

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Eighth Session
February 20, 2015**

The Senate Committee on Government Affairs was called to order by Chair Pete Goicoechea at 1:32 p.m. on Friday, February 20, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Pete Goicoechea, Chair
Senator Joe P. Hardy, Vice Chair
Senator Mark Lipparelli
Senator David R. Parks
Senator Kelvin Atkinson

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Policy Analyst
Heidi Chlarson, Counsel
Darlene Velicki, Committee Secretary

OTHERS PRESENT:

Sherry Rupert, Executive Director, Nevada Indian Commission
Gary Schmidt
Fredina Drye-Romero
Arlan Melendez, Chairman, Reno-Sparks Indian Colony
Lori Hoover, Financial Manager, Division of Internal Audits, Department of
Administration
Barry Smith, Executive Director, Nevada Press Association

Chair Goicoechea:

This meeting will begin with Senate Bill (S.B.) 63.

SENATE BILL 63: Creates the Nevada Indian Commission's Gift Fund and designates the Commission as coordinating agency. (BDR 18-289)

Sherry Rupert (Executive Director, Nevada Indian Commission):

This bill establishes the Nevada Indian Commission Gift Fund and designates the Nevada Indian Commission as the coordinating agency for uses of the buildings and grounds at the former Stewart Indian School site. I have provided my testimony ([Exhibit C](#)). The Stewart Facility is a 100-acre historic district in Carson City comprised of over 50 buildings of the former Stewart Indian School. It is listed in the National Register of Historic Places. Many of the buildings were built in the early 1900s and are deteriorating rapidly. They have sat unoccupied, which adds the urgency for restoration.

The Stewart Indian School operated from 1890 to 1980 with a federal mandate to educate American Indian children, initially from the Great Basin tribes: the Washoe, Paiute and Western Shoshone. Eventually, the school accepted Indian children from other tribes from the region and across the Country. The intent was to educate Indian children so they could take their place in the greater society away from their culture and traditions. There is only one Indian school site in Nevada, and it is a national treasure deserving preservation.

The Nevada Indian Commission office relocated from Reno to the Stewart Indian School in November 2003. I realized when I arrived 1 year later that the Indian Commission was the agency for all things related to the Stewart Indian School. Former students called, looking for their transcripts; grandchildren wanted photos of their grandparents; and scholars were looking for historic records of the school. The Commission has become the first point of contact and the knowledge center for the Stewart Indian School site.

The Stewart Indian School was closed in 1980, and the land was conveyed to the State of Nevada in 1982. The quitclaim deed provisions state:

Provision 10:

The State of Nevada wishing to perpetuate the 90-year history of the Stewart Indian School will reserve Building 1 and Building 3 to

house and display the crafts, artifacts and the memorabilia relating to the Stewart Indian School.

Provision 1:

If at any time the Secretary of the Interior determines that the Grantee has failed to observe the provisions of this transfer agreement and that the failure has continued for at least one year, he may declare a forfeiture of the conveyance and the title conveyed shall thereupon revert to the United States.

Therefore, compliance with the deed provisions is necessary, or the entire conveyance to the State shall be reverted to the United States.

The Commission preserved oral histories of alumni and former employees for use on an interpretative trail completed in 2007. It is self-guided, cell phone-enabled audio walking tour of the campus that includes 20 oral histories. The recordings share this largely unknown and seldom-taught history with today's visitors.

The Commission established the Stewart Advisory Committee in 2003. We have a letter of support ([Exhibit D](#)) for S.B. 63 from Terri McBride, Vice Chair of the Advisory Committee. The Committee's mission is to support, promote and assure protection of the history of the Stewart Indian School. The Committee is comprised of tribal representatives, Stewart alumni, former employees, State stakeholders and those who have knowledge and passion for the school. All care deeply about its preservation and future.

The Commission was awarded grant funding to seal the envelope of Building 1, the proposed Stewart School Cultural Center, and to provide a new roof on Building 2, the proposed welcome center. The Commission has led discussions with the Department of Administration regarding the Stewart Indian School Indian Living Legacy initiative. Governor Brian Sandoval mentioned the initiative in his State of the State Address. The Commission is the primary coordinator for events and fund-raising for all phases of the initiative. This underscores the need for the Gift Fund. Most recently, the Commission brought stakeholders together to create a master plan for the site. It became apparent that a coordinated effort is necessary. There are many critical parts to the development, improvement and rehabilitation of the complex.

The Commission requests to be the designated coordination agency. We understand that other State stakeholders, such as the Division of State Lands and the Office of Historic Preservation, have authority over certain aspects of the rehabilitation. We respect these authorities and intend to bring all the stakeholders together to communicate and plan efficiently. This will allow us to make informed decisions that respect the site and its meaning.

If the State wishes to perpetuate the history of the Stewart Indian School, which was built for Indian people as the quitclaim deed states, then the Nevada Indian Commission is the best agency to coordinate these efforts.

Senator Parks:

As a freshman Assemblyman in 1997, I was taken on a tour of the facility by the late Senator Lawrence Jacobsen. He had a wealth of knowledge about the Stewart Indian School. This bill would be a testament to the work he did on behalf of the school. Some buildings are being used by State departments. Has there been any discussion of the appropriateness of this use?

Ms. Rupert:

Various entities, such as State agencies and nonprofit organizations, are there. The Advisory Committee has had discussions that would continue regarding appropriate use. Our vision is to create a destination tourist location encompassing buildings that are not occupied by State agencies. We want to utilize as many of those buildings as possible. As we move forward in the planning phase, we will elicit comments from all stakeholders as well as from the community.

Senator Hardy:

In 1966, when I was a candidate to American Legion Boys State, I recall fondly that we stayed at the Stewart Indian School.

Gary Schmidt:

I am in full support of this effort. I have been familiar with this property for over 4 decades. I am concerned about the right to sell property gifted to the Commission. In section 3, subsection 2, the last line limits this ability: "The property may not be sold or exchanged if to do so would violate the terms of the gift." I hope this provision stays in the law. People are incentivized to give property for a particular purpose like a museum. Normally, if the property is not used for the purpose the donor intended, it is given back to the previous owner

or disposed of in an alternative manner. This is a very important restriction that I want to see remain.

Fredina Drye-Romero:

The Indian Commission ought to be the agent in charge of the Stewart Indian School project. I have observed its close collaboration with the tribal communities in Nevada and school alumni across the State. It has provided continuing progress updates. I support the Nevada Indian Commission's Gift Fund and designation of the Commission as coordinating agency for the Stewart Indian School.

I have strong personal reasons. Both my grandparents attended the school, my grandmother in the 1940s. My parents also attended, and my mother is an active alumna. Little did my relatives know that the education they received there would become a legacy of historic significance to those who have come after. They both have shared stories with me, but I can only speculate what life was like for them. I can provide this information to educators throughout the State of Nevada.

In 2012, the Nevada Department of Education adopted the *History and Contemporary Lifestyles of the Northern Paiute, Southern Paiute, Washoe and Western Shoshone Curriculum Guide*, which is a resource for teachers. It includes information about the Stewart Indian School as well as boarding schools throughout the Nation. Since then, we have given professional development programs to teachers throughout the State on these topics. We have also addressed parent engagement, especially concerning the disconnect between parents and the schools. Many times, this has its origin in the history of the Stewart Indian School or to boarding schools in general.

In 2012, the Department of Education hosted a lesson plan and writing retreat at the Stewart Indian School. Approximately 30 educators from throughout the State were connected with tribal elders who had attended or had another connection to the school. We and the alumni stayed in one of the dorms. Two of the guest presenters, elders from Pyramid Lake, stayed in the same dorm room that they had occupied as roommates. The nonnative educators were intrigued. It was one of our best lesson plan and writing retreats. Hearing about the Indian Commission's work and goals to create a destination site brought me back to the retreat in 2012 when we created lesson plans with our elders.

My mother's story is part of the self-guided tour Ms. Rupert mentioned. She talks about her experience as a young, Grade 8 student, living far from her family in southern Nevada. She is Southern Paiute from the Moapa River Indian Reservation. She lived on the campus without leaving it all year long. She never went home for winter break. The only time she went home was in the summer. These are only some of the stories I share today. If I could, I would tell you more stories.

Chair Goicoechea:

Someday we will take time for that. I have not been there since you put the 20 audio recordings on the trail. I need to take that in.

Arlan Melendez (Chairman, Reno-Sparks Indian Colony):

I am Washoe, Paiute and Shoshone. I support S.B. 63. As you know, I testified at the budget meeting pertaining to this proposal. Stewart Indian School is an important issue to many of the tribes throughout Nevada. I am the past president of the Intertribal Council of Nevada. From the early years, we talked about Stewart Indian School. My parents attended it. They met there in 1944. They were here to do a documentary about a year ago. They had not been back since they went to school there. The Commission will do a great job as the coordinating agency. Ms. Rupert has done outstanding work on the cultural center thus far with limited funding. The Gift Fund helped. Now the Commission will seek donations to help with the process.

Chair Goicoechea:

We will close the hearing on S.B. 63. We will open the hearing on Senate Bill 83.

SENATE BILL 83: Designates as confidential certain information that is reported to the Division of Internal Audits of the Department of Administration.
(BDR 31-288)

Lori Hoover (Financial Manager, Division of Internal Audits, Department of Administration):

The purpose of S.B. 83 is to amend language in *Nevada Revised Statute* (NRS) 353A.049 to extend confidentiality to include the identity of the individual as noted in my presentation ([Exhibit E](#)). This bill will ensure public trust and confidentiality in the reporting of waste, fraud and abuse of public

monies. The NRS language falls short because it does not specify any confidentiality in the reporting process.

This bill proposes two major amendments to the NRS. We add confidentiality language to section 1, subsection 1, paragraph (a). Further confidentiality language is added as section 1, subsections 3 and 4 and makes the information reported to the hotline, including the identity of the person reporting, confidential. Section 1, subsection 4 contains the exceptions to the confidentiality of information. These include: court orders; any requirements inherent in the Division's duties; any item prescribed by NRS 239.0115; and if the Attorney General or a district attorney requires the information, for an investigation. Since the hotline has been in place for 19 months, from July 2014 through January 2015, we received 90 calls. Approximately 24 percent were reviewed or researched by the Division of Internal Audits; 58 percent were transferred to other entities within or outside the State. These were not specific to the questions asked. About 18 percent did not provide enough information for follow-up.

Senator Hardy:

How many of the phone calls reviewed found waste, fraud and/or abuse?

Ms. Hoover:

None have resulted in any criminal investigation. Approximately seven have led to changes in agency processes or in-depth research in specific work areas. We still have a couple of outstanding calls with work in progress.

Senator Lipparelli:

I may not totally understand the extent to which the information uncovered is to be kept confidential. I understand the nature of the identity, but in broad terms, subsection 3 says, "Except as otherwise provided ... any information reported to the Division ... including, without limitation, the identity of the person who reported the information, is confidential." So, when fraud and abuse is uncovered, when is it made public?

Ms. Hoover:

We have not had any requests for that. However, we have had callers ask if their information will be kept confidential. When we state that it will not be kept confidential, they do not proceed any further.

Senator Lipparelli:

It would seem to benefit the public to know about waste, fraud and abuse and protecting the identity of those disclosing it. Am I misunderstanding that?

Ms. Hoover:

I think so. We are not keeping the waste, fraud and abuse portion confidential; we are keeping the identity of the person who calls confidential so that he or she feels more comfortable giving information.

Senator Lipparelli:

I understand. That is how I read it.

Senator Hardy:

You would want to keep the whistleblower's identity confidential. You may be interested in keeping other information confidential. Otherwise, this allows a person, whose identity can be confidential, the ability to blow the whistle just to give another person a bad time. A caller could say he or she thinks that a person is doing something bad, but the accused is innocent. It was done just for the sake of giving the person a bad time. Is this the motive to keep things confidential until you figure out if it is real or not?

Ms. Hoover:

Yes.

Chair Goicoechea:

Are you are saying what the caller brings forward regarding the waste may be made public whereas the identity of who submitted it remains confidential?

Ms. Hoover:

Yes.

Chair Goicoechea:

You said that you had 90 phone calls. Who does the triage on those calls to determine if they are valid?

Ms. Hoover:

Mostly myself; our agency does it. Much is based on whether the caller leaves enough information. For instance, if people leave enough information on Medicaid fraud, I refer it to the Medicaid unit. If they left contact information, I

call them back to get as much information as possible. Since we have other hotlines for insurance and Medicaid fraud, I send them in that direction if I can.

Chair Goicoechea:

Typically, you would take whatever information people gave, and if you could, you call them back and delve a little deeper. At that point, you would determine if information was valid waste or abuse and send it wherever it needed to go. All the while you would maintain confidentiality, unless you had a court order, an order from the Attorney General or something to allow you to do your duties at the Division. The main part of the bill maintains the confidentiality of the person submitting it, not the submission.

Ms. Hoover:

That is correct.

Senator Hardy:

At what point does the information become public for the person who may have perpetrated the offense? When the police arrest someone, it is put in the police blotter. We all read the name, so whom law enforcement arrested is not confidential, whether innocent or guilty. Is there an equivalent agency procedure concerning arrests whereby the confidential source leads to the arrest of the person? At what point does the perpetrator's name appear in the paper or in public?

Ms. Hoover:

We are precluded from doing any investigation. If we believe there is a criminal offense, we would turn over the entire issue to the Attorney General's Office. That Office would handle it from there. Our task would be more of the waste piece. Normally, we would bring that issue to the agency director's attention.

Chair Goicoechea:

In regard to Senator Lipparelli's concern, staff just brought to my attention that the bill says that "any information reported" is also covered under the confidentiality requirement. Could you clarify?

Ms. Hoover:

I do not know the answer. I can get back to you on it. I am not sure how this was written, as I was not involved in actual writing. I can probably talk to our deputy attorney general.

Chair Goicoechea:

We do need clarification since it flat out says that you cannot disclose any information. When people call it in, it is technically dead right there.

Senator Lipparelli:

Those words give me concern. It should be transparent in a constructive way. I would not want to disrupt a good investigation. However, if there is fraud, waste and/or abuse, I would not want the information to churn inside the agencies and not be accessible by the public. That is exactly what I was concerned about, however we fix it.

Chair Goicoechea:

Your boss will get back to us if he really wants to amend it. As it reads today, Senator Lipparelli is exactly right. If you were the perpetrator of the waste and fraud, you could call it in on the hotline and it would never come forward. I do not think that was the intent of the bill.

Ms. Hoover:

Yes, you are correct. It was not the intent of the bill.

Mr. Schmidt:

I have lived 4 decades in Nevada. I have brought numerous actions regarding public records and the Open Meeting Law against Washoe County and the State to the Attorney General's Office. I have had favorable rulings from the Nevada Supreme Court and district court. These rulings included my attorney's fees. According to a provision in the Open Meeting Law, if you are denied access to public records and have to adjudicate, attorneys' fees must be awarded. The reciprocal is not the case if you lose. I support that provision of the law.

I believe in transparency and protection of whistleblowers. The identity of any caller to the hotline should definitely be confidential, probably forever. I share the concern about this language. I see a benefit of this language as long as the bill is amended to clarify it. I have submitted a proposed amendment ([Exhibit F](#)). The benefit would be if the name was confidential but the reported information inadvertently revealed the identity of the person. If information was overheard in a restaurant or at a cocktail party, just the nature of the information could lead to the identity of the whistleblower. The basic language is probably appropriate, but I could use some more clarification.

I will read a portion of my proposed amendment into the record. My amendment is at [Exhibit F](#), 1(c):

Create a permanent case file number for every telephone report and investigate the reported abuse and create a summary report at the end of the investigation. Create progress reports every six (6) months if the investigation takes longer than six (6) months. The progress reports shall be issued within 10 days of any six (6) month cycle. The summary report shall be issued within sixty (60) days of the end of the investigation.

We have had revealing testimony called in by 90 people. Fifty-three were transferred elsewhere. When someone calls in, someone documents the time and date. The report may refer to the Attorney General's Office, the Sun Valley General Improvement District or elsewhere. Then you have a record of the call. The 23 cases, as Senator Lipparelli indicated, should ultimately become a public record. We the people are entitled to that. It is to the greater good and benefit of transparency and open government. The clarification of the bill digest language, which states that any information reported would remain confidential, relates to section 4 of my proposed amendment. This states:

All case file reports shall become public records at the end of the investigation, including any and all resolutions, corrective and/or punitive acts or actions by the Division and/or by others. Progress reports shall be public records at the time of issuance unless there is a corresponding ongoing related criminal investigation that may be jeopardized. In the event of related criminal investigations, the reports shall be made public at the end of the investigation or upon the filing of criminal charges, whichever comes first.

I laud the testimony revealing the intent of the bill, coupled with comments of the Committee. I do not believe in throwing out confidentiality if doing so leads to disclosure of identity. If the information remains confidential, I do not have a problem as long as a report is required. The report will describe the nature of the abuse and the corrective action taken.

I have dealt with the government for the better part of my life. I will point out one thing, if you made no changes, as stated, an escape clause could be created for anybody within a division who has a self-generated investigation.

That person might want to just give a slight slap on the hand to someone and say, "Don't do that again," if the person wants to act in a less than ethical manner. The person could just note an anonymous phone call, and none of that would ever be revealed. This would include any punitive or corrective action, which is the important part. It should not be swept under the carpet. I request you strongly consider my words and weigh heavily with whatever you decide. Everyone is on board with the intent; just be sure you are doing it.

Chair Goicoechea:

Staff is pretty clear that was not the intent, even though the bill says that.

Barry Smith (Nevada Press Association):

You have covered most of my problem with the bill, particularly the "any information" part. I heard that was not the intent. Confidentiality for the person calling remains a question. I am not sure why that would be necessary. I can imagine why the fear of retaliation or harassment is covered under Nevada's whistleblower statutes. There is a whole process for that.

I have not called the number. I believe that you can call in anonymously; there is the option just to provide the information. Ultimately, you cannot guarantee confidentiality if there is a criminal investigation, so that part cannot be covered anyway. Although this does not necessarily pertain to a criminal investigation, when I call 911 to report a crime, it becomes a public record. I identify myself. It is a principle that you are able to face your accuser. I do not see an overwhelming need, as a blanket, to make any identifying information that comes in on a phone call confidential.

Senator Hardy:

If someone calls anonymously, do the State phones not display caller identification?

Mr. Smith:

I do not know. I imagine they would.

Senator Hardy:

Many do not have caller identification anymore. I naively ask the question because it could be traced back most times. At what point does the accused have the right to confront the accuser? Is that in the anonymous phone call, or

does that come later, when it becomes a criminal investigation? At what point do you lose your confidentiality?

Mr. Smith:

I understand that at the point of a criminal investigation or charge, you lose confidentiality.

Senator Hardy:

Do people have a right of confidentiality, in the newspaper world, until a certain point that is understood?

Mr. Smith:

Are you asking about a caller to the hotline?

Senator Hardy:

Right.

Mr. Smith

Not necessarily, because I can see in a couple of examples, brought up by Mr. Schmidt, that guaranteeing a blanket confidentiality could create an opportunity for abuse of the privilege. Once you have said that this will not be released, the following may happen: someone calls in to confidentially report something that he or she was involved in; and someone calls in to, in effect, allow people answering the call to cover up what was called in.

Senator Hardy:

You could probably craft the language to address the case of someone who called in to self-report in order to hide or the reporter who has a trusted ally who would hide as well.

Mr. Smith:

I agree that you could probably craft language that would speak to the intent. It would address why you are granting the confidentiality, which I have not heard, other than there is a potential problem.

Senator Lipparelli:

As a former agency head, I bring balance to these kinds of things. These are great tools for people to report waste, fraud and abuse. To face the accuser is to face the State. The State is making the accusation after the conclusion of an

investigation to determine if the allegation is true. We would hope that people are exercising good judgment on those phone calls. You would hope that most calls could be handled by the agencies. Even in those cases, you would want some degree of transparency. However, in the cases where it is an unsubstantiated claim, you want to protect that agency or the employee who did not commit the alleged act—who intended to do it just for mischief as Senator Hardy pointed out. The accuser will ultimately be the State, which would make a determination whether fraud and/or abuse has occurred, and you would have an opportunity to defend yourself against that accusation.

Mr. Smith:

The reason that I heard is when people call up and are told that their confidentiality will not be protected, they then do not continue; they hang up. You want to encourage people to call in; that is the whole purpose here. There is a possibility that you may want to request confidentiality. Make it an option rather than making it blanket confidentiality. Some people might want to be recognized for exposing fraud, waste and abuse.

Chair Goicoechea:

The intent of the bill was missed. This creates a phone number not very different from Secret Witness or one of those other programs where your call would be anonymous. Clearly, the bill missed the mark on what had to be held confidential. We will look at Mr. Schmidt's amendments as well as the amendments from the agency and take another cut at it.

I will close the hearing on S.B. 83 and move into the work session. We will begin with Senate Bill 27.

SENATE BILL 27: Revises the amount of money that the Commission for Cultural Affairs may use each fiscal year from the Fund for the Preservation and Promotion of Cultural Resources. (BDR 18-321)

Jennifer Ruedy (Policy Analyst):

I will submit the work session document for S.B. 27 ([Exhibit G](#)). There were several questions from Committee members at the February 13 hearing. Both Rebecca Palmer, State Historic Preservation Officer, and Kay Scherer, from the State Department of Conservation and Natural Resources, are here today in case there are any other questions. Ms. Scherer provided a response to many potential questions in the two pages that follow the mock-up. The mock-up of

Proposed Amendment 9660 responds to one concern raised by the Committee, that 5 percent of the proceeds should be from any particular issuance of the bonds. The second thing the proposed amendment does is delete certain language listing particular administrative services; per diem and travel to hearings are to be included as administrative services.

Chair Goicoechea:

The Chair would entertain a motion to amend and do pass.

SENATOR LIPPARELLI MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 27.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Chair Goicoechea:

Let us move to Senate Bill 115.

SENATE BILL 115: Revises provisions relating to certain town advisory boards.
(BDR 21-241)

Ms. Ruedy:

I will submit my work session document ([Exhibit H](#)). There were no amendments presented on this bill.

Senator Atkinson:

I am surprised that this is on the agenda. I thought there were still quite a few concerns. I have my own. I thought we would have the opportunity to talk to local officials to see what impact they thought it would have. The few that I have heard from do not care for the language. I thought that Senator Hardy was going to work with some of them. Maybe they have not reached out to him. Therefore, I will vote no until other issues are cleared up. I am not quite there.

Chair Goicoechea:

To be honest with you, no one contacted me, so I did not know of any issues. If someone would have contacted me as the Chair to say he or she had issues with it, I definitely would have held it. At this point no one did.

Senator Atkinson:

They probably did not know it was coming up.

Senator Parks:

Nor me.

Chair Goicoechea:

I want to make sure that everyone understands, and Ms. Chlarson has clarified, that if you are appointed to an elected board, you still are affected by term limits, even though there are still gray areas.

Senator Parks:

Another issue we discussed is that individuals who filed would be subject to all the reporting requirements for office campaigning. I do not know if that would have a dampening effect on possible candidates since they would have to do financial disclosures and report campaign contributions and expenses.

Chair Goicoechea:

That is the way it is for a number of small town advisory boards, especially in the rurals. We have these boards every 50 miles, and members do have to file and disclose.

Senator Hardy:

All these appointed members of boards and committees across the State have to file financial disclosures; they have to do all the reporting that we have to do. That is one of the challenges in small communities.

Senator Parks:

I expect that this bill would affect roughly six unincorporated town advisory boards. Are we talking about unincorporated towns? In the summation, it says so. That would be Bunkerville, Moapa, Moapa Valley, Searchlight, Laughlin and Mount Charleston.

Chair Goicoechea:

Mount Charleston would not be within the 25 miles. It would be awful close.

Senator Parks:

Is it from the center of town or from the outer edge?

Chair Goicoechea:

I would think it would be from the city limits. I think Indian Springs also qualifies.

Senator Parks:

Yes, that is right.

Chair Goicoechea:

I thought there would be two or three in my district, courtesy of Senator Hardy. We always have time to modify the bill in the Assembly or on the Senate floor if there is a mistake. I just did not hear from anybody. I know Clark County is one of the few places in which the County appoints all the town advisory boards. I believe that it is best to offer people the chance to vote and to run.

Senator Atkinson:

I am not sure if one of my previous questions was addressed. Does the language say the county commission may not replace or do anything else to an elected board member as the commission could do to an appointed member? You could have a board with appointed and elected members.

Chair Goicoechea:

Yes, that is correct. During my time as a county commissioner, if you had one elected member on the Crescent Valley Town Advisory Board, you were lucky. It is a thankless job in most of these communities. I know the county commissioners are considering abolishing that town advisory board altogether.

Typically, no one runs for office, and the commissioners do not feel comfortable appointing a board. If residents do not take an interest in their own board, then it does not need to be there.

Senator Atkinson:

Perhaps I will meet with the sponsor before it goes to the Senate Floor. I worry about the board makeup. I think you could have a member on the board go

rogue because he or she does not answer to the commissioners. I have fear that both appointed and elected members serve on the same board.

Chair Goicoechea:

I would like to make one point clear. This is only an advisory board; its duties are limited. Ms. Chlarson points out that once you are appointed, you no longer serve at the pleasure of the board of commissioners. You serve as if elected.

Senator Atkinson:

That is the point I made.

Chair Goicoechea:

That is only fair. If they give you a job to do, then they should let you do it .

SENATOR HARDY MOVED TO DO PASS S.B. 115.

SENATOR LIPPARELLI SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS ATKINSON AND PARKS VOTED NO.)

* * * * *

Senator Parks:

I reserve the right to change my vote.

Senator Atkinson:

The same here.

Senate Committee on Government Affairs
February 20, 2015
Page 19

Chair Goicoechea:

We will close the hearing on S.B. 115. The meeting is adjourned at 2:31 p.m.

RESPECTFULLY SUBMITTED:

Darlene Velicki,
Committee Secretary

APPROVED BY:

Senator Pete Goicoechea, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 63	C	3	Sherry Rupert	Prepared Testimony
S.B. 63	D	1	Terri McBride	Letter of Support
S.B. 83	E	6	Lori Hoover	Presentation
S.B. 83	F	1	Gary Schmidt	Proposed Amendment
S.B. 27	G	6	Jennifer Ruedy	Work Session Document
S.B. 115	H	1	Jennifer Ruedy	Work Session Document