

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

**Seventy-Eighth Session
March 9, 2015**

The Senate Committee on Government Affairs was called to order by Chair Pete Goicoechea at 1:34 p.m. on Monday, March 9, 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:

Paul Enos, Nevada Trucking Association
Jeff Fontaine, Nevada Association of Counties

Chair Goicoechea:

I introduce Bill Draft Request (BDR) S-709, which calls for a ballot question to disincorporate the City of Ely, allowing the voters in the city to say yes or no.

BILL DRAFT REQUEST S-709: Revises provisions relating to cities. (Later introduced as [Senate Bill 238](#).)

Chair Goicoechea:

This BDR concerns the disincorporation of the City of Ely.

SENATOR PARKS MOVED TO INTRODUCE BDR S-709.

SENATOR ATKINSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Goicoechea:

There is new language in Senate Bill (S.B.) 11, as noted in the work session document ([Exhibit C](#)).

SENATE BILL 11: Grants power to local governments to perform certain acts or duties which are not prohibited or limited by statute. (BDR 20-284)

Chair Goicoechea:

I have made it clear to cities that they can decide if they want to be part of this change. I have committed to members of the business sector that this new language does not allow for any new taxes or service fees. This is functional home rule, not fiscal home rule, even though it reduces Dillon's rule. I hope that opponents of the bill will come forward to indicate where their sentiments lie. The proposed amendment language is more palatable, but if you have issues, come to me to have them resolved. The effective date of this bill of June 30 may be changed to effective upon passage.

Paul Enos (Nevada Trucking Association):

I have had only a few minutes to review the language. I would like to talk to the proponents of the bill, especially about section 13, subsection 2, of Proposed Amendment 9762. I would like clarification as to what "fairly implied" and "incident to powers" mean. I will speak to some in the business community and circle back to the Committee.

Chair Goicoechea:

Yes, come back to the members of the Committee and let me know where you stand. We have 48 hours.

Jeff Fontaine (Nevada Association of Counties):

In regard to the language to which Mr. Enos referred, we want to provide assurances by even reasserting Dillon's Rule. Opponents are concerned that counties and cities will not be granted any new authority concerning business transactions and regulation.

Heidi Chlarson (Counsel):

The amendment language that Mr. Enos referred to is at section 7, subsection 2. It was inserted because, under Dillon's Rule, the cities and the counties have powers " ... expressly granted by statute or as necessarily or fairly implied in or incident to powers expressly granted in statute" The intent of adding the new language is to make it clear that in addition to the powers expressly granted, cities and counties will still have power necessarily or fairly implied.

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Chair Goicoechea:

The meeting is adjourned at 1:44 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. 11	C	7	Heidi Chlarson	Work Session Document