cost assumption in the City of Henderson study for a new home was \$2,220, and it was a cost of \$1.62 per square feet to install fire sprinklers. Why would the cost be lower now versus during the recession, when Henderson adopted their plan?

Brian Gordon:

Perhaps Mr. Hodgson wants to weigh in on the cost. His organization deals with the homebuilding industry itself. We did not conduct the 2009 study for the City of Henderson, but I can speak to the estimates we provided for the

Southern Nevada Home Builders Association, which came to approximately \$2 per square foot.

Nat Hodgson:

I was at the Henderson City Council meeting when that study was presented by Michael Bouse, who was the Southern Nevada Building Officials chair at the time. The total cost that he submitted to the council was just shy of \$5,000. He had a plan breakdown that included the check fee, inspection fee, and the cost of actually installing sprinklers. The \$2 per square foot that is in our study encompassed all of that. The City of Henderson's report on the same size of house, as I recall, was a \$500 higher cost than we have today. Henderson's cost took into consideration what California and Scottsdale, Arizona were paying because at the time, we had nothing in Nevada to compare it to. The cost that we present in this testimony today is true hard cost that is being paid only in the City of Henderson today. But that presentation was just shy of \$5,000, where ours is about \$4,600.

Chairman Ellison:

What did you say the probability of a fire in Clark County is?

Brian Gordon:

The probability of a fire occurrence in Clark County is 0.0015.

Chairman Ellison:

This is off the subject, but we do have a legend in our audience today, back there in the corner, Mr. Joe Neal. Welcome to the Assembly Committee on Government Affairs, sir.

Assemblywoman Neal:

On page ES-2 of the study [page 28, ([Exhibit L](#))], it says after the chart that "Although the baseline analysis finds strong evidence of cost effectiveness of residential fire sprinkler systems, a sensitivity analysis is performed to measure the variability of the results and changes." Then it goes on to say some other things, and that "these assumptions contain a degree of uncertainty." If the sensitivity analysis is performed to measure the variability of the results and changes in the modeling assumptions and to assess the robustness of the baseline findings, and the assumptions contain a degree of uncertainty, then what is the actual statement that is being made? Is it cost effective? Is there strong evidence of that? Or is the uncertainty dealing with the sensitivity analysis that this may not be a good choice?

What confuses me is whether there is strong evidence of the cost effectiveness. Building officials in southern Nevada in 2012 already had

the permissive language in their standards so they could install automatic fire sprinklers in homes and townhouses. There must have been a cost-effectiveness factor, because there was this permissive policy for homebuilders. I am trying to understand if this is good policy or not, because we already had a policy in place.

Brian Gordon:

The pages you are referring to are included in the appendix to our report, and they are from the national study [page 13, ([Exhibit L](#)).] From a cost-benefit perspective, all we have done for the state of Nevada is used the methodology prescribed in the national study, and localized that for fire incidence rates as well as the number of deaths and other localized cost factors, like benefits associated with the reduction in homeowner insurance premiums and other factors that we have laid out in our report. The localized results in the state of Nevada result in a different conclusion than what we saw at the national level. There are a number of reasons for that, some of which are stated in our report. Overall, the results were different from a national perspective versus a local perspective when we used the same methodology prescribed in the national study.

Assemblyman Flores:

When we are talking about code, is the analysis always a cost-benefit analysis, or is it sometimes totality of the circumstances? I am asking this because I am taking a big step back in looking at this bill, and trying to understand why you are coming to the Legislature and saying you want us to be able to regulate specific governing bodies on the codes they are implementing. I know it became an issue in the Senate Committee on Government Affairs at some point, because we decided to add in some language to grandfather in those who have already adopted similar language. Is it common practice to always look at the cost-benefit analysis to determine whether or not you agree with code, and to come to the state Legislature to ask them to make a law to change a code you do not like?

Nat Hodgson:

That is a very good question. I am a licensed contractor, and I am involved in building codes. No other issue that I can think of in building code has had this kind of negative reaction. As I testified earlier, 26 states in the nation have done this same thing, 20 of which have a few sentences saying they can never do it. I cannot go back and look at anything and say whether there was a cost-benefit analysis done or that it has never happened. I do know that the International Code Council has recently adopted a new provision where they have to submit a cost-benefit analysis to get something into code. I truly believe that if that was the case before 2009, this would not be in the code.

Up to this point, it has been about whoever shows up to a meeting, and you must be a government building official to have a vote. People showed up, and they voted to have it in the code, and I believe it all happened in 25 minutes. Now the nation is dealing with it. But 26 states have done this. I cannot think of another code issue that we bring to the Legislature.

Assemblyman Flores:

I am trying to understand why this is necessary. I read some of the language, that tries to create different exceptions. If the home is in a specific type of area that is more prone to the possibility of fire, then we exclude that area and create a carve-out for those that are grandfathered in. I see these carve-outs being made. When I see the number of them, it immediately tells me that something is treated differently depending on the area, which suggests that is something the local government body should be regulating and not us in the Legislature. Can you tell us why you think it is necessary to approach it through this avenue and not allow the smaller government bodies to take care of their own municipalities?

Nat Hodgson:

Homebuilders are not anti-fire sprinklers. We just want this to make sense for the buyer. I can tell you that we did our best on the carve-outs. We wanted it to work with the local governing bodies, along with the fire departments. There was a bill in 2011, Senate Bill No. 327 of the 76th Session, that pretty much outlawed fire sprinklers. We wanted to take a different approach and work with all the stakeholders to make something that is at least a happy medium. We took everyone's current agreement and put them into this bill. We want to stop the flooding. This is all about the cost to the buyer. The builders will put in whatever they need to, but we need to keep in mind that for every \$1,000 a house price increases in Clark County, there are 1,800 people who are priced out of the market. We are really looking at that.

The fire statistics are all on homes. Unfortunately, those are mostly about a lot of the older homes with different roofing material. You do not see a lot about the newer homes. This law affects a maximum of 7,000 homes that are being built in southern Nevada. The Henderson carve-out is the only one I can say does not have a particular cost-benefit reasoning, but they currently have it adopted. We worked with the City of Henderson. They are our partners. Sure, I would like to have a cost-benefit done for them as well, but again, we try to be reasonable in sitting down with all the stakeholders. That is why the carve-outs are there.

I think unique circumstances is one of the carve-outs. We need to have the fire departments and building officials have the ability with unique conditions

like response time, water flow, location, or steepness of grade, to determine the need to implement fire sprinklers without having to jump through hoops. We have done everything we can to make this a workable bill, unlike 20 other states that have outlawed it indefinitely.

Chairman Ellison:

Not every code matches every area. That is why there are differences among codes. There are different thought processes. I can tell you that there are a lot of counties still running on 2009 codes. The reason they have not adopted the 2012 codes is because of this law. We had some problems with freezing pipes and other things in rural areas, and putting thousands and thousands of gallons of water in fire tanks out there which have also had nothing but problems. If we can address the problems here, I would be more than happy to. But I think we should look at everything in this issue.

Assemblyman Carrillo:

In the cost analysis, say someone is building a custom home. Would this individual require a cost-benefit analysis? I am looking at section 1, subsection 2, paragraph (a), where it says the installation of an automatic fire sprinkler system would require an independent cost-benefit analysis.

Nat Hodgson:

If a local government wanted to enforce a custom home builder to put residential fire sprinklers in a custom house that is under 5,000 square feet, then yes, cost-benefit analysis would be required.

Assemblyman Carrillo:

Say you have ABC Home Builders that decide they want to do a master-planned community where all the homes are just under 5,000 livable square feet. Would this require every model that is under 5,000 square feet to have a cost analysis? Would this be a blanket requirement? In other words, what are we looking at as additional cost to the homeowner for the cost analysis itself?

Nat Hodgson:

The home builder would not do the cost analysis. If they want to put in sprinklers, they can do it because they are the developers. What this bill does is, if the local governing body tries to mandate sprinklers to the builder of a master-planned community, the local government must do a cost-benefit study showing that it is a benefit to the buyers.

The way the bill is written, they would not have to do it for every house. If you go to the master-planned community, you get an analysis for that area and you would have results for that area. I do not see any case where a builder

would do a cost-benefit study, because the builder can choose to do it if they want to. There are development agreements out there where, as part of the agreement, you are going to install fire sprinklers. This bill does not affect that whatsoever.

Joshua Hicks:

I think there may be a question as to whether this is an ad hoc study that must be done on each building. I do not think that is what the bill says, if that was the question. A code would be a blanket code application, so it would apply to any of those homes. This decision would be made under a cost-benefit study, and that decision would be in place unless there was an attempt to amend or repeal the code in the future, in which case, you might have to go through that process again. But you would not have to do it on a one-by-one basis. If a local government wanted to do it, they would do a cost-benefit study. For example, maybe they would agree that everything under 5,000 square feet should actually have fire sprinklers. Then that would be the rule in that jurisdiction.

Assemblyman Carrillo:

Currently, we have municipalities that mandate regulations on fire sprinklers. The reason for this bill seems to be to take that out of their hands and put one fix for everything into the *Nevada Revised Statutes* (NRS). Is that what we are doing?

Joshua Hicks:

I do not think the intent of this bill is to take the issue out of local government hands at all. In fact, that is where it stays. The intent is to deal with what we feel is a carte blanche application of residential fire sprinklers to homes. We want to put in some guidance and limits to what the local government can do. The local government can still require them. This is not a prohibition bill. This just requires that the study happens. It is applying what this body often does in providing guidance and rules to a local government on how they are to handle a particular situation.

Chairman Ellison:

If you are remodeling a structure, usually 50 percent of the remodel is bringing that house up to current code. That cost is many times higher than what the new home was. Is this bill going to dictate that the house must be brought up to a new code when it is remodeled if it is bigger than 5,000 square feet?

Nat Hodgson:

This bill does not touch the existing codes that are in place for remodeling. That is a different section. It is interpreted a little differently per municipality,

but there is a black-and-white rule that if you have an addition that costs over so much, you do not have to bring the whole house up to current code, but when you cross that threshold, you do. This bill would make it easier to do a remodel. Once you get over 5,000 square feet, you would have to go by what is in the code today anyway. This does not make it harder, but right now if you had a 1,000-square-foot house and you did a 2,000-square-foot addition, fire sprinklers could be required. This bill would not allow that until it got over 5,000 square feet. It would help existing homeowners.

Chairman Ellison:

When I met with the fire and building departments in 2012, the planning of some of the new houses was so bad that they had noxious emissions and had to bring in fans to remove the gases. The firemen were saying it did not work.

Nat Hodgson:

After fire sprinklers got into code, it made associations like mine lobby not to adopt new code because of this one provision. We have a city in southern Nevada that still uses the 2006 code. One of the reasons for that is the energy code, which we are trying to work with. But the biggest reason is the fire sprinkler regulation, because they really do not want to adopt it. This would give everyone a comfort level so they could move forward on the rest of the code instead of using one that is ten years old.

Assemblywoman Joiner:

It is interesting to me that we are talking about cost-benefit analysis. I absolutely understand the numbers and costs to consumers purchasing a new home and the cost per square foot. But I look at it a different way. The cost-benefit is about lives to me. I am trying to reconcile that in my mind. Why would we take this tool away from a locality, when to me, the cost-benefit is really on the counties to keep people safe? They have fire personnel who must go into burning homes. Everything I have read says that these fire sprinklers can reduce the loss of property by up to 70 percent. When a firefighter arrives at a burning house that does not have fire sprinklers, they are not facing the same fire that they would face if there were fire sprinklers. When a county or city tries to do their cost-benefit of lives for their fire personnel, I can see that they would say this change is worth it for consumers. But fire sprinklers would save lives, reduce response times, and improve property loss ratios. Could you help me understand why we would take this tool away from local governments? In my hometown of Reno, houses in the core of Reno could get surrounded by fires as we have droughts. I am having trouble understanding why we would take this tool away.

Joshua Hicks:

I do not believe this is taking a tool away at all. In fact, it is putting a process in place in which those concerns can be raised at the county or city level in a cost-benefit study. We want to make sure there is latitude there. There are certainly arguments whether the cost outweighs the benefit. Those things are what we think should happen, but they are not happening right now. There are just blanket adoptions of codes without any discussions. We want to make sure there is discussion, and that leaders are looking at those issues and taking a position on it. Both sides can participate in those cost-benefit studies, and I fully expect them to be there just as I expect builders would be there with data like Mr. Gordon presented. I would also note that per this bill, a requirement of the cost-benefit study is a public hearing. There is no issue of hiding behind closed doors. These have to happen in a public hearing that must be open to everyone. Everyone can come in and make their case.

What we want is to have these decisions made in a more informed way than we believe they may have been made in the past, that all the information is there, and that it is ultimately up to the county or city to make this decision. This is not a prohibition bill; those government bodies can still allow it. We want to make sure they are getting good information and making a public decision on it, so things like cost to homeowners that can be thousands of dollars, are fully out there and vetted before a decision is made.

Assemblywoman Joiner:

I am looking at section 1 of the bill. You mentioned cost-benefit analysis. To me, that seems like a huge barrier local governments have to go through. If the intent is that the cost-benefit study would just be about dollars, like Mr. Gordon talked about, that is not taking the loss of life into consideration. The study will talk about how benefit exceeds the cost. To me, that looks like a monetary evaluation, and I think there are more issues to such a decision. Also, is it not true that every time a local government adopts an ordinance, they have to have a public hearing anyway? I think that process is already in place.

Joshua Hicks:

This was not meant to be just a monetary analysis. I think that we purposely put in language open-ended enough that governments could consider whatever they wanted to. They could take whatever they wanted to into account. I do not read the bill the way you are, and if we had wanted it to read that way, we would probably have written something like that in there. But this bill does not say that.

You are correct that codes are created in public hearings. But there is no requirement for them to go through the detailed analysis that this bill requires.

As Mr. Hodgson said, there was a national adoption of the current standard that happened in about 25 minutes. Those are the kinds of things that have huge impacts on people, but do not have the level of detailed understanding that we think should be there. That is what we are trying to do with this bill.

Nat Hodgson:

That is why we have the unique circumstances in the bill. We did not want to require the local governments and fire departments to do the cost-benefit study. We wanted to make sure that it made sense. No cost-benefit study or public hearing is required.

Assemblywoman Spiegel:

I am trying to make sense of the policy considerations. Do you ever offer fire sprinklers as an option on non-custom homes? If so, what is the acceptance rate?

Nat Hodgson:

Right after the 2009 code was adopted, we did have a few builders offer it as an option, because we honestly wanted to see what the acceptance rate would be. I will also say that the prices were not marked up, they were just the cost and whatever the operating margin was. Not one buyer picked them, and this was over at least four communities I know of. That was not a huge sample size, but it was still zero.

Chairman Ellison:

Because of the time we have left, I will start with those opposed to the bill in Carson City.

Nat Hodgson:

I would like to make one correction on my previous statement. If there are unique circumstances, the cost-benefit study is not required, but that must be brought to a public hearing so that everyone understands why a cost-benefit study was not done and the fire sprinklers are being installed.

Chairman Ellison:

Is an exception for temperatures included in the bill? A lot of fire sprinkler systems are in roofs. In rural Nevada, the temperature can get far below zero if you lose electrical power or gas power. Is that taken into consideration?

Joshua Hicks:

That is not one of the items right now. The overall goal for that is if there is an unreasonable delay in firefighter response time because of where the home happens to be located, or because of topographical or geographical features.

I think your question about the materials the home is built from would come into play in the cost-benefit study. I would expect that would be an important point to talk about, because that has a huge impact on how vulnerable that structure would be to a fire.

Chairman Ellison:

Would those in opposition please come to the table? Before we get started, I want to thank the firefighters in Baltimore, Maryland, who are on the front lines. They are getting hit with bricks and rocks, but they are still doing their duty working on the fires and are doing a good job. I want to commend them for staying out there, helping people, and saving peoples' homes.

Michael D. Brown, Fire Chief, North Lake Tahoe Fire Protection District:

We have had a fire sprinkler ordinance in place since 1995. We have worked through the different codes and adopted up to 2012. We have terrain challenges. We have mountains and flatlands, along with single-family, commercial, and casino properties. Fire sprinklers work. They save lives, and they save the lives of the firefighters who go into those structures to protect our residents.

Building materials were mentioned. Things are changing, and we are doing everything we can to have fire-resistant materials in these structures. One of the big issues is the fuel loading that goes into these buildings. That consists of things like carpets, linoleum, tiles, clothing, and different types of furniture. I heard someone mention the off-gassing of these products. Early detection, along with early suppression with sprinkler systems, can save the lives of not only citizens and visitors, but also first responders whether they be law enforcement, firefighters, or paramedics. We all work together. I have been doing this for a long time, and I know of several individuals who, even without their protective clothing, will do everything they can to try to render aid to someone trapped in a structure.

We oppose the language in this bill. We would like to see some changes take place on that. If we have to do studies every three years, it will be costly to us. We do not charge a lot of fees for our permits and things because we are in the position where we do not have to. In talking with our professionals in our county and throughout northern Nevada, we would have to start seeing fee changes to get monies to our departments so we could do these studies.

Technology is always changing. Fire sprinklers are something that are current. I would like to see them in every structure we have, whether it is a single family residence or a commercial building. Fire sprinklers work. I listened to the discussion about prices and things like that. There are a lot of things we can go

back and forth on. Insurance companies like to see fire sprinklers in place. They often give credits. Fire sprinklers have been proven, and we see time and time again where they are proven. We oppose this bill. I speak for myself, but also for northern Nevada fire chiefs.

Raymond B. Bizal, P.E., Southwest Regional Director, National Fire Protection Association:

I am with the National Fire Protection Association (NFPA). We are here because we support fire sprinklers for one reason: they save lives. The intent of this bill is clearly to put hurdles in front of and impede local jurisdictions from adopting fire sprinklers where they are most needed. This is important, because they are a matter of not only life safety but property protection that goes into homes. It is so important that California, since 2011, has required all new homes to be built with fire sprinklers. These are necessary today because homes are burning much, much faster. Decades ago, firefighters used to have 17 minutes to get out of a building from the incipient stages of a fire. Today, they have 3 minutes from the time the fire starts to get out. That is important for fire alarms, but it does not give you a lot of time to get out. The other problem we are facing with new construction is the techniques that are being used, such as lightweight truss construction. A recent report from Underwriters' Laboratories shows that, from the beginning of a fire, firefighters have about 6 to 7 minutes before a roof collapses. Firefighters often get on roofs to create ventilation so they can do an interior attack.

Smoke alarms are not enough. They are extremely important to give early warning and to get people out if they can get out. If the people are not inebriated or disabled, they might be able to get out on their own. Fire sprinklers are active protection. They are like having a firefighter there 24-7. The proponents of the bill indicated, using NFPA statistics, that the chance of surviving a residential fire when working smoke alarms are present is 99.45 percent. That is true. What does that mean? Did you know that your chances of surviving a fire in a home are more than 99 percent even without smoke alarms? You must look at the statistics in whole. The most telling one is that, for people who have a reported fire in their homes, the risk of dying decreases by about 80 percent when fire sprinklers are present. That is a significant decrease in your chances of dying in a fire. This is not just about the occupants of a home. Fire sprinklers also protect the firefighters. We cannot state that enough. We urge you vote no on this bill. It impedes a very important life safety feature. [Also provided written testimony ([Exhibit M](#)).]

Jeff Donahue, First Vice President, International Fire Marshals Association:

I am also the past president of the Fire Prevention Association of Nevada. The International Fire Marshals Association is in opposition to this bill. I wanted

to come up today to let you know that I was present at the code hearing at the national level that has been mentioned so much. I distinctly recall the process being a little more than what has been described to you by the proponents. I want to make it clear that there was a lot more than 25 minutes of testimony at the national level to finally get residential fire sprinklers put into the International Residential Code. In addition, we now have two national codes that require residential fire sprinklers.

There are the NFPA building codes and international codes. The reason for that is because of the membership of those national organizations. Fire and building officials testified at a national level to determine the need for those fire safety features in residential occupancies. Each code adoption process, done here at the state or at the local level by local jurisdictions, is through a very intensive process and also a process that includes all stakeholders. All stakeholders get a chance to review what proposed amendments are. There are a lot of cost-analysis procedures put in place during that discussion with the stakeholders. There is really no need for this bill. The local jurisdictions have handled this very well, and have had input from all stakeholders, including the general public. The groups that I represent are in opposition to this bill.

Rusty McAllister, President, Professional Fire Fighters of Nevada:

I think it is appropriate that we are here today with this bill when former Senator Joe Neal is here. In 1981, he probably had one of the greatest influences on the state of Nevada and the safety of our tourists and the citizens who live here. After the Hilton and MGM fires, it was Senator Joe Neal's response through legislation that allowed for fire sprinklers to be put into any building over three stories high in the state of Nevada. Many enormous buildings had to be retrofitted to accomplish that. That brought us up to the safest fire safety state in the whole United States. It is interesting that he is here today to hear this.

I have provided a video link ([Exhibit N](#)) on NELIS that shows something you probably saw on television a few weeks ago. It is of a Fresno Fire Department Captain, Pete Dern, who is a 25-year firefighting veteran, going on the roof of a garage to ventilate the fire. He sounded the roof like he was supposed to, and the roof collapsed over the fire. He was in the inferno for three minutes before the garage door was cut to get him out of there. He suffers from burns over 75 percent of his body. If there were fire sprinklers in that situation, that would have not happened. A firefighter would not have to go on the roof, because the fire would be knocked down to just a scorch mark on the wall.

Personally, I have been on fire calls in houses less than 5,000 square feet. Most of us cannot afford to buy a 5,000-square-foot house. The vast majority

of residents of the state of Nevada live in houses that are less than 5,000 square feet. I have been in such houses. Once, I was on a call three days before Christmas. There was a fire in the building, and when I opened the door, smoke came out, but when I walked in, there was no fire. The fire was a Christmas tree that caught fire. The fire was out. We ventilated the area and looked in the back bedroom. There was a man on the floor, covered with a layer of soot. He had passed away. Fire sprinklers in that house would have saved his life. When that Christmas tree caught fire, they would have put the fire out until we got there, and he would have lived. He would be alive today.

There are a lot of things to talk about. I just want to say that fire sprinklers save lives. There are a lot of things this Legislature gets to do while they are in session. You have an opportunity today, by defeating this bill, to save lives. It will happen somewhere. You are going to save a life if you kill this bill today. It is not a matter of if, but a matter of when. You are going to save a life. Not many people get a chance to do that.

Chairman Ellison:

I have lived through a fire. It happened when I was a kid, and my dad dragged me out. A woman died in a fire in an apartment complex that we owned. It burned down. I can see this in an apartment complex, but I do not think anything would have stopped the freak fire in that house. But I understand you.

Assemblywoman Neal:

The Applied Analysis report says that one- or two-family dwellings with wet pipe sprinkler systems were found to have zero reported fatalities over the study period of 2002 to 2005. It also says that the fire sprinklers failed to activate 3 percent of the time. We have a close percentage: 97 percent potential activation of fire sprinklers, and 99 percent for smoke alarms.

Ray Bizal:

The smoke alarm statistics were for the chances of surviving a home fire when smoke alarms are installed. The context of those statistics are a little different.

Assemblywoman Neal:

When you look at having to do this cost-benefit study, how long would it take for you to do a cost-benefit study? If there are 13,600 civilian injuries annually, or potentially 3,000 civilian fire deaths in a home annually, how many people could we lose while we are working on getting the cost-benefit study done? I looked all over for information, but that is ultimately what I want to know. Would we cut it in half, or are 6,000 people going to die?

Ray Bizal:

I think part of that time would be spent trying to decide what you are going to agree to allow to be used as a benefit. The cost-benefit study that is stated in this bill is very specific. It talks about the benefit to the homeowner. Fire sprinklers are a huge benefit to society, as well as the local government and taxes. If a jurisdiction loses a home, they lose property tax. There are so many things to consider. I think you are going to spend time determining what benefits will be allowed first, and then determining who is capable of doing what the bill states as an independent review. I do not know exactly what that means. Then, the cost-benefit study can start. If that is done by a credible person, it might take some time.

Assemblyman Flores:

I understand that one side of the argument is that fire sprinklers will save lives. We cannot argue that there probably is a benefit to the person buying the home if they are saving money. So I want to take that argument out, because if we are putting those things against each other, both are right. On one side is saving money, the other is saving lives. I cannot get into what we value more. I want to step back and look at the policy. If we are looking at the cost-benefit study, are we going to find ourselves with one study with one result, and then have someone else on the opposite side with another study who concludes that the other study is wrong and does not make sense? Are we going to find ourselves tangled up in argument that we would not be tangled in if we kept the argument at the local level?

There is also the policy question. How often are we regulating at this level of code? Are we opening the floodgates in saying this is what we do and it is normal? I am new to this process, and maybe this is normal. But I want to understand those two questions and stay away from the lives versus money argument.

Jeff Donahue:

I am also the Fire Marshal for the City of Reno, but I am not representing them right now. I also worked for the City of Las Vegas for 21 years as the deputy fire marshal. Throughout a code adoption process, a local jurisdiction takes a national code, perhaps from the International series or the NFPA series, and evaluates that at a local level for possible local amendments. When we do that, it is a long, painstaking process for the jurisdiction. The national codes are usually looked at on a continual basis for updating on a three-year cycle. As a local jurisdiction, we do that too. As we start to look at what we are planning to adopt at a local level, we involve all the stakeholders that any local adoption may affect, including the general public. They are invited to participate in code committee hearings at a local level and also have their input

on these cost-benefit studies of the entire package. In not comparing the issue of lives versus money, there is a financial aspect to any code adoption that we look at as the local jurisdiction. If we are going to pass an ordinance or a local amendment that could be cost-prohibitive or affect a specific stakeholder, then we are of course going to get opposition to that. That will be very difficult for us to sell at our local level to a council or county commissioners. That process is already in play at a local level, and there is no need to bring it to this level and dictate how a local jurisdiction will handle their adoption process based on their community risk analysis. That is why we are opposed to it.

Assemblywoman Dooling:

I am curious. It has nothing to do with saving lives. I could say that it is a "burning" question. Do you have any statistics on how many times these fire sprinkler systems malfunction and insurance companies have to come in? Are there any numbers? I have heard stories, but I am curious.

Ray Bizal:

I do not know of any specific statistics for that. But I can say that malfunctions, depending on what that means, are very, very rare. If by some strange chance there is a malfunction, I believe that if water is released in a non-fire situation, that is covered by a fire policy.

Mike Brown:

My fire protection district near Lake Tahoe has freezing temperatures. We do see damage done because of the temperature. But the notification process for a fire sprinkler system problem works very similarly to the notification process for an actual fire. If the system detects that there is a problem with water flow, it puts an alarm out to the agency that is monitoring that system, and alerts us that there is a potential fire or problem so we can detect it early. They work together. But in most of the occurrences we have had, the insurance companies have come through and worked very closely with property management and owners.

Assemblyman Carrillo:

Maybe you can "extinguish" my curiosity. Mr. Brown, I missed some of your testimony regarding the burdensome cost of what firefighters as a whole would be looking at. I wanted to ask you to elaborate a little more on that. Of course, this puts a burden on firefighters as well. We understand that fire sprinklers save lives. I am close with plumbers and pipefitters, and the sprinkler fitters have their own sticker and they are all good union jobs. But what cost are we looking at for you? Where would we put that money? Where could we find money to offset that? Would the cost-benefit study that homebuilders must prepare offset the cost?

Mike Brown:

I just spoke to my assistant fire marshal about that recently. We have fee structures set in place for doing plan checks, sprinkler checks, and inspections. For us in the Tahoe basin, we do physical space inspections. It goes on. We do not charge for a lot of those as an agency, but as we start seeing more and more need for something such as a cost-benefit study, we would have to assign staff to that and take up staff time. Now, must we look at a different fee structure to offset those costs as well? It is an unknown for us. I am not sure about the other agencies, but they are very similar in regard to their fees and fee structures. Would it be part of the cost borne by the building department of a county or city? I am not sure. But for us, it would take staff time to get in a place to do that cost-benefit study. We would have to find some type of structure. For my organization, those funds would come from district funds.

Chairman Ellison:

Does that answer your question, Assemblyman Carrillo?

Assemblyman Carrillo:

I believe that the "fire" was put out.

Assemblyman Wheeler:

My question is a little bit "hotter." We have all been talking about how fire sprinklers save lives, and I do not think anyone will dispute that. It is common sense, even without statistics. Where does this bill say they cannot put sprinklers in? I do not see that.

Rusty McAllister:

I agree. It does not say that you cannot put fire sprinklers in. What it does say is that you need to conduct an independent cost-benefit analysis. The question from some of the fire chiefs that I have talked to has been, what is independent? Is that hiring Applied Analysis and paying them tens of thousands of dollars to do some type of independent study, and depending on who pays them the most, that is the final report? As Assemblyman Flores said, can there be two studies that are "independent" that conflict with each other, and no one knows which is right? That is the concern they have, of having to go out and pay for an independent study every time you adopt a new code. If the codes change every three to four years, then you must do a new study every three to four years and again struggle with the conflicting studies.

Assemblyman Wheeler:

I was confused, because all the testimony that came up here was on how fire sprinklers save lives, and there was not much about that. It was just anecdotal evidence, and now we are getting into the bill?

Assemblyman Moore:

In your perfect world, where everyone is obligated to have a fire sprinkler system in their private home, hypothetically, would I then be obligated to allow people into my home for inspection? Do you just install it and then forget about it?

Jeff Donahue:

It would be just like the maintenance in your home for any other appliance, plumbing, or smoke alarms. It becomes the responsibility of the homeowner to maintain whatever system they have, and it would not be subjected to periodic inspections unless requested by the homeowner or the authority that has jurisdiction over the property.

Assemblyman Moore:

Since it is basically my responsibility as the homeowner for upkeep and inspection, and since that is my private home, if I do not want fire sprinklers there, why should I be obligated to do that? If I personally do not care, whose business is it?

Jeff Donahue:

I cannot argue with that. As a firefighter, we respond to peoples' homes on a daily basis, and you can see just from the condition of their yards and homes that they do not maintain their homes. That is their right. Having the system in place, you would hope that there would be a lot of education just as we do for ourselves and in public education campaigns for maintaining smoke alarms. We know that people do not maintain their smoke alarms, and that is one of the reasons they die in home fires too. But it behooves the local jurisdictions to have communities that have residential fire sprinklers. In working with real estate agents, home builders, and in educational programs, we hope that we could educate the homeowner of the importance and the benefit of having that system, and for the system to be maintained and operational. What is interesting is that these residential fire sprinkler systems have minimal maintenance requirements. They are plumbed just as the rest of your home is. How often do you have to repair plumbing in your home? You usually do not, and it lasts for decades. That would be an end that authorities with general jurisdictions would look at to educate the general public on the importance of having this system in their home, just as we do daily with smoke alarms.

Chairman Ellison:

We will alternate hearing those in favor with those who are opposed.

Jay Parmer, representing Builders Association of Northern Nevada, and Nevada Home Builders Association:

We are in support of Senate Bill 477 (R1). We appreciate the efforts of Mr. Hodgson and Mr. Hicks to work with interested parties on the Senate side to amend this bill and to address some of the concerns that you are continuing to hear today. I want to say that we support this bill because it establishes a statutory process for the adoption of local fire sprinkler code for residential construction. Senate Bill 477 (R1) does not require a local government to adopt fire sprinklers, and in no case does this bill ban a government from keeping an existing requirement or adopting a new one. It merely requires a local government to conduct a cost-benefit study and make a finding in front of the public as to what the cost is to the homeowner before adopting a code that requires residential fire sprinklers for new homes with livable space that is less than 5,000 square feet. For those reasons, we are in support of this bill.

Peter Krueger, representing Nevada Housing Alliance:

The Nevada Housing Alliance is a manufactured home association. I want to highlight that a manufactured home is different than a stick home. When we think of homes, I think most of us think of a stick home—one that has two-by-four or two-by-six studs, and is a traditional building. A manufactured home is in fact manufactured in pieces or in a factory and then shipped to the site. There are a slug of them in the state of Nevada, and they are generally an entry-level home. The Federal Housing Administration (FHA) does not currently require sprinklers in any manufactured home. They are considering it, and it may change. But there is currently no requirement for it, and most of these homes are sold as FHA, entry-level homes. That does not stop a purchaser from requesting that a fire sprinkler system's piping and plumbing be installed while the home is being manufactured. There is a big difference. The cost is huge for retrofitting a home that is delivered to the site and then required to have fire sprinklers installed.

Most of these homes are in rural Nevada, where most are connected to wells and not city water. The cost to maintain a pressurized well system is tens of thousands of dollars. It is problematic that what is now an entry-level home for many people could suddenly not be an entry-level home. We are in favor of the bill. I want to address a follow-up to Assemblyman Moore's question about maintenance. The maintenance on a sprinkler system is tremendous. In the facility that I live in, maintenance is annual and costly, and it is my responsibility. I had a situation before I bought the place I am in now. The owner had left the heat off for a period of time. The pipes froze and did

close to \$45,000 worth of damage before the firefighters got out there to shut it off. Freezing is a big issue in manufactured homes because the insulation rating is nowhere near where it is on a stick home. For those reasons, we believe this bill was well vetted on the other side, and we are in support. This is a good compromise for what is needed for our segment of the industry.

Chairman Ellison:

Once you get a double-wide or triple-wide manufactured home and sit it on a permanent foundation, it then becomes real property, and it is impossible to get back into the ceiling at that point. The R-factor in some houses is not as high. When you have vents in the ceiling to allow heat to escape in the summer, that also lets cold air into the ceilings where the water lines are in winter. We have a lot of breakage. That is why you never see water pipes in the ceilings in rural areas.

Jessica Ferrato, representing Builders Alliance:

We are here in support of the bill. We support all of the provisions brought forward by the Southern Nevada Home Builders Association, and appreciate all their work on this bill. We do not think that this removes the ability for people to have fire sprinklers in their homes. It just sets in a provision that would allow them to evaluate what is appropriate, and allow them to study it from a cost-benefit perspective.

Chairman Ellison:

Are there any questions? [There were none.] We will return to Carson City.

Chris Knight, Director, Building and Safety, City of Las Vegas:

I have a little history to add about the City of Las Vegas and the homebuilders in southern Nevada and the adoption of residential fire sprinklers. When the City of Henderson was adopting residential fire sprinklers in midyear of 2011, the City of Henderson did do a cost-benefit study. To their credit, the City of Henderson made the conscious decision that, while there was a benefit there, the safety factor afforded by sprinklers far outweighed any benefit that they could identify. Mr. Bouse, who has been referred to and was the building official at that time, now works with me and the City of Las Vegas. We have discussed this at length. That conscious decision was made by them; however, when the issue was brought before our city council in the adoption of the 2009 codes, our council directed me as the building official, as was in the residential code, to sit down and discuss this issue with the homebuilders. That was much like what is being proposed here, and much like what has been talked about.

Mr. Hodgson, who is not only a professional associate of mine but a personal friend, began discussions with me and the homebuilders as far back as when the codes first came out. We talked about provisions during the recession. The adoption of the 2009 codes came out when the homebuilders were still trying to revive their industry from the effects of the recession we are beginning to climb out of now. In lieu of just requiring the fire sprinklers as a safety issue, and above the objections of our fire department, we entered those negotiations to try to identify a point in the future that the homebuilders could actually agree to residential fire sprinklers. You heard Mr. Hodgson say they are not opposed to fire sprinklers. Our entire effort was geared toward finding a time, measure, and standard that would allow us to say, "We have given your industry time to recover, and time for you to be able to put this into play and make this part of your financial package through the capital improvement planning that you need to do so your customer, you, and your fellows in your industry can have this."

We adopted a provision into our ordinance that said we would watch the building permits issued. That is section 6, paragraph 2, of the proposed amendment, and we feel it is aimed directly at the City of Las Vegas. We put an agreement into our code. On an annual basis in southern Nevada, defined as the Cities of Las Vegas, North Las Vegas, Henderson, and Clark County, 10,000 building permits were issued. The agreement was that in July of the following year, we would begin to require residential fire sprinklers. That would give the industry the ability to recover from the impacts of the recession. Knowing that the City of Henderson had done their cost-benefit study, and that fire sprinklers do make a home safer, we agreed to that provision.

We believe that this legislative action by the homebuilders is backing out of that agreement. Part of that agreement was memorialized in a letter to then-president Irene Porter ([Exhibit O](#)). The agreement was that if by the end of 2015 we did not achieve the 10,000 permit mark, we would reopen negotiations and discussions aimed at requiring residential fire sprinklers. In effect, what the homebuilders in southern Nevada are doing with this bill is trying to continue to negotiate with us and put a financial standard saying that we must come up with the cost to the homebuilder.

I agree that there is nowhere in this bill that says you cannot install fire sprinklers, but it does make that extremely difficult and costly. It is also repetitive because the homebuilders themselves have done a cost-benefit study. The City of Henderson did a cost-benefit study. No code provision at the national level is done without a cost-benefit consideration. No codes are adopted in the City of Las Vegas without a public hearing and the opportunity for the public to attend and discuss the provisions of that code. There has been a lot of discussion about those things, and there is a lot of history of them with

the City of Las Vegas. Our point is that this is a local jurisdiction's decision. We agree with Assemblyman Flores that this should be left entirely up to the local jurisdictions and not legislated by the state Legislature. Our council is extremely sensitive to the business needs of the industry, the needs of the customer, homeowner, and to the overall safety of our community. I think that we have demonstrated with our history that we are perfectly capable of handling this ourselves and working with the homebuilders. We do not need a legislative action. You have too many other important issues to deal with. [Also provided written testimony ([Exhibit P](#)).]

William McDonald, Fire Chief, Las Vegas Fire and Rescue:

I also represent the Southern Nevada Fire Chiefs Association. We strongly oppose S.B. 477 (R1). This is not a math problem, this is about life safety. We are charged with life safety and fire protection in our communities. I will not repeat all the things I heard from the fire service community today, but I will tell you I agree with everything they said. Once a building is built, as a fire service we have the least ability to maintain the safety in those residential buildings, specifically in single-family homes. Many times, either accidental or intentional modifications done by "do-it-yourselfers" without pulling permits are done in those homes after they are built. That increases the potential for a deadly fire. Personally, I have lived in a home with fire sprinklers since 1993. There has been no maintenance or accidental discharges.

I believe in automatic fire sprinklers and that they save lives. The experience in the City of Las Vegas over the last 10 years has been that since 2005, we have had 48 fire deaths. Of those, 41 of our residents died in residential buildings. I was also the fire chief in Scottsdale, Arizona, a community that has a residential fire sprinkler requirement. During that same time period, they have had a total of 3 fire deaths. In fact, I have been honored to be invited to serve as a fire chief in four California cities, and in Scottsdale prior to coming to the City of Las Vegas. All those communities committed to protecting their residents with residential fire sprinkler requirements, and I believe that ours deserve that same level of protection. I have been a fire chief continuously in communities in California, Arizona, or Nevada since February 1, 1993. My professional experience during that time has been that I have seen automatic fire sprinklers save lives, and I believe that cities in fire districts and counties need the ability to protect their residents with the highest level of fire and life safety protection that they can, and that they should not have artificial barriers to prevent that from happening.

Robert Fash, Secretary/Treasurer, Nevada Fire Chiefs Association:

My association submitted a letter ([Exhibit Q](#)) to each person on this Committee. I represent at least 250 chief fire officers in the state of Nevada, both career

and volunteer officers. They strongly oppose this type of bill that takes away our ability to work with our local leaders to afford the best protection for our communities. Each community is different. It could be Elko, Sandy Valley, or the City of Las Vegas. Each jurisdiction has its own means to deal with these issues. In the past, we have always worked with all stakeholders to find the best solution for each community.

There were a number of things presented in the testimony. What I have gotten from the analysis that was done ([Exhibit L](#)) is that we are talking about \$2,200 per home. What is really being discussed is the difference between a person's life and how much the system costs. That was based on a \$2 per square foot analysis. I can tell you that right now, as I work for a local jurisdiction, that our cost from what the fire sprinkler fitters are telling us is about \$1.52 per square foot. I talked to my friends in Henderson. They are down to about \$1.11 per square foot for a system installation. That is what is being declared to the jurisdiction. Due to supply and demand from more jurisdictions, these systems will go down in price. That \$2,200 that is being bounced around will be reduced to about \$500. Do we really need legislation to deal with that particular issue? There might be other things that you can accomplish.

Jeff Lytle, Fire Chief, North Las Vegas Fire Department:

I want to say that we stand shoulder to shoulder with the rest of the Nevada fire chiefs. We have had great concern with anything that would take away the authority and responsibility of our local councils to be able to ensure the safety of our communities.

Ron Lynn, Director/Building & Fire Official, Department of Building and Fire Prevention, Clark County:

I agree with what everyone has said, particularly Chris Knight. Clark County has a similar agreement with the Southern Nevada Home Builders Association like Las Vegas does. People are throwing out numbers. I am past president of the International Code Council. I sit on a variety of committees with the state. Many things that have been instituted inside buildings would not have been instituted strictly for dollars and cents. As a matter of fact, the Federal Emergency Management Agency, which I have oversight on, indicates that \$1 in preventative measures saves \$4 in response.

You have an opportunity to take a stand for the safety of the citizens of Nevada, just as former Senator Joe Neal did, and governors in the past have done. They required a blue ribbon committee which instituted retroactive standards. I have been a code official for over 34 years, so I was at the sharp end of the stick. We had to go on the Las Vegas Strip and take hundreds

of thousands of square feet out of usable space, costing untold amounts of money to assure the safety of this community and be representative worldwide as a safe place for our 42 million annual visitors. It is important to have a safe, sound community for our children and families.

On a brief technical note, the residential fire sprinkler systems are not the commercial systems. They do not require that maintenance, or trigger the same way. There are a whole lot of myths that are going out. I have sent you my testimony ([Exhibit R](#)), and as president of the Nevada Organization of Building Officials, we are against this bill.

Chairman Ellison:

Is there anyone we missed? We have time for one more person.

Javier Trujillo, Director of Intergovernmental Relations, City of Henderson:

We are neutral to this bill. I would like to thank Mr. Hodgson and Mr. Hicks for working with the City of Henderson to address our concerns, because we did adopt our code back in December 2010 that went into effect in July 2011. As mentioned by several other people today, there was a lot of discussion before our city council in public meetings, and our council made a decision to require automatic fire sprinklers. That said, I would submit that without the amendment that carves out the City of Henderson, we would be opposed to the bill, and would stand with the other entities that have testified here previously.

Chairman Ellison:

Is that code for all new construction, no matter what the size is?

Javier Trujillo:

Correct. It is for all new residential homes that are built within the City of Henderson's jurisdictional lines.

Chairman Ellison:

Are there any more questions from the Committee? [There were none.] I want to be fair with everyone, so I hope I did not miss anyone. Would the bill sponsor like to make closing statements?

Joshua Hicks:

I want to thank the Committee for taking the time to hear this bill. This bill may seem controversial, but it is a bill that I think Assemblyman Wheeler explained accurately in saying that it is not a prohibition. It is a bill that requires cost-benefit studies to be made and looked at. A lot of the arguments and facts that you heard today would be more appropriate in that context. That is really what we are trying to get at with this bill. There was a bill in 2011,

Senate Bill No. 327 of the 76th Session, that would have prohibited fire sprinklers that Mr. Hodgson referenced. That is not what this bill is. I could see vigorous opposition to something like that, but we did try to put in a commonsense bill that would work for everyone. It gives a voice to the homebuilders, local governments, and public safety. They can go through this process and figure out what makes the most sense. I personally think it is odd that there is so much resistance to having this cost-benefit study, because I think there are good arguments on either side. Those should be brought up so that a local government can make the decision that is appropriate for that locale on these issues. There is also the cost to homeowners. Regardless of the square footage, there is no question that it adds thousands of dollars on a house that a homeowner must pay. There should be some debate and study about that, and that is what this bill will do. I think it is a commonsense bill.

Chairman Ellison:

The water pressure issue in rural areas was brought up. I have seen the temperature drop to -40 degrees Fahrenheit in some areas in Nevada, and that creates a problem. The home could be in deep snow, and the owners could be trying to use propane or electric heaters, which causes another problem. I think we should meet and see if we can work things out. If there are no other questions, I will close the hearing on S.B. 477 (R1). [([Exhibit S](#)) and ([Exhibit T](#)) were submitted but not discussed.] Is there anyone here for public comment? [There was no one.] Meeting adjourned [at 11:14 a.m.].

RESPECTFULLY SUBMITTED:

Erin Barlow
Committee Secretary

APPROVED BY:

Assemblyman John Ellison, Chairman

DATE: _____

<u>EXHIBITS</u>			
Committee Name: <u>Assembly Committee on Government Affairs</u>			
Date: <u>April 29, 2015</u>		Time of Meeting: <u>8:35 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 271 (R1)	C	Jered McDonald / Committee Policy Analyst	Work Session Document
S.B. 268 (R1)	D	Senator Joyce Woodhouse	Testimony
S.B. 268 (R1)	E	Assemblywoman Dina Neal	Nevada Veterans Comprehensive Legislative Reform Report
S.B. 268 (R1)	F	Katherine Miller / Nevada Department of Veterans Services	Testimony
S.B. 268 (R1)	G	Tony Yarbrough / Nevada Legislative Representative, Veterans of Foreign Wars	Supporting Documents from Kate O'Hare-Palmer / Vietnam Veterans of America Women Veterans Committee
S.B. 268 (R1)	H	Kristy Oriol / Nevada Network Against Domestic Violence	Letter
S.B. 477 (R1)	I	Nat Hodgson / Southern Nevada Home Builders Association	Supporting Documents
S.B. 477 (R1)	J	Nat Hodgson / Southern Nevada Home Builders Association	Testimony-PowerPoint Presentation
S.B. 477 (R1)	K	Nat Hodgson / Southern Nevada Home Builders Association	Residential Fire Sprinkler Report
S.B. 477 (R1)	L	Brian Gordon / Applied Analysis	Applied Analysis
S.B. 477 (R1)	M	Raymond B. Bizal / National Fire Protection Association	Letter of Opposition

S.B. 477 (R1)	N	Rusty McAllister / Professional Fire Fighters of Nevada	Video Link
S.B. 477 (R1)	O	Chris Knight / Building Safety, City of Las Vegas	Letter to Irene Porter
S.B. 477 (R1)	P	Chris Knight / Building Safety, City of Las Vegas	Written Testimony
S.B. 477 (R1)	Q	Robert Fash / Nevada Fire Chiefs Association	Letter in Opposition from Nevada Fire Chiefs Association
S.B. 477 (R1)	R	Ronald Lynn / Clark County	Letter of Opposition
S.B. 477 (R1)	S	Nat Hodgson / Southern Nevada Home Builders Association	Flowchart
S.B. 477 (R1)	T	Nat Hodgson / Southern Nevada Home Builders Association	National Association of Home Builders Letter