

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

**Eightieth Session
February 28, 2019**

The Committee on Government Affairs was called to order by Chair Edgar Flores at 8:34 a.m. on Thursday, February 28, 2019, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chair
Assemblyman William McCurdy II, Vice Chair
Assemblyman Alex Assefa
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Richard Carrillo
Assemblywoman Bea Duran
Assemblyman John Ellison
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Melissa Hardy
Assemblyman Glen Leavitt
Assemblywoman Susie Martinez
Assemblywoman Connie Munk

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Asher Killian, Committee Counsel
Mark Peckham, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Wes Henderson, Executive Director, Nevada League of Cities and Municipalities
Bob Crowell, Mayor, Carson City; President, Nevada League of Cities and Municipalities
Warren Hardy, representing Nevada League of Cities and Municipalities
Edward McGuire, Public Works Director, City of Henderson
Dylan Shaver, Director of Policy and Strategy, Office of the City Manager, City of Reno
Kelly Crompton, Government Affairs Manager, City of Las Vegas
Christina Baily, Senior Government Affairs Advisor, NV Energy
Scott Leedom, Director of Public Affairs, Southwest Gas Corporation
Joshua Hicks, representing Nevada Home Builders Association
Matthew Walker, representing The Howard Hughes Corporation
Sean Stewart, Chief Executive Officer, Nevada Contractors Association
Alexis Motarex, representing Nevada Chapter of Associated General Contractors of America, Inc.
Chris Foley, Member, Southern Nevada Home Builders Association
Judy Stokey, Vice President, Government and Community Strategy, NV Energy
David Cherry, Government Affairs Manager, City of Henderson

Chair Flores:

[Roll was called, Committee rules were explained.] Today we have two bill hearings and a work session. I understand some of you will be leaving at 10:30 a.m., and for that reason we are going to take the work session first. We will be going through all four of those items on the work session, and then we will take the bill hearings in order as they appear on the agenda. With that said, I am going to open up the work session with Assembly Bill 37.

Assembly Bill 37: Revises provisions governing punishment of certain members of the Nevada National Guard for minor misconduct. (BDR 36-340)

Jered McDonald, Committee Policy Analyst:

The first bill on your work session today is Assembly Bill 37. All members should have a copy on your desk. We have these documents also available on Nevada Electronic Legislative Information System (NELIS) and the sign-in table for the public.

Assembly Bill 37 revises provisions governing punishment of certain members of the Nevada National Guard for minor misconduct (Exhibit C). It was sponsored by this Committee on

behalf of the Office of the Military and heard on February 26, 2019. Assembly Bill 37 eliminates the right of a serviceman or servicewoman to demand a trial by court-martial instead of accepting a nonjudicial punishment. The bill also: (1) requires that a commanding officer considering imposing nonjudicial punishment consult with a judge advocate in determining whether nonjudicial punishment is appropriate; and (2) authorizes the commanding officer to consult with a superior officer in making that determination. There were no amendments for this bill.

Chair Flores:

At this time I would like to entertain a motion to do pass Assembly Bill 37.

ASSEMBLYMAN ELLISON MOVED TO DO PASS ASSEMBLY BILL 37.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Is there a specific member who would like to have that floor statement? Thank you, Assemblyman Hafen, for volunteering for that. Assemblyman Hafen will have the floor statement. Next up: Assembly Bill 52.

Assembly Bill 52: Creates the Division of Natural Heritage within the State Department of Conservation and Natural Resources. (BDR 18-217)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 52 creates the Division of Natural Heritage within the State Department of Conservation and Natural Resources. This bill is sponsored by this Committee on behalf of the State Department of Conservation and Natural Resources and was heard on February 25, 2019 (Exhibit D). It eliminates the Nevada Natural Heritage Program and replaces it with the Division of Natural Heritage. The bill also transfers certain duties of the Program to the Division and provides that the Division consists of the administrator and other necessary personnel. There were no amendments for this bill.

Chair Flores:

At this time I would like to entertain a motion to do pass Assembly Bill 52.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO DO PASS ASSEMBLY BILL 52.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblyman Leavitt will have the floor statement. Mr. McDonald, please continue with Assembly Bill 65.

Assembly Bill 65: Revises provisions relating to notaries public. (BDR 19-472)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 65 revises provisions related to notaries public. It is sponsored by this Committee on behalf of the Secretary of State and was heard on February 14, 2019 ([Exhibit E](#)). The bill makes various changes to provisions related to notaries public, including eliminating obsolete fees that a notary public or an electronic notary may charge to administer an oath or affirmation without a signature. The bill provides the Secretary of State is only required to authenticate the signature and office of a notarial officer on a document intended for use in a foreign country, and authorizes the Secretary of State to establish a process for a person to submit an application to register as an electronic notary public simultaneously with an application for appointment as a notary public. Finally, the bill eliminates the requirement that a notarial officer declare under penalty of perjury that individuals seeking to nominate a guardian are of sound mind and under no duress, fraud, or undue influence. There were no amendments for this bill.

Chair Flores:

At this time I would like to entertain a motion to do pass Assembly Bill 65.

ASSEMBLYMAN LEAVITT MADE A MOTION TO DO PASS
ASSEMBLY BILL 65.

ASSEMBLYMAN HAFEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Gorelow will have the floor statement. Mr. McDonald, please continue with Assembly Bill 89.

Assembly Bill 89: Revises provisions governing preferences provided to veterans relating to certain state employment. (BDR 23-162)

Jered McDonald, Committee Policy Analyst:

Assembly Bill 89 revises provisions governing preferences provided to veterans relating to certain state employment. It was sponsored by this Committee on behalf of the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs and was heard on February 26, 2019. The bill removes the state residency qualification of veterans seeking appointment and promotion to positions in the classified service of the Executive Branch of state government, thereby making veterans who are not residents of Nevada eligible for certain veterans' preferences. We did have one friendly amendment which was discussed at the hearing. It was proposed by Amy Garland of the Nevada Department of Veterans Services. As you may recall, the amendment clarifies that for the purposes of reporting, information provided by the Division of Human Resource Management of the Department of Administration to the Department of Veterans Services will continue to indicate the

residency of veterans who are employed in the classified or unclassified service of the state. We did attach that conceptual amendment [pages 2-3, ([Exhibit F](#))].

Chair Flores:

At this time I would like to entertain a motion to amend and do pass Assembly Bill 89.

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO AMEND AND DO PASS ASSEMBLY BILL 89.

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Bilbray-Axelrod will be doing the floor statement on Assembly Bill 89.

Before we move to the next item on the agenda, I wanted to recognize the students in the audience. Thank you for being here. Good morning, we love seeing you here today. Unfortunately, floor session got canceled today, otherwise I know you would be there with us, but I just wanted to acknowledge you now. Thank you for being here.

Next, we have a presentation by the Nevada League of Cities and Municipalities.

Wes Henderson, Executive Director, Nevada League of Cities and Municipalities:

Before we begin our presentation, Chair Flores, I would like to have our president, Carson City Mayor Bob Crowell, make a few statements and then we will get into our presentation.

Bob Crowell, Mayor, Carson City; President, Nevada League of Cities and Municipalities:

I would like to mention that since Carson City is a consolidated city and county, we also belong to the Nevada Association of Counties. I would just like to say that we find both those organizations to be extremely valuable in knowing what is going on in the state with respect to other jurisdictions as well as seeking out solutions to common problems that we have. The League of Cities is right in the middle of that. We have 24 member communities. We meet at least every month or so, and we go back to Washington, D.C., at least twice a year to talk with our congressional delegation. We find the information given to us by the Nevada League of Cities is really quite valuable, which is why I am here today to express that these organizations do a fine job in letting member communities know what is happening around the state, and they give us some ideas of how we can attack common problems in our own community here in Carson City. With that, let me say thank you, Mr. Chair, and thanks to the members of the Committee for all you do for the state of Nevada. I was sitting back there listening—I was actually looking forward to listening to some of the bills because this is democracy in progress, and the older I get, the more valuable that becomes. With that statement, let me turn it back over to Mr. Henderson.

Wes Henderson:

I am also joined here by Warren Hardy, who is helping us this year with our advocacy efforts. The Nevada League of Cities and Municipalities was incorporated in 1959 as the Nevada Municipal Association. We do have newspaper reports showing that in 1944 a group of mayors actually got together in the City of Fallon that started the creation of the Nevada League of Cities. Our name was changed in 1997 to the Nevada League of Cities and Municipalities, and our membership is open to all incorporated cities, unincorporated towns, and general and special improvement districts and other municipalities.

We currently have 24 member municipalities. We are governed by a board of directors which has an elected official from each of our members who sits on our board. We have three caucuses that we created a few years ago. We have a large city caucus, a small city caucus, and a caucus for our towns and general improvement districts. We also have a council of mayors and chairs that are the mayors of our members as well as the chairs of our town boards and boards of trustees of our general improvement districts. You may recall we were here earlier in the session for Mayor's Day.

Page 4 ([Exhibit G](#)) lists our current members. Our officers for this year are Mayor Crowell; our Vice President is Mayor Corona from the City of West Wendover; Councilman Kristopher Dahir from the City of Sparks is our Secretary/Treasurer; and Councilwoman Gerri Schroder from the City of Henderson is our Immediate Past President. As I mentioned, we have three caucuses. The Chairs of these caucuses also serve on our Executive Committee. Our member this year representing large cities is Councilman Cedric Crear from the City of Las Vegas. Mayor Mike Giles from the City of Lovelock chairs our Small Cities Caucus. Our Towns and General Improvement Districts Caucus is chaired by Board Member Linda Slater from the Town of Gardnerville. Our Council of Mayors and Chairs this year will be chaired by Mayor Mike Giles from the City of Lovelock.

Some of the services that are provided by our members to their constituents include public safety, parks and swimming pools, recreational programs, senior services, water, stormwater drainage and sewer utilities, planning and zoning, economic development, cultural affairs, and community services [page 9]. Our members are the first-line providers of government services to over 1,700,000 Nevadans. These are our shared constituents.

Some of the services we provide to our members are advocacy with the Legislature and Congress; advocacy with state and federal agencies; we put on educational workshops; we have at least quarterly board of directors meetings; we host an annual conference; we are members of the National League of Cities; we have steering and advisory committees; we have group insurance and deferred compensation plans; and in conjunction with the University of Nevada, Reno, we put on a certified public official program where elected officials can take classes and earn credits and actually earn a certificate from the University of Nevada, Reno.

We also have appointments and we serve on various state boards and committees. We have appointments on the Committee on Local Government Finance, the Nevada Rural Housing

Authority, the Nevada Commission on Nuclear Projects, and the Advisory Council of Prosecuting Attorneys. We also sit on several boards including the Transportation Planning Advisory Committee of the Department of Transportation, the Nevada Executive Committee on Traffic Safety, the Local Technical Assistance Program Board of Directors, and the Special Committee to Provide Advice on Private Activity Bonds.

At the national level we also serve on various boards and commissions. Councilwoman Schroder from the City of Henderson and I sit on the National League of Cities board of directors. I am currently the chair of the State Municipal League Steering Committee, which is a group made up of an executive director from each of the eight National League of Cities regions. The National League of Cities also has various federal advocacy committees, and we have elected officials from Nevada serving on the Community and Economic Development Committee and, in fact, Councilman Kristopher Dahir from the City of Sparks is the vice chair of that committee this year. We have members sitting on the Public Safety and Crime Prevention Committee as well as the Transportation and Infrastructure Committee. We are also a member in the Western Municipal Association.

Now I would like to turn this over to Mr. Hardy to talk about the legislation that we have submitted for your consideration this session.

Warren Hardy, representing Nevada League of Cities and Municipalities:

I will not go into great detail on the bill since you are going to hear them all eventually, including one today, but those bills are Assembly Bill 3, which deals with a larger issue that I will talk about in just a second in terms of our overall league priorities. Assembly Bill 18 is the bill you will be hearing about today, so you will be hearing enough about that in a few minutes. Senate Bill 10 is addressing the compensation for boards of trustees of general improvement districts; that has not been addressed since 1977. We also have a unique issue that is getting mixed up with their Public Employees Retirement System (PERS) requirement. As their PERS go up, we are forced statutorily to lower their compensation. That bill is on work session this Friday in the Senate Government Affairs Committee, so you will be getting that very soon.

Regarding our state legislative priorities for 2019, some of these we are trying to address through specific legislation, while others are general priorities that guide and inform our direction on a daily basis. One of our issues is to look at and support efforts to amend the Nevada property tax system. That is probably the most difficult issue you will address this session, if it comes up. We are always looking for opportunities to fine-tune that and make sure it is equitable for everybody. State preemption of local authority: I would have reworded that. We recognize that all cities are creations of the Legislature through charters. The best way to describe the philosophy is that we believe the problems of government are best served at the level of government closest to the people. I know a lot of you, based on my conversations or relationships with you, share that philosophy. We are constantly on the lookout for that and work in cooperation with the state to make sure that our constituents are best served at the level of government that is appropriate. Unfunded mandates are always a concern for local governments dating back many years. The fiscal impacts we now have and

the statements on unfunded mandates that appear in each bill are an improvement, but this is always a concern. The last one we will talk about a little bit more—in the bill that is upcoming—is the equity of authority. In Nevada, cities and municipalities are coequal branches of government with the county, yet over the years we have tended to treat them as a superior level of government. Cities and local governments have many of the same responsibilities as the county. That is one of the issues in A.B. 18 that I will talk about at the appropriate time, but we are always looking to make sure that when we are required to provide the same or similar services that the counties provide, that we have equal footing in the statute and authority to provide those services. That will be a continuing theme throughout this session and others.

With that, I will turn it back over to Mr. Henderson to discuss the national priorities.

Wes Henderson:

I will just briefly touch on our federal priorities for this year and this Congress [page 15, ([Exhibit G](#))]. One of our big pushes is on infrastructure funding. Infrastructure is a critical issue nationwide, and we would like to see Congress provide some infrastructure funding, including direct allocation to municipalities for infrastructure projects. We would also like to maintain the tax-exempt status of municipal bonds. Without that status, the cost of borrowing for municipal governments goes up and projects cost more. Workforce housing—I do not need to tell you about the housing issue in this state as well as nationwide. Also, we continue to seek access to the federal banking system for state legal marijuana businesses. We are very concerned about 5G [fifth generation mobile networks] preemption at the federal level. We are working to ensure that municipalities maintain planning and zoning authority over deciding 5G infrastructure. Also, to maintain community development block grant funding—that program is very beneficial to our municipalities in getting projects complete.

Finally, Mr. Chair, I would like to invite everybody to join us on March 28; it is Local Government Day. We are still in the planning process of this, but we will be cohosting a reception that evening with our friends from the Nevada Association of Counties. We hope you all can join us.

That completes our presentation, Mr. Chair. We would be happy to answer any questions.

Chair Flores:

Members, please refrain from asking questions relating to a specific bill, as we will vet that at a later time. Anything else is fair game.

Assemblyman Ellison:

Thank you, Mr. Mayor, for being here again. I am sorry you are with a wild group, but I will not hold that against you. I have been watching the city and what you guys have been doing—Reno, Sparks, Carson, down in that area, and you guys have done a lot in the last several years. The growth, expansion, and cleanup have been massive. Have you had certain

groups you have been working with, or is there something that you are doing? You can really see the difference in your downtown.

Bob Crowell:

We take pride in the fact that we are the state capital. We want to make sure that, at least in Carson City, the face we present with the state is one that is consistent with where the state wants to go in the twenty-first century. We also want to make sure that we have a sustainable community, and part of creating a sustainable community over time is to create a community that is attractive for all different demographic folks, all different age groups. We have redone downtown, and we are going to be redoing all the entrances into the city as well, with the theory that we want to make the entrances to Carson City and our urban core area look as attractive as they can, because with people going around the bypass now, we want to make sure we are doing the right thing to have people want to come to Carson City, want to see the state capital. A lot of this was done through an eighth of a percent sales tax increase that we leveraged into \$18 million. With that, along with some water and sewer funds, we have been able to redo Carson Street, redo Curry Street, and we are in the process of redoing South Carson Street from the Ormsby House, which, I believe, will be sold one of these days and is actively being marketed right now. That is the next major project. It is an \$18 million project. When we took over the street from the state, we got \$5 million to do a complete street makeover on South Carson Street. We also have some funds from Carson City, and we received a special transportation investment generating economic recovery grant from the federal government in the amount of \$7.5 million. That check was delivered to us last summer by the Secretary of Transportation Elaine Chao herself, who came out here to deliver that check. That is how we make up the \$18 million. That construction will be starting toward the end of this year and will be completed next year.

Assemblyman Ellison, it seems to me that the longer I am mayor—and I am termed out after this; I have got another year and a half—people will ask me, What is the best thing about your community? My answer is that the best thing about our community and our state, really, are the people we have in the state, the people who daily get up and try to make life better for all of us in this state. That is my own personal goal: to make sure that we have a warm and inviting capital that represents where we are going to go in the twenty-first century and that we recognize and give credit to our people who, whether they are in government, charitable organizations, or just individual citizens, make life a little bit better for all of us. I know that is replicated throughout the state, and I know it is replicated up in your district, which is about as big as Carson City.

It is always a stretch trying to find money, there is no doubt about it. You are going to hear some talk about gasoline taxes. We have a problem with roads and there is no doubt about that. I drove here today in a hybrid Toyota that gets 40 miles per gallon. I used to drive a diesel truck. Instead of spending \$25 to \$30 to \$40 a month, I am now spending maybe \$10. That is going on throughout the state. It is probably a good thing, but it tells us that we have to look hard at how we are funding various services. I am sure that this body will be doing that.

Let me just close, Assemblyman Ellison—I am not being patronizing when I say this—I want to thank each and every one of you for what you folks do to make the quality of life better in our great state. Every day I see people out here doing something, whether they are asked to do it or not, they are all helping people. That is a good attitude to have. Let me just say thanks to all of you. Hopefully, our downtown and our community represent a place that you would like to come work, maybe live and stay—not just for four months. We are proud of what we have done here and who we are, and we want to make sure we do the right thing for our state and for all of you in this room.

Assemblyman Ellison:

I went to the Martin Hotel last night, and I drove around through the backstreets that I had not been on in a couple of years. I was amazed at the new businesses and the amount of construction and the beautifying of the buildings down there. You guys have done an amazing job, and you need to be thanked for that. The community has done a great job. Thank you.

Assemblywoman Bilbray-Axelrod:

First of all, Mayor Crowell, I am sorry that we are in the last part of your term. I am wondering if in the next year and a half you can do something about the rents here in Carson City. They are so high. That was just a joke. My question actually is, because we are such a diverse state—first of all, what is the population of the smallest city in the state? That is not my question, but I am just curious.

Wes Henderson:

I do not know the exact figure right now. I will get that to you. I think it would be Caliente, but I am not sure.

Assemblywoman Bilbray-Axelrod:

My question was, because we are so diverse—we have small cities up to Las Vegas/North Las Vegas/Henderson—what would you say are the three largest issues that unify us as a state that you work on together?

Wes Henderson:

Infrastructure, housing, and workforce development. Statewide. Nationwide. Those are the three issues.

Chair Flores:

Members, are there any additional questions? [There were none.] Thank you again for the presentation. We are going to go ahead and close out the presentation, and we are going to open up the hearing on Assembly Bill 18, which authorizes certain local governments to install and maintain ramps on certain public easements and rights-of-way.

Assembly Bill 18: Authorizes certain local governments to install and maintain ramps on certain public easements and rights-of-way. (BDR 21-433)

Wes Henderson, Executive Director, Nevada League of Cities and Municipalities:

[Wes Henderson submitted a bill information sheet ([Exhibit H](#)).] We appreciate your hearing this bill today. Assembly Bill 18 would authorize cities, towns, and general improvement districts to install and maintain ramps compliant with the Americans with Disabilities Act (ADA) in certain public easements and rights-of-way. I would like to give you the background on why we brought this bill, and then I will turn it over to Mr. Hardy to go through the bill with you. Whenever a new sidewalk is constructed or there is a road rehabilitation program, the ramps on the sidewalks have to be evaluated to determine if they are compliant with ADA or not. If not, they have to be brought up to the current standards. The ADA requirements change over the years, and now the footprints of these ramps are bigger than what they used to be, so that has generated the need for us to go into a utility easement somewhere between 12 and 24 inches just to put in the larger footprint of the current ADA-compliant ramps. With that, Mr. Chair, I will turn it over to Mr. Hardy to walk you through the bill. We also have Ed McGuire, who is the director of public works for the City of Henderson. He is available down in the Grant Sawyer Building to handle any technical questions.

Warren Hardy, representing Nevada League of Cities and Municipalities:

Mr. Henderson outlined the concern we are trying to address through the bill. We have got basically three sections dealing with three very specific statutory schemes for cities, so this bill is largely duplicative in *Nevada Revised Statutes* (NRS) Chapters 268, 269, and 318. What is in front of you on the screen is an example of the issue [page 2, ([Exhibit I](#))]. As Mr. Henderson said, we are constantly changing ADA requirements. I can promise you that by the time we get these new ADA facilities up to par, we are going to have to change them again. What this bill hopes to do is allow us the ability within the public rights-of-way and within the public easements to be able to make these changes without going through the process of contacting each and every owner within an easement. That, in some cases, requires dozens of contacts and an immense amount of staff time. These owners understand that that is a public easement, it is a utility easement, and it is there so the utilities can take care of the requirements that they have to without jumping through those hoops. That is what this bill does.

Section 1 deals with NRS Chapter 268, which is the chapter governing incorporated cities. Section 2 deals with NRS Chapter 269, which deals with unincorporated towns. Section 3 deals with NRS Chapter 318, which involves general improvement districts. Nevada is very diverse in how we set up our local governments, so we have received no opposition to this bill; but we have had some questions that, in my opinion, are very legitimate from Clark County and some of the utilities. We are endeavoring to work those questions out. I had hoped to bring you a 100 percent clean bill. We have 100 percent agreement that the problem they brought up needs to be addressed.

I want to point you, Mr. Chair, if I may, to section 1, subsection 2, paragraphs (a) and (b), which provide the limitations. The public easement or right-of-way has to be adjacent or appurtenant to, or within a reasonable proximity to a public highway. What we are looking to do in this bill is simply address the curb, the gutter, the ramps that come up, and so we wanted to make clear that that is what it addresses specifically. We cannot go to easements elsewhere and try to enact this. Then it has to be located safely within the easement or right-of-way. If we advance and for some reason have to go into the property farther than what is in the easement, then this does not apply; we would have to start over with the public process. This does not in any way circumvent those requirements. Those are the limitations and the requirements on us.

If I could, Mr. Chair, just for the benefit of Mr. McDonald, Mr. Killian, and your staff, give you a brief description of the issues we are discussing with the utilities and the county. Utilities rightfully are very concerned that they are involved in this process and notified of this process and that they are consulted on this process. We do that as a matter of practice anytime we are involved in any way, shape, or form with a public works project that might impact their current facilities. We have no difficulty whatsoever including that language in here and are working on it with the utilities.

The second thing that came to our attention late last night from the county was an issue that probably, Mr. Chair, needs to be addressed at some point by the Legislature, and that is the complexity of the statutory scheme surrounding towns and townships. Most overwhelmingly we have townships. We do have Gardnerville and Minden which are towns that have elected public governance structures similar to cities, and so the statutory construction of this is very confusing. The county is rightfully concerned that the current language would involve unincorporated towns in Clark County—which do not have elected officials, they are advisory boards to the County Commission—to have this right. That is clearly not our intent, so we will bring back language to you, Mr. Chair and members of the Committee, that resolves those issues as soon as we are able to finalize it.

There is one amendment that is being proposed ([Exhibit J](#)). In section 1, subsection 2, after the language where it describes the requirement for installation and maintenance of ramps, we want to add "including any appurtenance." The reason for that is what you see here on page 2 ([Exhibit I](#)). In order to be compliant with ADA, we have to move that sign 8 to 10 inches over to provide wheelchair access. It occurred to us sort of late in the process in drafting that we better take care of that as well. A reminder that this is for road construction projects, so when we do anything except fill a pothole we are required to bring it up to the current ADA standards. We estimate this will save the cities significant money and staff time. It does not put any property owner in harm's way because they understand—there are documents relating to public easements; they know that sort of thing is going to happen. We return, as far as practicable, the property surrounding it to its current condition.

Wes Henderson:

If I may, with your indulgence, have Mr. McGuire go next.

Edward McGuire, Public Works Director, City of Henderson:

[Edward McGuire's PowerPoint presentation ([Exhibit I](#)) accompanied these presentations.] Mr. Henderson and Mr. Hardy have done an amazing job introducing this, and they have covered a lot of the material already. We are really following the lead of the Regional Transportation Commission of Southern Nevada. In 2007 they had the language modified to allow bus stop shelters in a utility easement, and in the City of Henderson it has been a huge success. We were able to get pedestrians and people waiting to ride the bus farther away from the street. It is safer. We were able to put bus shelters where they would not have fit on the sidewalk, where it would have created an ADA conflict with the width of the sidewalk. In a similar vein, we would like to use the same type of language to allow the wheelchair ramp. In that second photo that Mr. Hardy pointed to [page 3, ([Exhibit I](#))], we had an existing pedestrian push button there on the corner—the one on the corner, not the one facing straight down the street—and that did not have enough room for a new wheelchair ramp. It needs a larger, flatter area. The additional work there was to flatten the ramp out and flatten the area around it so that a person with a walker or wheelchair could get right up to the push button—there is a reach requirement—it was too far away, and if you were on a slope, in a wheelchair, you would roll away from the light as you tried to activate it. That is the type of work you are talking about. These are all utility easements that have nothing in them but varied utilities, generally power, cable TV, telephone. We notify every utility on every project; we coordinate on every project. That would not change here. This would be part of a larger project that would include street improvements.

One of the questions that came up was—we had a typical project we just finished: Arroyo Grande Boulevard was rehabilitated. It was about two and a quarter miles long. It was about a \$7 million project. We had about 50 wheelchair ramps we had to reconstruct, and of the 50, about 30 percent, 15 or 16 of those, required adjustments with contacted property owners. That can take weeks to months, especially commercial properties where you quite often have an absentee owner and a rented piece of property. One of the questions was, What was the worst case? We have been in negotiation with one property to put a single signal pole on a corner for over three years. This can be a long and drawn-out process, and we are hesitant to go to condemnation. We are trying to negotiate with them, but that is the sort of challenge you face on a day-to-day basis with these rehabs.

With that, I am happy to answer any questions.

Assemblyman Assefa:

I have a couple of questions for you if you could clarify. What is your current procedure to come to compliance with federal law when it comes to the ADA without having this bill passed? It appears as if that is going to bring you to equity with the utilities. Do you currently compensate property owners for the part of their property that you are using to come to compliance?

Edward McGuire:

The current process would be: we do survey research when we start a project, we look for places where we are going to have those conflicts if we need additional private property or

access into an easement. I do not mind contacting them all—the responses vary widely. As you can imagine, many people do believe when the government calls to occupy a small piece of your property, it is probably a gold mine. We end up getting appraisals that usually cost more than that little postage stamp—as we call them—we are talking about a strip of property maybe six inches wide, a foot wide, ten feet long. So we need to acquire five square feet, and it comes back \$4 a square foot, a couple hundred thousand dollars an acre, but it is a \$500 transaction sometimes. We have gone through that, it takes weeks to get the appraisal, then we get that to the owner who usually counters and we end up paying an outrageous sum of money per square foot just to get past the problem.

In other cases we have very complicated corporate ownership, and we cannot even get a response. It goes to a trust or an accountant that manages their affairs, or it goes to a limited liability company that is owned by an offshore corporation or something. In some cases it can take us months just to figure out whom we need to talk to; in other cases we are just ignored. In the best cases they usually want to make a deal, you know—I will give you permission if you fix my driveway—so quite often we can make an equitable trade, but it is those few cases where we cannot—where we have to go to condemnation and offer to purchase. If we cannot get an acceptance, it turns into a court action. Sometimes we have to just go around it. We may have one spot that may not be in full compliance, and we have to come back later when that presents itself.

Assemblyman Assefa:

I have just one more question. You talked about how you currently coordinate with the utilities. What is the level of coordination with them? Is it just a simple notification, or do you do planning together? Could you clarify that for me?

Edward McGuire:

When I say coordination with our local utilities, every set of plans for my projects goes to every utility and, likewise, every utility that is permitted in the City of Henderson, for instance, would submit a set of plans to the City of Henderson. We get a formal plan submittal with the scope and the dates outlined. If it is really complicated, there is quite often a sit-down meeting. Most of them are simple: I will be in this part of the street, you will be in that part of the street. We actually trade plans and comments for any set of plans for any construction on a public right-of-way, and that is common, at least for all of southern Nevada.

Assemblyman Ellison:

Mr. Hardy, between this picture [page 3, ([Exhibit I](#))] and the last one, it looks as if the ADA ramps that went in, up to where it went on the corner, do not look that old. Other than the push button, would that still be in compliance?

Warren Hardy:

That is a good question. I think in this case the issue is the appurtenance, but if it pleases the Chair, could I have Mr. McGuire weigh in?

Edward McGuire:

That is actually a picture of the finished product, so we are in compliance there. I apologize for the confusion. That used to have a narrower sidewalk, and the push button was behind the sidewalk and was too far to reach if you were in a wheelchair. Page 3 ([Exhibit I](#)) shows the curb, and it shows the widened sidewalk behind the pedestrian push button. You are correct; that one is in compliance. I did not have a before picture. The additional work circled in yellow is the area that pushed into that utility easement. In this case we went through the process to get permission, added that additional work behind the pedestrian pole, and lowered that ramp to create a flat area. This one is a finished product that is in compliance. In both cases the yellow is the additional work to create that flat area to comply with that current standard, and we had to encroach into someone's landscape. In both cases we built a little wall to match the existing grade and put all the landscape and the rocks back.

Assemblyman Hafen:

This is more of a statement than a question. First, I want to say thank you to the gentlemen here today for bringing this forward. I see this from both perspectives: my father is in a wheelchair, and my family happens to own, and I operate, a utility company. I just wanted to say thank you for adding the coordination with the utilities because that is important if we want to coordinate adding improvements or additions at the same time. I just wanted to address Assemblyman Assefa's comment. Most of the time the utilities have a 5- to 10-foot easement already on the property, and gentlemen, correct me if I am wrong, all you are asking for is the ability to use that current easement that is already there for the utility companies to bring them up to ADA compliance. As long as that is correct, I just wanted to say thank you.

Wes Henderson:

Thank you, Mr. Hafen. That is correct. As I stated, the physical footprint of ADA ramps has increased. We are talking about going 12 to 18 inches into the easement to install the compliant ramp.

Assemblywoman Bilbray-Axelrod:

I think this is a really good bill, so thank you for bringing it. Anytime we can streamline to save money and also help the community is a good thing. I am struck by the fact that we are still trying to get into ADA compliance when it was passed in 1990, when some of these Committee members—I guess everyone was born already. You mentioned you were doing the update for the push button. Will you also be adding alerts for the hearing impaired?

Warren Hardy:

I will allow Mr. McGuire to correct me if I misspeak. This is limited to ADA updates so if that is a requirement—generally with the push buttons there is a distance requirement as well as a height requirement, because they need to be able to safely roll up to the mechanism and reach it. I believe the answer to that question is, whatever is required by ADA. In defense of the local governments, they have worked rapidly to bring us up to compliance, but in many cases the standard changes. Mr. Henderson likes saying this legislation has ruined me because every time I get to a street corner I look and say, Well, that is in compliance; that

one is not. You look at some here, just right across the street. One side of the street is in full compliance. You can generally tell it is in compliance when it has the yellow. That is not for traction; that is for the visually impaired to be able to tell. That is how you can generally tell they are in compliance, but the new requirements also pertain to the steepness or the grade of the thing. I think the answer to your question is simply that when those requirements change, we have to bring them into compliance. I do not believe we would use this as an opportunity to make other changes. It is strictly limited by section 1, subsection 2, to come into compliance with the ADA. You asked me what time it was, and I told you how to build a watch.

Assemblyman Leavitt:

Thank you for bringing this forward. I feel your pain. Can you just briefly touch upon how the ADA changed? Did it go from 36 inches to 48 inches to a proposed 64 inches in the future? What was the difference?

Edward McGuire:

I appreciate that question. It is kind of a complicated question, but the Americans with Disabilities Act was approved by Congress, as was mentioned, way back in the 1990s, and if you look through the act, it is the chapter on architectural that has really been rolled out. That included sidewalks and walkways, but that standard was meant for public buildings, places of assembly, state buildings, churches, universities, things like that. It was then applied to public streets. Then there was a lot of additional research done, and we added the van-accessible parking stalls and standard handicap-accessible parking stalls and standards for sidewalks that were slightly different than they were in the original act for sidewalks around public buildings. Then there were a lot of interpretations, in my case by the Regional Transportation Commission. We have an areawide standard drawing. We had a wheelchair ramp that had a three-foot-wide ramp at a modest slope. That was acceptable in the first round. Then we looked at it and said the interpretation has been that should be flat, so we went to flat, then we went to wider, then we added the truncated domes for the visually impaired, and the current not-adopted standard.

We have been in an awkward spot for the last three years. The public right-of-way access design guideline (PROAG)—there is a whole missing chapter in the federal act, and that covers the public right-of-way. They have published the standard, but they have not been approved, so the federal web page says that when approved the Department of Justice will enforce to this standard, so most entities have started using that standard starting about three years ago. We used to have a three-quarter-inch lip at the gutter that was considered navigable by a wheelchair in the first go-round. That kept the water in the gutter and off the ramp. That was found to be a bit of an impediment to some with walkers and wheelchairs and so we took the lip off. There have been a lot of minor modifications over the years. The current pictures that I show you meet the current PROAG standard; they have a flat panel there where you have to make that decision to turn and cross the street. It is level so that it is easier to negotiate, and it has the truncated domes. There have been quite a few interpretations and modifications over the years. I hope that answers that question.

Assemblyman Leavitt:

It did not really. The reason I am asking is if you could flip back to that other picture on page 3 ([Exhibit I](#)), what jumps out at me is the light pole in the distance there where it looks as if it is an appurtenance that may not fit into that ADA standard. So my follow-up questions would be: Is that within ADA? Does this language address those appurtenances as well? Or are we just talking about ramps?

Warren Hardy:

My understanding, and Mr. McGuire can correct me if I am wrong, is we are only required by ADA to make these upgrades if we do something to the street other than fill potholes. So it is possible—and I do not know if that is in compliance or not—but if not, it is likely that the construction that was being done at the time that led to these upgrades did not include that area. If we ever do street improvements in that area we would have to bring it into compliance. I do not know if that is the case in this picture, but I think it illustrates the point. They are very specific guidelines within ADA to indicate when we have to make the updates that are applicable. If Mr. McGuire needs to correct me, I would ask for that.

Edward McGuire:

You are generally correct, but I have just a small bit to add. The original standard required 36-inch clear passage, so that light pole is well more than 36 inches back. Then it was changed to a 48-inch passage. The recommended is a 5-foot sidewalk and a 48-inch passage. So in this case we still comply because we have widened that sidewalk. We were able to leave the streetlight because we still met that standard. We have more than a 48-inch passage at the light pole. The ones that are the challenge are the old neighborhoods where we have 4-foot sidewalks and where, if you have a light pole or a fire hydrant, you have about 32 inches clear and so those are areas that need to be retrofit. I apologize for the confusion. That picture shows the after where we have the wider sidewalk; I should have brought you a before picture.

Assemblywoman Hardy:

You referenced several times that this bill would save cost and time to complete these projects. Do you have any estimates about either how much would be saved if this bill were to pass and if not?

Edward McGuire:

I can attempt to answer that question. On our example project of Arroyo Grande Boulevard, we had 15 or 16 ramps that required additional outreach in easements. If all goes well, if we discovered the problem and notified the owner and prepared documents and were granted access, that is probably ten staff hours or ten consultant hours—in that case we had a consultant designing that rehab. The billable rate for something like that is probably on the order of over \$150 an hour. If we then have to go to an appraisal and make an offer, the appraisal will cost us—if it is a commercial appraisal—in the \$600 to \$800 price range to get comparables to prepare an offer, and we would prepare that offer and pay that additional \$500 or \$600. Each of those, in the best case, if we go through that process, is probably a couple of thousand dollars of additional effort, and then the wheelchair ramp itself costs

about \$2,000. If it turns into a protracted negotiation, that could easily turn into a \$25,000 issue to solve a \$2,000 problem. Over the course of a year it probably costs the City of Henderson in excess of \$150,000 or \$200,000 worth of staff time or consultant time to carry this out in the current method.

Assemblyman Assefa:

I just wanted to point out in section 1, subsection 2, paragraph (b), the bill says ". . . without damaging the facilities of other persons who are authorized to place their facilities within the public easement or right-of-way." I just wanted to make sure that you did say a couple of times during your presentation that you will restore landscapes to their original appearance after you have affected them. I wonder if it is possible that you could add language to the bill that would put people's minds at ease when it comes to that?

Warren Hardy:

Assemblyman Assefa brings up an excellent point. That is done as a matter of practice and I do not think—I would have to consult with my clients—but I cannot imagine there would be an objection to that. That is done as a matter of practice, and I think that is what is intended by "without damaging the facilities" language. As you could see in the example, we did restore the landscaping completely. I do not think we would have any difficulty at all adding that to the language.

Assemblywoman Bilbray-Axelrod:

Could you just clarify exactly what the language you inserted does in the amendment?

Warren Hardy:

If I could allow Mr. McGuire to address that so he can give an inclusive list.

Edward McGuire:

We started out with the list of items that we took from a different section of NRS that covers traffic control devices and directional and regulatory. We decided it would be easier to say appurtenances, so to your previous question, it would include the audible devices as required. It would include the push button. It would include directional signs or the truncated domes. Leaving it as appurtenances will cover any future modifications in theory. If a requirement comes back that we have to have another identifier, whether it is visual impairment, audible, tactile, if that is considered an ADA appurtenance we would presume that it would fit in here. It is just for those things that you would traditionally see as part of a wheelchair ramp at a corner or midblock crossing—a flashing light or traffic signal, that sort of thing.

Warren Hardy:

That is the important thing to remember: It has to be associated with coming into ADA compliance. We are not talking about things here that the city just feels like doing. They are not beautification. They are required. It is an unfunded federal mandate. We do not have a choice other than to bring these into compliance. Currently some people choose to take advantage of that mandate in order to drive up the cost. That is the important thing to keep in mind, that it is simply ADA requirements.

Chair Flores:

With that we are going to go ahead and close out the questions. I would like to invite forward anyone wishing to speak in support of Assembly Bill 18.

Dylan Shaver, Director of Policy and Strategy, Office of the City Manager, City of Reno:

I am here today representing the City of Reno: the Biggest Little City; sister city to San Sebastian, Spain; and the birthplace of Professional Golf Association pro golfer Kevin Stadler. For the City of Reno we approach this bill from a different perspective. Obviously, we do have to go through the same procedures as any other city to acquire the rights to expand these sorts of improvements, but from our perspective this is a question of access. Access to the disabled is very important to our city, especially as we grow. We have impaneled an access advisory committee to help advise the city and guide us in these decisions. Sometimes yes, they are expensive improvements, but there is a time consideration as well. In the City of Reno, as we have been growing, we have had a lot of speculation from outside property owners, people buying up from all over the country and all over the world. Tracking down those owners often takes several months, as a representative from the City of Henderson said. While we are trying to reach all those people those projects are on hold. We view this bill as a way to streamline providing the access that all of our citizens deserve. We would like to thank the League of Cities for bringing forward such an important bill, and we would like to thank you, Mr. Chair, and your Committee for hearing it today.

Kelly Crompton, Government Affairs Manager, City of Las Vegas:

I do not have the same wit as Mr. Shaver, but we echo the comments about the time saving associated with obtaining these easements, as well as what the City of Henderson has portrayed over being compliant with the ADA.

Chair Flores:

Is there anyone else wishing to speak in support? [There was no one.] Is there anyone wishing to speak in opposition? [There was no one.] Is there anyone here in the neutral position?

Christina Baily, Senior Government Affairs Advisor, NV Energy:

We are here this morning to speak in the neutral position. Accessibility to the disabled community is very important to NV Energy. We work closely with our local governments to make sure that they are ADA-compliant. We are just seeking some clarity on some of the issues with our facilities, and we are happy to work with the sponsor.

Scott Leedom, Director of Public Affairs, Southwest Gas Corporation:

We are neutral on the bill. We do have what we consider a minor concern on A.B. 18 which, as Mr. Hardy stated, we have communicated to him and others. The concern is that there is no language in the bill for a municipality to coordinate or have an agreement with or review with a utility prior to building a ramp in an easement dedicated to the utility. Speaking with the City of Henderson, we understand that this coordination should already be happening, but

having some language in the bill to that effect should alleviate that concern. We are confident we can work through that issue with the bill's sponsors.

Assemblywoman Bilbray-Axelrod:

This issue came up when they were meeting with me in the office, and I cannot imagine that it is not already city policy to contact utilities. In fairness, call before you dig, right? We all know that. While I appreciate your working with them, I am not sure we need to add it. I just want to put that on the record, because I think it is standard.

Scott Leedom:

While I agree with you that coordination is already happening, I think there is an important distinction between just calling before you dig and actually coordinating with the utility. Calling before you dig is more for us to come out and locate, rather than having an opportunity to look at or coordinate on the plans.

Assemblywoman Bilbray-Axelrod:

Thank you for that clarification.

Chair Flores:

Is there anybody else here in the neutral position? [There was no one.] Please come back up and give any closing remarks you may have.

Warren Hardy:

Thank you, Mr. Chair. I do not believe we have anything else to add. I also represent the City of Mesquite, home to the best golf in southern Nevada, and Tim Hafen, whom you do not know but who is a really good guy. Actually, I do not know if he was born in Mesquite, so scratch that. We appreciate the Committee looking at this. This is an important issue, and we do appreciate your time.

Wes Henderson:

I would like to thank you for hearing this bill this morning, and we will certainly work with our utility partners and with the county to address their concerns. I was correct that Caliente is the smallest incorporated city in the state. They have 1,130 residents.

Chair Flores:

Thank you for that. I think there is no question that this is the funnest Committee in this building. We have too much fun here. We have got to tone it down two levels.

Next, we have our very own Assemblyman Carrillo presenting Assembly Bill 135. It revises provisions governing easements.

Assembly Bill 135: Revises provisions governing easements. (BDR 22-545)

Assemblyman Richard Carrillo, Assembly District No. 18:

Thank you, Chair Flores and members of the Committee, for letting me present Assembly Bill 135. Nevada law currently provides a procedure for local government to vacate a public easement. These vacations are important aspects of approving new developments and constructions so that needed public easements are properly noted and/or relocated and unnecessary public easements are extinguished or abandoned. This is typically done as part of approving developments. The current process generally takes several months and nearly always is a process as part of the consent agenda. The purpose of A.B. 135 is to give local governments additional authority to create a more streamlined and efficient process to vacate public easements when those easements are either relocated or no longer necessary. This will be beneficial for job creation and economic development while avoiding unnecessary and costly delays. With me today I have Josh Hicks, who will walk us through the bill and the friendly amendment ([Exhibit K](#)).

Joshua Hicks, representing Nevada Home Builders Association:

I am here today representing the Nevada Home Builders Association, which is a statewide organization comprising the Southern Nevada Home Builders Association and the Builders Association of Northern Nevada. I would like to thank Assemblyman Carrillo for agreeing to sponsor this bill. To give you a little bit of background: our goal on this was, as the Assemblyman said, to streamline the process, to speed it up, especially when these are noncontroversial housekeeping types of issues, when these easements are just being moved around or are no longer needed. We were really just trying to address public easements; this bill does not apply to private easements. We spent a lot of time trying to simplify the bill, and we worked with many of the stakeholders and we did come up with a more simple and clean version of this, which is reflected in the friendly amendment you have in front of you ([Exhibit K](#)). With the Chair's permission, I would actually like to talk about the amendment because I think that is a much easier way. This would really replace the bill as drafted. We were very close to getting this language in time to drafting to make it the original language, but we did not quite get there. That is why it is in the amendment in front of you rather than in the original bill. With that said, I will make my comments on that bill itself. I would also like to note that down at the table in Las Vegas is Chris Foley. He is with land developer D.R. Horton, and he has agreed to be on standby if there are any technical questions. He has a lot of experience in how this works. If there is anything that the Assemblyman or I cannot answer, Mr. Foley can be on standby.

The amendment itself would really just pertain to one existing subsection of *Nevada Revised Statutes* Chapter 278.480, and that is subsection 11. That subsection right now gives a governing body the power to establish a simplified procedure to vacate or abandon easements for a public utility. The issue we had there is that that was constraining because it was just for a public utility and we wanted to open that up and make clear that it could be any publically owned easement. A lot of those might be in little alleyways or rights-of-way or things like that. What we ended up trying to do in this amendment is clarify that the governing body has the authority to go in and put forth a simplified procedure and whatever

rules they think are appropriate to do that in order to vacate or abandon public easements that are no longer necessary. Again, this is more on the housekeeping side. Sometimes things will go through planning and public hearings and there just might be an easement that was not properly noted for relocation or something like that. I would also mention to the Committee that we have received some comments from other stakeholders, from other local governments, as well as from NV Energy, and I think all those amendments and proposed concepts are all very workable and will be worked into where they go. The City of Henderson wanted to make sure that they had as much flexibility as possible in order to vacate these easements. The utilities had concerns about making sure they get notified. I think these are all very workable and things we can get into this amendment at the end of the day.

With that said, I will stand down and am happy to answer any questions from the Committee.

Chair Flores:

I am going to open it up for questions. [There were none.] I will have you sit back and we will call up those wishing to speak in support of Assembly Bill 135.

Matthew Walker, representing The Howard Hughes Corporation:

I want to thank the sponsor for bringing this bill forward. I think they did a pretty comprehensive job of what it does and some of the benefits, but I also want to highlight what we are talking about when we are talking about finding efficiencies on local government agendas. We are talking about saving planning staff time; we are also talking about opening up more meaningful access to the public for these local agendas. When I am at a town advisory board meeting that does not have a consent agenda and I am doing three or four of these easement applications, the public that has a pressing issue that they are concerned about in their neighborhood—they are waiting an hour or two hours to have their voice heard and may choose to go home and not participate. I think this opportunity to streamline is fantastic. I also think that the ability for the local governments to find the best process that works for them through this amendment is also fantastic. It allows them to differentiate between vacation of a sewer easement and vacation of a public street easement where the public might be a little more engaged.

Sean Stewart, Chief Executive Officer, Nevada Contractors Association:

I will just echo the comments already made; this is part of a bigger effort to try to find some efficiencies in government and try to support this effort.

Alexis Motarex, representing Nevada Chapter of Associated General Contractors of America, Inc.:

Us too.

Chris Foley, Member, Southern Nevada Home Builders Association:

We at Southern Nevada Home Builders Association are in support of this.

Chair Flores:

Is there anyone else wishing to speak in support? [There was no one.] Is there anyone wishing to speak in opposition? [There was no one.] Is anyone here in the neutral position?

Judy Stokey, Vice President, Government and Community Strategy, NV Energy:

We have spoken to the sponsor and we have spoken to Mr. Hicks, and we are working on a very minor amendment as he had identified. I definitely think we are going to get there.

David Cherry, Government Affairs Manager, City of Henderson:

I just want to thank the bill's sponsor as well as Mr. Hicks for being willing to work with us on the one section of the bill we had a concern with, which was section 11. We appreciate their addressing that, and we look forward to working with them before the bill is brought back for work session.

Scott Leedom, Director of Public Affairs, Southwest Gas Corporation:

First, I want to apologize to the bill's sponsor for not having reached out to him yet. We did have some concerns with the original language, but as Ms. Stokey said, we would like to continue to work with him on some of the concerns we had which are similar to those of NV Energy.

Kelly Crompton, Government Affairs Manager, City of Las Vegas:

I echo the same concerns as the City of Henderson. We appreciate the bill's sponsor and Mr. Hicks' working with us on the amendment.

Chair Flores:

Is there anyone else here to speak in the neutral position? [There was no one.] If I could have the bill's sponsor come back up for any closing remarks.

Assemblyman Carrillo:

Of course we will continue to work with the stakeholders and address their concerns so we can have a clean bill that comes out of it. Thank you so much.

Chair Flores:

Thank you, Mr. Carrillo. At this time we are going to go ahead and close the hearing on Assembly Bill 135. We will invite those wishing to speak in public comment to please come forward. [There was no one.] The meeting is adjourned [at 9:55 a.m.].

RESPECTFULLY SUBMITTED:

Mark Peckham
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Assembly Bill 37](#), dated February 28, 2019, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 52](#), dated February 28, 2019, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 65](#), dated February 28, 2019, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 89](#), dated February 28, 2019, presented by Jered McDonald, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is a copy of a PowerPoint presentation entitled "Presentation to the Assembly Committee on Government Affairs," presented by Wes Henderson, Executive Director, Nevada League of Cities and Municipalities.

[Exhibit H](#) is an information sheet on [Assembly Bill 18](#), submitted by Wes Henderson, Executive Director, Nevada League of Cities and Municipalities.

[Exhibit I](#) is a copy of a PowerPoint presentation entitled "Assembly Bill 18 Example Photos," presented by Edward McGuire, Public Works Director, City of Henderson.

[Exhibit J](#) is a proposed amendment to [Assembly Bill 18](#), submitted by Wes Henderson, Executive Director, Nevada League of Cities and Municipalities.

[Exhibit K](#) is a proposed amendment to [Assembly Bill 135](#), dated February 28, 2019, submitted by Joshua Hicks, representing Nevada Home Builders Association.