

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

**Eighty-Second Session
May 10, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 9:01 a.m. on Wednesday, May 10, 2023, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Selena Torres, Chair
Assemblywoman Bea Duran, Vice Chair
Assemblyman Max Carter
Assemblyman Rich DeLong
Assemblyman Reuben D'Silva
Assemblywoman Cecelia González
Assemblyman Bert Gurr
Assemblyman Brian Hibbetts
Assemblyman Gregory Koenig
Assemblyman Richard McArthur
Assemblyman Duy Nguyen
Assemblywoman Angie Taylor
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Edgar Flores, Senate District No. 2
Senator Dallas Harris, Senate District No. 11

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Asher Killian, Committee Counsel

Minutes ID: 1045



Sarah Delap, Committee Counsel
Judi Bishop, Committee Manager
Dylan Small, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Joanna Jacob, Manager, Government Affairs, Clark County
James Chrisley, Senior Director of Aviation, Department of Aviation, Clark County
Rosemary Vassiliadis, Director, Department of Aviation, Clark County
Nancy Amundsen, Director, Department of Comprehensive Planning, Clark County
Danny Thompson, representing Southern Nevada Building Trades Unions;
International Brotherhood of Electrical Workers Local 396; and International
Union of Operating Engineers Local 12
Thomas Morley, representing Laborers Union Local 872; Laborers Union Local 169;
and Communications Workers of America Local 9413
Susan Fisher, representing Nevada Aviation Association
Dylan Keith, Assistant Director, Government Affairs, Vegas Chamber
Nick Vassiliadis, representing Southwest Mountain States Regional Council of
Carpenters
Alex Speake, representing Las Vegas Global Economic Alliance
Virginia Valentine, President, Nevada Resort Association
Andy Donahue, Market Representative, Laborers-Employers Cooperation and
Education Trust
Nicole Rourke, Director, Government and Public Affairs, City of Henderson
Brett Harris, Labor Commissioner, Office of Labor Commissioner, Department of
Business and Industry
Patrick Burt, Vice Chairman, Washoe Tribe of Nevada and California; and
Chairman, Dresslerville Community Council, Washoe Tribe of Nevada and
California
Marty Meeden, Private Citizen, Gardnerville, Nevada
Serrell Smokey, Chairman, Washoe Tribe of Nevada and California
Lisa McDonald, Secretary-Treasurer, Dresslerville Community Council, Washoe
Tribe of Nevada and California
Annette Magnus, Executive Director, Battle Born Progress
Steven Cruz, Councilman, Woodfords Community Council, Washoe Tribe of Nevada
and California
Will Adler, representing Pyramid Lake Paiute Tribe; Duck Valley Indian
Reservation; and Duckwater Reservation
Danielle Christensen, Private Citizen, Gardnerville, Nevada
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Mountain Eagle, Private Citizen, Gardnerville, Nevada
Teresa Melendez, Private Citizen, Reno, Nevada
Cody Hoskins, Political Director, Service Employees International Union Local 1107

Jennifer Lanahan, representing Las Vegas Paiute Tribe; and Reno-Sparks Indian Colony
Debbie Silva, Private Citizen, Minden, Nevada
Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women
Stephanie Mushrush, Private Citizen
Jared Dooley, Fire Chief, Fallon/Churchill Volunteer Fire Department
Jim DeGraffenreid, Private Citizen, Minden, Nevada

Chair Torres:

[Roll was taken. Committee protocol was reviewed.] To be clear, we have a work session today. That work session will likely be taking place at the end of the hearing. I am waiting until all Committee members are present. We will be going in order with our bills today. Our first bill will be Senate Bill 19. That will be followed by Senate Bill 299 (1st Reprint). We have quite the crowd for Senate Bill 391 (1st Reprint) today, and that will be the last bill we take a look at this morning. I will open up the hearing on S.B. 19. It looks like Clark County is super ready to begin.

Senate Bill 19: Revises provisions relating to local governments. (BDR 21-397)

Joanna Jacob, Manager, Government Affairs, Clark County:

I am super ready to present Senate Bill 19 this morning. This is the final bill Clark County will be presenting in the Assembly Committee on Government Affairs, so I am very happy to be here with you this morning. In Las Vegas, you will see our director of the Department of Aviation, Rosemary Vassiliadis, and James Chrisley, our senior director of the Department of Aviation. They are going to help me present this.

Mr. Chrisley is acting as the lead project manager for Clark County's Southern Nevada Supplemental Airport (SNSA), which is the premise for this bill. The Southern Nevada Supplemental Airport, maybe previously known to some of the members of the Committee as the Ivanpah Valley Airport, is the basis for this bill. As you might not be aware, the Harry Reid International Airport Department of Aviation is a Clark County department. This is a Clark County bill on behalf of our airport.

The Department of Aviation owns and operates various airport facilities in Clark County. The airport has experienced robust growth, as you may have seen in the news, and we have become a major leisure destination market and conference venue. The forecasted growth cannot all be accommodated at our existing Harry Reid International Airport. Thus, we have begun to plan the construction and operation of the Southern Nevada Supplemental Airport. This airport is intended to provide long-term aviation capacity for our community and primarily serve operations such as charter, long haul, domestic, and international flights.

I put together a very short presentation [[Exhibit C](#)]*—*very short, because there are a lot of questions about this project. Mr. Chrisley will go through the slides. I will be driving from up here. Hopefully, this will help you understand the context and why we are bringing this bill. I will hand it over to Director Vassiliadis and Mr. Chrisley in the Grant Sawyer State Office Building, and we can get started on the presentation.

James Chrisley, Senior Director of Aviation, Department of Aviation, Clark County:

We truly appreciate the opportunity to provide a brief project update on the proposed Southern Nevada Supplemental Airport. As some of you know, planning for SNSA actually began more than 20 years ago and moved forward until the Great Recession of the 2000s. At that time, the planning was merely paused, knowing we would be back, but due to the economic conditions, we were required to pause the planning at that time. As always, the economy recovered as more and more visitors returned to Las Vegas and the entire southern Nevada region. It was apparent that Harry Reid International Airport would once again begin to approach capacity and a second commercial service airport would be needed. In 2018, Director Vassiliadis went back to the Board of County Commissioners and received approval to resume the planning for SNSA.

Today, I would like to provide you a brief synopsis of the prior historical planning efforts as well as an update on the current efforts that have been underway since the planning was resumed in 2018. As you see in front of you [page 2, [Exhibit C](#)], from the first round of planning, there were actually three congressional acts that supported and defined the Southern Nevada Supplemental Airport.

The first act, as described on the slide in front of you, was in 2000. That included conveying 6,000 acres. Those 6,000 acres are shown in the orange rectangle on the map to the right of the slide. It also identified joint lead federal agencies for the environmental impact statement process, which included the Federal Aviation Administration (FAA) and the Bureau of Land Management (BLM). We get the pleasure of dealing with two federal entities as we plan this project. As a result of this act, the Clark County Department of Aviation purchased those 6,000 acres and we own those today.

The second act included designating 17,000 acres [page 3]. That is defined by the dash line that surrounds the orange rectangle. It is mostly on the east side of Interstate 15 (I-15), and it is identified. That was designated in this congressional act for airport compatibility. The condition of the 17,000 acres is, we have to get a favorable record of decision through the BLM and FAA environmental impact statement process. Once we receive that favorable record of decision, the 17,000 acres will be conveyed to the Clark County Department of Aviation. Additionally, it established a half-mile-wide transportation and utility corridor. That is shown on the map as the gray-shaded area that starts at the top of the orange rectangle*—*the 6,000 acres*—*and proceeds all the way up to Sloan on the east side of I-15. This area is for nonexclusive use but is to be used for any transportation access and utility requirements to come from the valley down to the SNSA site.

Finally, the third act is the 2015 National Defense Authorization Act [page 3, [Exhibit C](#)]. It identified flood control basins. There is one west of I-15 labeled Goodsprings. East of the site is the Lucy Gray. Those two areas are required for flood control efforts to ensure the site does not flood during massive rain events.

Why was the Ivanpah Valley selected [page 4]? There was a huge study back in the 2000s, but primarily, it was user convenience. There is a direct route from the Strip along I-15 and the ability to offer redundant access to and from the site. We have I-15, as well as the transportation utility corridor, with plans to include some ground transportation access in that. There is also the potential for transit connection in that transportation utility corridor where we would have mass transit capability. It is located a greater distance away from current incompatible land uses. The Harry Reid International Airport is landlocked and getting more and more surrounded and encroached with other uses. This site is obviously a greenfield site, which could be controlled with the 17,000 acres to ensure compatible development around it. It offers a lower development cost with the greenfield site.

In our efforts, we have revalidated studies that selected the SNSA site. Due to the fact that the Las Vegas airport (LAS) is landlocked, the Department of Defense airspace restrictions due to the Nellis Air Force Base and the Nellis training range to the north, and the mountainous terrain that defines the Las Vegas Valley, SNSA was revalidated as the only viable location for a second commercial service airport.

This slide [page 5] is meant to show you we have forecasted an aviation demand for Las Vegas Valley that is not going anywhere and will continue to grow. As this shows, for every scenario we look to between different scenarios of growth potential, we are going to be increasing delays at the Harry Reid International Airport starting this year as we continue to approach capacity. The Harry Reid International Airport does have a finite capacity, and as we move forward to opening day of the new airport, we will be facing delays for our customers.

Here are some of our current planning efforts [page 6]. We have been working on this, as I said, since 2018. We have verified an airfield layout, validation, and adjustments. We have had many opportunities for agency and stakeholder coordination. One of our primary coordination efforts was with Brightline. Their rail was running immediately adjacent to the SNSA site. We had to work with them closely to ensure the two projects were not in conflict. We worked very closely with the Nevada Department of Transportation over the past years to understand access, their plans for the future, and how I-15 will be worked and used as access to this site. We have also worked very hard on identifying utility needs and plans for electric, water, sewer, stormwater, et cetera. We have also gone through an enormous effort to validate a lot of the previous studies from the first planning efforts, including updating base maps, identifying future plans that require updating, and continuing the planning efforts required by the FAA and the BLM.

We have had some public outreach with ground access public meetings and understanding the needs and the asks of the community on how they would like to access this site. Obviously, it has to start with the Harry Reid International Airport and LAS. We looked at demand and capacity analysis of what Harry Reid's ultimate capacity could be. We are still working on that as we sit here today. We also have to look at runway links. We are also busy protecting the surrounding area. There are some private parcels within that 17,000 acres, and we continue to work very closely with those developers to ensure that what they are proposing will not impact the future viability of this airport. One of our biggest victories this past six months was, we were able to get the FAA to begin an airspace study. It is a huge accomplishment to get them to agree to start that study.

Here is our current schedule, just to show you [page 7, [Exhibit C](#)]. We are currently in year 3 or between years 3. We are hovering between "planning" and "environmental." The next step is to get the RFQ [request for quote] process for the environmental impact statement contractor to begin work on that environmental impact statement and get a notice of intent from the FAA. We are currently in year 3. As you can see, after environmental clearance is received, we will begin "design" and "construction," with an overall completion date, hopefully, within the 2035 to 2037 range.

With that, these are our immediate next steps over the next 6 to 12 months [page 8]. We are going to finalize all the aviation activity forecasts, which are all very strong and showing continuous growth. We are going to continue to explore and define the on- and off-airport utilities. Financial analysis: Another key component of this project is the way we are going to both fund the construction and operate the airport from a financial perspective. We do have a financial analyst on board. We are going to further develop the ground access plan, define those, and make a final decision. There is a lot of wildlife hazard assessment work that has to be done for which we have just received a draft report, so that is moving forward. We have to complete the full airport layout plan update required by the FAA, which will define the ultimate build-out of the airport site. Then, what will this airport look like on opening day between 2035 and 2037? We need to determine the actual facilities that will be available on that first day.

With that, that concludes my presentation. I would like to pass it back over to Joanna Jacob.

Joanna Jacob:

We have been doing that presentation to explain the timeline and our current efforts and to underscore the fact that we have a lot of balls in the air. We are bringing this bill right now as a Clark County bill to avoid further delay on this very tight timeline we are on.

I can briefly walk through this bill for you. I will start with section 13 of [Senate Bill 19](#). I will not go through every single section because I note this bill has been drafted under Legislative Counsel Bureau (LCB) guidance as a statewide bill. It is intended to cover the site that was depicted in the map that was on the slide [\[Exhibit C\]](#). You have a hard copy

that blew up the map for you, because there are a lot of questions about where this airport is. Everybody has a copy of that map. As I walk through section 13, you will understand why we drafted the bill this way.

This bill is intended to authorize the county to create a new unincorporated town within the county to cover this airport area depicted on the map. We must seek legislative authority to create this unincorporated town because the way you create a town in Nevada is usually by petition of residents. This area is largely uninhabited. This is intended for us to get this area defined so we can continue the work on the environmental review, planning, design, and construction.

Section 13 authorizes the board of county commissioners to create and form an unincorporated town by ordinance. It is for the purpose in subsection 1, paragraph (a), subparagraphs (1) and (2). As you can see, we have said this would be a town that is transferred to the county under federal law enacted after January 1, 2000. That was intended to cover the congressional acts in the presentation. It also conveys to the county at least 5,000 acres for the purpose of developing an airport. That is intended to capture the 6,000 acres we already own and also to address noise compatibility issues related to the airport. That is on your map—the black dotted line Mr. Chrisley defined. It will come to us as we complete the environmental review under the 2002 act.

Or, in section 13, subsection 1, paragraph (b), it says, "Is located not more than one mile from any territory described in paragraph (a)." I am calling that the one-mile buffer zone. That is depicted on the map as a solid green line around this site. That would really be the boundary of the new town we are going to create.

The process for doing the town is, basically, we have to pass an ordinance at a public meeting. This will be a very public process, and we must give notification. In section 13, subsection 3 we have provided that before we adopt the ordinance we will hold a public hearing and notice any property owners in the site. That is consistent with the formation of the towns.

The other major premise of this bill is, in creating this town, section 2 is drafted to prohibit a city from annexing territory in this area. This is intended to say, This will be a site where we are going to do compatible zoning consistent with an airport. We have provided for the prohibition on the annexation. It is in the area defined in section 13. However, in section 2, subsection 2, we have also provided for the way you can annex territory under law today. We have incorporated the current criteria as an exemption. There is no annexation except for the criteria we have in section 2, subsection 2, paragraphs (a) through (d): if it is approved by resolution by the board, if it was territory that was annexed prior to the effective date of the federal acts or the effective date of this bill, or if it is pursuant to an interlocal agreement.

On your map, you see a diagonal, orange-shaded area at the upper part of the map. That is an area covered by an interlocal agreement we have with the City of Henderson. We entered into that agreement with the city when we were starting our federal lands bill and had

provided for joint planning. It is a joint planning and study area that is a collaborative project with the county and the City of Henderson. Any annexation in that area overlaps the green line at the top of your map. We have been in discussion with the City of Henderson, and it is going to go under the terms of that agreement. This was drafted very purposefully to accommodate the agreement we have with the City of Henderson.

Because the point of the bill is to prevent the annexation in section 2, we have incorporated section 2 into all the other sections—section 4, section 5—on how we annex territory in Nevada. Section 4 is the process for annexation by a city. Section 5, under existing law, is a section on the definitions of terms. We have incorporated section 2 in there. Section 6 set the criteria for annexation, so we have incorporated section 2 in it—et cetera. This is really the point of the bill. It is not clear from the premise of the bill, but section 3 and sections 8 through 12 were incorporated by LCB because they apply to counties under 700,000. That would be any other county in the state apart from Clark County.

I will tell you that before we started the legislative session, we did significant outreach to the Nevada Association of Counties, our fellow counties, and the Reno-Tahoe International Airport to see if they needed alternative criteria so this would not interfere with any of their plans. Nobody felt that the way we drafted this bill would interfere with those plans. Everybody is neutral.

The final sections, sections 14 through 16 of the bill—usually when a town is created, you provide for the election or appointment of a town board in the ordinance. We are going to defer that until we really get going with this airport, when the infrastructure starts. That will be deferred to a future timeline where we will provide for the election or appointment of the town board in a second ordinance. That is the intent.

I hope that is a quick overview of the bill. I know there may be questions. I have our experts down south who can help us answer questions. I will close there and see what questions you may have.

Chair Torres:

You definitely flew through this presentation. I know you made sure it had a steady landing. We will go into questions.

Assemblywoman González:

I was curious how this would work with the newly designated federal monument.

Joanna Jacob:

I can speak to this. We actually worked with our congressional delegation as that monument designation was planned and finalized. As Mr. Chrisley noted, the airport has been planned for a very long time. How that will work is that as the monument is finalized, there are specific rules at the federal level governing the airspace over a federal monument. We have made sure the monument and the airport can coexist at that point and that we will comply. It

depends on how it is designated, but we are working with our congressional delegation and the federal team Clark County has on that. Mr. Chrisley, is there anything else you would like to add to that?

James Chrisley:

I would like to add that there was a committee identified in the proclamation for the monument that will establish the rules and regulations on how the monument will be managed. Our goal is to be a part of that planning committee so we can ensure the airspace for this airport as well as our current airports are protected and not impacted by the declaration of the monument.

Assemblyman Nguyen:

It has been a while since I came up here, so I do not get to see the Clark County folks anymore. However, my line of questioning is going to be somewhat familiar to Ms. Jacob and some of the folks here in the Assembly Government Affairs Committee. In section 13, we are looking at the notification of the ordinances the county commission may adopt. My question is, as we look into notifying everyone as much as possible, I think a 15-day notice might sometimes be limiting. At the same time, I am perhaps encouraging the county to look at ways to incorporate other languages into the notification, as we are moving in a direction where the county has a lot of diverse cities and residents. We are the third-largest growing diverse population state in the country. For a project like this that has such a large impact, we want to make sure we consider putting that notice in multiple languages as well as looking at ways to modernize that outside of mail. One way, and you have heard this before through other bills, is using electronic mail notification. All of us have at least one device or more, and having notification electronically as well would be helpful. Those are a couple of things I want to see if you can address.

Joanna Jacob:

This is not a new question. I am not surprised. I know the issues of language access and updating technology have been very much discussed before this Committee. We are working with the Chair on her bill about language access, and that was presented earlier. The slide [page 9, [Exhibit C](#)] is still up there—we have a website on this project. We are moving towards electronic means of providing information about this site.

I have made the note about multiple language access, and as we move forward, Clark County is working on this. I will tell you, the reason why we worked with the Chair on her bill is, we have a new Spanish-language public information officer. Regardless of whether you pass legislation or not, we are putting all our ordinances and topics of public interest—this is probably one of them—into Spanish. Then we will work on additional languages.

I know there probably is a public outreach and communications plan Mr. Chrisley and Director Vassiliadis are working on as we move forward on this project. I will ask them and see if they have anything else to add.

Rosemary Vassiliadis, Director, Department of Aviation, Clark County:

It is our industry to talk to the whole world since the whole world comes through the airport. Although we have adopted international symbols for directional purposes, you will see in our messaging that we have already incorporated multiple languages. You will certainly see that in one of our prime programs, which is human trafficking. The stickers we put in every single bathroom stall are in multiple languages. It is truly our industry. It is our world, and we will certainly adopt to that in everything going forward, including this type of public notice.

Assemblyman Nguyen:

I am very glad we put on public record that Clark County is definitely leading the pack for the state in terms of ensuring that language access is critical. I applaud your effort in working with our Chair on language access, ensuring we do not put this in as an afterthought, but as we are going forward in everything we do.

Chair Torres:

I think with Director Vassiliadis and her team in the pilot's seat, we have no doubt they will continue this work.

Assemblyman Carter:

The airport authorities had a long-term relationship with the representatives of labor in Clark County. It was a highly successful agreement that has ensured those good-paying jobs go to citizens of Clark County. Can we expect that project labor agreement to be extended out to this project, or a similar agreement to be put in place for a project like this, so we can make sure out-of-state contractors do not come in, take our money, and export it out of state?

Joanna Jacob:

Thank you for acknowledging the work we have done with labor on our project labor agreements. I am going to ask Director Vassiliadis or Deputy Director Chrisley to address that question because they are working on the design and construction.

Rosemary Vassiliadis:

We have had a very long-standing and successful project labor agreement. We have continued using that. I cannot speak for something ten years from now, but I cannot imagine, with the success and length we have been utilizing this type of agreement, not continuing to do so.

Assemblyman DeLong:

I understand the desire not to have annexation within the green line. I am just wondering, why create a town? Why not just use zoning and land use planning?

Joanna Jacob:

There are numerous reasons why we want to create a town right now. Down the line, when we create an unincorporated town, anything that is built within that town and revenues within that town will support the services for that site. That is one reason. The second reason why

we are trying to do this at this time is that as we are entering into working with the federal agencies, it is important for us to define this area and know the county is the one with whom they are going to be negotiating. It helps us to designate the area, define it, and eventually move it towards supporting the site with infrastructure and planning so we can really start working on those multiple calendars. I do not know if anybody down south has any other thoughts to add in response to that question, but that is our current intent.

Chair Torres:

It does not appear there are additional remarks. I think that answers Assemblyman DeLong's question.

Assemblywoman Thomas:

I am like a kid in a candy store right now. I am so excited about being a part of history. This is history for Nevada, thinking outside of the box right now, to have a vision. I do not know if it is a concern, but I will go into the history. When Las Vegas was created, we had a gangster who basically created Las Vegas. He had vision. To see that vision is coming to the south of the Strip is something I think we can be proud of as a state, because right now we are very proud of Las Vegas because Las Vegas generates a lot of revenue for the entire state of Nevada.

My question actually has to do with a couple of things. I see the Brightline rail. Will this be something that goes all the way into the City of Las Vegas? We do not want people to fly into this airport and then have little or no transportation. I think even the citizens could rely on transportation. That is one of my questions. The other one is, will the county commissioner's seat be expanded?

Joanna Jacob:

Assemblywoman Thomas, you ask the most interesting questions in my experience before this Committee. I will take a stab at the first one, and I think Deputy Director Chrisley had the Brightline project in the slides [page 6, [Exhibit C](#)], and they are working on that right now. I will let him elaborate on that. With respect to your second question, I cannot bind future boards. This is in the county today. This is covered under our existing Board of County Commissioners in the current seat. That is my response. I will ask Director Chrisley to talk about what we are doing with Brightline right now.

James Chrisley:

Currently, Brightline passes by the Southern Nevada Supplemental Airport, and the terminus station is currently planned to be at approximately Warm Springs Road and Las Vegas Boulevard. There is currently no plan for a stop at the airport, but we certainly are having discussions with them. Our discussions have mostly been about deconflicting what they are doing with what our airport plans for the state are.

Assemblyman D'Silva:

Assemblywoman Thomas took half my questions—I wanted to see if there were any more details about the Brightline project and some of the potential relationships with this airport project. My question is this: I know there have been some planners talking about creating some sort of inland port in regard to this airport to help us alleviate some of our supply chain issues. I was just wondering, is that something the county is working on, or is this some conversation we are hearing from private entities, so to speak?

Joanna Jacob:

I do not know the answer to that question. I am going to ask Director Vassiliadis if that has been a discussion. I believe we may also have our planning director there—if there is somebody in Las Vegas who could address that question.

Rosemary Vassiliadis:

That is a great question. It is an idea that comes up very often. There are not any current plans to go forward with a complete inland port operation. However, I must say that this airport would be a perfect piece for such an operation.

Assemblywoman Taylor:

I want to land in another place right here. We talked a little bit about how there are not very many residents who live there. How many residents would be impacted? Do you have any idea? Would they have to relocate? What is the planning around that?

Joanna Jacob:

I will take an initial stab and then ask Deputy Director Chrisley to talk about this. There are existing uses in the area we are forming in the town. This is going to be part of the environmental review. They will get notified and be able to comment on the notice of environmental impact. I have heard them; we have been discussing that maybe those uses would be grandfathered or incorporated in there. I will ask Deputy Director Chrisley to talk a bit more about how many are there today. I do not believe there are many because this is largely uninhabited land in the south of Clark County.

Rosemary Vassiliadis:

I am conferring with Director Nancy Amundsen of the Comprehensive Planning Department at the moment, so please forgive me. It rounds to zero. Right now we are showing no residents, but we will have to verify if that is proper and get back with you.

Joanna Jacob:

To follow up, this is largely empty land. We will follow up, Assemblywoman Taylor, and get you those things. Our Director of Comprehensive Planning was off the screen. The Department of Comprehensive Planning and the Department of Aviation are working together very closely on this project.

Assemblywoman Taylor:

Will this town have a name?

Joanna Jacob:

I would imagine. I do not have a proposed name at this time. That is the point of the public hearing. It will be noticed. I do not know what the eventual board will do.

Assemblywoman Taylor:

You do not have a board yet.

Joanna Jacob:

Our Board of County Commissioners—it may be the current board; it may be a future board—will actually do this. That would be part of our ordinance process.

Assemblywoman Thomas:

Just a quick question: There is a prison there, no?

Joanna Jacob:

There is an abandoned, state-owned building there, the Jean prison, yes. It is on the map.

Chair Torres:

I actually have a question too. Thank you for taking the opportunity to meet with me yesterday and walk me through this and for me to have the opportunity to look at the map and conceptualize what we are looking at, getting the picture of the bill we are hearing today. My question is, is it a vision, then, that in the area surrounding the airport there will eventually be businesses and perhaps residences? Is that the plan, or would that be prevented?

Joanna Jacob:

To address your question, and I may ask our Director of Comprehensive Planning to correct me if I misspeak, but I think the point of our bill right now is that we really wanted to provide for compatible use. When we talk about "compatible use" with an airport, that is going to be why we are doing this—so we can do compatible zoning. I do not believe that decision has been made yet, but this is part of the planning process we are doing. This is why our Comprehensive Planning Department is part of this team. I think it will be very much dictated by our federal permit and the environmental impacts we must mitigate. Then the planning will be guided by that document. I do not know if there is anything else to add from southern Nevada. I see our Director of Comprehensive Planning, Nancy Amundsen.

Chair Torres:

She is joining the cabin.

Nancy Amundsen, Director, Department of Comprehensive Planning, Clark County:

There are two different components of this. You have a hatched area on your map that is a joint land use study area. We had designated this area; it was in the lands bill for expansion of the disposal boundary. However, whether that occurs or not, we want to work with the City of Henderson to make sure whatever land uses are proposed in that area would be compatible with the airport. They have agreed. In that area, we are looking for some

workforce housing—that sort of thing. We generally do not look for anything but nonresidential around an airport, because there are some great impacts. We look for that to be more nonresidential. That is the reason for our land use study.

Chair Torres:

As the City of Las Vegas continues to expand, and the City of Henderson is right there as well, I can definitely see the need for us to have more than one airport. I think the plane has arrived, and I do not believe there are any additional questions from my Committee members. At this time, I will invite anyone wishing to testify in support of S.B. 19.

Danny Thompson, representing Southern Nevada Building Trades Unions; International Brotherhood of Electrical Workers Local 396; and International Union of Operating Engineers Local 12:

We are in support of this project. Ivanpah is nothing new. This has been worked on for years. It is named "Ivanpah" because it is in the Ivanpah Valley adjacent to the Ivanpah Mountains and the New York Mountains in southern Nevada, right on the border with California. This project is historic, Assemblywoman Thomas, in that the forward-thinking of Clark County in ensuring Las Vegas is going to be a worldwide destination is critical, and this airport is critical to that. The forward-thinking of the Department of Aviation, led by Director Vassiliadis, is incredible and needed. This airport is critical if we are going to maintain all the growth we are having with stadiums and all the things you all are doing to ensure it. Forty-six percent of our budget comes from those seven miles of Las Vegas Strip; it is important. We wholeheartedly support this bill.

Thomas Morley, representing Laborers Union Local 872; Laborers Union Local 169; and Communications Workers of America Local 9413:

We are strongly in support of this bill.

Susan Fisher, representing Nevada Aviation Association:

We are thrilled to have this bill here today to keep moving the ball forward with this airport. We appreciate Clark County and the Department of Aviation's long-term vision on this airport. If you build a mile of road, you drive a mile. If you build a mile of runway, you can fly around the world.

Dylan Keith, Assistant Director, Government Affairs, Vegas Chamber:

The Vegas Chamber is the broadest and biggest business-based organization in the state of Nevada. It is also the oldest, since 1911. I want to highlight that because this airport is truly a testament to our success. We have the Southern Nevada Water Authority making us a leader in water conservation so we can grow sustainably. Our resort corridor is thriving, businesses are growing, and economic development is coming to Nevada. With the new growth, we are seeing new residents, new businesses, and new needs. This bill is a testament to that growth, showing it is necessary that we have all the needs, so that way our goods, visitors, and locals are free to move about the country. We support this bill, and we ask for your support as well.

Nick Vassiliadis, representing Southwest Mountain States Regional Council of Carpenters:

I am here to give a kind of ditto to support to everything you have heard. On a personal note—Hi, Mom. Assemblywoman Thomas, I would like to say, I think you talked about "visionary." I think I have been hearing this at the dinner table for the last 20 years, the need for expansion in southern Nevada. This is something that has been a long time coming, and the carpenters union is proud to support it.

Chair Torres:

In Latin America, it is actually Mother's Day. I think you have to wish her a happy Mother's Day.

Nick Vassiliadis:

Happy Mother's Day, Mom.

Alex Speake, representing Las Vegas Global Economic Alliance:

We are here in support of S.B. 19.

Chair Torres:

I am going to go quickly to testimony in Las Vegas. Then I will come back.

Virginia Valentine, President, Nevada Resort Association:

We are very happy to be here today in support of S.B. 19. Southern Nevada's economies continue to improve. The LAS airport keeps setting new records with the return of conventions and trade shows. Over the past year, LAS's single-month passenger record was broken three times, with October being the first month ever to pass five million travelers. Most of all, I want to support this bill and applaud the efforts of the county in being very proactive in creating a town that will allow them to prevent and plan for this future airport. If you look at Harry Reid now, you can see the kind of encroachments that continue to happen—the areas of residential development the airport had to actually remove at some point to mitigate the impacts of some of the sound and other impacts of the airport. For them to be out there now, this early, creating this planning area so they can prevent those encroachments from happening so they do not have to deal with them later, shows a lot of foresight on their part. I think it is very important to the continued economic health of the area.

Chair Torres:

We will come back here to Carson City. If there is anybody else in Las Vegas, please approach the table.

Andy Donahue, Market Representative, Laborers-Employers Cooperation and Education Trust:

I am here in support of this bill.

[[Exhibit D](#) was submitted in support of Senate Bill 19 but not discussed and is included as an exhibit for the hearing.]

Chair Torres:

I do not see anyone else in Las Vegas or in Carson City. Is there anyone on the line wishing to testify in support of S.B. 19? [There was no one.] Is there anyone wishing to testify in opposition to S.B. 19? [There was no one.] At this time, I will invite anyone wishing to testify in neutral on S.B. 19.

Nicole Rourke, Director, Government and Public Affairs, City of Henderson:

Since we were mentioned during testimony, first, we would like to thank the county for coming to us early on to explain it. We went through the map you all have in front of you, and we were grateful for walking through the language, since it is a very complex bill. Although we would not normally support taking away our powers to annex, this is a unique circumstance, and we are working with the county under an interlocal agreement to plan for the Southern Nevada Supplemental Airport area. The purpose of the interlocal agreement is to jointly fund a study to determine potential future land uses and design standards in the understanding that some portion of that area may be within the City of Henderson jurisdiction someday. Through that process, the city is confident there will be areas the city is able to annex in the future. We understand the importance of the Southern Nevada Supplemental Airport to our region and our state's economy, and we appreciate working closely with the county to plan for future growth.

Chair Torres:

I do not see anyone else wishing to testify in neutral on S.B. 19 here in Carson City or in Las Vegas. Is there anyone on the line wishing to testify in neutral on S.B. 19? [There was no one.] At this time, I will invite the county up for any closing remarks.

Joanna Jacob:

Just very briefly, I wanted to thank everybody who came out and supported this bill. It is truly a community project. We did a lot of work on this and outreach, and we will continue to do that, Assemblyman Nguyen. I wanted to thank you for your questions today. This is a very exciting bill and very exciting for the future of our valley. I am going to ask you for your support and to keep this bill going forward. I want to thank you for the very thoughtful dialogue.

Chair Torres:

I think this bill will continue to stay in flight. At this time, I think the plane has landed and so has the hearing. We will close the hearing on S.B. 19, and we will open the hearing on Senate Bill 299 (1st Reprint). Welcome, Senator Flores, to the hardest-working committee in the Nevada State Legislature. I know you are going to have your presentation, and I do not think it is going to get derailed, so let us begin. It is transportation day in the Assembly Committee on Government Affairs.

Senate Bill 299 (1st Reprint): Revises provisions relating to monorails. (BDR 28-955)

Senator Edgar Flores, Senate District No. 2:

Before I open my presentation and we formally get into the bill discussion, I wanted to let you know I did an independent study. It was just me and it was not verified by anybody, but it was determined that the Senate Committee on Government Affairs is, in fact, the hardest-working committee in the building.

Chair Torres:

There is a little sign there that says you are not allowed to lie on the record.

Senator Flores:

I asked both Fiscal and Legal to provide a written opinion. They were busy doing more important things, but when I get that written opinion, I will provide it for all the members.

Chair Torres:

We will have our research team look into that.

Senator Flores:

It is an absolute pleasure to be back in the Assembly Government Affairs Committee. I had the pleasure of serving in this Committee since 2015, so I feel I am at home. You have some phenomenal human beings working on this Committee, so it is an absolute honor to be here before all of you.

In the interest of time, I have some written remarks I will read through and not go through 14 different hypotheticals at your request. Then I will hand it over to Mr. Donahue, who is here to provide more detail and/or subject matter expertise, should that be necessary. I believe this is a relatively quick read. It is a bill that is meant to provide cleanup of some stuff we needed to have taken care of long ago.

With that, I would like to start off with what the genesis of the bill is, then walk you through what the bill does. *Nevada Revised Statutes* (NRS) Chapter 338 provides much of the legal framework on the administrative public projects. This includes bidding, equipment, materials, supplies, labor standards, and other topics. Specifically, NRS 338.010 defines a "public work" as "any project for the new construction, repair or reconstruction of a project financed in whole or in part from public money," including projects such as public buildings, public roads, public utilities, and others. Key exemptions from the provisions of the chapter are found in NRS 338.080 and include projects with an estimated cost of less than \$100,000, work for railroad company, and work for certain apprentices under NRS Chapter 610. Under NRS 705.690, "The work of or incident to the installation and operation of a monorail is not a public work within the meaning of chapter 338 of NRS." This is the genesis of this bill.

Senate Bill 229 (1st Reprint) removes a 26-year exemption that excludes monorail and light rail projects from public works standards. Specifically, this bill removes these exemptions. As a result, any work, construction, alteration, repair, or other employment performed, undertaken, or carried out for any railroad company or any person operating the same will be subject to the standards of NRS Chapter 338.

Further, the bill also retains the existing law clarifying that a monorail is not a public utility under NRS Chapter 704. Lastly, pursuant to the Railway Labor Act, railroad companies are required to pay their employees the wages determined by their collective bargaining agreements under *United States Code*, Title 45, Section 152. If the railroad is performing that work, it is governed under the Railway Labor Act. It may contract the work out, or an awarding body of another entity may contract out to perform the rail work, which is then taken over by the railway later to its specifications which would be subject to NRS Chapter 338. That is what we want to make sure this bill hits.

I want to make it abundantly clear: It is not the intent of this bill to have any impact on privately funded monorail or light rail projects. Madam Chair, if I may now hand it over to Mr. Andy Donahue.

Andy Donahue, Market Representative, Laborers-Employers Cooperation and Education Trust:

This legislation marks meaningful progress and market expansion in the area of transportation and transportation accessories. We support this bill and welcome this conversation.

Chair Torres:

At this time, I will open it up for questions.

Assemblyman Carter:

Would this bill also include projects like how we see this proliferation of private underground roadways, i.e., The Boring Company building in Las Vegas?

Andy Donahue:

I would look to the chapter this exemption addresses, which is public works. If it is private works, it is not public works. The standards of public works apply to public works, so no, as the Senator mentioned in the conclusion of his remarks.

Assemblyman Carter:

So, we are going to continue to allow The Boring Company to use public property to build their private roadways in the public domain at exploitive wages and conditions?

Senator Flores:

I think all of us could have a very detailed conversation about how we feel about that, and you have made it abundantly clear that there may be some frustration. Unfortunately, our bill is not trying to expand the scope of a public work or redefine that. We are simply trying to

ensure, under the current exemptions, that we are putting back in railroad and railway. However, you and I, off the record, could absolutely have a lengthy discussion on how frustrating your concerns are. They are echoed by many of the people in this room, and I am sure by many of the members of this body. Unfortunately, we are not expanding that definition.

Chair Torres:

There might, perhaps, be another train or vehicle for us to continue with that conversation.

Assemblyman Hibbetts:

My question is, why are we doing this? We have, as far as I know, no light rail anywhere in Clark County. I am not sure about Washoe County. It is very possible they have a light rail or monorail I am not aware of. I apologize for not spending much time in Washoe County. We have one monorail in Clark County we should not have. It should be removed and torn down, because nobody rides it. Why are we bothering with legislation for something that is not a problem that we do not have?

Andy Donahue:

In 1997, this variety of project was carved out of public works administration because there were not enough vendors or contractors equipped already to bid these varieties of jobs. That has changed. The industry is more active, and it is a matter of efficiency for private sector actors trying to participate in public works. There is no reason for this to be any different from other similarly situated projects. That is a large impetus for what we are talking about here today.

Assemblyman Hibbetts:

Last I checked, it is no longer 1997. We also still do not have any light rail. We have no plans for a light rail. It has been discussed; it has been disregarded because it will not work. Again, we have a monorail that we should not have. Why bother with the legislation?

Senator Flores:

I agree with you that we may not have anything in the works. I think this exemption honestly should have been corrected years ago. If we are moving in that direction—again, I am not suggesting we are doing this legislation now for a specific project—I believe the philosophical question this body is being asked today through this bill is, if ten years down the road we find ourselves with something that is a public work and falls under this classification of railroad and railway, do we want to continue to have that exemption? I think, quite frankly, this is us preemptively saying something before we have a specific project and we hit that situation where we will have individuals saying, Well, this project is in the pipeline and now this bill is coming forward. I am just saying, philosophically without having any specific project in the pipeline, do we agree that this exemption should have been taken care of? That is the question.

Now you may disagree, Assemblyman. You may say railroads and railways should be exempted and there may be a reason for that. We believe the only reason they were exempted back in 1997 is no longer true. I think, preemptively, we should say, We are going to correct this. It has now been over 23 years, and we have an opportunity to correct an exemption that in my opinion is no longer sustained by the logic of 1997.

Chair Torres:

I am a little surprised there was not a hypothetical in there.

Assemblyman D'Silva:

Thank you for getting everybody all aboard with this legislation. My question is this: Is there a chance the system could bend?

Andy Donahue:

Not on your life, my Right Honorable friend—especially with a strong local workforce.

Chair Torres:

There were things that were missing from this part of the conversation.

Senator Flores:

I wanted to thank Assemblyman McArthur. Yesterday, we had a very lengthy conversation about trains. I do not know if the Committee knew this, but he used to be a train conductor himself. He provided a lot of insight, and I wanted to appreciate him for his time and expertise.

Chair Torres:

Assemblyman McArthur, were you a train conductor? No, he was not a train conductor, just to clarify. He did not conduct trains; he did fly planes, though. The other bills spoke more to him. I heard these things are awfully loud. Can you talk a little bit about that?

Andy Donahue:

It glides as softly as a cloud, especially when proper engineering and zoning standards are followed.

Chair Torres:

Are there any additional questions from Committee members? Assemblyman McArthur? No, he is impressed by the legislation at work. It looks like we are all aboard—full steam ahead. I am a little disappointed nobody said "choo-choo." At this time, I will invite anyone wishing to testify in support of S.B. 299 (R1).

Danny Thompson, representing Southern Nevada Building Trades Unions; International Brotherhood of Electrical Workers Local 396; and International Union of Operating Engineers Local 12:

In answer to the question, the monorail actually never succeeded. I was involved in the beginning. The first monorail did not go to the airport and that is the reason it failed, quite honestly. I think everybody will agree to that.

In answer to the question about the future, I am the vice chairman of the Transportation Resources Advisory Committee (TRAC) for the RTC [Regional Transportation Commission of Southern Nevada], along with Assemblyman Nguyen, who is on the committee. In the original TRAC, we had plans for a light rail down Maryland Parkway into the medical corridor that would go to the airport. Funding was a problem, and we were not able to fund that. That plan is still there and viable. Prior to that, there was a rail that was going to be built, if we had been able to secure the funding, that would basically follow the existing Union Pacific rail spur that goes through Henderson eventually to, I think, Fifth Street. Again, it was funding, and when those failed, we then went with wheeled buses.

The challenges we face in TRAC now, talking about mass transit, are funding, the gas tax, and what are we going to do about electric vehicles that are not paying the gas tax. It is a mess right now, but it all turns around funding. There is a plan, and there have been plans for light rails from both Henderson and through the medical corridor. We support this bill wholeheartedly and want to thank Senator Flores for all his work on this issue.

Thomas Morley, representing Laborers Union Local 872; and Laborers Union Local 169:

To Assemblyman Hibbetts' question, the monorail is used. According to their website, 140,000 people ride that thing within a four-day period. Feel free to look it up. It is being used; hopefully, if we get the A's stadium, it will be heavily used and it will be an asset to the community. We support this bill.

Chair Torres:

I do not see anyone else here in Carson City. Is there anyone in Las Vegas wishing to testify in support of S.B. 299 (R1)? I do not see anyone in Las Vegas. Is there anyone on the line wishing to testify in support of S.B. 299 (R1)? [There was no one.] Is there anyone wishing to testify in opposition to S.B. 299 (R1)? [There was no one.] Is there anyone wishing to testify in neutral on S.B. 299 (R1)? I do not see anyone here in Carson City, so we will go to Las Vegas.

Brett Harris, Labor Commissioner, Office of Labor Commissioner, Department of Business and Industry:

I am just here because we do enforcement on this—if there are any questions.

Chair Torres:

Members, are there any questions for Commissioner Harris? No, there are no questions at this time. Is there anyone on the line wishing to testify in neutral on S.B. 299 (R1)? [There was no one.] I will invite the bill sponsor for closing remarks—no hypotheticals needed.

Senator Flores:

I just wanted to start off by saying thank you for hearing this bill. One of my biggest honors was having you as Vice Chair last session. I will take some credit for the training we provided you, and you are a phenomenal human being. I think we just did a great job, and I think we should commend the Chair of the Senate Government Affairs Committee for the amazing work he did to ensure this Committee runs so well.

I also wanted to say, Assemblyman Hibbetts rescued a human being on a flight from Carson City to Las Vegas. His training immediately went into place, and he saved a human being. I wanted to publicly say thank you. Also, my copresenter, Mr. Donahue, will be graduating from the Boyd School of Law on Friday, and I want you to give him a big round of applause because he has a lot of things going on. It has nothing to do with my bill, Madam Chair.

Chair Torres:

This is the last time Senator Flores is allowed in our Committee hearings. Congratulations, and thank you to everybody. I have no doubt Assemblyman Hibbetts would do the same if he was a passenger on a train or a monorail.

At this time, we will close the hearing on S.B. 299 (R1). Senator Harris made it just on time, because I was about to open my work session. I will open up the hearing on S.B. 391 (R1).

Senate Bill 391 (1st Reprint): Revises provisions relating to governmental entities. (BDR 20-936)

Senator Dallas Harris, Senate District No. 11:

I am very happy to be with you all today to present Senate Bill 391 (1st Reprint). I am sure you have read the bill and have maybe gotten a couple of emails and messages about it. I will give a quick overview of what the bill does and then turn it over to my copresenter to talk a bit about what the bill means for him and the folks he represents.

Last session, we had a bill that was sponsored by your colleague, Assemblyman Watts. It was a bill that originally addressed racist mascots. It came over to the Senate side and was amended to also attempt to shut down what is known as a sundown siren in a particular town. Due to the technical language of the bill, this town was able to skirt our and this body's intent and has continued to ring that siren, so unfortunately we had to come back and do this again. This bill is really a no-we-mean-it type of legislation.

Before I turn it over, I am going to address a couple of things you may hear in some of the opposition today. There are other places in this state that have a bell or siren. That siren may or may not have ever been tied to any particular racist intent in the past. However, it is

unconstitutional for us to single out a particular town or place and tell them, Oh, no, only you cannot ring it anymore. We are not allowed to pass laws that address one particular person or entity. What I have done is tried to put into place a law that will not allow certain towns that did have sundown sirens to skirt our intent and continue to ring that siren but also put in what I think are some legitimate exemptions. If there is an emergency, ring the thing. I think I put in there that on a holiday, if you want to celebrate, sure.

But we have to make sure we are no longer a state with a sundown siren. That has to end. It should have ended in 2021. It should have ended well before then, but if I have anything to say about it, it will end after this session. Unfortunately, that may be the choice before us. We may have to choose between ending a sundown siren or allowing a town to continue to alert people that it is lunchtime. If I could magically find a way to carve out legislation to allow towns to continue to ring it at noon, I would do that, but I have not found that answer quite yet. I do not want to have to make one choice or the other, but we may face that choice. I would suggest to this body that it is a very easy choice to make.

I will turn it over to my copresenter and let him speak a little about why we are back again, why it is so important that we shut down this siren, and some of the effects it has had on the population he represents.

Patrick Burt, Vice Chairman, Washoe Tribe of Nevada and California; and Chairman, Dresslerville Community Council, Washoe Tribe of Nevada and California:

Húya ʔumhamuhé:šī? To begin, I would like to acknowledge and recognize the elders, youth, and elected officials from Indigenous nations in the room, two of the elected officials being Lisa McDonald, the secretary-treasurer of the Dresslerville Community Council, and Steven Cruz of the Woodfords Community Council.

For many Washoe experiencing the blatant racism and prejudiced social climate of Minden, Nevada, the daily siren at 6 p.m. is a deafening trigger. On April 5, 1917, 106 years ago, Ordinance No. 6 was passed unanimously by the Board of County Commissioners in Douglas County. This ordinance mandated Indians to, and I quote, "leave and be out of the town limits of the towns of Gardnerville, and Minden, by the hour of 6:30 o'clock P.M., of each and every day." Thus, the Minden siren was born. The legal results of violating the provisions of this ordinance included a fine of up to \$25 and imprisonment of up to 10 days on top of the costs of said actions. This allowed for a multitude of inhumane actions to be enacted upon the Washoe and other native peoples visiting the area.

Established in 1906, Minden, Nevada, is situated in Carson Valley, which is home to the *Pau wa lu*, or "people of the valley," band of the Washoe, federally recognized as the Washoe Tribe of Nevada and California. The *Wá:šiw* maintain that we have been of this land since time immemorial. The relationship between the *Wá:šiw* and settlers has been contentious since settlers first flooded our area in search of mining prospects and rich farmlands. These competing worldviews clashed and served as a staging ground for conflict. Restricting the

presence of *Wá·šiw* people in particular places was seen as a policy that would help to eliminate friction between the groups, but this would only serve to empower settlers with the jurisprudence to enact violence.

The restriction was not only policed by law enforcement, but many white citizens also took it upon themselves to determine and carry out penalties. *Wá·šiw* elders have shared horror stories of the treatment they suffered. Many acts of violence occurred on a wide spectrum from being verbally assaulted with racial slurs like, and I quote, Go back to the rez, digger—"digger," spelled with a D—and, You squaws better get home if you know what is best for you; to physical and sexual assault. Several *Wá·šiw* men were beaten, and their braids were cut off. Many *Wá·šiw* women were beaten and raped. These acts of violence would go unpunished, as the *Wá·šiw* people did not hold confidence in law enforcement, as law enforcement officials were coperpetrators.

The outdated ordinance from 1917 mandating that Native Americans, specifically the *Wá·šiw*, vacate the town by dusk is remembered as the shrieks of the siren continue to project Minden's ongoing racist atmosphere. The social consequences of this ordinance have everlasting effects on the *Wá·šiw* people and other native peoples of Nevada. Historical and intergenerational trauma are direct outcomes of these atrocious acts, and the Minden siren continues to be an embodiment of this chronic distress. On behalf of the Washoe Tribe of Nevada and California, the native peoples of Nevada, and the broader native Nevada population, we urge you to join us in our efforts to heal from this legacy of racism by supporting S.B. 391 (R1) and efforts to silence the Minden siren.

Senator Harris:

With that, we are happy to answer any questions the Committee may have.

Chair Torres:

Thank you for the presentation, for keeping it very direct, and for sharing that piece of history with us today. Members, are there any questions?

Assemblywoman Thomas:

Again, history—history means a lot, and when we can understand history, we can stop it. I agree with you. It is not a question I have. It is a comment that I support this bill.

Senator Harris:

I appreciate your support.

Assemblyman Koenig:

Welcome to our Committee. You have had a few discussions on this topic, and I found you open and honest. We had some good discussions. I think you gave me a challenge. I am from Fallon and represent Churchill County. I think the residents of Fallon want their noon whistle. I mean, it is kind of crazy, but that is kind of the number-one priority at this time when all the other stuff is going on in this building.

You gave me a challenge, if I could talk to Legal and come up with an amendment that would eliminate the sunset whistle, which I am completely, a hundred percent, against. It definitely needs to be done away with. If that is the history and that is what it is, that is inappropriate and has no place in our society today in 2023. I talked to Legal Counsel, Mr. Fernley, this morning. We have a couple of avenues we are looking into. Once those amendments are complete, I will bring them to you and make sure you are okay with that. We are doing everything we can to try to save the Fallon noon whistle.

I talked to a Native American in this building who grew up in Fallon and asked if they ever felt anything negative from the whistle. She said, No, it is just the noon whistle. It is at noon. She said even when she talked to her grandmother about it, her grandmother said, No, it is just the noon whistle. There were no negative connotations from Fallon's noon whistle. In fact, it is their safety involved and our volunteer fire department—I think they are here. They are probably going to be telling you a little more.

I just want to say I am in support of eliminating any whistle that has anything to do with the things they are talking about. At the same time, to eliminate another whistle that has no history of that—I went to the museum, and I gave you all our research. They did all the newspaper articles—it is kind of ironic that ours started in 1916. I think the one you are talking about in Minden was 1916, or within a year or two. We have that whole history. I hope those articles made you comfortable that the Fallon noon whistle is not racist and never had anything to do with that. If you have more questions, we can do more questions about that. I guess my question, after all this rambling, is this: If we can come up with an amendment that would meet both of our needs, are you okay with something like that?

Senator Harris:

Absolutely. I am open to any idea you have. I have also been in discussions with Legal Counsel, Mr. Fernley, and I am aware that you all have been having discussions. I have given him a similar task to see if we can come up with something. I am open to it. I will say, today I do not see an avenue for there to continue to be a daily whistle, given that would allow Minden to also continue to have a daily whistle. If there is some way to not do that, I am open.

Other things I have thrown out there and would be more than happy to consider as well are, right now in the bill, in the first reprint you see that I allow testing once every six months. I am more than willing to come up with what might be a more reasonable time period for the City of Fallon. I will note that at one point, the City of Fallon rang it seven days a week, and then they decided to give it a break on Sundays for church. I do not see why we cannot go to once a week, once a month, or some different interval in order to ensure we are able to permanently put that Minden siren into the history books. I am more than happy to continue to have conversations over the next 20 to 25 days or so.

Assemblyman Koenig:

Thank you for your willingness to work with us.

Assemblywoman Taylor:

Thank you, Senator, for bringing this really important bill, and thank you for sharing your story and your history. Mine is really more of a comment. I am certainly sensitive to the sundown siren. There is a history of that which goes back to slave days when it comes down to the African-American community. I understand that and the symbolism of it, and I think it is important for us as a state to make a stand and say, That is not okay; that is not who we are anymore.

I appreciate your being open. I have also had a chance to speak with my colleague, Assemblyman Koenig, about their needs in Fallon and if there is any way to keep that, because it has no history of that. It is really something for Fallon, and there is no reason to doubt that. I appreciate your being open to it if there is a way to continue the tradition from that standpoint but kill the racist history—but I think the most important thing in this is to kill the racist history.

Senator Harris:

There is one thing I want to pick up on what you said, and that is the tradition part. Let us be very clear. I think you are probably going to hear today that they absolutely must test that whistle every day or they will not know if it is going to work on any given day. I have not been convinced it has to be a daily testing for safety purposes. I am convinced it does need to be tested, but whether it has to be daily or not—that is much more of a tradition aspect than a safety one. I want this Committee to be clear that in my opinion, anyway, the main driver is that they want to keep that tradition, which I understand and do not devalue. There is a way to do this and allow cities like Fallon which rely on it for emergency services to keep their population and their volunteer firefighters safe.

Assemblyman DeLong:

This is kind of a related question. Do you know when the City of Minden rescinded that ordinance you discussed?

Senator Harris:

You can correct me if I am wrong, but I believe it was 1974.

Assemblyman DeLong:

I am just surprised they kept the whistle going but rescinded the ordinance.

Senator Harris:

As a matter of fact, there was a short period in 2008 where the city council, on its own, agreed to stop ringing it. Then they changed their mind, so here we are.

Assemblyman D'Silva:

This is more of a freshman question, but how were some of these local municipalities able to skirt the law from 2021, just to get an understanding as to how that even took place?

Senator Harris:

If I remember correctly, the precise language of the bill said the bell could not be rung at the time historically associated, so they just moved it up an hour.

Chair Torres:

I will remind Committee members we have to get to floor today, and I have a work session. Last question quickly, please.

Assemblyman Nguyen:

I want to make sure of the provisions you put in about holidays. If these sounds are associated with bad things that happened in history, why we are using holidays? A holiday is a time of celebration and positiveness. Putting in the holiday exemption would be a question to me, because as a member of a minority community that has always been targeted for different hate crimes and events in the past, having something negative associated with the holiday would be kind of counterintuitive.

Senator Harris:

I put that in because this piece of legislation is really not designed to be punitive. There are many communities and small towns that use these sirens for all kinds of things, including fire emergency response. I wanted to allow them to continue to have a town celebration, let us say for a particular holiday, and use the siren in that way if that is something they chose to do. The goal here for me, and again, the reason why I put this in, is to come up with the reasonable reasons why they might want to ring this thing. As long as they are not doing it every day, I did not see any reason why I could not let them ring it for Memorial Day or other celebrations they may want to do.

I can acknowledge that while for our native population in the towns of Minden and Gardnerville, it does have that connotation to it, for the residents in other areas and the non-native populations, they have also gotten accustomed and tied to it, and it can carry many different meanings. That is my best attempt at being reasonable, is the best answer to your question.

Chair Torres:

I do not believe there are any other questions. If there are, you can ask them offline. At this time, we will invite anyone wishing to testify in support of S.B. 391 (R1). I will remind members of the public that everyone will be given up to two minutes. There is a timer on the table as well to let you know how much time you have used.

Marty Meeden, Private Citizen, Gardnerville, Nevada:

Hunga mi' heshi, manahuu, buenos dias, and good morning. I would like to share some what I call "Racism in the Outdoors." [He displayed a photo.] I am a Washoe descendant and resident of Gardnerville. We have heard, as Washoe folks, that this is a tradition in Carson Valley. I would like to show you some other traditions we used to have here in Nevada and in the United States:

[He displayed some photos.] We serve whites only, no Spanish or Mexicans—a sign: Help wanted: No Irish need apply. I will not use the word, but I will share what it says: Japanese, keep moving, this is a white neighborhood. No N—s, no Jews, no dogs. This one: Whites only within city limits after dark.

These were tradition here in many places in the West and South in the United States. We would never allow any of these things to persist today. These are visuals. That siren is an auditory trigger. Why is it any different? Please support this bill.

Serrell Smokey, Chairman, Washoe Tribe of Nevada and California:

Hunga mi' heshi. I did not write a speech, and I am here just to speak because we have been working on this for years. I do not need to read a speech to tell you my feelings now. First, I want to say this was not an easy place to get here. I said this the last time we had a hearing, four, four and a half, five years ago, when we started meetings bringing up this siren, I sat there by myself because people were scared. This is a piece of living trauma. It is the sound of a siren—it does not matter what time it is. This happened to our people. This was racism directly to our *Wá·šiw* people. I know it may be hard to understand, but as *Wá·šiw* people, we know exactly what it means. It does not matter what time it is; that is what it is there for. If I had my way, I would tear that siren down, put it smack in the middle of the city, and put "racism" on it, put the ordinance on there, and let everybody know what the truth of the history is, truly is. We are not doing this to try to remove it just because; it is because it affects our people. No time is acceptable. I know the bill says otherwise. Again, we are trying to be nice. This is a legislative process. We want to encompass all.

The reason I am here is because I serve my people. I fight for my people as the highest elected official in a sovereign nation. I have served my country in the Army. I have served the state in the Nevada National Guard, and now I serve my people. I fight for every single one of them. I take the duties charged to me to heart, and that is why I am here. As I say, S.B. 391 (R1) needs to be passed. This needs to be passed because this will not be over even if this bill is passed.

Lisa McDonald, Secretary-Treasurer, Dresslerville Community Council, Washoe Tribe of Nevada and California:

The Dresslerville Community Council is in Douglas County. I am a lifelong resident. I grew up hearing the 6 p.m. siren and growing up, I knew just that—it was 6 p.m. It was not until later, when I grew up, understanding the realization of what that really was about. I am sad and very hurt knowing what my ancestors have gone through in the past. They were brutally attacked, assaulted, and raped, and it is hurtful. Like Chairman Smokey stated, it is trauma. It is generational trauma. We need to end it. I have faith in the Committee today that you will do the right thing and eliminate that siren.

Annette Magnus, Executive Director, Battle Born Progress:

We are here in support of S.B. 391 (R1), which strengthens the law passed in the previous session that should have ended the use of sundown sirens across the state. As someone who was born and raised in this state, it is frankly embarrassing that we even need a bill like this.

It is disgusting that certain towns in Nevada are still employing this relic of our country's institutional racism. These sirens were explicitly meant to warn Black, Indigenous, and other people of color in the area to stay indoors and stay out of public sight, lest they be attacked by local residents. While some try to whitewash this topic and explain away the meaning of this siren, it remains a reminder of these atrocities in our country's history. Specifically, it is a reminder to non-white people in these towns that you are not safe.

I will just add, it is 2023. We have clocks. We have phones. We have technology. We do not need a siren for any reason, even to designate a time or for some backwards tradition. Sirens were and are still based in racism, period. This bill will give the Attorney General power to bring civil action against these towns with such sirens. S.B. 391 (R1) aims to put a stop to it once and for all. We thank the sponsor—my Senator—and urge the passage of this important bill.

Steven Cruz, Councilman, Woodfords Community Council, Washoe Tribe of Nevada and California:

[Spoke in Washoe.] I said, Good morning, my relatives; my name is Steven Cruz. I am in support of this bill. My mom told me stories of not being able to eat in the same establishments as everybody else. One thing I also want to say is, one of the accepted traditional teachings most of the natives around the country accept is these four sacred colors: red, black, white, and yellow. Those are the four basic colors of all humans. I say humans, not men, because we are all humans—there are men and women. The sooner we can all get together, the sooner everything will be better for everybody and our children, the generations coming up. I will say thank you for allowing us to be over here today, and may each and every one of you receive blessings for your children, your family, and your loved ones. That is who we are. Keep praying; keep believing in each other—in our creation. We have to take care of our Mother Earth.

Chair Torres:

I feel better just having listened to your testimony.

Will Adler, representing Pyramid Lake Paiute Tribe; Duck Valley Indian Reservation; and Duckwater Reservation:

I first want to thank the bill sponsor for bring forward S.B. 391 (R1), but to be clear, S.B. 391 (R1) is a piece of legislation that should not need to exist. The last legislative session, the 81st Session, did pass a pretty explicit piece of legislation that intended to ban the use of these sirens for explicitly these purposes and for the disruption of communities. As we see, sometimes certain communities need a little more clarification or some help following through and doing what was intended. I just want to say, this bill has every good intention of doing the follow-through and making the right commitments the Legislature wanted to make last time. Hopefully, it will have the teeth that will really get it done this time, because this is a needed measure. It is a long-term trauma that is caused by the continuation of these practices. Please pass S.B. 391 (R1).

Danielle Christensen, Private Citizen, Gardnerville, Nevada:

Watlí. I am a Washoe descendant. I am asking for support from everybody here to support S.B. 391 (R1). We have all heard about the stories of the sundown siren. I have heard stories from my family. My great-grandmother would cry—she would get beaten and thrown out of town. Elder members of my family who are no longer here were thrown in jail if they would not leave, or they were beaten, like others have said. I just wanted to say, I really would request support for this bill. *ʔuwaʔáŋawi.*

Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:

I am here in support of Senate Bill 391 (1st Reprint). You have heard today from directly impacted community members the traumatic impact these sirens have continued to have on their lives. It is imperative that this Legislature listen to their voices and take action to finally end this racism in our state. We urge your support.

Mountain Eagle, Private Citizen, Gardnerville, Nevada:

I am a Washoe traditional practitioner and oral historian for my people. The siren issue, in my eyes and our elders' eyes, is that when people came to our country in 1859, they had a war on us and wiped us out. The cavalry wiped us out. What they were doing was trying to get rid of the native population so they could create the state of Nevada in 1860. When they did that, our elders, women, and children had to stay in the mountains for three seasons—there were no men left. They wiped out all our men so we would have nobody to protect us anymore.

In the early 1870s is when the *Waší-šiw* people came back out of hiding and started working for the ranches and working for the settlers who were living on the properties in our territory, because we were friends with them in the beginning before the war was on us. But the war was on us from the American system, which is to get rid of the Indian and save the man. As we got to go back and live with the ranchers, work for them, and slave for them on their properties now, they were constantly taking land that did not belong to them. It belonged to us traditionally. As America moved into this country, they continued to use tactics to get rid of the original people. After they did that, they started making changes so it looks like they are actually on our side, but the rules they had made still stand, which was a crime against the people and a crime against nature.

Like the bill that was passed in 1917, you have always got to realize that when Wovoka, a Paiute prophet, came out and said that all we had to do is hold hands, dance, become one people again, and paint our faces red, then we would get rid of the racism position America was now creating, what did America do? They made a law saying we could not practice our traditions, our cultural practices, and that was identified with just us. It was not Blacks, it was not Chinese, and it was not other nations.

For me, as we are watching these things happen—I have no problem with the siren, because we need something for emergencies. We need something for these things, to notice what time it is. If people have no clock and they are on the mountains, they hear that siren and they know what time it is. In emergency situations, we need it. The foundation of the history is what I am referring to here.

I have an 80-year-old Washoe who wanted me to bring this down to read the document for him, but I am not going to read it because I do not have enough time. When the natives used to go into town, they used to have to eat behind the restaurants. They could not go in front. In the 1970s, we began to start to use the front, because the younger population stood up for themselves. Now here we are today talking about old history, and the younger generations in my tribal organization are doing the same thing. They are not listening to the elders, and they are not living with the traditional heart that they are sitting up here telling you their history when they do not even know their history. They are going on what was written and going on what they tell each other when they take the information from us, from the oral historians and the traditional elders—which there is hardly anybody left who can even tell them what had happened back then.

The bottom line is, it would be good if you passed this ordinance to designate it so it is used for emergencies and for what it needs to be used for, but the history of why it was there still needs to be understood—that the native people still feel like we do not belong here because of the history made. As Nevada claims this land as a salvage title, we native people are not gone. I am a holocaust survivor. I have a declaration of a sacred estates document we created and filed here, with an identity theft and fraud, that is sitting in the Legislature library back here. These young men, our corporate leaders, have not even read that document, because I noticed they do not say and focus on some of the positives we have created in order for history to be in the past and for us to make the move towards the future for a better understanding, so we all can, again, live together with all the differences we have, so we can actually move forward now.

Chair Torres:

I apologize, sir. I need to wrap up so I can get to other individuals testifying in support. If you have any written documentation—I think you did mention a document—please make sure you get it to our Committee staff, and we will make sure it is posted as an exhibit for our Committee members.

Mountain Eagle:

All right, thank you.

Teresa Melendez, Private Citizen, Reno, Nevada:

I am an Indigenous organizer here in the state of Nevada. It is a pleasure to spend time with you this morning and to speak in support of a really important bill to the tribal nations here in Nevada. I am grateful that we have several elected tribal council leaders here in the room with us today, including the chairman of the main council for the Washoe Tribe, the vice chairman, and council members from community councils with the Washoe Tribe—

understanding that these folks are leaders of sovereign nations who have also been elected, just like you, to create legislation and provide services, support, and governance for their people. I am grateful that they have made the time to come here and are working with you all to pass legislation that helps us cogovern the state better, to make sure all people of the state are taken care of and served with dignity and respect, and that when there are instances of laws like a sundown siren, where that is not afforded to all people, we work together to make sure all people are treated with respect in the state.

Also, recognizing this is Indigenous stolen land and that the voice of tribal leaders, elected tribal council members, are incredibly important, especially the chairs of those councils. Vice Chair Burtt is a professor of American Indian studies. He is also the vice chair of a sovereign nation. He eloquently reminded us of the history of the sundown siren, what it has meant to the people. When community comes forth and tells us what their history is, it is upon us to believe them. As a professor and an elected leader, we know this history is fact for the Washoe Tribe. I am grateful for their leadership and your leadership. Thank you for all the hard work you do, and I appreciate your support on this bill.

Chair Torres:

I know we have some additional remarks, if you want to get your name on the record and say, We support. We have caucus meetings at 11 a.m. we have to get members to, so I want to allow for opposition. We will be rolling the work session to tomorrow, if there is anybody here for the work session. Quickly, please.

Cody Hoskins, Political Director, Service Employees International Union Local 1107:

I will keep it quick. You have heard from the community members here, and we believe this bill should be supported. We need to remove the siren.

Jennifer Lanahan, representing Las Vegas Paiute Tribe; and Reno-Sparks Indian Colony:

We just want to ditto the remarks that have been said so far.

Debbie Silva, Private Citizen, Minden, Nevada:

I am a resident of Minden, the particular town we have been talking about. I hear the siren. I live very close to the siren, and I hear it. As a white resident, when I hear it, I visualize, every evening, images of white boys in the backs of pickup trucks with baseball bats riding around town, hunting the *Wá·šiw* people. I do. Every evening, I have these visions from the stories I have heard of what has gone on in our town. This siren is not an emergency siren. It is not to give ranchers an opportunity to go home for dinner. It is, unfortunately, the heritage of Douglas County, but it is a heritage that is not to be proud of because it is a heritage of violence. I was so excited when the first bill passed, and I thought, Okay, we are finally going to shut this down. Our town government has worked around the law, and it will continue to try and do that. It does not respect or honor the laws that are made by the state, and it does not respect the people of Minden. I, as an ally, am here, but I also want to tell you there are many people like me who are white, who live in Minden, and who are opposed to having the siren continue.

Chair Torres:

At this time, I do not see any additional support in Las Vegas or in Carson City. Are there any callers on the line?

Jeri Burton, Co-Executive Director, Nevada Chapter, National Organization for Women:

I am a native Nevadan and very embarrassed and horrified that this is happening in our state. I will keep it short. Basically, we want to see this siren stopped. We know the history of racism behind it. The Indigenous community members have to hear this every day. It does not seem like there is any time of day when this would be okay. I know they are working on the amendment, but we need to pass this bill again and make it crystal clear: We do not tolerate sundown sirens in our state.

Chair Torres:

I will remind callers, please keep your remarks short. We are going to have to recess and come back after floor. I apologize to Committee members. Then we will hear opposition.

Stephanie Mushrush, Private Citizen:

Huŋa ʔumhamuhé:ši? Stephanie Mushrush *degumdíʔye? Léʔi*—how are you all? My name is Stephanie Mushrush. I am an enrolled Washoe tribal citizen of the Washoe Tribe of Nevada and California. I work as a licensed clinical social worker and mental therapist in the native community. I am also on the Washoe Tribal Health Board. I am here to express my support of S.B. 391 (R1) to stop the sundown siren, which serves as a tool of colonization attached to historical and current-day intergenerational trauma for the Washoe, other native people, and even allies, as previously expressed, who understand its history to now. Manifestations of that trauma include mental health and physical health disparities far beyond any other population. When we acknowledge the experience of our Washoe people, we understand why we feel this so deeply. It has been just over 106 years since the enactment of Minden's sundown ordinance and almost 115 years since Gardnerville's. We have far to go. Please, let us move S.B. 391 (R1) forward, right the wrongs, honor the Washoe, and stop the siren.

Chair Torres:

Are there any more callers in support of S.B. 391 (R1)? [There was no one.] At this time, the Assembly Committee on Government Affairs is going to go into recess [at 10:58 a.m.].

[The Committee reconvened at 1:09 p.m.]

Chair Torres:

At this time, we are on support for S.B. 391 (R1). I will invite anyone wishing to come and testify in support of S.B. 391 (R1). I was just going to give one final opportunity in case there was lingering support. It does not appear there is any. Is there anyone on the line wishing to testify in support of S.B. 391 (R1)? [There was no one.] At this time, we will invite anyone wishing to testify in opposition to S.B. 391 (R1).

Jared Dooley, Fire Chief, Fallon/Churchill Volunteer Fire Department:

I am here speaking in opposition to the bill as written. I feel like, at some point, it feels weird to say "in opposition," because obviously the intent of this bill has some real value here. I would just like to speak to that a little bit.

[Read from [Exhibit E](#).] I speak today reluctantly but emphatically in opposition to S.B. 391 (R1) as currently written. Reluctantly, because I agree with the intentions of the bill's primary sponsors, Senator Harris, Assemblyman Watts, and Assemblywoman Backus. Any political entity using a public siren as a legacy of a racist and bigoted past should be called out, and its use should be immediately discontinued.

My opposition arises from the consequences of the current bill on the community that I serve, that of the City of Fallon and Churchill County. I will supplement my opposition through written comments and historical documents [\[Exhibit E\]](#).

The record clearly shows that the Fallon/Churchill Volunteer Fire Department installed its first public notification system in 1916 when the city ordered a siren capable of notifying the volunteer fire department and the public of emergency calls. Over the past 100 years, what has become known as the fire department whistle has been sounded to call upon our volunteers to respond to protect life and property. Similarly, since its installation, the whistle has been sounded at noon to test its working condition and for no other purpose.

We test it daily for a number of reasons—predictability being first. The public knows and expects that noon sounding of the whistle. It is well known to be a test and does not communicate an emergency situation to the public. When it sounds at any other hour, night or day, the public understands that an emergency calls for its volunteers to respond. Drivers and pedestrians watch for emergency vehicles, and we all know to watch out for each other.

Secondly, daily testing for notification systems is a best practice standard promulgated by the National Fire Protection Association. Importantly, it has been codified by *Nevada Administrative Code* 477.281. These standards require manual testing for all personnel notification systems. There is a good reason for this: You do not test these systems during the emergency. We test our siren daily just as we test our paging system daily. From many years of personal experience, I always hear the siren, even if I do not hear the page or if there are technical difficulties with our system. It is a simple but effective means to call out the emergency situation. Because we have these excellent systems in place, the Fallon/Churchill Volunteer Fire Department is proud to have been awarded our ISO [Insurance Services Office] Class 1 rating. Our department is one of very few, if not the only, entirely volunteer department to have achieved this.

In closing, the siren relied on by the City of Fallon serves a real public purpose and always has. The same cannot be said of others. It notifies our department of a call for help and further notifies the public to be aware of those responding to the call. In Fallon, it is a symbol we care for and take care of each other. The fire department serves an area of 5,000 square miles with only 42 volunteers. We serve 24/7, 365 days of the year. The siren

and its daily testing are critical parts of that mission. We oppose this bill as currently written because it impairs our ability to serve the community. We are hopeful that an amendment can be adopted that would allow the primary purpose of this bill to be met while preserving the public use and testing of our notification system. I thank Senator Harris for her comments earlier that she is willing to consider an amendment that accomplishes this, and the city commits to working with her so we can become a supporter of this bill. Thank you for your time and your consideration. I am available for any questions.

Chair Torres:

Members, are there any questions? I do not believe there are any. I do not see any additional opposition here in Carson City. Is there anyone on the line wishing to testify in opposition to S.B. 391 (R1)?

Jim DeGraffenreid, Private Citizen, Minden, Nevada:

I am representing myself as a retired volunteer and paid firefighter and resident of Douglas County. We have heard we need to stop the Minden volunteer fire siren because it is a sundown siren, but it absolutely is not and never was. It was installed by the Minden volunteers and was sounded twice a day, just like fire sirens all over America. According to multigenerational ranching families in the area, although the evening siren was coincidentally close to the time of the shameful sundown ordinance, which should never have existed and has been repealed for over a half-century, the two were never officially connected.

Senate Bill 391 (1st Reprint) has overreached, as this issue was resolved following the passage of Assembly Bill 88 of the 81st Session. Even the bill's supporters had to admit that Minden is complying with the law as passed, and they are doing so in cooperation with the tribe. In June 2021, Washoe Tribe Chairman Serrell Smokey and Minden Town Manager JD Frisby came to an agreement to comply with A.B. 88 of the 81st Session and issued a joint statement that reads:

Their discussions resulted in a mutual agreement that the evening siren should continue to sound, but to change its time from 6:00 p.m. each evening to 5:00 p.m. The 5:00 p.m. siren will serve to acknowledge the volunteer firefighters and first responders who have been historically dispatched by the town siren. Deleting the 6:00 p.m. siren will honor those hurt by archaic sundowner mandates of prior eras.

The statement concludes:

Chairman Smokey and Town Manager Frisby are hopeful that this change will herald greater respect and genuine progress for all members of our communities.

It is surprising that one of the sponsors of the A.B. 88 of the 81st Session amendment, and one of the sponsors of S.B. 391 (R1), is on record approving this agreement, and yet is now trying to rewrite history with S.B. 391 (R1). In a July 2021 article in *The Nevada Independent*, Assemblyman Watts is quoted as saying he is supportive of the agreement and that he thinks:

The discussion around A.B. 88 helped get the tribe and the town to an agreement I think that the six o'clock time slot was what was particularly upsetting to the tribe The bill was aimed at getting that siren to stop being sounded, particularly at that time If the tribe feels that that's enough distance, that it's no longer associated with that ordinance, then I think that is in alignment with the spirit of the law.

This is a local issue and was resolved at the local level. It is offensive that the town of Minden was misrepresented.

Chair Torres:

If you could please begin to wrap up your testimony.

Jim DeGraffenreid:

I am at the end. I urge this Legislature to refrain from further interference in resolved rural issues.

[[Exhibit F](#) was submitted in opposition to Senate Bill 391 (1st Reprint) but not discussed and is included as an exhibit for the hearing.]

Chair Torres:

Is there anybody else on the line? [There was no one.] At this time, I will move into neutral. Is anyone wishing to testify in neutral on S.B. 391 (R1)? I do not see anyone here in Carson City. Is there anyone on the line? [There was no one.]

I believe the bill sponsor has left for closing remarks. At this time, we will close the hearing on S.B. 391 (R1).

I know we have had various different stances on the work session today, but in the interest of time, recognizing that we do have 1:30 p.m. committees as well—in fact, I have a 1:30 p.m. committee I have to get to, as does the Vice Chair—we are going to roll the work session to Friday at 9 a.m. At 9 a.m., we will have our work session. We will also be hearing Senate Bill 208 (1st Reprint).

Senate Bill 2 (1st Reprint): Revises provisions relating to emergency management. (BDR 36-237)

[Senate Bill 2 (1st Reprint) was agendaized but not considered.]

Senate Bill 3 (1st Reprint): Revises the membership of the Nevada Commission on Homeland Security. (BDR 19-236)

[Senate Bill 3 (1st Reprint) was agendized but not considered.]

Senate Bill 8: Revises provisions relating to juvenile justice. (BDR 23-262)

[Senate Bill 8 was agendized but not considered.]

Senate Bill 16: Revises various provisions of the Charter of Carson City. (BDR S-350)

[Senate Bill 16 was agendized but not considered.]

Senate Bill 18: Revises provisions governing required meetings of planning commissions in certain counties. (BDR 22-307)

[Senate Bill 18 was agendized but not considered.]

Senate Bill 21 (1st Reprint): Revises certain classifications based on populations. (BDR 20-391)

[Senate Bill 21 (1st Reprint) was agendized but not considered.]

Senate Bill 25: Implements process for long-term planning for state office space. (BDR 28-217)

[Senate Bill 25 was agendized but not considered.]

Senate Bill 87 (1st Reprint): Revises provisions relating to state employment. (BDR 23-343)

[Senate Bill 87 (1st Reprint) was agendized but not considered.]

Senate Bill 169 (1st Reprint): Revises provisions governing master plans. (BDR 22-346)

[Senate Bill 169 (1st Reprint) was agendized but not considered.]

At this time, we will move on to public comment. Is there anyone wishing to testify in public comment? [There was no one.] I will invite any remarks from members. [There were none.] To remind the Committee, tomorrow, we will be meeting. We will be returning to this room. We will be hearing three bills and meeting at 9 a.m. The meeting is adjourned [at 1:19 p.m.].

RESPECTFULLY SUBMITTED:

Dylan Small
Recording Secretary

Lindsey Howell
Transcribing Secretary

APPROVED BY:

Assemblywoman Selena Torres, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Clark County Department of Aviation Southern Nevada Supplemental Airport: Project Briefing," dated March 6, 2023, submitted by Joanna Jacob, Manager, Government Affairs, Clark County; and presented by James Chrisley, Senior Director of Aviation, Department of Aviation, Clark County.

[Exhibit D](#) is a letter dated May 10, 2023, submitted by Kenneth G. Moen, President, Nevada Aviation Association, in support of [Senate Bill 19](#).

[Exhibit E](#) is written testimony and additional documents dated May 11, 2023, submitted by Jared Dooley, Fire Chief, Fallon/Churchill Volunteer Fire Department, in opposition to [Senate Bill 391 \(1st Reprint\)](#).

[Exhibit F](#) is an email dated May 8, 2023, submitted by Bill Post, Private Citizen, Fallon, Nevada, in opposition to [Senate Bill 391 \(1st Reprint\)](#).