

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

**Eighty-second Session
March 22, 2023**

The Senate Committee on Government Affairs was called to order by Chair Edgar Flores at 3:37 p.m. on Wednesday, March 22, 2023, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Edgar Flores, Chair
Senator Skip Daly
Senator Pete Goicoechea
Senator Lisa Krasner

COMMITTEE MEMBERS ABSENT:

Senator James Ohrenschall, Vice Chair (Excused)

GUEST LEGISLATORS PRESENT:

Senator Dina Neal, Senatorial District No. 4

STAFF MEMBERS PRESENT:

Jered McDonald, Policy Analyst
Spencer Jones, Committee Secretary

OTHERS PRESENT:

Joanna Jacob, Clark County
Justin Jones, Southern Nevada Regional Planning Coalition
Jack Giese, Regional Transportation Commission of Southern Nevada
Nicole Rourke, City of Henderson
Leonardo Benavides, City of North Las Vegas
Brian Harris, Battle Born Progress

Senate Committee on Government Affairs
March 22, 2023
Page 2

Patrick Donnelly, Center for Biological Diversity
Kyle Roerink, Executive Director, Great Basin Water Network
A.J. Delap, Amarok
Michael Pate, Amarok
Isaac Hardy, Nevada Pic-a-Part
Mike Cathcart, City of Henderson
Kelly Crompton, City of Las Vegas
Michael Yoder

CHAIR FLORES:

The Senate Committee on Government Affairs introduces a bill draft request (BDR).

BILL DRAFT REQUEST 20-681: Revises provisions governing local governments.
(Later introduced as [Senate Bill 371](#).)

SENATOR GOICOECHEA MOVED TO INTRODUCE BDR 20-681.

SENATOR KRASNER SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR DALY WAS EXCUSED FOR THE VOTE.)

* * * * *

I will open the hearing on Senate Bill (S.B.) 247.

SENATE BILL 247: Revises provisions relating to regional planning.
(BDR 22-684)

JOANNA JACOB (Clark County):

I will be handling the presentation ([Exhibit C](#)) in Carson City and Commissioner Justin Jones in Las Vegas is going to help.

JUSTIN JONES (Southern Nevada Regional Planning Coalition):

I served the Southern Nevada Regional Planning Coalition (SNRPC) for the past four years and as chair for three of those years. When I first joined the board, they had already been in discussions on the future of the SNRPC and how it fit in with the regional bodies in southern Nevada. The SNRPC started in 1999

when added to *Nevada Revised Statutes* that mandated regional planning in a county over 700,000 population. In 2017, additional language allowed for the Southern Nevada Strong effort led by the SNRPC and the City of Henderson, which set out a framework for regional planning for southern Nevada and made the region eligible for several federal grants. The Board is made up of two members from Clark County and two members from each of the three-largest cities, with additional members from Boulder City and the Clark County School District. As originally envisioned, the SNRPC was created to allow regional governments to collaborate on issues of regional significance.

During the last few years, the SNRPC has struggled to define its role among the many regional bodies in southern Nevada. We had 18 meetings between June 2018 and February 2022 to evaluate the future direction of the Board. Due to the fact that the SNRPC has no dedicated funding stream and is reliant on interlocal agreements between the County and cities for any funding for specific projects, the Board decided to mothball the SNRPC and ask the Legislature for leniency. There is still tremendous value in having a regional planning coalition as needed to address specific issues, but in the Interim, it did not make sense to continue to have monthly meetings when we did not have any issues we were funded to address. The jurisdictions were unable to make an interlocal agreement to provide additional funding to address the issues we had been discussing.

Ms. JACOB:

The purpose of S.B. 247 is to give us some additional leniency. As shown on [Exhibit C](#), Slide 4, some of the duties in statute related to regional planning have been assumed by the Regional Transportation Commission of Southern Nevada (RTC), such as trail planning and the Southern Nevada Strong effort. The Regional Transportation Commission of Southern Nevada has also taken over land use forecasting and duties related to planning. As noted by Commissioner Jones, the SNRPC has no dedicated funding. Clark County has regular regional coordination such as the Continuum of Care housing policy for which it receives grant funding. Clark County also runs the Desert Conservation Program as a regional service. At our August meeting, the SNRPC and its member organizations agreed to see if we could get some more flexibility and continue interlocal agreements. There is value in regional planning and collaboration, and we are not getting rid of the SNRPC. We are maintaining it as an option for regional collaboration, but we are changing the mandates

throughout to reflect the current state of affairs and give us flexibility to negotiate what the SNRPC's future role looks like.

The SNRPC is reviewing population forecasts. That is why the language throughout S.B. 247 on reviewing projects of regional significance is permissive. There may be matters coming out of this Legislative Session that we may need to mirror in the interlocal agreement, and this bill would give us permission to do so. If this bill passes, the County and cities would continue to negotiate the interlocal agreement to determine the scope of our future collaboration.

Sections 6, 7 and 10 of the bill reflect that RTC has taken over the responsibility for conformity review for master plans submitted by the cities and the County. Sections 1 and 11 have language deleting reference to the SNRPC because the air quality review contemplated therein is federally required in compliance with the Clean Air Act, and we must coordinate with RTC. We are asking for permissive language in those sections, but that does not mean we could not contemplate having a review in the interlocal agreement or whatever the SNRPC looks like in the future.

Senate Bill 247 would delete old bus turnout language because the RTC has already completed that duty and requested the deletion. We asked for permissive language in sections 4 and 5 of the bill regarding housing incentives, something being discussed before the Legislature. If something comes out of this Legislative Session, SNRPC can be a place to discuss it at a regional level. Many regional bodies are already collaborating on related issues through the RTC-led Southern Nevada Strong effort, including heat island mapping, affordable housing, water issues and community health. The language is permissive, so those issues can be brought back to the SNRPC under the interlocal agreement if needed. We have asked for permissive language in S.B. 247, sections 8 and 9 because we do not have a dedicated funding source for this. If we agree on a budget, then we can create a budget. Section 9 would allow the SNRPC to employ or contract for staffing since it is currently a volunteer effort with administrative support from Clark County.

MR. JONES:

The SNRPC has not reached this point for lack of trying. Many of us believe that regional planning was critical for southern Nevada and identified issues that were of regional significance. In 2021, we identified climate change and the heat island effect as primary concerns in the region. We provided opportunities

for collaboration among the jurisdictions; unfortunately, because of the funding issues, we could not reach an agreement. As a result, Clark County's Department of Environment and Sustainability, which does have a funding source, took on that responsibility, like how RTC has taken on many of the SNRPC functions.

SENATOR DALY:

There was a mandate for some regional collaboration; where did it breakdown? Was it just a budget issue, or you could not come to agreement? If flexibility is what you are asking for, that is not a problem, but this has been in statute for quite a while.

MS. JACOB:

The SNRPC engaged a consultant to help us with strategic planning and next steps. When we talk about future direction, we must figure out the funding.

MR. JONES:

Not having a funding source was absolutely the driving force. We circulated a draft interlocal agreement among the jurisdictions in 2021 to really focus on climate change and one other issue we had identified as of regional significance. Unfortunately, although we had unanimous support among the members of the SNRPC, the County Commission and city councils did not have the same commitment to regional planning. And that led to disinterest in providing additional funding via interlocal agreement.

SENATOR GOICOECHEA:

The SNRPC has members from the three-largest cities representing city councils and county commissioners. Have some of the smaller jurisdictions in the region like Boulder or Mesquite been invited? And do they wish to participate?

MS. JACOB:

Boulder City is a member of the SNRPC. Councilwoman Claudia Bridges has regularly attended and participated, so we do have participation from them and other community partners.

MR. JONES:

Boulder City's representatives were active and supportive of the SNRPC mission. They were as frustrated as us that we were not able to make an interlocal agreement and get funding.

JACK GIESEA (Regional Transportation Commission of Southern Nevada):

Ms. Jacob and Commissioner Jones did an excellent job distilling the SNRPC functions that have transferred to RTC. We fully intend on continuing to carry out those functions and working with our local government partners to address the future of regional planning in Clark County. The Regional Transportation Commission of Southern Nevada supports S.B. 247.

NICOLE ROURKE (City of Henderson):

As a regional partner who has a seat on the SNRPC, the City of Henderson supports S.B. 247 so we have flexibility moving forward as we see fit for different regional planning needs. We appreciate RTC's ongoing commitment for the Southern Nevada Strong plan.

LEONARDO BENAVIDES (City of North Las Vegas):

I want to echo the sentiments of my local government colleagues. The City of North Las Vegas is a proud member of the SNRPC, and it supports S.B. 247.

BRIAN HARRIS (Battle Born Progress):

We are in support of S.B. 247. Nevadans are living through climate change, heat waves, droughts and air pollution. Climate change is affecting our health environment and the ability to make a living wage. Low-income Nevadans of color are especially suffering by living in areas with higher temperatures, dirtier air, fewer green spaces and higher energy costs. But it does not have to be this way as Nevada plans to fight the climate crisis. This Body must consider creative solutions like this bill to address air pollution and the other effects of climate crisis.

PATRICK DONNELLY (Center for Biological Diversity):

We are opposed to S.B. 247 and have submitted a letter of opposition ([Exhibit D](#)) from the Sierra Club explaining our joint reasoning.

KYLE ROERINK (Executive Director, Great Basin Water Network):

We oppose S.B. 247 for many of the reasons echoed by Mr. Donnelly. Many folks are predicting a lot of growth in Las Vegas. With Lake Mead at the level it is, we need to be cautious and have more communication among as many community members as possible about future developments. The multiple provisions in S.B. 247 that take away public comment and opportunities for participation give us pause.

MS. JACOB:

I would be happy to address the concerns raised by the opposition. We made references to public comment as changes in S.B. 247, sections 1 and 14 because the SNRPC is going to RTC for the meeting that allows opportunity for public comment. The SNRPC is a regional service provided by Clark County, that sits as our air pollution control board and is a dual function of the Board of Commissioners. Regular updates from our Department of Environment and Sustainability at our Board meetings are heavily attended and include the opportunity for public comment. I understand the concern about removal of public comment, but due to funding issues, the SNRPC has not been meeting on a regular basis. The Board of Commissioners and RTC Board do meet on a regular basis, offering more opportunity for public comment and participation.

MR. JONES:

I echo Ms. Jacob's sentiments. To be frank, if those in opposition to S.B. 247 have any proposals to provide a dedicated funding source for the SNRPC, we would certainly be open to them. But absent a dedicated funding source, this is an unfunded mandate, and we appreciate the flexibility to address regional issues as they come about.

CHAIR FLORES:

We will close the hearing on S.B. 247 and open the hearing on S.B. 208.

SENATE BILL 208: Authorizes counties and cities to enact certain ordinances relating to battery-charged fences. (BDR 20-853)

A.J. DELAP (Amarok):

Amarok's intent for S.B. 208 is to provide clarity to local governments on how to properly provide ordinance and code for the installation of energized fences, which is what Amarok does. There is confusion as to whether its work is a fencing system, an alarm system or neither. Because various jurisdictions have been struggling through that for years, it has been difficult to obtain the necessary permits to legally install these systems. Laying clear foundations in a State law on how to regulate these systems will assist local governments in their decision-making. Energized fences are effective at protecting property from crime. Properties that install them see a 90 percent decrease in criminal activity.

Section 1, subsection 1 of the bill has the word "may" which we suggest be changed to "shall." We want to make the language stronger to help motivate

the local governments to implement this. In section 1, subsection 2, paragraphs (d) and (e) describe two different ways of applying the same system. Paragraph (d) covers a standoff fence not energized with another fence energized beyond it. That is one way to install these security systems. Paragraph (e) describes a fence not energized up to a certain height; but above the designated height, up to two feet of the fence can be energized. That would be one continuous fence with a split between nonenergized and energized sections. The idea behind that approach is that it prevents people who unknowingly bump up against the nonenergized portion of the fence from being shocked, while shocking anyone who tries to climb it. Of course, the fence would have warning signs that the fence is energized. Section 2 adds in the same language to provisions regarding municipalities.

MICHAEL PATE (Amarok):

Energized fences run on a 12-volt battery like your truck or car, and those batteries are kept charged by a solar array. If the power goes down, we want our energized fences to stay up and running because that is when the criminals come out. Energized fences then amplify 12 volts with an energizer to 7,000 to 9,000 volts, which takes 1.1 seconds to do, and the interior line is dead during that time. Once the energizer is loaded, it releases that energy down the interior line, and we do a quick perimeter check back to an alarm panel. If we get five consecutive negative returns, we set the alarm off audibly on the site and silently back to our call center in Columbia, South Carolina. Amarok's competitors do it the same way. We are not connected directly to the police department, so we go through a call list. For example, if A.J. is No. 1 on my call list, I call him at 2 a.m. and tell him where the break is. He can look at that particular line with the cameras we installed alongside the energized fences and decide whether he needs to call anybody. It could be a snowstorm or a fallen tree on the corner of that particular property, in which case, we will take care of in the morning. It could also be five guys in a flatbed truck robbing the property, and we need to call the local police department. That circumstance is called a verified alarm, and police love them. They know where to go and what to expect.

We have passed legislation like this in 18 different states. Some of your neighbors—Utah, Arizona and Oregon—basically have the same law on the books. Our energized fences are 90 percent to 95 percent effective in stopping crime on those sites. People do not want to come in and touch these devices. They are behind an existing fence line or a wall. Someone must be committing a

criminal trespass to come in contact with the device. They are signed in English and Spanish at a minimum with the international sign for shock.

ISAAC HARDY (Nevada Pic-a-Part):

These systems are extremely important for the security of our businesses, and we appreciate a bill to standardize the rules surrounding them. We stand in full support of S.B. 208.

MIKE CATHCART (City of Henderson):

The City of Henderson is neutral on S.B. 208. We need some time to digest the “may” to “shall” language. We are getting that to our people, but we want to continue to be at the table and work on this bill.

KELLY CROMPTON (City of Las Vegas):

I echo the comments of our colleagues at the City of Henderson. We also want to open conversations around how we are approving these applications and some clarity on whether it is a fence or an alarm system. The City of Las Vegas is neutral on S.B. 208.

CHAIR FLORES:

We will close the hearing on S.B. 208 and open the hearing on S.B. 246.

SENATE BILL 246: Revises provisions relating to governmental administration.
(BDR S-1028)

SENATOR DINA NEAL (Senatorial District No. 4):

There have been a lot of workforce bills. I bring this one forward because of what I have been seeing in Senate District 4, which encompasses North Las Vegas and Las Vegas. I started on workforce policy with A.B. No. 354 of the 79th Session which mandated workforce agencies to work together to help populations in double-digit unemployment. What we have noticed since then is that individuals did not know about what economic opportunities were nearby. There was a lot of construction, new restaurants and warehouses with no indicator of who the tenant may be. Local people had no idea how and where to get hired, and whether they had an opportunity to seek out positions within these new developments. I wanted to ensure the cities focused their priorities on communities that had high poverty, so they could be part of new economic developments and rise out of poverty. The bill mandates that the city councils

establish a workforce development program in coordination with all applicable agencies that provide workforce development services.

I have a conceptual amendment ([Exhibit E](#)) to S.B. 246, section 1, ensuring that the workforce development includes engagement and outreach from construction projects to the eventual tenant. I want to ensure that individuals can participate in the economic growth within their environment. The amendment also establishes how the program must post and provide information to those citizens. I figured the best place to put this information is on the water bill since everyone gets one. Cities would not list all the jobs on the water bill but list the website showcasing the opportunities available. Prior city engagement policies considered posting things on a water bill, so I do not see that as a point of opposition. The bill mandates that the program must prioritize high-poverty areas and report the data to the Nevada Department of Employment, Training and Rehabilitation (DETR). I want that data to go to the Department because of A.B. No. 354 of the 79th Session. The Department can get subgroup data by demographics, age group, gender and county. Having the cities gather this information would build on the data collected by DETR under their bureaus of research, giving us more of a story to tell about how we are not only changing poverty centers but changing the workforce opportunities for communities that have remained in poverty for years.

Section 3 of the bill promotes equity because most of these communities are shared communities of color. The bill says you cannot prioritize one minority group over another because I wanted to make sure everyone gets an equal footing. There are many areas in North Las Vegas and Las Vegas in poverty, including Yale and Civic Center, Lake Mead and Donna, Cheyenne and Civic Center, and West Las Vegas. I brought forward this policy in order to prioritize engaging these communities. Some people would argue that redevelopment areas are supposed to do that work, but if they were effective, those areas would not look the same as they did in 1986.

MICHAEL YODER:

I support S.B. 246. This would create a partnership with the integrated workforce system in Nevada, where the mission of one partner becomes the mission of all partners. It would increase accountability and success outcomes in performing outreach. Workforce development efforts that focus on poverty-level populations do more for addressing homelessness and bringing

nondegree credential programs to these populations, which would have a great impact on generational poverty.

MR. BENAVIDES:

The City of North Las Vegas is neutral on S.B. 246. Workforce development is important to the City. We do projects with Workforce Connections in its one-stop-shop in our City Hall. We will continue working with the bill sponsor on some of the concerns we had discussed previously.

MS. CROMPTON:

The City of Las Vegas is neutral on S.B. 246 and hopes to have further conversations to address some of our minor concerns with the bill. The City is working with multiple entities to actively and aggressively apply for federal grants. We have received federal grants to work on west Las Vegas education and training centers. We have an east Las Vegas education and training center to expand occupational training and skills in high-poverty areas. The City also has programs such a second-chance employment to help the homeless get back on their feet.

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Government Affairs
March 22, 2023
Page 12

CHAIR FLORES:

We will close the hearing on S.B. 246. Having no further business, the Senate Committee on Government Affairs adjourns at 4:46 p.m.

RESPECTFULLY SUBMITTED:

Spencer Jones,
Committee Secretary

APPROVED BY:

Senator Edgar Flores, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 247	C	2	Southern Nevada Regional Planning Coalition	Presentation
S.B. 247	D	6	Sierra Club	Letter of Opposition
S.B. 246	E	10	Senator Dina Neal	Conceptual amendment