

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

**Seventy-Eighth Session
February 17, 2015**

The Committee on Government Affairs was called to order by Chairman John Ellison at 8:33 a.m. on Tuesday, February 17, 2015, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, 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 Glenn E. Trowbridge
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Heidi Swank, Assembly District No. 16

STAFF MEMBERS PRESENT:

Minutes ID: 238



Jered McDonald, Committee Policy Analyst
Eileen O'Grady, Committee Counsel
Aubrie Bates, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Daphne Hooper, Acting City Manager, City of Fernley
Roy Edgington, Mayor, City of Fernley
Michael D. Hillerby, representing the American Institute of Architects of Nevada
Misty Grimmer, Private Citizen, Las Vegas, Nevada
Jackie Muth, Deputy Director, Nevada, Department of Public Safety
Lieutenant Dean Buell, Training Division, Nevada, Department of Public Safety
Stan Olsen, representing the Nevada Association of Public Safety Officers
Ronald P. Dreher, representing the Peace Officers Research Association of Nevada and the Combined Law Enforcement Associations of Nevada
John Wagner, State Chairman, Independent American Party

Chairman Ellison:

[Roll was called and rules and protocol were explained.] Assembly Bill 62 will not be heard today. We are going to do some work on that bill before we bring it back to the Committee. Today we have a presentation by the City of Fernley.

Daphne Hooper, Acting City Manager, City of Fernley:

I am the Acting City Manager of Fernley, and our Mayor, Roy Edgington, is here as well. We would like to share with you some information about the City of Fernley. [Referred to PowerPoint presentation ([Exhibit C](#)).]

The City of Fernley is located about 30 miles east of Reno and Sparks. We have a population of 19,368 people according to the 2010 census. The population has tripled since incorporation and constitutes about one third of the population of Lyon County. With all the activity in northern Nevada, the potential for population growth is approximately 30,000 by the year 2021. Families make up 75.1 percent of the population, which is higher than average. The median age for residents in Fernley is 34.8 years, which is lower than average. The City of Fernley occupies 160 square miles. Additionally, the City of Fernley has had the highest unemployment rate in the nation and currently has one of the highest unemployment rates in Nevada.

Fernley officially became incorporated in 2001. At the time of incorporation, the population was 6,800 people. Due to development in Fernley over the years, the addition of the Tahoe-Reno Industrial Center, and the affordable housing boom, there was a dramatic increase in population. As many areas have seen, the economic downturn has had an impact on Fernley. With the economic development opportunities coming into the area, Fernley has begun to see an upward turn. The Tahoe-Reno Industrial Park is 11 minutes away. Fernley provides a great quality of life including affordable housing and open space.

The City of Fernley provides many governmental services, such as public works and utilities, which includes streets, water, wastewater facilities, factor control, and a cemetery which was recently transferred from Lyon County. Community Development includes planning, building, code enforcement, and economic development. We have parks, a city attorney, a city clerk, a city treasurer, animal control, and a municipal court. The City of Fernley also has a Business and Entrepreneur Center, which is used for small business counseling, job fairs, and employment resources. Within the center, Western Nevada College has a small campus to provide college classes. The city coordinates with outside agencies to provide resources such as Nevada JobConnect, Nevada Small Business Development Center, and Nevada Legal Services. This center is a great collaboration of resources available to the community.

When the city was first incorporated, an agreement was established with the Lyon County Sheriff's Office to provide law enforcement for the City of Fernley. North Lyon County Fire District has the same jurisdictional boundaries as the City of Fernley and provides fire protection for the residents.

We would like to talk about the challenges facing the City of Fernley, particularly the consolidated tax. The consolidated tax was implemented in 1997 and distributes six different taxes, including sales, liquor, real estate property transfer, and government services taxes. The first tier of distribution is allocated to the 17 counties. The second tier is each county's distribution to the cities' governments and special districts according to base and excess distribution formulas. Each entity has a base allocation that was established in 1997. Part of the challenge is that the City of Fernley was not incorporated in 1997. The Department of Taxation had to determine the base allocation for the City of Fernley after incorporation. Fernley is the only city that has incorporated after 1997. The base allocation for Fernley is inequitable compared to other Nevada Cities.

I would like to turn the presentation over to Mayor Edgington.

Roy Edgington, Mayor, City of Fernley:

The allocation of consolidated tax determined after the incorporation of the City of Fernley is inadequate compared to other cities. It is inadequate for our current population, much less for our future growth given Nevada's economic success with Tesla and the Tahoe-Reno Industrial Center. We are facing many potential challenges with economic impact and growth and impact on our infrastructure. Everyone uses Tesla as a stick to beat each other about, but Tesla is only a key. When we talked to the Economic Development Authority of Western Nevada (EDAWN), they are looking at adding over 50,000 jobs in the next five years. It is not just Tesla, and not all of the jobs will be well-paying industrial jobs. There will be a lot of warehousing and other types of jobs. There will be a wide array of different types of businesses that will provide different challenges.

There is an extreme inequity in the amount of consolidated tax that the City of Fernley receives. Similar populations receive millions of dollars more than the City of Fernley. The City of Fernley only receives \$133,000 per year, while Mesquite receives \$7.3 million. Mesquite receives \$419 per capita, while Elko receives \$645. Fernley receives just over \$7 per citizen. This is a challenge for the city since we must provide the necessary programs and services. We do this through taxes without the advantage of the consolidated tax. The populations of the other cities are very similar to that of Fernley, yet we still do not get a comparable amount of the consolidated tax.

I have just been elected Mayor, and prior to that I served four years as a councilman. I have been asked repeatedly, why should the value of a Fernley citizen be only \$7 compared to citizens of other cities? The base calculated formula was not adequate to begin with and is not appropriate for a new city with dramatic growth and needs. The inequity prevents the City of Fernley from providing necessary services and slows our response times to the demands we receive.

The City of Fernley has attempted to resolve some of these issues. In the last four years, we have talked to the Department of Taxation, with no relief. We have talked to the Governor, with no relief. We have tried to introduce legislation that never got anyplace but a desk drawer. We have discussed it with Lyon County, and their response is always that it is someone else's responsibility. We have tried to meet with legislators. Everyone agrees that \$7 does not make sense, but no one wants to touch the issue. We have had to go through litigation. We have tried over and over again.

The present is challenging and the future is frightening for us. This has created challenges for us. We saw a big boom in the building of the City of Fernley in

2005 and 2006, just like everyone else. With limited revenues, the City of Fernley has very few resources to maintain and improve infrastructure and provide much needed service to its residents. While the City of Fernley provides many services to residents with limited revenue, it is difficult to maintain parks, roads, and other needed resources. In 2008, we had 71 employees. Just like everybody else, we had to tighten our belt; we went down to 50 employees. That is a big cut for us, 21 people. Today we have 53 people, and we are hoping to have enough revenue to hire another person this year. That is our goal. This limits how we can respond to things. As you know, the lands bill was passed. It caught us flat-footed. We have had our lands bill in for five years. Within a week, I had a gentleman tell me that he wants to build apartments in Fernley. The lynchpin in his plan is a piece of federal legislation. He wants to get some federal land. I told him we were not prepared for that process because we do not have the staff yet or the program in place. Within another week, I saw another gentleman who wanted the same thing. He wanted to expand an industrial park. We are struggling to keep things going.

Good news for northern Nevada is the economic development boom is occurring again. We will see that. Tesla opened the door for a lot of other businesses. With large companies coming here, there is a lot of opportunity for many jobs and economic advancement. However, the bad news for Fernley is that we do not have the resources to cope. It is going to impact us because we will receive the growth. When you leave the industrial park, you can go to Sparks or Fernley. Once you get to Sparks, you have to go elsewhere, which may be another 20 to 30 minutes to your home. In Fernley, it is about 5 to 10 minutes. We will see the growth. We have everything from apartments to mobile homes, and if you want to live off the grid, you have buy 360 acres in the back 40. We have anything available.

The big question is what is going to happen in the future for Fernley? Fernley cannot support the projected growth. We will have to respond slowly to that. It is going to be a challenge for us. We have just changed some residential areas to an industrial area. There is a gentleman who wants to build drones there. For the first time in my life, 83 percent of the federal land actually paid off for Nevada because it will not affect anyone to have the drones there. There is no one there and that is the only time I have seen that work to our advantage. We are smack in the middle between Stead and Fallon. The gentleman who wants to build drones needs water, but he is a mile and one half from our water service. Again, that will impact how we work that out.

We are requesting the Legislature to understand the seriousness of this situation and the impact on economic development for Nevada and for Fernley.

We request more equitable treatment for the Fernley citizens relative to other Nevada citizens. We are requesting a one-time adjustment to the base allocation for business. We will overcome. We will adapt. We will improvise. We will not be able to respond as quickly as we can without that. We understand you have tough decisions to make. So do we. We have many challenges in a rural area. Nevada law says that we must have a monthly meeting of the Planning Commission. However, the first year I was elected, we built zero homes in the City of Fernley. There was no reason to have a monthly meeting, so we did not. One of our concerned citizens said, "That is the law; you have to meet." Those are things that do not work for us in rural areas. We have strange and unique problems compared to some of the other metropolitan areas like Las Vegas.

Some of the other things we will face are how we will deal with the growth and where we can get help. Fernley will prevail.

Thank you for your time. Are there any questions?

Assemblyman Trowbridge:

Mr. Mayor, I appreciate your position. I have worked for many years as the Assistant City Manager in a smaller town. My heart goes out to you. What specifically can this Committee do to help you? What rules does this Legislature need to change to make the distribution of taxes more equitable for Fernley?

Daphne Hooper:

At this point, we have tried to talk with legislators, and we are looking for an opportunity to make an adjustment to our base. That is where our biggest inequity is now. We are trying to figure out how to make that happen. Over the past several years, we have tried to ask for that adjustment. It has landed us in court. However, if there is a mechanism to make that one-time adjustment, it will bring us up to the level playing field. Ultimately, that is what we need.

Assemblyman Trowbridge:

Does it look promising? You are off to court; it sounds like it is not going to be promising.

Daphne Hooper:

It is in the hands of the judge. We are working on it. The challenging part is that we do not want to negatively impact anyone else in the state. We understand the concerns people have about potentially impacting the revenues for other cities. We do not want to do that. However, the citizens of

Fernley deserve the funding to provide the services they need. That is what we are looking for.

Chairman Ellison:

You say you are going to go into litigation. Is this new or is it already in progress? It looks like there will be a lot of new small businesses in your area; can you take advantage of that, as well?

Roy Edgington:

Litigation started over a year and a half ago. We went to the district court. Our case was kicked out. We went to the Nevada Supreme Court, and then back to district court. The district court ruled against us. We are now going back to the Nevada Supreme Court. We asked for arbitration. Initially, that was agreed upon by the attorneys for the Department of Taxation and the Legislative Counsel Bureau (LCB). Then, suddenly that was no longer agreed upon, so we are back to the Nevada Supreme Court.

We have a lot of the same facilities that the Tahoe industrial area has. We have an industrial park that many people do not know about. It is about 4,000 acres. We are serviced by two rail lines, and we are the only city on this end of the state that has that. We still have the Interstate 80 corridor. We have Sherwin-Williams, one of the big Fortune 500 businesses. They employ about 75 people. They take 1.7 million gallons of Fernley water in about ten trucks every day. They go as far as Seattle and into Canada, and they cover the entire West Coast, which is a pretty remarkable business.

We also have Trex, which makes synthetic wood. They were one of the first companies to do that. At the plant, you can see trash bags and grocery bags from Walmart and egg cartons going into the bin. They take sawdust from the mills to combine it and make a synthetic wood. At one point, there were 14 other companies doing that. They managed to survive and are now one of only eight companies. They employ about 100 people and they are looking to expand. Their market is growing. We also have MSC Industrial Supply Company, which is a big warehouse and machine shop. They have been in business with us for 15 years.

We have some new businesses, as well. One of the small businesses was Rice Lake Weighing Systems, out of Wisconsin. They hired about 27 welders within the last 18 months. They make scales for truck stops and farm areas when they want to weigh the amount of alfalfa coming in and out of areas. We are starting to see some new business. We have water to sell to businesses for industrial sites. I think we are going to see some growth.

Right now the average house sells for \$99 per square foot, as of last month. That is still below what it would cost to make a home. We are not seeing homes being built. We are still a ways off from that.

Assemblywoman Spiegel:

Last week several other cities made presentations. The City of Henderson talked about their property tax rate and gave data about Henderson, Reno, Las Vegas, and North Las Vegas. What is your property tax rate in Fernley per \$100 of assessed value?

Roy Edgington:

Our value is about 66 cents per \$100 of assessed value.

Assemblywoman Neal:

Marilyn Kirkpatrick conducted an interim study. What was the result of that for Fernley? I thought that one of the clarifications or recommendations was to get clarification on the origin of incorporation. Clearly, there was a discussion because Fernley has always been on the outside.

Daphne Hooper:

The interim study addressed some of the challenges with the excess distribution. Looking at that formula and percentage increases, the challenge that the City of Fernley faces is our base is so limited. If you increase the percentage or the formula for the excess distribution, it does not help us very much because our base is so small. The outcome of that interim study did not have any impact on the City of Fernley.

Assemblywoman Neal:

You did not get any excess. Is that correct?

Daphne Hooper:

We get a small percentage. However, when your base is only \$135,000, the percentage is so small that it does not help.

Assemblywoman Neal:

What interlocal agreements do you have? In terms of shared services and trying to subsidize cost, what agreements do you have in place to assist you in gaining revenue? You are allowed to levy taxes for services through NRS Chapter 269. There are ways to do something about your issues. I want to understand what you are doing.

Daphne Hooper:

Initially, when the City of Fernley was incorporated, there was a memorandum of understanding established for law enforcement. There was a transition over a period of time where that agreement went away before I and many others in the office were there. I do not know how or why, but it is not there anymore. From my understanding, the Sheriff's Office said that they are the county sheriffs, so they would provide services throughout the county. Currently there is not an agreement. We work together and have an understanding. The services provided are lined out as services that are provided by the city or provided by the county. We recently took over the cemetery from Lyon County. We have actually absorbed more services and programs still with a limited amount of money. We do not have a mechanism in place to get money from Lyon County.

Assemblywoman Neal:

It is interesting that you bring up the cemetery. I was here in 2011 when you were talking about taking over the services for the cemetery. I know one of my questions was, "Are you going to tax?" Is there bad blood between Fernley and Lyon County? I do not understand why they do not want to help you and why you do not have any resources. How is there no relationship to help you?

Daphne Hooper:

I, and many of our staff, was not here in the beginning. Over the last few years we have worked toward developing good relationships. We are trying to coordinate shared opportunities, especially through law enforcement. They have a newly elected sheriff, and we have been working with him. We have had discussions with the City of Yerington as well. We are making progress in establishing relationships. At some point we will get there. Historically, there have been challenges. We need to figure out how to bridge those gaps.

Roy Edgington:

We are told that we do not take care of police or fire. However, we do fire protection in Fernley. We do it differently than other jurisdictions. The statute says that all districts stay in play with the exception of fire districts. The City of Fernley elected not to take over the fire district because it was beneficial to everyone in northern Lyon County to leave the district in play. That district would have gone away, per law, and we would have taken whatever monies and revenues and added it to the City's revenue source. We would have had a city fire chief. Otherwise, a part of northern Lyon County would have been without fire protection.

Counties are not mandated to provide fire protection, as the county manager has explained to me on many occasions; the cities are. We elected to leave the fire district in play. It exists about four more square miles beyond the city limits of Fernley. It is 168 square miles. The City of Fernley has 164 square miles. It incorporates Nevada Cement, which is one of the oldest establishments and employers. They elected not to be part of the city and would not have had fire protection, because the county is not required to provide it. By leaving that fire district in play, the citizens of Fernley provide fire protection through the district. I realize that is not the way NRS Chapter 266 was written, but it works for us because it provides protection for everyone. Everyone pays into that. They have a government that answers to the public. They are not subject to the politics of big towns. If the firemen get a good union contract, then they cannot just buy more fire trucks. That is up to the district. They figure out their own formula. They are not subject to the whims of politics.

The last three elections, they have tried to get money, but it has not passed. Nothing passed in the last election but one bill. That was for the Churchill fire district, which got a pay raise. They actually got additional funding for additional equipment. It was the only tax override that was voted on. It is up to the citizens.

One of the problems we have is when we talk to the citizens, they say that we do not do this or that. We do. We take care of our roads. The county does not take care of the roads any more. There are no county roads. I do not even take a county road to go to the county seat. It is a state highway. When I leave Fernley, it is on a state highway. When I get to Yerington, the main street is a state highway. I am not picking on anyone, but we do take care of our own roads and parks with what limited resources we have. We have worked with other agencies on this and have gone to the county to talk to them.

Assemblywoman Neal:

It does answer my question. I am just curious because there are a lot of people new to this Committee. The historical issues that are preventing interlocal agreements and collaboration are important to understand. There is no relationship where the city and county are trying to come to some amicable agreement to take care of the residents. At the end of the day, it is about the residents and the services you can adequately provide to them given the resources you have.

Chairman Ellison:

I know you have two very respectable gentlemen in the audience who probably know more about the county than I ever will, LeRoy Goodman and former Assemblyman Tom Grady. Welcome, it is good seeing you here.

Does the Committee have any more questions? [There were none.] We are going to go out of order and open the hearing on Assembly Bill 122.

Assembly Bill 122: Establishes “Nevada Modernist Architecture Day” as a day of observance. (BDR 19-538)

Assemblywoman Heidi Swank, Assembly District No. 16:

My district encompasses the Las Vegas Strip, which contains many of the historic neighborhoods in southern Nevada. I am here to present Assembly Bill 122, which establishes Mid-Century Architecture Day. There is a slight misprint on the bill. It should read Mid-Century Architecture Day instead of Modernist Architecture Day. I am proposing that slight amendment.

I would like to talk about why we should declare this as a day of observance in Nevada ([Exhibit D](#)). Mid-Century Modernism (MCM) emerged in post-World War II America. There were a lot of changes in mortgages at the time. They no longer had to put down 50 percent to get a house. They could put down a smaller percentage. The Servicemen's Readjustment Act of 1944 (G.I. Bill of Rights) made housing much more affordable. There were also a lot of new architectural innovations during this time. This brought about an increase in the number and style of homes we saw across the country, not just in Nevada. However, during this time, Nevada also experienced significant growth. Page 2 of the chart on the left ([Exhibit D](#)) represents the population growth for Las Vegas. You can see that the population growth from the 1940s to the 1950s was quite significant. The second graph represents the number of subdivisions platted in Las Vegas in the 1940s and the 1950s. These are residential neighborhoods established during this time. During this period, our state saw a lot of growth. Therefore, it became a pretty significant era for Nevada.

Mid-Century Modernist architecture focuses on functionality and the utilization of space to simplify things and meet the needs of the ordinary person. Suddenly, homeownership was within the reach of so many more people, so homes themselves changed too. A good number of us probably live in these types of houses. One characteristic of homes from this era is the use of open floor plans, which has reemerged since the 1990s, though it was first conceived because of the ability to have big, open spaces due to innovations of World War II. There is a reliance on natural materials. You see a lot more rock

walls on the interiors and exteriors of these homes. There is also the blurring of boundaries between the indoors and the outdoors, such as bringing planters inside. New innovations allowed us to build big windows that made us feel like we were sitting outside when we were actually inside. However, we had air conditioning, so we were not out in the 108 degree temperatures.

There are a lot of MCM architectural styles in Nevada. Some, such as desert modern, can also be seen in Palm Springs. These two homes shown on page 4 are in Paradise Palms. They were designed by Palmer & Krisel, who also did a lot of work in Palm Springs. There are also ranch style homes. This blue house in Beverly Green, on page 4, was designed by architect Hugh Taylor. We will see his work again. That is actually my house; I just wanted to point it out. This other picture is of an unusual two-story ranch home. It was featured in the movie *Casino*.

There is also Googie architecture. If you think of *The Jetsons*, that is Googie architecture. They designed it with the idea that we would be driving flying cars in the next ten years. We see this with the La Concha lobby, on page 5, which is now the entrance to the Neon Museum. That was designed by Paul R. Williams. These kinds of soaring arches were something that came with innovations from the 1950s. There is the Betty Willis Welcome to Fabulous Las Vegas Sign, again in the Googie style.

What is probably the least understood and least liked form of mid-century architecture is Brutalism. It is about being true to what your materials are, showing the lines in the concrete. The Flora Dungan Humanities Building on the University of Nevada, Las Vegas campus is an excellent example of Brutalist architecture. We have a lot of different styles of architecture that came out of this massive growth in the 1950s and 1960s in Nevada.

There are a lot of groups across the country and locally that are working to raise awareness of Mid-Century architecture and the importance of this architecture to our history. Of course, we have the National Trust for Historic Preservation, Preserve America, PreservationNation, and others. There are a lot of grassroots organizations here in Nevada, as well as nationwide. There is also a lot of national media attention. For instance, Paradise Palms in Las Vegas was featured in a national magazine called *Atomic Ranch*. There is definitely a growing effort to make people aware of the importance of this era and the architecture that came with it.

Nevada also has a lot of homes and buildings in the National Register. We have the Morelli House, which was designed by Hugh Taylor, who also designed my house. In the north, we have the Pioneer Center for the Performing Arts and

the Fleischmann Atmospherium Planetarium. All of these are on the National Register.

We have National Register Neighborhoods. There is John S. Park in Las Vegas, which came out of the war and post-war era and includes a lot of modest homes. There is also Berkley Square, designed by Paul R. Williams. One of the most important things about Paul R. Williams is he was one of the first African-American architects working at that time. Berkley Square was designed specifically for the African-American middle class. It was the first housing development in Las Vegas aimed at that demographic.

Some recent additions are the El Cortez Hotel and the Washoe County Library. If you have not had a chance to visit the library, you should. It is not to be missed. It is amazing. The outside looks extremely modest; however, the interior is an amazing piece of mid-century architecture. You should sit in one of those pods and read a book. It is amazing.

This bill is proposing a Mid-Century Architecture Day to celebrate all of the wonderful architecture and history of our state. It would occur annually, on May 20, which is the birthday of Betty Willis. I believe she still lives in Overton, Nevada. It would encourage the education on the importance of mid-century architecture as a cultural resource here in Nevada and promote the understanding of the pivotal role this era played in our state's history. I would also like to say that this was a resolution that I brought up last session. That was just a one-time event. This bill would establish it annually. Last year in May, the Neon Museum hosted a panel discussion on the mid-century home, which was dedicated to Hugh Taylor. He attended. He is about 90 years old. It was a really good discussion about these homes in Nevada. The City of Las Vegas, the Neon Museum, and other organizations are hosting another panel discussion this year on May 20, specifically regarding mid-century commercial properties and part of the survey they are conducting on the motor court hotels on Fremont Street and Las Vegas Boulevard. I would also like to suggest that we change the effective date of this bill to passage and approval because of this upcoming panel. I am open to questions.

Assemblyman Stewart:

I appreciate your bringing this forward. I remember when many of these places were built. I am kind of surprised you did not include the Liberace home. That was also of that era. Since I was around when all of these were built, I would encourage you to move the date forward to May 22. That would be on my birthday so we could celebrate this in a proper manner.

Chairman Ellison:

Are there any other questions? [There were none.]

I thought it was the house of Mr. Bugsy Siegel. Thank you. Is there anyone else wishing to testify in favor of Assembly Bill 122?

Michael D. Hillerby, representing the American Institute of Architects of Nevada:

We are pleased to support this bill. We would like to thank Assemblywoman Swank for calling attention to the importance of good architecture and design in building the communities in which we all live. The American Institute of Architects supports the preservation of these buildings and the encouragement of good design. Anything we can do to call attention to that, we are glad to support.

I also happen to sit on the Commission for Cultural Affairs. Over the years, we have been able to fund the rehabilitation of a number of these buildings as community cultural centers. We have not been able to help or save all of them. Unfortunately, we have lost too many in recent decades, but we have been able to help some due to state support for the Commission. I would be happy to answer any questions. Thank you.

Assemblyman Munford:

I want to commend your bill and thank you and Assemblywoman Swank for her efforts to bring attention to the first upscale community in my district, Berkley Square. It is still admired in my district as a historical landmark. I appreciate that you are bringing recognition to it.

Chairman Ellison:

Thank you. Are there any other questions? [There were none.]

Misty Grimmer, Private Citizen, Las Vegas, Nevada:

I live in one of the mid-century modern neighborhoods in downtown Las Vegas. Additionally, I am a board member for the Nevada Preservation Foundation. We are one of the organizations that is working to preserve the historic designation of various homes, primarily in Las Vegas, but also statewide. We help people who want to historically preserve their homes. This weekend we are hosting a workshop to teach people how to rehab their windows and still maintain the historic character of their homes. Last year, we were also honored that the entire collection of Hugh Taylor's drawings was gifted to the Nevada Preservation Foundation.

As I mentioned, I also live in a historic neighborhood. People tend to think that in Las Vegas all we want to do is blow things up as soon as they are 25 years

old. There are some of us who do want to maintain the historic character of Las Vegas, even though it is a relatively young city.

Assemblyman Carrillo:

You mentioned that you live in one of these homes; are you in the process of renovating? Are you going through a full revamp, while, of course, maintaining the original character?

Misty Grimmer:

Oh, yes. I purchased the home in April of last year. It was built in 1951. Fortunately, it has not had any additions, so it is still the original footprint. A lot of the characteristics of the home are original, but a lot of it needed help. It has been quite a project. I have been rehabbing the entire inside, but preserving what I could, including the original oak floors and the plaster walls. It has the original windows and several things of that nature.

For historic designation, the home, or any building, primarily needs to maintain the street view. People are still able to remodel and modernize the interior, even if they are in historic neighborhoods.

It has been quite a fun project. I will tell you a funny story. When I pulled out the original dishwasher, behind it was a little map of Las Vegas. You used to be able to get a little map of the city at the gas station. It was a 1957 map of Las Vegas which, as you might imagine, was quite small. That and a couple of other things were quite fun to discover.

Assemblyman Carrillo:

I thought perhaps you had found Capone, maybe not. Thank you.

Assemblyman Moore:

Assemblywoman Swank, is there anything being done to preserve some of the older casinos outside of the downtown area? It seems like they are blowing up casinos on the Strip every week. It is just a shame.

Assemblywoman Swank:

There is some work being done. I know on Fremont Street there are a lot of original features. For instance, the Four Queens still has the original tile on the exterior. What has been done on the interior of the Golden Nugget is very period appropriate. There has been some very thoughtful work done on Fremont Street. Since the Strip is the economic engine of the state, it must reinvent itself. Circus Circus still exists from the 1960s or early 1970s, I believe. There are a few left on the Strip. The Guardian Angel Cathedral is

still there. If you have not been there, you should definitely visit. I believe that is a Paul Revere Williams building. There are a few original buildings remaining.

Assemblyman Trowbridge:

There has been a lot of effort to protect the historical neighborhood that you referred to as John S. Park from encroachment from Las Vegas Boulevard in terms of building height, parking, noise, and lighting. I think there is a lot of sympathy for your projects.

Assemblyman Munford:

Assemblywoman Swank, are you aware of the residence of Benny Binion on Bonanza Road? Benny Binion was the founder and owner of Binion's Horseshoe Casino on Fremont Street. He has quite a historical legacy in southern Nevada in boosting tourism in downtown Las Vegas. His original residence, a large 10-acre ranch, is on Bonanza Road. It is a ranch in the middle of the urban area. It is unoccupied. I do not know what the ownership status of it is, if it is in the family estate or for sale. That is definitely, without a doubt, a historical landmark because that is his first residence. Do you have any background on that?

Assemblywoman Swank:

I do not know that specifically. I know that the City of Las Vegas is currently working their way through neighborhoods to do historic surveys. They had been doing historic surveys at the request of neighborhoods. Now they are moving through the neighborhoods in a more methodical fashion, going through the older neighborhoods to the newer ones. Many of the protections that come with historic designation are at the local level. It is really incumbent on the local jurisdictions to form historic preservation commissions and to appoint one of their planning staff as a historic preservation officer. That really needs to happen at the local level.

Chairman Ellison:

Thank you, Assemblywoman Swank.

I love old houses. I love to rebuild and restore them. My house is 125 years old. It originated as a school house. I have restored it a number of times. One of the big classrooms is our formal dining room, and the deck wraps around the house. We have the big double French doors. I love the old house. I love opening the walls. It is a surprise what you will find in them: old magazines and newspapers from back when new cars cost \$900.

We will put the amendment in the bill and schedule it for a work session.

Is anyone wishing to testify in opposition to A.B. 122? [There was no one.]
Is anyone wishing to testify as neutral to A.B.122? [There was no one.]
We will close the hearing on A.B. 122 and open the hearing on Assembly Bill 58.

[A letter ([Exhibit E](#)) on behalf of the American Institute of Architects in support of Assembly Bill 122 was provided by John P. Copoulos, President, American Institute of Architects Nevada but was not mentioned.]

Assembly Bill 58: Provides the powers of peace officer to all sworn personnel of the Department of Public Safety. (BDR 23-355)

Jackie Muth, Deputy Director, Nevada Department of Public Safety:

I am here to present Assembly Bill 58. I would like to introduce the people I have with me. To my far left is Lieutenant Jack Peeler, the commander of our Office of Professional Responsibility, previously known as Internal Affairs. To my immediate left is Lieutenant Dean Buell, the commander of our Training Division, responsible for training all of our new and existing employees. I will now ask Lieutenant Buell to present Assembly Bill 58.

Lieutenant Dean Buell, Training Division, Nevada Department of Public Safety:

I am here today to present Assembly Bill 58, which is to clarify the wording in subsection 1, paragraph (d) of the *Nevada Revised Statutes* (NRS) 289.270 as the current wording causes the inadvertent exclusion of peace officers from two Department of Public Safety Divisions. [Lieutenant Buell continued to read from prepared text ([Exhibit F](#)).]

Assemblyman Stewart:

I believe there was a similar bill last session or the one before. Is part of the problem that officers can be transferred to a position of training instructor, then go back to other duties? Transferring back and forth causes the issue. Is that correct?

Lieutenant Dean Buell:

You are exactly right, sir. It is not really a problem, but people can transition from the Training Division or Office of Professional Responsibility very easily. They can start in the training division as a corporal training personnel, but go back tomorrow to the road as a highway patrolman or parole officer.

Assemblyman Carrillo:

Could you provide some examples of sworn personnel at the Department of Public Safety to whom this bill would confer the powers of a peace officer?

Jackie Muth:

The bill would affect our officers and sergeants assigned to the Office of Professional Responsibility and the Training Division. They are currently sworn officers within the department, so we would not be conferring any additional responsibilities that they do not currently hold. This is merely to clean up the verbiage that states that their primary duty is to enforce the law. Their primary duties are other than enforcing the law, although they do that at other times as well. This expands the definition of our authority under NRS Chapter 289. We would not be giving any additional authority to members currently; they already have it.

Assemblyman Carrillo:

Would this exempt them from having to be certified by the Peace Officers' Standards and Training Commission (POST)?

Lieutenant Dean Buell:

All officers have to be category I peace officers, so they would have to go through that annual training through POST.

Assemblyman Carrillo:

We are not doing away with any training from POST?

Lieutenant Dean Buell:

Absolutely not.

Assemblyman Carrillo:

Who gets sworn in? Everyone gets sworn in; is it a blanket swearing in?

Jackie Muth:

All of our category I POST-certified officers are sworn officers within the department. All of the employees who would be impacted by this legislation are already category I officers. They have already attended POST training. They are already full-fledged police officers under the eyes of NRS. This only defines their roles a little more clearly and consistently with the duties they perform.

Assemblyman Trowbridge:

I believe my question has already been answered, but I would like to verify. This is not going to be a method to confer sworn police officer status to someone who has not completed category I certification. Is that correct? I would be very apprehensive about that. I do not want to create a back door.

Jackie Muth:

That is correct. These are already fully trained, category I, POST-certified peace officers.

Assemblyman Moore:

Why would a person dealing with the State Disaster Identification Team or the Nevada Emissions Control Program need to be a sworn police officer with those types of powers?

Jackie Muth:

Specific to Emissions, the sworn officers of Emissions fall under the Department of Motor Vehicles, not the Department of Public Safety. We do not employ those people. We currently do not have any members of the Disaster Identification Team who are sworn members. Those positions are all currently held by our civilian staff.

Assemblyman Moore:

It is in the bill. Is that correct?

Jackie Muth:

That is in a different subsection than the part of the bill we are looking to amend.

Assemblyman Moore:

Would it confer the same powers to those people as well.

Jackie Muth:

Those powers are already part of this statute. We are only looking to amend section 1, subsection 1, paragraph (d) of this bill. It is a separate section. They already have those powers pursuant to NRS.

Assemblywoman Neal:

Every time we get a bill like this, I think it must be Christmas because you let us go back into legislative history. You brought this bill to the Senate Committee on Legislative Operations during the 77th Session. You put in the language that you are now wanting to delete in paragraph (d). It was called cleanup language. Before that, in 2005, you added, "whose principal duty is to enforce one or more laws of this state and any person promoted from such a duty to a supervisory provision." What is your legislative intent? Why are we cleaning up what was just added? What was the goal that was missed before or that we are trying to get to now?

Jackie Muth:

I appreciate your concerns on that. Unfortunately, I was not a part of this process in 2005, so I cannot address that question. I think this is a fluid process, and we do the best we can at the time. We have realized two sessions later that we need some additional verbiage, which we are bringing to you today. I would like to give you an example of why we need to clean this up. During the inauguration we had to implement all of our sworn staff to do law enforcement duties. During that particular event, we had to bring Lieutenant Buell's staff from the Training Division to assist in the security detail. There are other major incidents where we may need to employ or deploy all of our sworn staff. Going back to last session, when incidents occur such as the Reno Air Races tragedy, the IHOP shooting, and the Amtrak crash in rural Nevada, we have to use multiple force. That is what this Department is; we are a multiple force department. We have to utilize any and all of our staff when it is appropriate. Although these officers are currently assigned to do training and administrative investigations, they could be called on at any time to carry out law enforcement duties as a primary principal duty.

Assemblywoman Neal:

Did you bring this bill last session, as well? I thought that it had died because the language of "all sworn personnel" was going to insert certain people under the Police/Fire Heart and Lung Program. Can you address that because I think that is one of the reasons it was never heard on the floor.

Jackie Muth:

You are absolutely correct. This bill did come before the Committee on Government Affairs in 2013, and it was never brought up for vote. Part of the reason it did not succeed was the heart and lung benefits issue. We currently provide the heart and lung benefits to both the Office of Professional Responsibility and the Training Division staff. There would be no impact on that. We are not looking to modify any of the verbiage under NRS 617.357 as we already provide that to our employees.

Assemblywoman Neal:

I have on the record that it will not expand or grow. There will not be a fiscal note come next session. It has been pretty consistent that you add or delete a sentence every session.

Jackie Muth:

I appreciate your concern. I think this verbiage should be the cleanest and most simplistic way to cover all of the sworn staff within the Department.

Assemblyman Trowbridge:

I noticed that the Director of the Department of Public Safety and the chiefs of the divisions are peace officers. Are they also graduates of a POST-certified category I academy? Is that a requirement for employment?

Jackie Muth:

Yes, all of our sworn staff are graduates from POST training. We do not confer that power on anyone who has not gone through the training.

Assemblyman Stewart:

Your intent here is to provide flexibility with your officers so that you can adapt to situations as they arise. If you need to deploy administrative officers in the event of an emergency, you can do so. Is that correct?

Jackie Muth:

That is correct.

Assemblyman Moore:

This goes back to my first question. I am still uncomfortable with some of these people having the power of a peace officer. My goal is to reign in police powers, not arbitrarily give more. Out of courtesy, I am going to offer an amendment on paragraph (e), probably all the way to the end of the bill. I do not see a reason for someone who deals with emissions to have police powers. Help me understand that. Why would someone who deals with emissions be able to arrest me?

Jackie Muth:

Again, this falls under the Department of Motor Vehicles. This is not a branch of law enforcement that the Department of Public Safety enforces. That would be better answered by the Department of Motor Vehicles.

Chairman Ellison:

Are there any other questions? [There were none.] Is anyone wishing to testify in favor of Assembly Bill 58?

Stan Olsen, representing the Nevada Association of Public Safety Officers:

We stand in support of this bill. Just as a point of clarification, I worked with the Las Vegas Metropolitan Police Department for 36 years. On multiple occasions I was transferred to nonenforcement type duties. I was in training. I was the administrative lieutenant to the deputy chief of uniform operations. I was in charge of accreditation. I also worked in diversity investigations in personnel. All of this work was civil or through contract. I was also put in charge of the logistics operations. You do a lot of transferring. Granted, it is

not state operations. Within the Las Vegas Metropolitan Police Department, you could be moved without losing your commission, no matter how long you were in that position. That is the problem the Department of Public Safety has been facing. Officers are often transferred because of their expertise or their desire to do training. They may be there for quite a few years before going back to their assignment, whether it was patrol officer or probation officer. It is a very critical operation. If they do not have this capability, it will be difficult to get people to change positions who do want to change because they are afraid to lose their commission during that time.

Chairman Ellison:

Are there any questions from the Committee? [There were none.]

Ronald P. Dreher, representing the Peace Officers Research Association of Nevada and the Combined Law Enforcement Associations of Nevada:

We stand in support of Assembly Bill 58. I appreciate all of the questions I heard earlier. I can tell you some history of this because every session, as Assemblywoman Neal said, we come back to try to fix the problem in A.B. 58. Unfortunately, when you go back, the Nevada Highway Patrol and the Department of Motor Vehicles were combined, as well as Parole and Probation. Quite a few sessions ago, it was split up and the Department of Public Safety was formed. When that happened and the Department of Motor Vehicles shifted, all of those category I sworn peace officers at that time were moved to their own sections.

Regarding the individuals of the Department of Motor Vehicles referenced in Assemblyman Moore's questions, all of them are sworn category I peace officers. If you ask what they do, they enforce laws. They do everything that is delineated in statute. I would ask that you do not try to change that because we have spent a lot of time getting those powers back. The problem we run into with state peace officers, which makes it different from those of us in local government, is they do not get the cloak or umbrella of "peace officer." They are divided. Each session we have to come back and say we need these powers. In local government we have an admission officer, internal affairs officers, emissions officers, you name it. Everyone is a peace officer. We are all under the cloak of category I and we all have the same powers. I will guarantee that if you ask Ms. Muth and Lieutenant Buell if they have raid jackets in their offices and are subject to being called out in an instant, they will tell you they do.

A couple of sessions ago, Assemblyman O'Neill was an information technology person for the Department of Public Safety. We had to come into this body and add him back into this position. We brought in his raid jacket and showed

everyone in the Assembly that he was, in fact, a peace officer, did all of the duties, and was subject to be called out in an instant. Unfortunately, the way the laws have been changed, each and every position has to be codified in this provision. This makes us come back each and every session to put them back in. As I testified in the past, a simple fix for this is to make them peace officers under the cloak of the Department of Public Safety and take out all of the individual things. Then, there are no more problems.

However, I have to adjust one more thing. What Assemblywoman Neal stated was true: the provisions of NRS 617.357, the heart and lung provisions, are another area in which we have to put people in from the Department of Public Safety because they are individually listed. There are many other people left out of the loop. As what happened with Assemblyman O'Neill, we had to come back and put him in because he was involved in an altercation and was injured and he was not covered. We had to get him covered again. I hate to come back every session. In the letter I wrote for you ([Exhibit G](#)), I said it is a fixable thing. However, I do not know how to do that because we have so many laws that are varied. We have to come back and put them together somehow. The simple solution, I believe, is in NRS Chapter 289, which confers the powers of peace officer on all of us who are category I, category II, and category III peace officers. It is a fix. Unfortunately, until we get to the root of this particular thing, we will be coming back each and every session. I ask that you provide this fix again. They are all peace officers, and they all deserve the same benefits that Stan Olsen and I have, that the officers in our state and local government have. Unfortunately, that is not in state statute. I am happy to answer any questions.

Assemblywoman Joiner:

I am not sure if this question would be better answered by the sponsor. I understand what you are trying to do. What would happen if this bill did not pass. From what I understand, all of these officers did respond, for example, to the inauguration or the IHOP shooting. Why do we need this if they are already responding in that way? Even if this bill does not pass, they would still continue to be called out. Is that correct?

Ronald Dreher:

It is really an issue of liability. Someone could look at it and say, "Oh, you are not a sworn peace officer, but you are?" That is a difficult question to answer. Maybe Ms. Muth can come back and answer better than I can. I can tell you they would still be called out based on my experience, the law, and the fact that they are category I peace officers. It is unfortunate, but we have to fix some of that in the law.

Jackie Muth:

We currently get our authority under NRS Chapter 480. Chapter 289 is in conflict with Chapter 480. This is a cleanup of that language. We are already covered as far as being designated as sworn staff.

Assemblywoman Joiner:

Maybe that is a question for our legal staff as to whether or not the language is in conflict, if this cleanup is necessary, or if there would be any other impact, in their legal opinion.

Chairman Ellison:

I agree with that. There are some questions, mostly regarding heart and lung protections and later impacts. I would like to know that clearly. Please provide that information to our staff.

Jackie Muth:

I will submit that information to you directly. Thank you.

Assemblyman Trowbridge:

I would like to follow up on a question by Assemblyman Moore about paragraph (e) through line 24. I have no problems with the proposed amendment. I understand the problems caused by transferring someone from a uniformed position to a training or other position. I do have a question regarding the differentiation between the different categories of peace officers. Are these people identified in lines 11 through 24 of page 2 of the bill as category I peace officers or are they category II peace officers?

Ronald Dreher:

Assemblyman Trowbridge, could you please repeat the last portion of your question?

Assemblyman Trowbridge:

Are these State Disaster Identification Team members or administrators with the Division of Compliance Enforcement or Emission Control people with the Department of Motor Vehicles category I peace officers? Which category do they belong to?

Ron Dreher:

I believe they are category II peace officers. Officers cannot be sworn in our state without being POST certified. The only difference between the categories is training. It is the same for all three of the categories. However, most of our category II peace officers in this state are trained as category I, including those you listed. Even though we have three categories, most of them are trained as

category I. Parole and probation officers used to be listed as category II, and I believe they are still listed as such. They are trained as category I.

Assemblyman Trowbridge:

Do the emission control officers have the same heart and lung provision that a working police officer or firefighter has?

Ron Dreher:

I do not believe they are listed in that same provision.

Assemblyman Trowbridge:

That is a very expensive, but well-deserved benefit that I think we need to be protective of.⁸

Ron Dreher:

Assemblyman Trowbridge, I have been coming to this body over the years, and the position of our organization has always been equality regarding this matter. If someone has the same types of stresses that the rest of us have endured, they should have the same protections. I am a retired major crimes detective from the Reno Police Department. I have been a peace officer in this state for 26 years. I have been fighting in front of this body for a long time to have the same standards and benefits apply to all of us. The individuals from the different categories go through the same things that I did. They have the same stresses. When we are talking about protecting benefits and the like, what Assemblywoman Neal talked about, what may have convoluted the bill the last time was outside entities trying to attach themselves to the bill near the end of the session. That is what caused the collapse. We are very protective of that provision, and we want it to go to the people who deserve it.

Assemblyman Trowbridge:

In your professional opinion, the stresses on a police officer who pulls over a full car in the middle of the night are pretty much identical to the person who is concerned with emissions.

Ron Dreher:

I know that is a trick question.

Assemblyman Trowbridge:

Yes, it is.

Ron Dreher:

No, there are differences. I look at whether or not a person is a peace officer in this state. Did they go through the training and do everything we have had to

do? I look at their duties and whether or not they can be changed in an instant, as you have heard here today. In an instant, we can go from where we are sitting right now to trying to protect the public and trying to do our jobs. I think that is where the line is drawn. You have to look at the global aspect of what a peace officer does.

I have colleagues who are compliance officers with the Department of Motor Vehicles, who do what I do. They go out and stop drivers. They have their enforcement tactics that they use. I cannot speak to the emissions people because I do not have very much information about them.

Chairman Ellison:

A category I officer is a POST-certified officer out in the field. Category II is someone like a prison guard. Is that correct?

Ron Dreher:

Category III consists mainly of correctional officers. Category II are parole and probation officers. It is really inclusive of everything; for example, school police are also category II and category I trained. They wear the uniforms and do all of that. It really comes down to the level of training. A category III officer does not have emergency vehicle training. They do not have felony vehicle stops. They do not do things like that. Category II officers do all of that. Category I encompasses all of the training. It really comes down to economics and finances, as well. There are limits on some categories' authority.

Chairman Ellison:

I thought the lowest category was youth camp counselors and people like that. That would be category III. Category II would cover prison guards.

Ron Dreher:

Correctional officers are usually category III peace officers.

Assemblyman Moore:

Earlier, you said that this was needed because personnel from all three of the categories may deploy to a field situation. However, you just stated that a category III officer does not have the same type of training as a category I peace officer. How, then, can that person be deployed as a category I officer having not received the proper training? Is that not putting everyone's safety at risk?

Ron Dreher:

Thank you for bringing that up. The difference comes down to financing. Our provisions should have the same training. I have long fought for having one

category, as we used to have. The things you are talking about could happen in an instant. That correctional officer is a peace officer and could be called to respond in emergency situations. What he is missing in his training are things like knowing how to drive an emergency vehicle. Could he go out and help everyone else if there is a prison riot and all of us come together? He receives the same type of training on the use of force and the like. We have limits of authority, which limits the authority of school police to school boundaries and university police to university boundaries. We have areas where we go out to work together. When it comes down to an emergency, such as a riot, we all come together and work together. That is the reason we have that.

Jackie Muth:

The Department of Public Safety does not employ any category III officers. The amendment to this bill is meant to cover all sworn staff within the Department of Public Safety, so category III would not apply in this particular bill.

Chairman Ellison:

Is there anyone else wishing to testify in favor of Assembly Bill 58? [There was no one.] Is there anyone wishing to testify in opposition to A.B. 58?

John Wagner, State Chairman, Independent American Party:

I am getting more and more confused by the testimony and all of the questions. There are categories I, II, and III. I thought it was 100 percent clear to me, but it is only about 99 percent after hearing the testimony that was just given. There was a sheriff's deputy who lived next to me here in Carson City. I would see him run up and down the street, because on Monday he would have to prove that he was still capable of being a sheriff. He also had to go through extensive firearms training because he was on the SWAT team for a while. He had to be proficient in the handling of weapons. I would assume and hope that anyone who is given police powers to arrest would have the same capability, that they would know how to handcuff someone without breaking their wrists. I watch *Cops* a lot on TV, so I see how they take people down. If they told me, "On the ground!" I would be on the ground. I would not give a bit of fuss. However, there are people who would. Would the officer who is in charge now be qualified to handle the situation if the person became belligerent? Suppose there were two of them that the officer had to arrest at the same time. These are the kinds of questions that I have. I sympathize with the Department of Public Safety wanting to be able to move people around. From what I hear, I am beginning to assume that all of these people are well-qualified. I do not know if they have to continue to be qualified. I have some qualms about it. I also remember the previous bills. I have gone from a "know"

to a "do not know" situation right now. I thank you for letting me dribble on here.

Chairman Ellison:

Thank you. We will get some of this information and put it on the Nevada Electronic Legislative Information System (NELIS) so everyone can access it. Are there any questions from the Committee? [There were none.] Is anyone else wishing to testify in opposition to Assembly Bill 58? [There was no one.] Would anyone like to testify as neutral to A.B. 58? [There was no one.] We will close the hearing on A.B. 58. I was hoping Mr. Grady would testify on A. B. 58. He knows a lot of information and history to answer the questions that arose. We will now open the work session for Assembly Bill 15.

Assembly Bill 15: Creates the Account for the Protection and Rehabilitation of the Stewart Indian School. (BDR 18-360)

Jered McDonald, Committee Policy Analyst:

We have one bill on work session. That is Assembly Bill 15. This creates the account for the protection and rehabilitation of the Stewart Indian School. It was heard in this Committee on February 11. [Continued to read from work session document ([Exhibit H](#)).] If you recall, A.B. 15 creates the account for the protection and rehabilitation of the Stewart Indian School in the state General Fund. The account is to be administered by the director of the State Department of Conservation and Natural Resources for the purposes of repairing and maintaining historic state buildings and grounds of the Stewart Indian School. The bill authorizes the administrator of the Division of State Lands to make a direct sale of two parcels of state land for the purpose of funding this account.

Chairman Ellison:

There were no amendments to this bill. Is that correct?

Jered McDonald:

There were no amendments.

Chairman Ellison:

Is there any discussion on the bill?

Assemblywoman Joiner:

This is a very difficult decision for me on how to vote on this bill. I will reserve my right to change my vote on the floor. My current plan is to vote no. I appreciate the opportunity to express some of my concerns. I absolutely support the Stewart Indian School. I think it is a very important cultural project

for our state. However, I think it should be funded through normal means. I have a huge concern with section 5, regarding the sale of the Clear Creek property, especially when we are selling it to developers for an unknown amount to sustain the project for an unknown number of years. I think that is a very unwise way to fund projects that we should be funding by other means. For that reason, I will vote no this time, purely because of how it is funded. I do not question at all the importance of this project. I do hope we can find funding through the budgetary process.

Chairman Ellison:

I think one of the things that is important is how they wanted to use lands that were adjacent to the school and available for disposal. I think at the end of the day, that was their recommendation instead of asking for funding. I thought that was a very creative idea. Thank you, Assemblywoman Joiner.

Is there any more discussion? [There was none.] Do I have a motion?

ASSEMBLYMAN STEWART MOVED TO DO PASS
ASSEMBLY BILL 15.

ASSEMBLYMAN SILBERKRAUS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN JOINER VOTED NO.)

Chairman Ellison:

Assemblywoman Spiegel, would you please give the floor statement?

Assemblywoman Spiegel:

I will.

Chairman Ellison:

That was our last bill for today. There was some good testimony and presentation today. This Committee is doing a lot of good work. Is anyone here for public comment? [There was no one.] We will adjourn the meeting of the Assembly Committee on Government Affairs [at 10:10 a.m.].

RESPECTFULLY SUBMITTED:

Aubrie Bates
Committee Secretary

APPROVED BY:

Assemblyman John Ellison, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: February 17, 2015

Time of Meeting: 8:33 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	City of Fernley	Presentation on the City of Fernley
A.B. 122	D	Assemblywoman Heidi Swank	Presentation on Mid-Century Modernist Architecture
A.B. 122	E	John P. Copoulos	Letter in Support
A.B. 58	F	Lieutenant Dean Buell	Prepared Testimony
A.B. 58	G	Ronald Dreher	Letter of Support
A.B. 15	H	Jered McDonald, Policy Analyst	Work Session Document