

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

**Eightieth Session  
April 5, 2019**

The Senate Committee on Government Affairs was called to order by Chair David R. Parks at 1:09 p.m. on Friday, April 5, 2019, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B 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 David R. Parks, Chair  
Senator Melanie Scheible, Vice Chair  
Senator James Ohrenschall  
Senator Ben Kieckhefer  
Senator Pete Goicoechea

**GUEST LEGISLATORS PRESENT:**

Senator Dallas Harris, Senatorial District No. 11  
Senator Joyce Woodhouse, Senatorial District No. 5

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Committee Policy Analyst  
Heidi Chlarson, Committee Counsel  
Becky Archer, Committee Secretary

**OTHERS PRESENT:**

Rick McCann, Nevada Association of Public Safety Officers; Nevada Law Enforcement Coalition  
Thomas Dunn, Professional Fire Fighters of Nevada  
Rusty McAllister, Nevada State AFL-CIO  
Hawah Ahmad, Las Vegas City Employees' Association  
Rick Carter  
Anne Smith

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Denell Hahn  
Julietta Bauman  
Val LaPorta, Henderson Historical Society  
Kathleen Nash  
Pat Spilotro  
Tom Morley  
Alfredo Alonso, Nevada Golf Alliance  
Ron Iversen  
Bill Hale  
Henry Chessin  
Alanna Bondy, EHB Companies  
Aaron West, Nevada Builders Alliance  
Kerrie Kramer, NAIOP  
Kathy Clewett, City of Sparks  
David Cherry, City of Henderson

CHAIR PARKS:

We will open the meeting with the work session on Senate Bill (S.B.) 16.

**SENATE BILL 16**: Revises provisions relating to the Gift Account for Veterans.  
(BDR 37-196)

JENNIFER RUEDY (Committee Policy Analyst):

I will walk through S.B. 16 that includes an amendment in the work session document ([Exhibit C](#)).

SENATOR GOICOECHEA MOVED TO AMEND AND DO PASS AS  
AMENDED S.B. 16.

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

CHAIR PARKS:

The next bill in the work session is S.B. 59.

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**SENATE BILL 59**: Requires proceeds from fees collected for the use of Stewart Indian School land be credited to the Nevada Indian Commission's Gift Fund. (BDR 18-187)

Ms. RUEDY:

I am summarizing S.B. 59 from the work session document ([Exhibit D](#)).

SENATOR OHRENSCHALL MOVED TO DO PASS S.B. 59.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The next bill in the work session is S.B. 279.

**SENATE BILL 279**: Revises provisions relating to general improvement districts. (BDR 25-246)

Ms. RUEDY:

I will summarize S.B. 279 in the work session document ([Exhibit E](#)).

SENATOR OHRENSCHALL MOVED TO DO PASS S.B. 279.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The next bill in the work session is S.B. 341.

**SENATE BILL 341**: Revises provisions relating to enterprise funds created by local governments for the purpose of providing telecommunication services. (BDR 31-1009)

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Ms. RUEDY:

I will summarize S.B. 341 from the work session document ([Exhibit F](#)).

SENATOR GOICOECHEA MOVED TO DO PASS S.B. 341.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The next bill in the work session is S.B. 398.

**SENATE BILL 398**: Revises provisions relating to affordable housing. (BDR 20-1074)

Ms. RUEDY:

I will summarize S.B. 398 and the amendment in the work session document ([Exhibit G](#)).

SENATOR OHRENSCHALL:

Senator Ratti's intent is to help homelessness issues. During the first Senate Committee on Government Affairs hearing, Senator Kieckhefer asked whether this bill authorizes any expanded powers of condemnation or eminent domain. That issue concerned me as well, so I reached out to the Legal Division. The Legal Division advised that nothing in S.B. 398 expands any power of eminent domain beyond what local governments already have pursuant to the *Nevada Revised Statutes* (NRS) and the Amendment to the *Nevada Constitution*, the "People's Initiative to Stop the Taking of Our Land." The Legal Division's advice addressed my concerns, and I will be supporting the bill.

SENATOR GOICOECHEA:

I was concerned with sections 2 and 4 regarding the fee in lieu of the performance of an obligation and how that money is deposited. I will be supporting the bill out of Committee, but upon seeing the amendment, I reserve my right to change my vote on the Floor. I am concerned where the money is going to go any time you impose an in-lieu fee.

SENATOR KIECKHEFER:

I have concerns with portions of the bill. I like the amendment as proposed by the sponsor regarding the direction of the in-lieu fees. I have ongoing concerns that I have not fully satisfied in my mind yet. I will continue talking with the sponsor. I will be voting no at this time and reserve my right to change my vote on the Floor as we continue our discussions.

SENATOR SCHEIBLE MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 398.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR KIECKHEFER VOTED NO.)

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CHAIR PARKS:

The next bill in the work session is S.B. 460.

**SENATE BILL 460**: Revises provisions relating to public administrators. (BDR 20-540)

Ms. RUEDY:

I will summarize S.B. 460 from the work session document ([Exhibit H](#)).

SENATOR GOICOCHEA:

I was not present when this bill was first heard in Committee. I have a question regarding section 15, subsection 1, paragraph (b) concerning payment to persons employed or contracted by a board of county commissioners. Will a board of county commissioners have the ability to either pay a person as an employee or a contracted person a percentage of the fees from an estate, or will the person be paid a straight cash payment? As I read the bill, that authority is at the discretion of the county commissioners. I want to make sure this clarification is on the record. Does the board determine how an employee or contractor will be paid? Subsection 5 of section 15 states all the money must be paid to the county general fund. We are assuming the money will go to the county general fund and then a portion could be reimbursed out of the fund back to the contractor or to pay the employee.

HEIDI CHLARSON (Committee Counsel):

The sponsor's intent is if a board chooses to abolish the office of public administrator, a board of county commissioners will have the discretion to either employ a person as a county employee to take over the responsibilities of administering estates or the board could choose to contract with someone outside of county employment. The intent of section 15 of the bill is to clarify that whichever option a county chooses, any fees or compensation prescribed by statute related to administering an estate of a deceased person go directly to the county general fund. If a county contracted with a person, that person would be compensated by the county pursuant to the terms of the contract. If the county chose to employ a person, the person would be a county employee. The compensation or the fees set forth in statute for administering estates are not going to go directly to either an employee or a contractor. The money will go to the county general fund and the county will choose how to compensate the person.

SENATOR GOICOECHEA:

I recognize the transparency in going through a county's books. In the past, we had some fees being paid without tracking the true value of the estate. I like the bill. I want to make sure on the record that a county has the ability to continue paying a percentage out of an estate to a contractor. With this bill, the money goes through a county's books, and I am comfortable with that.

SENATOR GOICOECHEA MOVED TO DO PASS S.B. 460.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The next bill in the work session is S.B. 473.

**SENATE BILL 473**: Revises certain definitions of affordable housing for the purpose of consistency. (BDR 22-377)

Ms. RUEDY:

I am summarizing information from S.B. 473 in the work session document ([Exhibit I](#)).

SENATOR KIECKHEFER MOVED TO DO PASS S.B. 473.

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We are now moving to S.B. 490 in the work session.

**SENATE BILL 490**: Requires the Nevada Commission on Minority Affairs to conduct a study related to disparities and unlawful discrimination in the awarding of certain contracts by the State or a local government. (BDR S-586)

Ms. RUEDY:

I am summarizing information on S.B. 490 from the work session document ([Exhibit J](#)).

SENATOR SCHEIBLE MOVED TO DO PASS AND RE-REFER S.B. 490 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That concludes the work session, and I will open the hearing on S.B. 158.

**SENATE BILL 158**: Revises the definition of the term “supervisory employee” for purposes of provisions relating to collective bargaining. (BDR 23-789)

SENATOR DALLAS HARRIS (Senatorial District No. 11):

Senate Bill 158 is simple and straightforward but important. In short, the bill revises the definition of the term “supervisory employee” as used in NRS 288 for the purposes of collective bargaining.

It may seem a simple definition is innocuous, but when it comes to collective bargaining, the term supervisory employee is instrumental to who can and cannot be part of a collective bargaining unit. Local governments may engage in collective bargaining with a recognized employee organization for each bargaining unit of employees. Moreover, a supervisory employee is prohibited from being a member of the same bargaining unit as the employees under his or her supervision.

This bill addresses the concern that due to the broadness of the definition of supervisory employee, some employees who should be involved with the bargaining unit cannot be part of it or, in some cases, might find themselves unfairly removed. This is particularly problematic for those employees involved in public safety—specifically, firefighters, peace officers and police officers. The current definition of supervisory employee includes any person who, on behalf of his or her employer, engages in various employment actions when such actions are not just routine and require the use of independent judgment.

Those involved in public-safety positions will tell you they sometimes perform supervisory functions, and they often do not. It depends on the specific situation faced by those in law enforcement and public safety. A supervisory decision or action might be needed temporarily, but such employees are not supervisors as most would think of them. This has led to some in the public-safety field to be excluded or even kicked out of the bargaining unit in which they should be included.

Senate Bill 158 proposes to amend the definition of supervisory employee to address this unintended consequence by clarifying that police officers and firefighters who perform some, but not all, of the supervisory duties set forth in NRS 288.075 under a paramilitary command structure must not be deemed a supervisor solely because of such duties. The original draft of the bill did not include certain peace officers. I have included an amendment ([Exhibit K](#)) to ensure we include peace officers, in addition to police officers and firefighters, as part of this clarification of the term supervisory employee.



Thank you for your consideration and support of S.B. 158. I will turn the bill presentation over to Rick McCann, representing the Nevada Association of Public Safety Officers and the Nevada Law Enforcement Coalition. Mr. McCann will further explain the rationale for S.B. 158 and highlight the critical importance of this bill.

RICK MCCANN (Nevada Association of Public Safety Officers; Nevada Law Enforcement Coalition):

The Nevada Law Enforcement Coalition represents about 10,000 law enforcement members across the State.

Senate Bill 158 seeks to amend the definition of a supervisory employee under NRS 288.075 to exclude that same definition as to peace officers and firefighters who perform some, but not all, of the enumerated duties under a paramilitary command structure.

Why exclude these specific folks? Imagine you have a bargaining unit composed exclusively of law enforcement officers who have not been promoted to supervisory positions. The officers do not have a proprietary or property interest in the supervisory position, but at any given time, depending upon injuries to fellow officers, vacations and other manning issues or the needs of the department, the officers are asked to assume some supervisory tasks as officers in charge (OIC), acting sergeants, field training officers (FTO) and the like.

The officers are asked to assume the supervisory tasks each day the officers work for what could be days, weeks or months at a time depending upon the department's needs.

Technically, the officers may be considered supervisory employees under NRS 288.075 because the officers may assign work to others, direct others in their tasks and recommend discipline of someone under the officer's guidance. Those tasks may occupy a significant part of the officer's workdays for those days, weeks or months the officer is performing those temporary duties.

In compliance with NRS 288.075, the officers are supervisory employees. Under NRS 288.170, a supervisory employee must not be a member of the same bargaining unit as the employees under their direction. Therefore, we have created a situation where a temporary-assignment process may lead to the dilemma of allowing the officers to remain in the same bargaining unit.

The result is an employer could decide that these temporary OICs or FTOs, since they are fulfilling some of those tasks enumerated under NRS 288.075, are supervisory employees and must not be in the same bargaining unit as the other officers.

We cannot have peace officers changing duty status from time to time due to the needs of the department and as a result be subject to removal from their bargaining unit. If the officers are fully promoted to supervisory positions with property rights to those positions, that is a different argument and not the argument being discussed today.

Senate Bill 158 makes an adjustment to NRS 288.075 to exclude peace officers and firefighters from this situation that is common to those professions.

For these reasons, we fully support S.B. 158 as amended and urge this Committee's support as well.

SENATOR SCHEIBLE:

What currently happens in situations when an officer is not promoted to sergeant but is stepping in for a day or a week and then returning to his or her normal duties? Are the officers being asked to change bargaining units, or is the concern being out of compliance with the statute?

MR. MCCANN:

We are worried about compliance with the statute. The officers stay in the same bargaining unit until promoted or otherwise. Many organizations already have a supervisory bargaining unit used upon promotion but not for temporary duties.

SENATOR KIECKHEFER:

Is this something you are worried about happening in the future, or is it already happening? If these officers should be retained within their existing collective bargaining unit, the officers should not get kicked out if they are on a temporary assignment.

MR. MCCANN:

Part of this was spawned by a recent Local Government Employee-Management Relations Board (ERMB) case, *City of Elko v. The Elko Police Officers Protective Association, Nevada Public Safety Officer Communications Workers of America*,

*AFL-CIO, Local 9110*, Item No. 831, ERM Case No. 2017-026 (August 29, 2018) Upon review and testimony concerning the various sergeants' duties of the Elko Police Department, the Board decided that the officers performing temporary duties occupy some, but not all, of the enumerated positions within NRS 288.075. The Board stated the officers have to perform just one of the numerous duties to be considered a supervisory employee.

I will not represent that there are people trying to challenge this process en masse, but we are concerned that in the future an employer could refer to the ERM case stating all one has to perform is one of the tasks to be considered a supervisory employee. We have employees on a temporary basis performing one, two or three supervisory tasks for days, weeks or months. Based on this ERM case, management may be able to force the employees out of their bargaining unit.

SENATOR KIECKHEFER:

Is "paramilitary command structure" defined in statute?

MR. MCCANN:

I am not aware if paramilitary command structure is defined in statute. We selected the groups added to the amendment based upon our knowledge that those positions work under a paramilitary command structure. We could have said peace officers, but you would have a raft of people who do not fall in that category, and we would be asking too much of this bill.

THOMAS DUNN (Professional Fire Fighters of Nevada):

I will give the legislative history of S.B. 158. In 2011, S.B. No. 98 of the 76th Session passed. The bill dealt with issues under NRS 288 and was amended several times. We came to a definition within the bill of a supervisory employee who was promoted versus a supervisory employee who was appointed by a local governmental organization.

The distinction with the change in the statute was to ensure peace and harmony among the organizations to prevent additional grievances, arbitration processes or court issues at the ERM level.

After S.B. No. 98 of the 76th Session passed, the City of Reno chose to file an ERM complaint against all bargaining units in the City of Reno trying to get a

clarification of what the intent of S.B. No. 98 of the 76th Session was, specifically to temporary positions. The complaint was resolved in 2012 and a clarification made.

Today, there is a concern that in the future, a local government agency will determine or try to reinterpret what the intent of a supervisory employee is based on existing collective bargaining agreements which have been in effect for a long period of time. There could be a potential carveout of what is considered a supervisory employee.

SENATOR KIECKHEFER:

We are not amending the language that was changed in S.B. No. 98 of the 76th Session, correct? We are amending section 1, subsection 1, paragraph (a) whereas section 1, subsection 1, paragraph (b) was amended in 2011.

MR. DUNN:

That is correct. This bill provides a clarification under NRS 288 that under both paragraphs (a) and (b) the exclusion is specific to paramilitary organizations that deal with law enforcement and fire.

CHAIR PARKS:

Would this also apply to the Department of Wildlife where game wardens are in a supervisory role? I am trying to sense how broadly this will affect individuals.

MR. MCCANN:

That was considered. That is why the amendment was included regarding peace officers. A lot of people think police officers are strictly police officers. By definition, that is what I refer to as the colloquial type of cop on the street. We have a number of peace officers between NRS 289.150 and NRS 289.360 in which various positions are defined as peace officers but not police officers. Therefore, we want to expand the definition. We looked at many of these groups and determined they were not subjecting themselves to the temporary supervisory duties in a paramilitary organization. Game wardens and positions of similar nature came up.

I will add one other caveat. Many people who are peace officers in the State, such as Attorney General investigators, Secretary of State investigators and the like, are State employees. State employees will not be subject to this bill since

this is a collective bargaining process. I hope this changes as we spent a lot of time recently trying to get that specific policy changed.

SENATOR HARRIS:

We included information on the persons possessing powers of peace officers ([Exhibit L](#)) taken from NRS 289.150 through NRS 289.360. We specifically pulled out particular peace officers that this bill should apply to from those sections. We gave that quite a bit of thought.

MS. CHLARSON:

Looking at the proposed amendment and statutes provided in [Exhibit L](#), it appears some State employee peace officers are included. For clarification purposes, could you provide the Committee and staff with the specific local government peace officers that are not currently included in the bill that need to be included so we understand the intent?

MR. MCCANN:

We have identified the peace officers specifically in the amendment as NRS 289.150, NRS 289.170, NRS 289.180 and NRS 289.190. [Exhibit L](#) shows all the peace officers, but just those four specific sections are included in the amendment. The specific sections do not comprise State employees, unless I am wrong.

MS. CHLARSON:

For example, NRS 289.170 refers to special investigators employed by the Attorney General in addition to investigators employed by district attorneys. For clarification purposes, if you could provide additional information so we can make sure to get the language right to carve out the ones that should not be included and keep the ones you intend to include.

MR. MCCANN:

The special investigators employed by the Attorney General are State employees and not included. The investigators employed by the district attorney will be subject to the NRS 288 reference. That is what we are talking about.

That is an excellent point. It is our burden to make sure we make the language clear to you since the statute we offered reflects upon two different groups, one of which is included and one of which is not.

SENATOR GOICOECHEA:

Looking at NRS 289.180 and the titles such as the Chief Parole and Probation Officer or the Chief of the Youth Parole Bureau, the title "Chief" implies it is a supervisory position.

SENATOR HARRIS:

You are correct. However, the exemption language in the bill applies to those who perform these duties incidentally. The exemption will not apply to those who fit in the same categories but are in fact supervisors.

RUSTY MCALLISTER (Nevada State AFL-CIO):

We are testifying in support of S.B. 158. I reviewed the minutes from prior sessions to refresh my memory on how this came about when it was originally amended in 2011. None of these issues were in the original bill, S.B. No. 98 of the 76th Session. The language was inserted as an amendment after the hearing on the bill. The Las Vegas Chamber of Commerce tried to make several changes to the collective bargaining process.

One thing the bill did that ultimately came out in a Conference Committee was create the definition of a supervisory employee. A good portion of the gist behind that was the City of Reno was trying to take battalion chiefs out of the collective bargaining process. The arguments were if an employee was promoted and part of the union, the employee would not take the interest of the taxpayers into consideration based on the role of supervisor.

We worked with the parties involved and the Conference Committee ultimately placed an amendment on the bill with the definition of a supervisor. The City of Reno immediately tried to take the battalion chiefs out of collective bargaining referring to the definition. The action went to the ERMB. The ERMB heard the case and ruled the battalion chiefs were not supervisors as described in NRS.

A few years later, hearing a different case, new ERMB board members made a different decision on the same subject. The ruling stated if the employee performs just one of the numerous tasks a supervisor is listed to do, that means the employee is a supervisor.

This bill will clarify supervisory duties. When the ERMB board members change in the future, the language will be clear and eliminate decisions based on

one segment of a bill, even though a previous ERMB board made a decision in favor of the employees and employees' organizations in the past.

HAWAH AHMAD (Las Vegas City Employees' Association):  
We support S.B. 158.

SENATOR HARRIS:

We thank the Committee for its consideration and will address any questions or concerns. This bill makes sense. We need to provide relief to those that the supervisory employee definition does not fit in how the agency operates.

CHAIR PARKS:

We will close the hearing on S.B. 158 and open the hearing on S.B. 251.

**SENATE BILL 251**: Revises provisions relating to the development of certain golf courses. (BDR 22-60)

SENATOR JOYCE WOODHOUSE (Senatorial District No. 5):  
I am presenting S.B. 251.

A recent article in *The Wall Street Journal*, "Golf-Home Owners Find Themselves in A Hole," noted prices for homes near a golf course typically decrease 25 percent when the golf course closes, but the price decrease can be even more devastating—by 40 to 50 percent—if a contentious legal battle over the closure ensues. The article noted "golf participation peaked in 2001, when nearly 30 million people played more than 500 million rounds; in 2017, that figure dropped to nearly 24 million people playing about 450 million rounds."

A constituent in my district, Rick Carter, brought this issue to my attention when a developer purchased the golf course adjacent to his home and made moves to add high-density housing in place of the golf course. Rick will tell the story later in his testimony.

My intent with this bill was to provide reasonable protection to homeowners who purchase homes near golf courses precisely because those homes are near golf courses. It has become clear over the past month since this bill was introduced on March 5 that this bill may not be the best approach to address this issue. Candidly speaking, I do not know what the best approach is. After considerable discussion with numerous interested parties on both sides of the

issue, as well as discussions with my cosponsors on the bill, we are bringing an amendment to this bill ([Exhibit M](#)). This issue merits further study during the Interim.

I propose an amendment to delete and replace the existing provisions of the bill with provisions that direct the Legislative Commission to appoint a committee to conduct an Interim study concerning the development of residential golf courses.

I will walk the Committee through my conceptual amendment proposal for this Interim study. The amendment will provide that the committee must be composed of: Two members of the Legislature appointed by the Majority Leader of the Senate; two members of the Legislature appointed by the Speaker of the Assembly; one member of the Legislature appointed by the Minority Leader of the Senate; and one member of the Legislature appointed by the Minority Leader of the Assembly.

The committee will also be required to: Examine, research and identify the procedures available in this State and other states, as this issue is not unique to Nevada, this issue is happening across the Nation, for the conversion of land used as a residential golf course to any other use; consider how such procedures should involve affected local governing bodies, the owner of the residential golf course and the residents of affected communities; and submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 2021 Nevada Legislature.

The committee will also be required to consult with and solicit input from: Representatives of local governmental bodies and agencies which regulate planning, zoning and land development; representatives of businesses which develop residential golf courses; representatives of residents who live in communities which include residential golf courses; representatives of the Real Property Law Section of the State Bar of Nevada; and any other persons the committee determines would be appropriate.

With consultation with the Legal Division, we would retain the definition of "residential golf course" in section 2 of the bill.



The Legislature has a history of providing solutions to keep Nevadans in their homes. When countless homeowners faced foreclosures during the Great Recession, and now when the economy is turning around and affordable housing is scarce, we work to find solutions for homeowners.

The Legal Division has advised me there is no appropriate legislative statutory committee to assume responsibility for the study. Therefore, the proposed amendment is drafted to require the Legislative Commission to appoint a committee to conduct the study.

I urge your support to amend and do pass S.B. 251.

RICK CARTER:

I reside in the Grand Legacy Golf Course Community in Henderson. I thank Senator Woodhouse for her involvement and tenacity on this issue. I am providing a resident view of what happened in our community and why I support S.B. 251 and the amendment.

On July 3, 2017, many of the approximately 5,000 residents residing in more than 1,500 homes comprising the Grand Legacy Community learned from the TV news that the Legacy Golf Club had been sold. The Grand Legacy Community spans over approximately two square miles north to south from Pebble Road to Windmill Parkway and east to west from Pecos Road to Valle Verde Drive.

The next day, July 4, the Legacy Golf Club was closed. All staff—including maintenance staff—was fired, the water turned off; the property was chained off and immediately began to deteriorate. That is a strategy being employed by many golf courses throughout Clark County and throughout the Country; the strategy being buy the golf course, close it and let it deteriorate.

Ten days later, the Grand Legacy Community Association hired a team of attorneys to uphold the tenets of the community deed restrictions, reinstate the maintenance of the golf course and to preserve the community's way of life.

In an emergency court session, the judge required the developers to maintain the golf course as a golf course until the final determination of the court was rendered regarding the litigation, including upholding deed restrictions and other matters. This initial step was critical in keeping the golf course viable for the

future, and this is the core of our concerns regarding similar situations throughout Nevada. We have learned that once a course is closed and not maintained, it becomes almost impossible to retrieve it from deterioration due to the high expenses involved.

During the next eight months, the Grand Legacy Community was galvanized to fight the impact of the developer's plans to kill the golf course and build housing in its place. The Grand Legacy was joined in the lawsuit by the Green Valley Association and the Master Series subdivision, and several other Legacy homeowners' associations provided financial support to the three named plaintiffs, since they too recognized the importance of the litigation and the potential harm to their homeowners' associations and to homeowners.

In our quest to find a solution to our plight, members of the Grand Legacy Community met with Henderson Mayor Debra March, Clark County Commissioner James B. Gibson, City Councilman Dan H. Stewart from Henderson, Senator Joyce Woodhouse, Senator David R. Parks, Assemblyman Ozzie Fumo and Assemblywoman Lesley E. Cohen as well as other elected and community leaders.

The outcome of the lawsuit was the suit settled primarily due to the deed restrictions which existed for all homeowners in the Grand Legacy Community. These deed restrictions required the golf course property to be maintained as a golf course for a full 50-year term.

Most golf course communities in Nevada do not have deed restrictions requiring the golf courses be maintained as a golf course, so the communities face a higher risk of being developed, as evidenced by the golf courses in Nevada that have been in legal fights for years over such activity. Without legislation and guidance for developers and protection for the residents of these communities in Nevada, we have been watching a slow moving disaster throughout our State.

If you talk to one of your colleagues in the Assembly or the Senate experiencing this kind of thing in their backyard, the experience is not a pretty one.

Many homeowners and developers in our State have been harmed financially as a result of this lack of clarity. Various governmental bodies have been thrown into turmoil and have experienced severe financial impacts due to the lack of legal or legislative clarity about the process and an obvious imbalance of power

regarding such situations. Our goal is to clarify the process, make it visible to the public and to level the playing field so homeowners and communities can be protected from loss.

I have read the amendment and understand the original legislation that was introduced. I also understand Senator Woodhouse's statement that we do not necessarily know what the solution is. Therefore, I support the amendment.

SENATOR WOODHOUSE:

We know the issue of golf course communities is a big one. We see the devastating situations that have happened. We want to get to the right solution. It is imperative that we take a step back and put in place the Interim study so we can look at available research and other communities and states that have done work in this area. As stated earlier, this issue does not exist only in Nevada. It exists across the Country, particularly in Florida, as well. We want to look at these situations and possible resolutions, so the next Session of the Legislature can have legislation that we can work on together to make things better.

CHAIR PARKS:

Section 2 of S.B. 251 gives a definition of a "residential golf course." Is the definition for a residential golf course somewhere else in statute?

SENATOR WOODHOUSE:

In working with the Legal Division, this is the definition that was included in the original bill. When we submitted the request to delete and replace language with the amendment, the Legal Division recommended keeping the definition in the amendment. If the Legal Division has another better definition of a golf course community, that is fine with me. I will consider that. I will look to the Legal Division for guidance.

MS. CHLARSON:

I do not see a definition of a residential golf course in NRS. If the Committee amends and do passes the bill to conduct the study, the intent is to include this definition so the committee studying the issue understands what it is studying.

CHAIR PARKS:

The other terms we have heard are "private" and "municipal" golf courses. That adds something to the challenge in getting this right.

ANNE SMITH:

I live in the Queensridge community. I had a presentation made and now that the situation has changed with the amendment, I will adjust as I go. I am here representing some of my neighbors and will talk about our experience as homeowners living near the now-closed Badlands Golf Course. For over three years, Queensridge residents have worked together to protect this beautiful open space from the high-density development plans of a Goliath developer who has turned the golf course into a wasteland. The experience aligns with Senator Woodhouse's testimony.

The result has been a decline in our property value of up to 50 cents on the dollar over the last 4 years, when other areas in Las Vegas have seen significant increases in value. The Queensridge community is at the higher end of the home value decreases Senator Woodhouse mentioned. For most of us in Queensridge, the majority of our savings is in our home equity, so this really affects us. We are not the only victims; the environment and air quality are degraded and wildlife and birds have lost their habitat and sources of food. The Cities of Henderson and Las Vegas passed open space ordinances last year, but the ordinances need to be reinforced through State legislation to protect all jurisdictions.

I was going to urge you to vote on the original bill, but now I am urging you to keep this process moving to develop protections for golf courses and open spaces and the adjacent communities. Our concern with the time extension in the amendment is about limiting the damage that could be done in the near future by developers that place profit alone above sustainable quality of life for communities and the environment.

I have photographs from Google Earth ([Exhibit N](#) contains copyrighted material. Original is available upon request of the Research Library.) The photographs show the condition of the property over the last 4 years; how it has gone from green spaces in 2015 to sand in 2017 and desert in 2018.

I urge you to move ahead with something today.

DENELL HAHN:

I live in the Black Mountain Golf Club Community in Henderson. I am part of the Black Mountain Neighborhood Association that is not a homeowners' association. The Association was formally recognized by the City of Henderson,

but we do not have bylaws or dues. We are just hundreds of neighbors who banded together to preserve our homes and our heritage. Those who know old Henderson know we are not just neighbors but have known each other for years. We had promises made to us.

As the land value in our area goes sky high, golf courses are in the crosshairs of developers. The developers are looking for large land parcels to acquire at bargain prices in already developed areas. By hook or crook, the developers are getting these land parcels.

Black Mountain Golf Course is often overlooked as a small community golf course. The golf course has been there for over 60 years. The golf course is now in a Chapter 11 business bankruptcy. The investor who is pulling the strings in Black Mountain intends to profit from this bankruptcy. He has placed the course in his business bankruptcy as part of his strategy to take over the course.

Black Mountain is by State charter a nonprofit cooperative corporation. Members do not have equity ownership of this course but have been promised \$15,000 per membership by the investor as long as the members do not oppose the investor's zoning request and the investor has the members' votes. Fifteen thousand dollars per person is small potatoes compared to what the investor plans to make on the sale of the land. The land consists of 192 acres.

We desperately need S.B. 251. We cannot wait two years. Black Mountain is already closed. If there is any purpose to salvage the integrity of this neighborhood, we have to do something sooner than two years.

Senate Bill 251 requires the owner to show proof that the golf course operation is not financially feasible. This speaks directly to Black Mountain. Requiring an environmental impact study is also warranted. We have wildlife and vegetation losing their homes. In addition, we have a 60-year-old golf course that has had herbicides, fungicides, turf builders and all kinds of weed killers and chemicals dumped on it for 60 years. The soil must be tested and possibly remediated before any kind of plans can be made for these courses.

The golf course is not being watered and the dust is in our air right now. I am concerned about the health of our entire neighborhood because nothing is happening with dust control. Senate Bill 251 also requires 35 percent open

spaces. If we lose the golf courses, at least we have some hope that we will not have just a sea of houses in our once nice community. It gives us some sort of buffer zone.

The ability to claim compensation for the loss of home values is also particularly important. As homeowners, this is the biggest investment we will make in our lifetime. This provides an opportunity, if we lose value in our home because of these new developments, to have some redress and some protection.

In regard to zoning in Henderson, the developer or investor wants to build ten residences per acre and wedge them in in complete contrast to our larger lots and nice wide streets.

By the way, the land developer is also now the president of Black Mountain Golf Club.

The City of Henderson passed an ordinance to protect the closure of golf courses and lay out regulations related to these situations. The City of Henderson needs this law to give the City some teeth in what the City is trying to do.

The Henderson ordinance requires a closure plan to be in place within 30 days from the closure of the course. The course closed in November. It is now April. There is no closure plan. I understand from the City of Henderson it hopes to introduce a closure plan in April. Residents do not have copies because it is not completed yet.

The ordinance required a public hearing with copies of the draft closure plan to be furnished to every resident. The public meeting was held February 11, but copies of the draft closure plan were not provided to the residents. The meeting was standing room only. I would guess 150 people were in attendance standing up while the lawyer read the draft closure plan to them. There was no audio, so no one heard a thing. To this date, copies of the draft closure plan have not been supplied to the residents.

The ordinance required the landscape and irrigation system be maintained. The Club has ripped out the entire irrigation system. About two weeks ago, the Club ripped out all the sprinkler heads and sold the brass. Since the Club has stopped watering, rats and rabbits are migrating into our neighborhoods and causing

damage to the residential areas. I am also concerned about the lack of watering causing dust problems.

The remaining healthy trees on the course are tagged for sale to the Wynn Golf Course. The Club has been negotiating the sale of the pine trees and the palm trees. The other trees have been cut down leaving about three or four feet of stump. I submitted pictures showing the stumps of the trees ([Exhibit O](#)). There must be at least 50 stumps all over the golf course.

Part of the strategy is to make the course so unsightly that the residents will agree to have the investor put anything the investor wants in its place, as it will be better than having stumps and dead trees.

Black Mountain Golf Club was founded in 1957. Students from Basic Academy High School raked rocks and helped build the course. It was a coming-of-age for Henderson and our great source of pride. One of the original founders is with us today, Lou LaPorta. Mr. LaPorta is a former Henderson Councilman, former Clark County Commissioner from Henderson, respected businessman, civic leader and now the President of the Henderson Historical Society. He was there when the Bureau of Land Management (BLM) and Basic Management Incorporated (BMI) made the sale of the property contingent on the land remaining a golf course. The new land developer has a lot better lawyers than we do. The developer also has a lot better financing and has made BLM and BMI forget those promises.

The title documents for our home assured us the golf course property sold by BLM and BMI must always remain a golf course, but BLM and BMI have forgotten those things. It is good that we have people like Mr. LaPorta to remind us of the days when promises were important.

We are encouraged that our Legislators from Henderson saw fit to bring this bill forward. We need S.B. 251, and we need it now. We cannot wait two years. Please take our plight into consideration when you are considering this bill.

JULIETTA BAUMAN:

I am a member of the Queensridge Owners Association, Queensridge community and homeowner. I am disappointed the Senate Committee on Government Affairs will not be voting on S.B. 251 in its original format, but I

am glad to hear the bill may be amended to spend some time in creating something that will work for all of us.

It has been a frustrating, nearly four years in Queensridge. We are in a similar situation as those who have testified today. I submitted photos showing the before, during and current devastation and financial effects to the community ([Exhibit P](#)). The community has 1,200-plus homes. It is not just an eyesore, but a horribly depressing situation every day when going home. A person is supposed to be happy when going to the home he or she loves. I support your creating a perfect bill to the best of your ability. If it is going to take two years, then so be it.

VAL LAPORTA (Henderson Historical Society):

I represent the Henderson Historical Society and the Black Mountain neighborhood. I will give a history of how Black Mountain started.

Our historic neighborhood must continue to be a historical golf course. The first golf course in Henderson was a private venture and our first recreation in the community.

The 5 founders were successful in obtaining 125 acres which became a field of golf, which also became successful. Buyers were interested to purchase lots along with private residents. It is a well-established golf course and as of today, it is a historical golf course, but it is not doing well.

This is a special family community and historical area. We deserve to preserve this area of more than 62 years. The City of Henderson was incorporated in 1953 and the Black Mountain Golf Club was established in 1957—a mere four years later. This was a self-discovery of five founding fathers who weathered the storm. It helps tell a living story.

Any proposed rezoning will have a significant adverse impact on the natural environment of the property in this vicinity. No schools, police stations or fire stations will be built. Our historical golf course in Black Mountain is suffering.

The Black Mountain community is a part of the historical master plan already. This historical golf course community is an important place and an area that provides future generations tangible evidence of history and heritage of our City of Henderson.



Black Mountain is one of the most unique in styles, character and charming areas of its time. Under the City's Historical Preservation Plan, Black Mountain is on a list of parcels for future intense evaluation. The list includes the parcel number, address, owner's name and the legal description of the subdivision name of Black Mountain Golf Course and Country Club. That is what the homeowners signed up for. Our biggest investment in life is our home.

Historic golf trails and historical resource programs are designed to enhance public awareness. Historic golf courses will increase an appreciation for historic preservation history.

The Henderson Historic Resources Survey Plan was funded by the Nevada Historic Preservation Fund, a program of the Nevada State Historic Preservation Office. A public outreach meeting on this plan was held April 19, 2017. The Historic Resource Plan was to identify neighborhoods, building structures and the like of historically significant age and take into account community properties. Outlining strategies was also included in this meeting that many of us from Black Mountain attended. In the City's words:

These efforts encourages the preservation and the use of cultural resources to educate the public about the importance of heritage so that Nevada History and the City of Henderson Historic properties were preserved, interpreted and reused for their economic educational values for future generations to appreciate.

Many areas of historical significance are being discussed by homeowners surrounded by the historical golf course. Abandoning our historical significance will be a loss for our future generations.

The City of Henderson's Historic Preservation Vision Statement calls for the preservation of historical places for educating future generations. Preservation of the historic district should represent the full spectrum of community past, not just a selected slice of a time period. We are an extended historical community to all of Nevada.

Nevada Senators, our city leaders and our Committee members are our biggest thinkers, our engineers and our Top Gun leaders. Cities and states put communities back together following hurricanes and tornados. We are only talking about a historic golf course of 62 years-plus and a leader in historic golf

destinations. We are dependent on the City of Henderson to continue the historical endeavor that was purchased.

KATHLEEN NASH:

I live in the Grand Legacy Golf Course Community in Henderson. I am a neighbor of Rick Carter. Rick did a good job in presenting what happened to our neighborhood. Our concern going forward is that this does not keep happening to all other golf course communities—specifically in our State. I support S.B. 251 with the amendment if that will keep this issue on the forefront and keep it moving forward because it is an important issue.

PAT SPILOTRO:

I live in the Silverstone Ranch Community in Las Vegas. The community was built as a golf course community, an integrated golf course much like Legacy and Badlands Golf Clubs. I am here to offer the Committee my help. I am a research analyst. I have researched almost 200 golf-course cases, including the local ones in Las Vegas. I have a fountain of information for you. I support the amendment proposed today, and I also support the delay even though this golf course legislation is two to three years overdue.

Thousands of communities in the United States are plagued by this. Over 1,200 golf courses have closed. Tens of thousands of people in Las Vegas and Nevada are suffering because of a lack of legislation. The people have relied on zoning and planning and have made major investments in these communities.

Multiple court cases are in circuit courts at the higher United States level and the local level as well. District Judge Jim Crockett, Eighth Judicial District Court in Clark County, heard the case from the Silverstone Ranch Community and also was the judge in the Badlands case. He recommended to the City of Henderson to contact the homeowners and the people who have something at stake in these communities before the City makes decisions that change and impact the lives of thousands of people who had already invested in these communities.

It is not acceptable to strip away the equity of homeowners by allowing someone to buy a golf course—in the case of Las Vegas Silverstone Ranch—for \$3,650,000. That is one-twentieth of the cost Pulte Homes paid for the land adjacent to the golf course. The reason the golf course was valued at such a small amount is the land is not buildable land. In the case of Silverstone Ranch, that land was designated as open space for the community.

The Silverstone Community has 1,526 homes and designated as RPD-3 for zoning density. Pulte came to the City of Henderson and requested to build 1,526 homes and change the zoning density from R-2 to RPD-3 which allowed Pulte to build supposedly 1,873 homes. Unfortunately, Pulte did not own 624 acres. Pulte only owned 354 acres which entitled the company to build 1,088 houses.

These golf courses that are designated residential or integrated golf courses are centerpieces of these communities. These communities were built on the basis of open space being available to the homeowners and increasing the value of the homeowners' properties. Now the land is being taken away and developers are allowed to put in multiple houses making the areas high density. It violates the basic principles of the planning process from the start. Why bother planning if you are going to go back and retrace things and offer no protection whatsoever for the homeowners?

The golf course legislation is needed because while multiple homeowners have already lost in these situations and cannot recover, future homeowners need your protection. I encourage you to speed this up as much as possible. I am here to offer Senator Woodhouse any of my information.

TOM MORLEY:

I am a Clark County Planning Commissioner, but I am here representing myself today. I am not representing the Planning Commission in this testimony. I support S.B. 251 as amended and thank the sponsors of this bill for the amendment because I think we need to look at some things.

There are five cases being litigated in Nevada. Nationwide, 700 golf courses have closed. My concerns as planning commissioner are lot sizes, setbacks, architecture and landscape buffers if not artistically compatible.

There is a reduction in golf popularity right now. We are also getting landlocked in Las Vegas. When looking at profits and losses of the golf course before shutting down or during the plan of shutdown, we need to look at homeowners' association (HOA) increases and dues to maintain the golf courses. If golf courses close their doors, are the HOAs going to have to pay to maintain the course area? We need to find out what is going to happen in this litigation, and we do not want to legislate around the litigation that is going on right now.

I am here in support and would like to be considered as part of the working group during the Interim.

ALFREDO ALONSO (Nevada Golf Alliance):

The Nevada Golf Alliance includes members who own, work at and/or play golf. Our goal is to keep these courses open if at all possible. This bill is a great way to have those discussions and establish the problems these golf courses are having. Are the problems related to water, water bills or other issues? Senator Woodhouse is on to something here that makes a lot of sense. Golf courses are as diverse as the communities that the courses are in—from golf courses in Genoa to Henderson. This is a worthy attempt to get the facts out and come up with a good plan that might protect these communities in the future.

RON IVERSEN:

I reside in the Queensridge community in Las Vegas. I am a long way from home because this is important, not only to me, but to my community as well. I must disclose I am a member of the HOA at Queensridge, but here today representing myself as a resident.

I am in favor of S.B. 251 and the rightful protections it introduces for residents living adjacent to golf courses that are soon to be redeveloped. We desperately need a policy and process in which to deal with these situations that are becoming more prevalent.

As previously said, people have invested their life savings in homes surrounding these particular properties and their equities are being devastated by what is going on.

I live adjacent to the Badlands Golf Course. Over the last several years, we have seen visual devastation of the golf course. The developer has turned off the water which has reduced everything to a desert. The animals have migrated out of the property and up into the residences. This includes rabbits, rats, snakes, scorpions and all sorts of things that come with the water being turned off. Ponds have been drained and left fallow. When you drive into these communities, you see devastation where it used to be green and lush.

In addition to the visual devastation, the value of my property residing next to the golf course has gone down anywhere between 20 and 25 percent. People

have been precluded from selling property in these areas because it is unknown what is going to happen. There is no policy or process with how to deal with this situation. Because of that, people shy away from buying into these communities. People are not only seeing their property values go down, but property owners cannot get out of these communities. A lot of people have purchased these homes for retirement purposes. Homeowners want to live the rest of their lives in Nevada in these communities, and now developers have come in and completely turned the situation upside down with no protection of the residents' rights.

My experience is echoed by hundreds in Queensridge and thousands in the rest of Las Vegas. This is a contentious issue as Senator Woodhouse has discussed. I am asking two things. If you vote for the study, consider limiting it to less than two years. If this is an important issue, why not limit it to one year? That is plenty of time for people to look across the United States, see what has been done, put together legislation and bring it back to this Committee for consideration. The second thing I ask is for a development moratorium in these affected golf courses during the period of time the study is being conducted and until a final bill is put into place—whatever the bill will be, based on whatever the proponents of the study bring about.

The reason I ask for this is, every day, Nevada residents are being impacted by this situation and are looking to the leaders of our State government to help protect the rights of the residents and the money the residents have invested in the State.

**BILL HALE:**

I live in Genoa. We have two golf courses in Genoa owned by the same company. The company approached the residents last summer with the idea to close the back nine holes of the Lakes Golf Course and develop it into houses. The developer did not do their homework when purchasing the golf course four or five years ago because there was a summary judgment saying no additional homes could be built in our location.

The issue the Genoa residents face is the owners of the golf course are threatening to walk away from the golf course. You can imagine the health and safety issues and the blight on the community this would create. Genoa is a beautiful place to live, and all the residents have been there for years. These carpetbaggers from another state come here with the sole intent of developing

our community into homes. The developer admitted that was their purpose but did not realize there was a limitation on the number of homes. Now the owners are threatening the residents with the fact that the owners will be leaving at the end of this season.

There is an urgency to have this bill take effect. If anything, our community would like to see the Committee approve section 4, subsection 2. That would fulfill our community's needs. In section 4, subsection 2, it states the governing body will or shall create an ordinance. That is all we need. We will go back to Douglas County with this issue.

HENRY CHESSIN:

I live in Genoa Lakes. I give my sympathies to those in Las Vegas who have reported the ill-treatment they have received and the diminishment of their property values because of practices which can only be described as coercive. The tactic to threaten closure or perform a closure and then to try to coerce land use changes through the threat of a creation of a permanent nuisance and health and safety hazard is appalling.

The affected residents and landowners need avenues to shield them from this type of treatment. It is a form of bait and switch. A person purchases a home at a premium because the home is near a golf course and a beautiful green area, and then the golf course owners remove the golf course after the homeowners have paid the premium on the home. The owner-developers then subject the homeowners to the equivalent of Levittown, building on what used to be the adjoining golf course.

At Genoa Lakes, our experience is not exactly like the Las Vegas golf courses, but it rhymes. Conversions of golf courses after practices that can only be described as bait and switch on homeowners are abuses of our system.

A remedy should not be left to be done by piecemeal by each city and county. The State should create an environment where homeowners and communities can be safe from these types of abusive behaviors. These situations do not allow for communities and homeowners to rest easily in the ownership of their homes and lives.

ALANNA BONDY (EHB Companies):

I did not have an opportunity to speak to the sponsors about the amendment prior to today's hearing. However, EHB Companies is opposed to S.B. 251 as the conceptual amendment proposed by the sponsors includes a definition of a residential golf course that will be included in statute. We are not opposed specifically to the study, and the study could be a good thing.

However, because the amendment keeps a proposed definition of a residential golf course from the original bill, defining a residential golf course as a lot or parcel of land that may be used for golfing or golfing practice by the public or members and guests of a private club and is located within 2,000 feet of a lot or parcel of land used for residential purposes. This term will give third parties property rights in somebody else's land the parties did not currently have. Seventy Acres LLC, 180 Land Co. LLC and Fore Stars Ltd. are entities with owned land managed by EHB Companies. These landowners are currently involved in litigations surrounding issues that are presumably going to be studied as a result of this bill.

If a study is conducted as a result of the bill, it is important that the landowners I previously mentioned are included in any discussions arising out of this bill. It is imperative for these landowners' voices to be heard and considered.

Some issues raised by the homeowners today regarding being unaware of their rights is disingenuous and not necessarily true. Many homeowners have signed Covenants, Conditions and Restrictions clearly delineating homeowners' property rights.

Further, I heard some speak of property values being decimated. One home in Queensridge, which is one of the communities involved in this type of litigation, had the second highest sale for a home in Las Vegas last year.

Someone had mentioned a moratorium on development for the two years during the study. We would be vehemently opposed to that moratorium and would consider that an infringement on landowners' rights.

AARON WEST (Nevada Builders Alliance):

In light of the proposed amendment, we have changed our position to neutral.

KERRIE KRAMER (NAIOP):

We have changed our opposition to neutral and would like to be a part of the stakeholder meetings in the future.

KATHY CLEWETT (City of Sparks):

We thank Senator Woodhouse and Senator Parks for giving us the opportunity to find a solution to this problem. We are neutral on S.B. 251 with the amendment. I offer three things to contemplate in moving this bill forward. One is in the amendment third paragraph which speaks to representatives of local governmental bodies. Counties and cities should be a part of that section. Counties and cities have different zoning rules, and we want to make sure both sides are part of the committee. The second is we have trepidation with the definition of residential golf course in section 2 of the bill. This concern has been discussed with Senator Woodhouse and Senator Parks, and we will continue to have discussions with them. The third item involves the study in trying to find a solution to the problem of why golf courses are being sold. If there is an economic downturn—as experienced in our City—and golf courses have gone defunct, it is a completely different situation than somebody deciding not to do something.

SENATOR GOICOECHEA:

I looked at the definition of a residential golf course being within 2,000 feet of a lot. That is three-eighths of a mile. That would apply to almost any golf course anywhere in this Nation. There would always be a home within 2,000 feet of the boundary of a property known as a golf course. Do you agree?

MS. CLEWETT:

The 2,000-foot indicator was one of our problems throughout the original S.B. 251. It is almost half a mile as you pointed out. When the City gives notice to changes in the City of Sparks, normal zoning is referred to in either 100, 300 or 500 feet. We thought 2,000 feet is too far-reaching.

DAVID CHERRY (City of Henderson):

I thank the bill sponsors for meeting with us to discuss our concerns and provide information on what the study is seeking to do, including how the distance issue factors into what the Interim Committee would be looking at if this bill is passed.



The City of Henderson has a tremendous amount of experience with this golf course question. We stand prepared to participate if the body chooses to adopt the amendment and pass the legislation. We make ourselves available in any way we can discussing the legislation now and as it moves forward.

Regarding the Black Mountain Golf Course, one issue worth considering is what happens in a bankruptcy situation. That is one of the issues Henderson is dealing with concerning the Black Mountain Golf Course. We, as the body with the authority to handle code enforcement, oftentimes struggle with enforcement when there is a bankruptcy involved. A city can assess a penalty against an entity, but if the entity is in bankruptcy, the entity is not able to pay the penalty. It does not affect the entity the same way if it is not in a bankruptcy situation.

SENATOR WOODHOUSE:

Thank you for the attention on this legislation. I have taken notes on the remarks made by those in support, opposition and neutral. I will work on changes for the amendment.

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CHAIR PARKS:

We will close the hearing on S.B. 251. Hearing no further business, the Senate Committee on Government Affairs meeting is adjourned at 3:03 p.m.

RESPECTFULLY SUBMITTED:

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Becky Archer,  
Committee Secretary

APPROVED BY:

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Senator David R. Parks, Chair

DATE: \_\_\_\_\_

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	2		Agenda
	B	9		Attendance Roster
S.B. 16	C	7	Jennifer Ruedy	Work Session Document
S.B. 59	D	1	Jennifer Ruedy	Work Session Document
S.B. 279	E	1	Jennifer Ruedy	Work Session Document
S.B. 341	F	1	Jennifer Ruedy	Work Session Document
S.B. 398	G	1	Jennifer Ruedy	Work Session Document
S.B. 460	H	1	Jennifer Ruedy	Work Session Document
S.B. 473	I	2	Jennifer Ruedy	Work Session Document
S.B. 490	J	1	Jennifer Ruedy	Work Session Document
S.B. 158	K	2	Senator Dallas Harris	Proposed Amendment
S.B. 158	L	8	Senator Dallas Harris	NRS 289 Person Possessing Powers of Peace Officers
S.B. 251	M	1	Senator Joyce Woodhouse	Conceptual Amendment
S.B. 251	N	5	Anne Smith	Copyrighted exhibit- Google Photos
S.B. 251	O	2	Denell Hahn	Pictures in support
S.B. 251	P	25	Julietta Bauman	Pictures in support