

SB436 - 1999

Introduced on Mar 15, 1999

By Porter,

Fiscal Note

Effect On Local Government: *Yes*

Effect on the State or on Industrial Insurance: *No*

Makes various changes relating to regional planning. (BDR 30-1588)

Current Status: In Senate at Governor

Chapter 489 Sections 3 through 17 of this act effective July 1, 1999. Sections 1 and 2 of this act effective January 1, 2000.

Hearings			
	Senate Government Affairs	Mar-29-1999	No Action
	Senate Government Affairs	Apr-08-1999	Amend, and do pass as amended
	Assembly Government Affairs	May-06-1999	No Action
	Assembly Government Affairs	May-10-1999	No Action
	Assembly Government Affairs	May-12-1999	Amend, and do pass as amended
	Senate Government Affairs	May-25-1999	Concur

15-Mar-99 Read first time. Referred to Committee on Government Affairs. To printer.

16-Mar-99 From printer. To committee.

✓16-Apr-99 From committee: Amend, and do pass as amended. Placed on Second Reading File. Read second time. Amended. (Amend. No. 521). To printer.

✓19-Apr-99 From printer. To engrossment. Engrossed. First reprint. ✓ Read third time. Passed, as amended. Title approved, as amended. (Yeas: 21, Nays: None). To Assembly.

20-Apr-99 In Assembly. Read first time. Referred to Committee on Government Affairs. To committee.

✓20-May-99 From committee: Amend, and do pass as amended. Placed on Second Reading File. Read second time. Amended. (Amend. No. 898). To printer.

✓✓21-May-99 From printer. To re-engrossment. Re-engrossed. Second reprint. ✓ Read third time. Amended. (Amend. No. 1118). To printer. From printer. To re-engrossment. Re-engrossed. Third reprint. ✓ Placed on General File. Read third time. Passed, as amended. Title approved, as amended. (Yeas: 40, Nays: None, Excused: 2). To Senate.

22-May-99 In Senate.

26-May-99 Assembly Amendment Nos. 898, 1118 concurred in. To enrollment.

27-May-99 Enrolled and delivered to Governor.

08-Jun-99 Approved by the Governor.

09-Jun-99 Chapter 489.



BILL SUMMARY
70th REGULAR SESSION
OF THE NEVADA STATE LEGISLATURE

PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

SENATE BILL 436
(Enrolled)

Senate Bill 436 creates the Southern Nevada Regional Planning Coalition, consisting of Clark County; the cities of Boulder City, Henderson, Las Vegas, and North Las Vegas; and the Clark County School District. The bill requires that the coalition be governed by a ten-member board appointed by the various local governments involved from their own memberships, with two members per entity, except for Boulder City and the school district, which each have one member. The bill also specifies board terms, vacancies, and meeting requirements. In addition, the measure requires the board to elect a chairman and vice-chairman from its membership and hire any needed support or technical staff. Further, the board is directed to adopt rules or bylaws that govern its management and to prepare an annual budget.

The bill prescribes the powers and duties of the board, which include developing plans for coordinated land use planning and establishing projections for population. The board is also authorized to carry out and manage the strategic plan and recommendations from the Nevada Strategic Planning Authority. Further, the board may establish subcommittees to address the disposal of federal land and to carry out the duties of the Clark County Clearinghouse Council.

Further, the measure forms a technical committee to the coalition, which consists of the involved county and city managers or their appointees. The technical committee may request the participation of various other regional agencies and must perform duties as requested by the board.

Finally, S.B. 436 revises the membership of the debt management commission for Clark County to be parallel to and share common members with the coalition.

This measure is effective on July 1, 1999, except for the provisions regarding the debt management commission, which are effective January 1, 2000.

LEGISLATIVE HEARINGS

MINUTES AND EXHIBITS

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

**Seventieth Session
March 29, 1999**

The Senate Committee on Government Affairs was called to order by Chairman Ann O'Connell, at 2:05 p.m., on Monday, March 29, 1999, in Room 2149 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Ann O'Connell, Chairman
Senator William J. Raggio, Vice Chairman
Senator William R. O'Donnell
Senator Jon C. Porter
Senator Joseph M. Neal, Jr.
Senator Dina Titus
Senator Terry Care

GUEST LEGISLATORS PRESENT:

Senator Mark E. Amodei, Capital Senatorial District

STAFF MEMBERS PRESENT:

Kim Marsh Guinasso, Committee Counsel
Juliann Jenson, Committee Policy Analyst
Julie Burdette, Committee Secretary

OTHERS PRESENT:

Phil Rosenquist, Assistant Planning Manager for Regional Planning, Advanced Planning Division, Department of Comprehensive Planning, Clark County
Elizabeth N. Fretwell, Lobbyist, City of Henderson
Irene E. Porter, Lobbyist, Southern Nevada Home Builders Association
Marta Golding Brown, Lobbyist, City of North Las Vegas
Michael A. Harper, Special Projects Manager, Department of Community Development, Washoe County

W. Dean Diederich, Planning Manager, Planning Division, Department of Community Development, Washoe County
Robert F. Joiner, Lobbyist, Nevada Chapter of American Planning Association
Pamela B. Wilcox, Administrator and State Land Registrar, Division of State Lands, State Department of Conservation and Natural Resources
Deborah Murray, Planning Manager, Current Planning Division, Department of Comprehensive Planning, Clark County
James J. Spinello, Lobbyist, Clark County
John T. Doughty, Planning and Economic Development Manager, Community Development, Douglas County
William T. Cuddy, Concerned Citizen
Thomas J. Grady, Lobbyist, Nevada League of Cities and Municipalities
David Horton, Lobbyist, Committee to Restore the Constitution, and Nevada Homeopathic Medical Association

Chairman O'Connell opened the hearing on Senate Bill (S.B.) 436.

SENATE BILL 436: Creates Southern Nevada Regional Planning Coalition.
(BDR S-1588)

Senator Jon C. Porter, Sr., Clark County Senatorial District No. 1, noted S.B. 383 of the Sixty-ninth Session formed the Southern Nevada Strategic Planning Authority.

SENATE BILL 383 OF THE SIXTY-NINTH SESSION: Establishes Southern Nevada Strategic Planning Authority. (BDR S-506)

Senator Porter continued, S.B. 383 of the Sixty-ninth Session mandated that local governments in Clark County work together with the community to create a strategic plan that sets forth goals, objectives, and strategies to address the effects of growth. He pointed out the plan must address education, transportation, environment, water, public safety, housing, parks and recreation, local land use, economic development, sewage, and sanitation.

Senator Porter asserted the issues facing southern Nevada are "very complex," and the strategic planning authority was created to provide for a structure and a process by which citizens and elected officials could determine the optimal future for the community. He contended the strategic planning authority will "create a roadmap which [will] ... lead us all into the future."

Senator Porter maintained the planning authority was instructed to identify and evaluate the needs of Clark County relating to its growth; prioritize the objectives and strategies relating to the growth of Clark County; recommend to the Seventieth Session of the Nevada Legislature strategies for meeting the growth needs and objectives of Clark County; and review the master plans, the policies contained within the master plans, and the capital improvement plans of the planning agencies of Clark County, to determine if they are sufficient to meet the needs and address the expected amount of growth in Clark County over the next 20 years. Senator Porter added the strategic planning authority was asked to develop a needs assessment identifying the issues relating to the growth of Clark County over the next 20 years. He continued, the planning authority was also directed to develop a strategic plan that sets forth the goals, objectives, and strategy of the authority; with regard to the effects of growth on economic development, education, environment, housing, local land use, growth boundaries, parks and recreation, public safety, transportation, and other issues deemed pertinent by the authority.

Senator Porter explained S.B. 436 is an "outcropping" of the Southern Nevada Strategic Planning Authority. He elaborated the members of that authority believe the findings, the work, and the amount of effort put into the planning authority should be continued. Thus, Senator Porter stated, a coalition has been formed through an interlocal agreement in southern Nevada. He contended, "We're [We are] now moving into the next stage of that [the Southern Nevada Strategic Planning Authority], which is the coalition."

Senator Porter indicated the planning authority presented their strategic plan for southern Nevada in March 1999. He pointed out the authority has also generated various bills to be heard by the Legislature.

Senator Porter expressed the aforementioned coalition is an agency that will allow the Legislature to put the ideas of the strategic planning authority into law. He added the formations of the planning authority and the coalition reflect the first time, since the water crisis of 1991, that local governments have worked together for the future of southern Nevada. He emphasized the authority's ideas should be put into law so that an agency will be in place to address challenges of regional significance.

Senator Porter commented the language in S.B. 436 closely resembles the aforementioned interlocal agreement, which was approved by the local governments in southern Nevada. He noted there was a lot of compromise throughout the interlocal-agreement process, and not all local governments agreed on all the issues. He elaborated some local governments wanted a "very strict" plan similar to the one in Portland, Oregon, while others did not want a plan at all.

Senator Porter stated the interlocal-agreement process identified a number of issues, including a suggested consolidation of various agencies. He asserted S.B. 436 would consolidate a number of agencies that currently exist in southern Nevada.

Senator Porter maintained section 5 of S.B. 436 provides a "quick overview of the members" of the proposed Southern Nevada Regional Planning Coalition. He noted section 6 of the bill sets forth the members of the board which would govern that coalition. He commented paragraph (f), subsection 2, section 6, of S.B. 436 might be addressed in a later amendment. Senator Porter stated, "These are members of the public that are being suggested to become a part of the coalition." He contended initial thoughts involved making the coalition similar to the planning authority, with members of the public serving as members of the board. Senator Porter indicated future testimony would likely suggest that those members should be permissive, not mandatory.

Senator Porter continued section 7 of S.B. 436 requires that the proposed board would meet quarterly or more frequently. He noted section 8 of the bill addresses the chairperson and vice chairperson of the board, and section 10 would allow the board to employ professionals for technical assistance.

Senator Porter expressed section 11 of S.B. 436 presents the first "major difference" between the bill and the aforementioned interlocal agreement. He pointed out that section would allow the debt management commission of Clark County to become a part of the coalition. He explained oversight for the debt management commission would thus become a function of the coalition.

Senator Porter testified section 12 of S.B. 436 would provide for a technical committee to the coalition, and he asserted section 13 "goes into the meat and potatoes of the bill." He explained that section would allow the proposed board to develop policies for Clark County on the issues listed in paragraphs (a)

through (e), subsection 1, of section 13. He added subsection 2 of section 13 would enable the proposed board to carry out the findings of the strategic planning authority, and subsection 3 would authorize the board to compile and coordinate a regional and local database, using information from local governments. Senator Porter maintained it is often confusing to identify which agency to approach for certain information, and the aforementioned database would help alleviate that problem.

Senator Porter continued section 13 of S.B. 436 would also allow the proposed board to establish standard projections for population and to recommend methods for increasing the efficiency of and reducing the costs of local-government services. He commented a government-efficiency committee was previously formed to consider ways to improve the efficiency of local governments.

Senator Porter indicated Senator Titus suggested that the board be allowed to make recommendations for the disposal of federal land, as set forth in subsection 6, section 13, of S.B. 436. Senator Porter continued subsection 7 of that section would enable the proposed board to establish methods for resolving disputes relating to annexation, future land use, and other matters. He asserted, "I think you may have found that already happening with ... [Clark County] and the City of Henderson, recently."

Senator Porter pointed out subsection 8, section 13, of S.B. 436 would authorize the proposed board to establish incentives to encourage regional strategic planning for economic development. He continued subsection 9 of that section would provide a "significant change" by allowing the planning coalition to develop a regional park plan, in coordination with the Clark County Regional Flood Control District. Senator Porter noted southern Nevada currently does not have such a plan. He further maintained a number of flood projects in southern Nevada have become regional parks.

Senator Porter stated subsection 10, section 13, of S.B. 436 would allow the proposed board to consider any other issues of regional significance. He indicated subsection 11 of that section would authorize the coalition to review local-government master and capital-improvement plans; as well as certain plans adopted by the Regional Transportation Commission of Clark County, the Southern Nevada Water Authority, the Clark County School District, the Clark

County District Board of Health, and the Clark County Regional Flood Control District.

Senator Porter continued section 14 of S.B. 436 would direct the proposed board to establish a subcommittee to address issues relating to the disposal of federal land. He noted that section would also "roll [the Clark County Clearinghouse Council] into" the proposed coalition. He mentioned the clearinghouse council is permanently in place to coordinate federal grants.

Senator Porter clarified he requested S.B. 436, which "is not a strategic planning authority initiative." He explained he believes the Legislature needs to codify the efforts of the planning authority and of the coalition formed by the aforementioned interlocal agreement. He concluded, "We need to put into law their findings to date and to formalize their existence, which is why we're [we are] here, today, with S.B. 436."

Senator Neal asked why S.B. 436 is not in bold type. Chairman O'Connell suggested the bill contains all new language. Kim Marsh Guinasso, Committee Counsel, Legal Division, Legislative Counsel Bureau, clarified S.B. 436 is a special act, and the Legal Division emboldens and italicizes only language that would add provisions to *Nevada Revised Statutes* (NRS).

Senator Neal commented the proposed board would include members of the Board of Commissioners of Clark County, and he asked whether that situation would be constitutional. He mentioned, "I know we can do it, as far as the cities are concerned, ... combine them and have them operate from one particular unit. But once we include the county, in the past we've [we have] had some problems with that. So why is it, now, that we're [we are] able to do that?"

Ms. Guinasso responded there is no note in the file for S.B. 436 that would indicate a constitutional concern. However, she stated, she would have to look into the matter further.

Senator Neal stressed, "I know, in the past, that when we tried to move towards anything regional, then the counties have to be initiated from a county point of view, rather than from a legislative point of view, if we're [we are] going to include them in it." He asked, "This is actually another governmental structure, is it not, that we're [we are] talking about here?"

Senator Porter replied S.B. 436 would form a regional coalition of local governments. He stated staff would have to determine whether or not the coalition would be considered a new agency.

Senator Neal asked if the Southern Nevada Regional Planning Coalition would have "any type of final authority." Senator Porter answered affirmatively. Senator Neal further asked if Clark County agreed to that situation. Senator Porter responded the coalition met on Thursday, March 25, 1999, and concurred with the proposals outlined in S.B. 436, with the exception of one item. He elaborated the item in question involves whether or not members of the public should act in an advisory capacity or should serve on the board itself.

Referring to subsection 9, section 13, of S.B. 436, Chairman O'Connell asked if Senator Porter was aware of what the Phoenix, Arizona, area has done with regional park plans, in partnership with its flood-control district. Senator Porter replied he has visited and observed some of the Phoenix programs, but has "not formally" looked into the matter. He explained subsection 9, section 13, of S.B. 436 arose from discussions regarding the formulation of a plan for regional parks. He elaborated the coalition, in concert with the flood-control district, would be the "natural" manner in which to address the issue. Senator Porter pointed out NRS 543.240 allows the Clark County Regional Flood Control District to develop parks.

Chairman O'Connell commented the Phoenix area has implemented a system in which parks serve as retention areas during times of heavy rainfall. Senator Porter responded Boulder City has "done just that, in concert with the regional flood-control district." For example, he expressed, the city has turned a detention basin into a ballfield, where the "actual wash, itself, is a biking [and] ... walking path." He stressed that use of the property has been very effective.

Chairman O'Connell stated:

I don't [do not] know that this would be a proper place to put it, ... but when we were talking about the mitigation banks, as far as wetlands are concerned, I think they might have done some of that in ... the Floyd Lamb [State] Park. I'm [I am] just wondering if that can ... be taken into consideration

Phil Rosenquist, Assistant Planning Manager for Regional Planning, Advanced Planning Division, Department of Comprehensive Planning, Clark County, testified S.B. 383 of the Sixty-ninth Session has resulted in the preparation of a strategic plan to address the 20-year growth needs of southern Nevada. Mr. Rosenquist asserted Clark County believes that plan is a "roadmap" for the future of southern Nevada, and now another entity needs to take over the plan to develop more specific implementation strategies. He indicated the Southern Nevada Regional Planning Coalition could serve that purpose, so Clark County supports S.B. 436.

Mr. Rosenquist indicated the coalition was scheduled to consider a variety of pending planning- and growth-related legislation at its aforementioned meeting on March 25, 1999. He reported the coalition made a recommendation to support S.B. 436 at that time, though the coalition also raised a couple of questions regarding the membership proposed in the bill. Mr. Rosenquist maintained those questions did not necessarily involve whether or not citizens should serve on the board. He elaborated the coalition raised concern regarding "numbers." For example, he suggested, some regional planning coalition members believe including only four citizens on the proposed board would not provide a sufficient cross section of the community. Mr. Rosenquist maintained the coalition is "more than willing" to work on creating alternatives, such as the creation of a citizens advisory panel which would review issues considered by the full board and would make recommendations to that board. He indicated an amendment would likely be forthcoming on the matter.

Senator Neal commented he believes the Legislature has the authority to bring cities into a coalition such as the one proposed in S.B. 436. However, he stressed, the Legislature does not have the same power regarding county governments, which themselves must move to become part of such a coalition. Senator Neal reiterated his concerns regarding the constitutionality of Clark County's involvement in the proposed coalition, since the group would have final authority on certain matters.

Mr. Rosenquist responded he could not give a legal opinion on that issue. However, he indicated, county commissioners currently serve on certain regional entities, such as the Regional Transportation Commission of Clark County and the Clark County Regional Flood Control District.

Senator Neal stated:

But it's [it is] a commission that's [that is] controlled by the county, ... and ... I don't [do not] even know whether or not we passed enabling legislation to do that. I think that was something that actually came about by the county, and they ... operate with certain cities [that] sit on that commission. So you're [you are] saying that this would operate [in] the same fashion ... ?

Mr. Rosenquist answered affirmatively and pointed out the Clark County Board of Commissioners has already signed an interlocal agreement with the other relevant jurisdictions to create the Southern Nevada Regional Planning Coalition, as a voluntary effort.

Elizabeth N. Fretwell, Lobbyist, City of Henderson, offered Henderson's support for S.B. 436. Ms. Fretwell testified a lot of work has yet to be done regarding southern Nevada growth issues, and the regional planning coalition will likely be charged with doing most of that work. She indicated she would like to consult with the committee on the aforementioned amendment to address private-sector participation.

Chairman O'Connell asked how the strategic planning commission believed its plan was going to be implemented, in the absence of a group such as the Southern Nevada Regional Planning Coalition.

Ms. Fretwell replied that about one year ago, the strategic planning authority asked the government efficiency committee to consider ways to implement the authority's strategic plan. She explained that committee considered the issue for about 7 months, after which it proposed that a coalition be formed as an implementation body for the plan. She asserted there was a "dialogue" between the relevant governing bodies throughout the process.

Ms. Fretwell concluded:

The planning authority [authority's] 21 members basically said, "We know these local governments are going to be charged with the implementation of whatever comes up in this plan. They better start thinking about it now. We don't [do not] want to be here forever. ... But if there's [there is] a way to coordinate and consolidate some of these governmental functions, and a way to get our plan implemented, that's [that is] what we'd [we would]

like to do." As a result, the regional planning coalition interlocal agreement was endorsed by the planning authority, and then, subsequent to that, every local government adopted the interlocal agreement. And it's [it has] been in place since December. They're [They are] still kind of getting their feet on the ground, but are real [really] excited about their new authority and their new responsibilities.

Irene E. Porter, Lobbyist, Southern Nevada Home Builders Association, testified in support of S.B. 436. She contended many private-sector and local-government representatives have been involved with growth planning in southern Nevada over the last couple of years, as have various legislators. Ms. Porter stressed the work in this area should continue.

Marta Golding Brown, Lobbyist, City of North Las Vegas, offered further support for S.B. 436. She noted the City of North Las Vegas has participated on the government efficiency committee, the Southern Nevada Strategic Planning Authority, and the regional planning coalition.

Chairman O'Connell closed the hearing on S.B. 436 and opened the hearing on S.B. 393.

SENATE BILL 393: Makes various changes concerning land use planning.
(BDR 22-129)

Senator Alice Costandina (Dina) Titus, Clark County Senatorial District No. 7, testified S.B. 393 is "a Nevada version of the model smart-growth bill that was written and distributed by NCSL [the National Conference of State Legislatures], based on the original version, which was adopted in Maryland in 1997." Senator Titus indicated Maryland's smart-growth law has received a lot of attention, and she noted it was featured in the January 1999 issue of *Governing Magazine*. She explained the idea behind that law is to "steer" infrastructure dollars in such a way as to discourage sprawl and encourage development or redevelopment in areas that are already settled.

Senator Titus asserted smart growth is supported throughout the nation by environmentalists, planners, and politicians. She further mentioned smart growth is on the congressional agenda, and she pointed out several western states, such as Utah and Arizona, have presented ballot questions on the issue.

Senator Titus replied the requirement for a capital improvement plan already exists. Senator Raggio agreed, but pointed out S.B. 393 would provide that such plans "be carried out with a preference for constructing and maintaining infrastructure in compact urban development." Senator Titus indicated that language comes from "kind of a definition of smart growth, that you don't [do not] do leapfrog development [and] that everything is kind of contiguous." Senator Raggio suggested "compact urban development" is the opposite of urban sprawl. Senator Titus agreed.

Senator Neal asked if Senator Titus has considered S.B. 393 in relationship to S.B. 436. Senator Titus responded she has done so, and she does not believe the bills are contradictory.

Senator Neal further asked, "Do you see it as overriding?" Senator Titus replied, "No, I see them as side by side." She noted Senator Porter wants to create a regional planning body that would act in an advisory capacity, and she has no objection to that. On the other hand, Senator Titus stated, S.B. 393 would identify areas for smart growth.

Senator Neal commented section 13 of S.B. 436 would allow the board proposed in that bill to develop certain policies, and he contended that section would give the board authority over the provisions of S.B. 393. He added subsection 11, section 13, of S.B. 436 would allow the proposed board to review master plans.

Senator Titus responded she sees the board proposed in S.B. 436 as an advisory body only. She noted S.B. 436 states the board "may" do the things Senator Neal mentioned.

Senator Neal asserted the development of policy is not an advisory function. Senator Titus responded the board in question "may not get around to developing any policy." She clarified, "Their policy may be to not have a policy."

Senator Neal maintained he sees one bill as overriding the other. He indicated Senator Porter's bill, S.B. 436, has a later bill draft request (BDR) number than Senator Titus' bill, S.B. 393. He asked whether Senators Porter and Titus have discussed the bills.

Senator Titus stated she requested a BDR for S.B. 393 "a long time ago, after last session." She recalled a measure she sponsored on smart growth during the Sixty-ninth Legislative Session did not pass, but generated much debate. She expressed, "One of the things that came out of that was this interim strategic committee that met to come up with some recommendations." Senator Titus said she understood that committee would request bills for the Seventieth Legislative Session, but she could not wait for their recommendations before moving forward with her own bills. Thus, she explained, her BDR for S.B. 393 was submitted before BDRs from the strategic planning authority. Senator Titus reiterated she does not oppose S.B. 436, but she contended that bill "doesn't [does not] go as far as I think we need to go." She suggested S.B. 393 would be a policy that could be considered and enacted by the coalition referenced in S.B. 436. She concluded, "[S.B. 393] just takes the initiative a little further than they have, at this point, but it doesn't [does not] contradict anything that they're [they are] doing there."

Senator Neal recalled Senator Porter testified the coalition proposed in S.B. 436 would have final authority in some areas. Senator Neal surmised those areas would include developing land-use plans.

Senator Titus noted she missed Senator Porter's testimony because she was testifying in another hearing. She commented, "I think they do have final authority, but I don't [do not] think they have final authority over things like a regular, regional planning authority would have, as exists in Washoe County. Maybe I'm [I am] mistaken about that." She asked Senator Porter if that was his intention in S.B. 436.

Senator Porter indicated he and Senator Titus agree in certain areas, but disagree in others. He clarified his intention with S.B. 436 is "to allow the southern Nevada community to establish their [its] policies and land-use planning, per individual community, with a coordinated effort." He noted some regional planning agencies face representation challenges. For example, Senator Porter expressed, the City of Henderson might not want someone who is elected in the City of North Las Vegas to make decisions regarding Henderson.

Senator Porter indicated he put together some findings of the strategic planning authority, including key areas the authority believes need to be addressed and ideas for consolidation of certain local agencies. He suggested such items would "come under" the coalition proposed in S.B. 436. Senator Porter added

S.B. 436 attempts to put into place the findings that the planning authority made in its strategic plan. He noted the implementation process could take "another 10 years," since the authority put together a 20-year plan. He concluded, "This is just the beginning of formulating the formal body."

Senator Titus reiterated S.B. 393 would not interfere with the provisions of S.B. 436. She contended S.B. 393 would simply direct local governments to identify where they want growth to occur, and to designate those areas as smart-growth areas. She stressed the bill would also put into place some economic incentives for growth in the identified areas.

Senator Porter pointed out some of the findings of the strategic planning authority came from Senator Titus' initiatives regarding federal lands.

Chairman O'Connell opened the hearing on S.B. 394.

SENATE BILL 394: Provides for coordination of planning among various governmental entities in certain counties with respect to air pollution, land use and transportation. (BDR 22-99)

Senator Titus testified the combination of land use, transportation and air quality (LUTRAQ) is currently a prevalent issue in planning and politics. She asserted, "Everybody recognizes that those three things should be considered together, in order to do good planning." She commented the Lincoln Institute recently held a conference on transportation and land use, resulting in ten papers that were published in a special issue of the journal *Urban Studies*. Senator Titus added a book entitled *Transportation Land Use Connection* addresses this matter and recognizes that "the single greatest force in the development of cities has been highways." She stated the Clean Air Act Amendments of 1990 also recognize the importance of connecting transportation with air quality. She indicated the relevant provisions, which must be met at the state level, are known as the transportation conformity requirements. Senator Titus concluded, "This is [a] well-known, well-documented, well-established fact that these three things need to go together."

However, Senator Titus asserted, Nevada's long-range plans for land use, transportation, and air-pollution control are currently prepared by different public agencies; for different reasons; with different timetables; under different federal, state and local laws and regulations. She maintained S.B. 394 would address

this lack of coordination and promote cooperation among the various agencies. She noted these agencies are already in existence on the local level and are already preparing the relevant plans. Senator Titus contended S.B. 394 would "make it much easier to promote vigorous economic development, transportation access and mobility, and a clean [and] healthy environment."

Senator Titus pointed out S.B. 394 recognizes the agencies involved in land use, transportation, and air quality. She elaborated the bill recognizes the aforementioned regional coalition, created by interlocal agreement, which grew out of the Southern Nevada Strategic Planning Authority. She suggested, "If ... Senator Porter's bill [S.B. 436] ... turns this into a permanent body, and this passes, then that would be substituted for this body that now exists under interlocal agreement." Senator Titus stated the land-use planning entity in Washoe County is a regional planning body created under NRS 278.0264.

Besides land-use planning agencies, Senator Titus continued, a second group of agencies involves local air-pollution control boards. She emphasized those boards, which were created under NRS chapter 445B, are already in existence.

Senator Titus added the third group of relevant agencies includes the Regional Transportation Commissions which have been created in Washoe and Clark counties under NRS chapter 373. She summarized, "Those three groups, then, are defined for you, that should be working together. So it's [it is] the air-quality [boards]; it's [it is] the regional transportation [commissions]; and it's [it is] the established land-use bodies."

Senator Titus noted section 6 of S.B. 394 would provide that agencies in the three aforementioned categories "shall cooperate." She commented the bill does not provide specific details, which would be left up to the local governments. She asserted the agencies would coordinate their efforts, cooperate to draw up plans, and jointly publish one volume at the end of the year summarizing the plans they have prepared.

Senator Titus explained sections 7 through 10 of S.B. 394 "are just repeats of the first section, because you have to do it each time, for each of the three groups." She elaborated those sections address transportation and air-quality agencies in the same manner that land-use planning agencies are addressed earlier in the bill.

Senator Titus emphasized decisions would not be mandated by the state, but would be determined by local governments, acting through regional bodies which already exist. She stressed S.B. 394 would simply ask those bodies to communicate with each other and to cooperate. She claimed land use, transportation, and air quality are critical to smart growth; and she maintained, "We can't [cannot] get a whole picture of what's [what is] going on in an urban area if you don't [do not] have coordination of these three things."

Senator Titus expressed sections 11 and 12 of S.B. 394 deal specifically with air quality. She noted the provisions of section 11 would apply to a program in which credits are given for reducing air pollution. She stated that program currently allows people to earn credits by paving a road or performing other actions, and paragraph (a), subsection 1, section 11, of S.B. 394 would also allow persons to earn credits by using solar energy. Senator Titus distributed a letter from Rose McKinney-James, Lobbyist, Corporation for Solar Technology and Renewable Resources, endorsing that provision (Exhibit C).

Senator Titus continued paragraph (b), subsection 1, section 11, of S.B. 394 would prohibit a person from "double counting" credits. She explained, "If they are sanctioned because of something they are doing that creates air pollution, and they have to clean it up by, say, paving a road, then they shouldn't [should not] be able to get credit for paving that road which they can then sell to somebody else or use as an offset for some other polluting activity."

Senator Titus noted section 14 of S.B. 394 would direct the state to prepare guidelines for coordination of the aforementioned agencies by June 30, 2001. She further indicated the state would act as a "clearinghouse" for the reports that come out of the relevant agencies each year.

Senator Porter suggested he and Senator Titus could provide the committee with an outline of S.B. 393, S.B. 394, and S.B. 436 before the work session on those bills.

Senator Neal asked which bill would be overriding if conflicting bills involved NRS and the Statutes of Nevada. Ms. Guinasso responded she does not believe either bill would override the other. Senator Neal commented the Statutes of Nevada are placed in different volumes than are the NRS, and the Statutes of Nevada are not always accessible by the public, though the NRS are. Ms. Guinasso indicated she does not agree with Senator Neal's statement regarding

accessibility. She added the Legal Division of the Legislative Counsel Bureau "keeps an eye on" substantive conflicts among bills. Ms. Guinasso asserted the Legal Division's concept of conflicting provisions might not necessarily match Senator Neal's. She clarified the Legal Division deems provisions conflicting only if there is a clear conflict in the relevant language. She concluded, "But if something could be accomplished by doing two different things at one time, then I don't [do not] think we would look at it as a conflict, in the sense that we look out for."

Senator Neal asked why Statutes of Nevada are used. Ms. Guinasso explained the Statutes of Nevada contain everything the Legislature does in a particular session. She elaborated they include amendments to NRS, as well as special acts, local acts, resolutions, and so forth.

Senator Neal asked why S.B. 436 would not be put into NRS. Ms. Guinasso answered that bill is a special act and therefore is not designed to be inserted into NRS. However, she pointed out, it would be included in the NRS volume entitled "Special Acts." She maintained the Legal Division would alert the Legislature if that act were specifically conflicting with other legislation.

Senator Neal noted S.B. 393 and S.B. 394 would go into NRS, but S.B. 436 would go into the Statutes of Nevada. He contended a conflict exists between these bills, and one bill would be overriding. He further suggested section 13 of S.B. 436 addresses everything in S.B. 393 and S.B. 394. Senator Neal commented, "If that's [that is] going to be in the Statutes of Nevada, rather than in NRS, then it seems to me the availability of that information is not there for the general public."

Ms. Guinasso replied some bills are only in "skeleton form," so they have not been checked for all the internal references and measures that would need to be included. She clarified "skeleton bills" provide only the essential idea of the legislation. Ms. Guinasso continued a bill often needs to amend several different statutes in order to address all of the potential conflicts. In terms of possible conflicts between S.B. 436, S.B. 393, and S.B. 394, she indicated items that related to the "same specific issue" would be considered conflicting. For example, she suggested, if two bills proposed different committees with the same purview of authority, and if those bills had differing requirements set forth for the committee members' credentials, a specific conflict would exist. Ms. Guinasso asserted it is difficult for the Legal Division to determine whether a

conflict exists when bills are dealing with generalities. She maintained that would represent a policy issue, not a legal conflict.

Chairman O'Connell said S.B. 394 is in "skeleton" form, and she asked if Senator Titus believed any part of the bill would need to be "filled in" before it left the Senate Committee on Government Affairs. Senator Titus responded she is unsure what makes S.B. 394 a "skeleton bill." She contended no substantive changes need to be made to the bill, but perhaps the Legal Division still has to make sure the bill refers to all of the relevant statutes. Ms. Guinasso agreed and noted internal references would also have to be checked.

Senator Neal claimed a "strong kinship" exists between S.B. 394 and S.B. 436.

Chairman O'Connell mentioned a southern Nevada coal company which produces electricity is being blamed for pollution in the Grand Canyon area. She commented she finds that fact interesting, "because the only thing that we tax, as far as our generating electricity, is the coal, which does give quite a bit of income to the State of Nevada." She commented, "I'm [I am] looking at this [S.B. 394], and I'm [I am] wondering what kind of a find we are going to be getting, if indeed this were to pass."

Chairman O'Connell pointed out S.B. 394 would have a fiscal impact on both state and local governments. However, she stated, no fiscal note is attached to the bill. She asked why a fiscal impact is indicated. Senator Titus replied she is not sure, but she suggested, "I think they may think that local government ... will have to draw a map." She reiterated local governments already know where sewer service exists and where it is planned, so a map based on that knowledge should not be a burden. Senator Titus added she spoke to Pamela B. Wilcox, Administrator and State Land Registrar, Division of State Lands, State Department of Conservation and Natural Resources, about the bill's fiscal effect on the state. Senator Titus indicated section 14 of S.B. 394 might involve a fiscal impact because it would require the state to provide guidelines and act as a "clearinghouse," as mentioned earlier. She contended those actions would not place a financial burden on the state.

Chairman O'Connell invited further testimony on S.B. 393.

Michael A. Harper, Special Projects Manager, Department of Community Development, Washoe County; introduced W. Dean Diederich, Planning

4

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

**Seventieth Session
April 8, 1999**

The Senate Committee on Government Affairs was called to order by Chairman Ann O'Connell, at 6:45 p.m., on Thursday, April 8, 1999, in Room 2135 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Ann O'Connell, Chairman
Senator William R. O'Donnell
Senator Jon C. Porter
Senator Joseph M. Neal, Jr.
Senator Dina Titus
Senator Terry Care

COMMITTEE MEMBERS ABSENT:

Senator William J. Raggio, Vice Chairman

STAFF MEMBERS PRESENT:

Kim Marsh Guinasso, Committee Counsel
Juliann Jenson, Committee Policy Analyst
Julie Burdette, Committee Secretary

OTHERS PRESENT:

Carole A. Vilaro, Lobbyist, Nevada Taxpayers Association
Irene Porter, Lobbyist, Executive Director, Southern Nevada Home Builders Association
Marvin A. Leavitt, Lobbyist, City of Las Vegas
Ivan R. Ashleman II, Lobbyist, Clark County
Cheryl C. Blomstrom, Lobbyist, Nevada Chapter of Associated General Contractors
Steve G. Holloway, Lobbyist, Associated General Contractors, Las Vegas Chapter

Senate Committee on Government Affairs
April 8, 1999
Page 11

THE MOTION CARRIED. (SENATORS RAGGIO, O'DONNELL AND CARE WERE ABSENT FOR THE VOTE.)

Senator Porter requested S.B. 436 and S.B. 394 be addressed.

SENATE BILL 436: Creates Southern Nevada Regional Planning Coalition. (BDR S-1588)

SENATE BILL 394: Provides for coordination of planning among various governmental entities in certain counties with respect to air pollution, land use and transportation. (BDR 22-99)

The committee referred to the work session document (Exhibit C).

SENATOR PORTER MOVED TO AMEND AND DO PASS S.B. 436.

Senator Porter explained the bill currently provides for membership of elected and private sector individuals on the Southern Nevada Regional Planning Coalition. However, he noted, the testimony in the initial hearing requested all members of the coalition be elected, with supplemental committees consisting of appointed members. Senator Porter noted this would require the deletion of section 6, subsection 2, paragraph (f) of the bill.

SENATOR NEAL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS RAGGIO, O'DONNELL AND CARE WERE ABSENT FOR THE VOTE.)

Chairman O'Connell called attention to S.B. 422.

SENATE BILL 422: Requires governing bodies of certain local governments to participate in competitive bidding process to provide certain public services. (BDR 20-1236)

The chairman indicated the bill was never heard and had been withdrawn by the sponsor of the measure.

SENATOR NEAL MOVED TO INDEFINITELY POSTPONE S.B. 422.

20

SENATE GOVERNMENT AFFAIRS

WORK SESSION DOCUMENT

APRIL 8, 1999

SENATE BILL 155 - Makes various changes concerning payment to contractors, subcontractors and suppliers for public works projects. (Requested by the Committee on Government Affairs.) Heard on February 24 and further discussed at a number of work sessions.

On March 31, the committee requested that a formal amendment be drafted, based on the cooperative work of the interested/opposing parties. At the work session on April 7, the involved parties reported that they still had not reached consensus on a number of issues.

As a result, the parties were instructed to work with Legal Counsel in an effort to reach an agreed upon amendment. The committee is to review the amendment for action or further discussion. (TAB A)

SENATE BILL 216 - Revises provisions governing issuance of building permits to require political subdivisions in certain counties to pay fee for issuance of such permits. (Requested on behalf of Clark County.) Heard on April 7.

Representatives from Clark County explained that this bill pertains to fees for the issuance of building permits and allows for various governmental entities to collect fees. Specifically, this bill is in response to a contracting incidence where a contractor underbid for a project by not including the permit fees. The contractor was awarded the bid and claimed later that they did not need to pay for the permits. In short, this bill codifies that permit fees are part of the bidding process and are to be collected and charged.

Proposed Amendment

Clark County proposed an amendment to the bill that makes it applicable to all counties (as opposed to only Clark County). The amendment also provides an exemption for school district and university systems, but allows for these entities to enter into such construction/permit relationships as a matter of consent. (TAB B)

Proposed Amendment

Larry Spitler, Clark County School District, indicated that the school district would like to be included in the measure.

SENATE BILL 436 - Creates Southern Nevada Regional Planning Coalition (Henderson)
by Senator Porter - Heard on March 21

Senator Porter testified that this bill relates to the one last session regarding the Southern Nevada Strategic Planning Authority (SNSPA). The measure at hand would enable the efforts of the SNSPA to be continued through a planning coalition (as proposed). Senator Porter emphasized that the SNSPA have developed a strategic plan that needs to be coordinated and implemented by an oversight body. Further, it has been successfully demonstrated that inter-local planning and cooperation has occurred in the south and these efforts should be encouraged and continued. The formation of a Southern Nevada Regional Planning Coalition would allow for oversight and continued planning and cooperation.

Representatives from the city of Henderson and North Las Vegas; Clark County; and the Southern Nevada Homebuilders Association testified in support of the measure and reported that this bill would provide the necessary oversight for the successful implementation to the strategic plan.

Proposed Amendment

The sponsor of the bill and the representatives from southern Nevada, referenced above, proposed that provisions relating to the membership of the coalition be amended to allow for more citizen members.

SENATE BILL 475 - Authorizes public body and Department of Transportation to use design-build method of contracting in certain circumstances. (Requested by the Senate Committee on Government Affairs) - Heard on March 25 and considered at the work session on March 31

The interested parties presented a cooperative amendment at the work session on March 31. In response, the committee asked that Legal Counsel draft a formal amendment, based on the work of the interested parties, for review and possible action. (TAB F)

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

**Seventieth Session
May 6, 1999**

The Committee on Government Affairs was called to order at 8:20 a.m., on Thursday, May 6, 1999. Chairman Douglas Bache presided in Room 3143 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Guest List. All Exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Douglas Bache, Chairman
Mr. John Jay Lee, Vice Chairman
Ms. Merle Berman
Mrs. Vivian Freeman
Ms. Dawn Gibbons
Mr. David Humke
Mr. Harry Mortenson
Mr. Roy Neighbors
Ms. Bonnie Parnell
Ms. Gene Segerblom
Mr. Kelly Thomas
Ms. Sandra Tiffany
Ms. Kathy Von Tobel
Mr. Wendell Williams

GUEST LEGISLATORS PRESENT:

Senator Constandina Titus, Senatorial District 7
Senator Jon C. Porter, Sr., Senatorial District 1

STAFF MEMBERS PRESENT:

Eileen O'Grady, Committee Counsel
Dave Ziegler, Committee Policy Analyst
Sara Kaufman, Committee Secretary

OTHERS PRESENT:

Mr. Thomas referred to use of the word "may" in section 11 of S.B. 391. He asked whether the things for which section 11 provided could currently be done, and if so, what purpose was served by saying they "may" be done. Senator Porter replied an attempt was made to include language related to Southern Nevada Regional Planning Coalition (SNRPC) in all bills he sponsored. He asked Ms. Coder to address specific details about the coalition.

Ms. Coder said SNRPC supported S.B. 391 as amended on April 7, 1999. Although she could not speak for the coalition, she did not believe the minor amendments to the bill now proposed would change its posture on the bill.

Mr. Thomas pointed out section 12 of S.B. 391 also contained permissive language, and asserted if SNRPC never established the minimum requirements for development of infrastructure discussed in section 12, subsection 2(d)(1), ". . . you're kind of at a loss."

Ms. Coder explained the language was permissive because ". . . this particular section actually rests in 278 under development agreements." Development agreements were optional, not mandatory, and it was desired to establish a process for negotiating fees on a more consistent basis.

Ms. Segerblom asked Senator Porter to identify the four largest cities in Nevada and advise whether those cities agreed to the provisions of S.B. 391. Senator Porter responded the four largest cities were Las Vegas, Henderson, North Las Vegas, and Boulder City. Those cities were members of the SNRPC, and they agreed to the provisions of S.B. 391.

Mr. Lee asked if there was a particular reason for the sunset clause in S.B. 391. Senator Porter responded its purpose was to allow people who currently enjoyed a rural lifestyle to continue to do so while allowing local governments to take into account new people who would be moving into areas during the next 4 years when preparing master plans and establishing rural preservation areas.

Chairman Bache closed the hearing on S.B. 391.

Senate Bill 436: Makes various changes relating to regional planning. (BDR 30-1588)

Senator Jon C. Porter, Sr., Senatorial District 1, testified. He explained S.B. 436 created the Southern Nevada Regional Planning Coalition (SNRPC), whose members consisted of the city of Las Vegas, city of North Las Vegas, city of Henderson, and Boulder City. The bill established the coalition would be governed by a nine-member board appointed by the local governments involved

and addressed terms of office, vacancies, and meeting requirements. The bill required the board to elect a chairman and vice chairman from its membership, hire needed support or technical staff, adopt rules or bylaws, and prepare an annual budget. In addition, it established the powers and duties of the board.

Senator Porter said S.B. 436 also ensured the continuation and implementation of the authority's 20-year strategic plan. Senator Porter advised in December 1998, all of southern Nevada's local governments entered into an interlocal agreement and created a mechanism to implement the strategic plan, encourage joint planning, coordinate information, and accomplish various other things.

Senator Porter stated S.B. 436 codified SNRPC and effectively consolidated several regional planning functions under the authority of one regional planning body. It created a mechanism to ensure orderly growth, continual communication, and planning among local governments without creating additional bureaucracy. He asserted it was critical to the future of southern Nevada to formalize SNRPC.

Lesa Coder, Assistant Director, Current Planning Division, Comprehensive Planning, Clark County, Nevada, testified. She said S.B. 436, as amended, removed citizen membership in SNRPC, which was consistent with Clark County's wishes, and the county supported the bill.

Elizabeth N. Fretwell, representing the city of Henderson, testified the city of Henderson supported S.B. 436.

Joseph Johnson, representing the Toiyabe Chapter of the Sierra Club, testified. He expressed Toiyabe Chapter of the Sierra Club's support for S.B. 436 and urged the committee to pass the bill.

Daniel C. Musgrove, representing the city of Las Vegas, testified. He stated Las Vegas' city council unanimously approved the interlocal agreement discussed by Senator Porter and unanimously supported S.B. 436.

Marta Golding Brown, representing the city of North Las Vegas, testified North Las Vegas supported S.B. 436, as written, as well as the interlocal agreement Senator Porter discussed.

Ms. Segerblom asked Senator Porter whether he spoke for Boulder City. Senator Porter replied he represented the state of Nevada. However, he said he had a copy of the interlocal agreement, signed by all affected parties, which was the genesis of S.B. 436 and " . . . Boulder City has agreed to be a part."

Carole Vilardo, Executive Director, Nevada Tax Payers Association, testified. She pointed out section 11 of S.B. 436 addressed the fact SNRPC would serve as Clark County's debt management commission, which conflicted with existing debt management law and with the provisions of Senate Bill 470. S.B. 436 provided for quarterly meetings; however, during the 1997 legislative session, the legislature provided meetings of Clark County's debt management commission be held on at least a monthly basis. In addition section 11, subsection 2, required SNRPC's board to "consult with other agencies." Statute which addressed how the debt management commission would operate was very specific and provided for a hearing at which affected entities could provide input. Members of the debt management commission had no discretion to determine which projects were to be given priority; their only function was to determine whether debt to be issued could be supported through available mechanisms.

Ms. Vilardo pointed out S.B. 470 specifically required the debt management commission include members of the public with expertise in financing, public administration, or banking because such expertise was needed in evaluating complicated bond issues.

Ms. Vilardo said although it was obviously up to the legislature to decide how it wanted the debt management commission to function, she was surprised neither S.B. 436 nor S.B. 470 carried a conflict notice because they did contradict one another.

Mr. Lee said he was sometimes concerned about the regional approach to planning and about someone becoming all powerful and determining what would and would not be placed on an agenda. He asked the purpose of the language of section 8, subsection 2, of S.B. 436, which said, "the term of the initial chairman or vice chairman expires on the date the first meeting is held in the year 2000." He also asked how the chairmanship of the board would be handled after that date.

Senator Porter replied the language Mr. Lee cited was taken from the coalition's interlocal agreement. He said, "I believe they're trying to put in consecutive - or parallel to terms of the elected officials for the first couple of years until they line up accordingly because they have staggered terms in each local government, elected at different times. So, they want to make sure they level out in the first 2 years."

Mr. Lee reiterated his concern about one person becoming too powerful. Senator Porter responded currently there was the best cooperation among local governments he could recall. He was not concerned about one chairman having

too much authority because there were currently many strong individuals on SNRPC's board who would continue to be members of the board in the future.

Marvin A. Leavitt, representing the city of Las Vegas, testified. He indicated most of what he had to say was contained in Ms. Vilaro's testimony. He pointed out the differences in the composition of the board of the debt management commission as established by S.B. 436 and as established by S.B. 470.

Chairman Bache offered to work with Senator Porter to resolve the conflict between S.B. 436 and S.B. 470 with respect to the debt management commission.

Chairman Bache closed the hearing on S.B. 436.

Senate Bill 394: Provides for coordination of planning among various governmental entities in certain counties with respect to air pollution, land use and transportation. (BDR 22-99)

Chairman Bache announced due to lack of a quorum, the committee was sitting as a subcommittee.

Lesa Coder, Assistant Director, Current Planning Division, Comprehensive Planning, Clark County, Nevada, testified. She said S.B. 394, as amended in the senate, called for Southern Nevada Regional Planning Coalition, Clark County Regional Transportation Commission, and Clark County Health District to coordinate their efforts and would increase understanding and cooperation with respect to the important issue of air quality control. She asserted Clark County strongly supported the bill.

Chairman Bache announced the committee was once again sitting as a full committee rather than a subcommittee.

Daniel C. Musgrove, representing the city of Las Vegas, testified. He said S.B. 394 was consistent with Las Vegas' city council's recommendations for a "livable Las Vegas" and urged the committee to support the bill.

Mr. Lee referred to section 6, subsection 4, of S.B. 394 and suggested it might be prudent to distribute a copy of the report discussed in that section to the two largest newspapers in Las Vegas so residents of Las Vegas could know what was happening with regard to SNRPC.

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

**Seventieth Session
May 10, 1999**

The Committee on Government Affairs was called to order at 9:16 a.m., on Monday, May 10, 1999. Chairman Douglas Bache presided in Room 3143 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Guest List. All Exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Douglas Bache, Chairman
Mr. John Jay Lee, Vice Chairman
Ms. Merle Berman
Mrs. Vivian Freeman
Ms. Dawn Gibbons
Mr. David Humke
Mr. Harry Mortenson
Mr. Roy Neighbors
Ms. Bonnie Parnell
Ms. Gene Segerblom
Mr. Kelly Thomas
Ms. Sandra Tiffany
Ms. Kathy Von Tobel
Mr. Wendell Williams

STAFF MEMBERS PRESENT:

Eileen O'Grady, Committee Counsel
Dave Ziegler, Committee Policy Analyst
Virginia Letts, Committee Secretary

OTHERS PRESENT:

Guy Perkins, Division of Insurance
Tom Skancke, representing the Las Vegas Convention and Visitors
Authority
Carole Vilardo, representing Nevada Taxpayers Association

ASSEMBLYMAN LEE MADE A MOTION TO DO PASS S.B. 389.

ASSEMBLYWOMAN FREEMAN SECONDED THE MOTION.

THE MOTION PASSED, ASSEMBLYMAN NEIGHBORS VOTED NO (ASSEMBLYMEN HUMKE AND WILLIAMS WERE ABSENT FOR THE VOTE).

Senate Bill 470: Makes various changes relating to debt management commissions. (BDR 30-707)

Senate Bill 436: Makes various changes relating to regional planning. (BDR 30-1588)

Chairman Bache pointed out S.B. 470 and S.B. 436 were the two bills that dealt with the debt management commission, and there was some confusion. He felt they should take each bill separately and they would address S.B. 470 first.

Carole Vilardo testified she had spoken with Senator Porter and there was some confusion on S.B. 436 relative to the language in section 1. She added the senator wanted to present an amendment and there was no problem if the committee voted to pass S.B. 470. S.B. 436 created the Southern Nevada Regional Strategic Planning Authority and there was a lack of clarification that Legislative Counsel Bureau legal division had pointed out should be corrected before action was taken on the bill. There were qualifications placed in the bill for Clark County's Debt Management Commission (DMC), so action could be taken on S.B. 470.

Chairman Bache clarified S.B. 436 was the bill requested by the regional planning coalition and presented by Senator Porter wherein a debt management commission was set up but structured differently than the one in S.B. 470. In Senator Porter's bill the school district was omitted as a player and the chairman had reservations with the language, because school construction was something involving all the districts.

Carole Vilardo added when talking about S.B. 470 the qualifications were set for the public members serving on the debt management commission in Clark County. Those included at least 5 years experience in either banking, public administration or financial backgrounds. It also created a section that would avoid any conflict of interest on the part of public members. For instance if there was someone in financial administration they would be hired to work on

the bond issues which would be presented before the DMC. She added when talking with Senator Porter it was not his intent that the school district be omitted from the bill. That was what was to be included in S.B. 436.

ASSEMBLYWOMAN SEGERBLOM MADE A MOTION TO DO PASS S.B. 470.

ASSEMBLYMAN NEIGHBORS SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYMEN HUMKE AND WILLIAMS WERE ABSENT FOR THE VOTE).

Senate Bill 473: Creates procedure for dissolution or disincorporation of certain local governments in severe financial emergency under certain circumstances. (BDR 31-702)

Chairman Bache stated the bill allowed for dissolution of local governments, and setting procedural guidelines for that process. There was no opposition or controversy.

ASSEMBLYWOMAN TIFFANY MADE A MOTION TO DO PASS S.B. 473.

ASSEMBLYWOMAN FREEMAN SECONDED THE MOTION.

THE MOTION CARRIED (ASSEMBLYMEN HUMKE AND WILLIAMS WERE ABSENT FOR THE VOTE).

Senate Bill 501: Amends various provisions concerning disclosures required on ballot questions for certain elections for approval of general obligations and additional property tax. (BDR 30-878)

Chairman Bache indicated the bill addressed the provisions of disclosure and ballot questions, as well as approval of general obligations and property taxes. There was no opposition and the taxpayers association was in support of the bill.

ASSEMBLYWOMAN VON TOBEL MADE A MOTION TO DO PASS S.B. 501.

ASSEMBLYWOMAN TIFFANY SECONDED THE MOTION.

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

**Seventieth Session
May 12, 1999**

The Committee on Government Affairs was called to order at 8:24 a.m., on Wednesday, May 12, 1999. Chairman Douglas Bache presided in Room 3143 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Guest List. All Exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Douglas Bache, Chairman
Mr. John Jay Lee, Vice Chairman
Ms. Merle Berman
Mrs. Vivian Freeman
Ms. Dawn Gibbons
Mr. David Humke
Mr. Harry Mortenson
Mr. Roy Neighbors
Ms. Bonnie Parnell
Ms. Gene Segerblom
Mr. Kelly Thomas
Ms. Kathy Von Tobel
Mr. Wendell Williams

COMMITTEE MEMBERS EXCUSED:

Ms. Sandra Tiffany

GUEST LEGISLATORS PRESENT:

John Carpenter, Representing Assembly District 33, Elko County
Senator Mark Amodei, Representing the Capitol Senatorial District
Joseph Dini, Representing Assembly District 38, Lyon, Storey, and part of
Carson City
Senator Jon Porter, Representing Clark County Senatorial District 1

Mr. Thomas commented LCB's Legal Division should review the provision in order to ensure the intent of the bill.

Mr. Joerg concurred with the remarks of Senator Amodei and Ms. Shipman with regard to the intent of the elevated foundation provision.

Tom Grady, executive director, Nevada League of Cities, echoed the comments expressed by Mr. Joerg with regard to the efforts of all those who developed the amendment to S.B. 323.

Ms. Parnell asked if a representative from Carson City was present when negotiations took place, to which Mr. Grady replied Mary Walker, representing Carson City, had been involved.

Chairman Bache called for a motion on S.B. 323.

ASSEMBLYMAN HUMKE MOVED TO AMEND AND DO PASS S.B. 323.

ASSEMBLYWOMAN VON TOBEL SECONDED THE MOTION.

THE MOTION CARRIED. (ASSEMBLYMAN THOMAS VOTED NO).

Senate Bill 52: Revises provisions governing cooperative agreements to allow certain transactions by public agencies with Indian tribes. (BDR 22-198)

Chairman Bache called for a motion on S.B. 52.

ASSEMBLYMAN WILLIAMS MOVED TO DO PASS S.B. 52.

ASSEMBLYWOMAN FREEMAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Senate Bill 436: Creates Southern Nevada Regional Planning Coalition. (BDR S-1588)

Chairman Bache informed the committee Senator Jon Porter, representing Clark County Senatorial District 1, possessed amendments that would make S.B. 436 more consistent with S.B. 470.

Senator Porter stated there had been a number of recommended changes to S.B. 436, and provided the committee with the proposed amendments to the bill (Exhibit F).

- Amended section 5, line 12, to include the Clark County School District as a member of the regional planning coalition, which would increase the members from 9 to 10.
- Added a new paragraph to section 6, subsection 2, part (f) "one member appointed by the Clark County School District Board of Trustees from its membership."
- Added a new paragraph to section 6, subsection 4, which stated if a member of the board failed to attend three consecutive meetings or five meetings during a calendar year, the membership would be revoked.
- Amended section 7, subsection 1, to require the board to meet each month.
- Deleted and renumbered section 11, subsections 2 and 3 to 1 and 2.
- Amended section 12, line 12, to include the superintendent of the Clark County School District as a member of the technical committee. Currently the committee consisted of the city and county managers.
- Amended NRS 350.002 to add a new subsection that would increase the membership of the debt management commission to include all members of local government in southern Nevada. In the past there had been two members of the Clark County Commission, one member of the city of Las Vegas, and the balance of those members consisted of a rotation of local governments. The term of each appointed member was to be coterminous with his term of elected office, unless revoked by the public entity that appointed him.
- Added a provision that stipulated the chairman of the debt management commission shall be elected from among the three members of the county. The current chairman would remain for the completion of her term.
- The effective date of the new provisions to NRS 350.002 would be January 1, 2000, thus adding consistency to the current rotation.

Ms. Segerblom asked if any of the cities were represented. Senator Porter replied currently on the debt management commission there were two members of Clark County. One member was on the Las Vegas City Council and one

member rotated between Boulder City, Henderson, North Las Vegas, and Mesquite. The proposed verbiage would provide for a full-time seat for all the local governments in southern Nevada.

With regard to the proposed amendment to section 6, subsection 4, Mr. Mortenson asked if it was to the individual person the language referred or the school board itself. Senator Porter replied the intention of the language was to provide for the entity to lose the individual member. The entity would then appoint a new member to fill the seat.

Mrs. Freeman asked if there had been a training component included in S.B. 436 for the debt management commission. Senator Porter replied the language in S.B. 479 was specific as to qualifications for the members of the public at large to serve on the commission.

Mrs. Freeman remarked training given to the debt management commission might be considered and extended to the local governments. She asked how the term of 2 years was decided. Carole Vilardo, representing Nevada Taxpayers Association, replied relative to the debt management commission, the commission would be placed into a separate section in NRS 350.002. All other requirements for qualifications for public members would go into NRS 350.003. The public member would serve for 2 years on the commission with 5 years previous experience in banking, as a certified public accountant (CPA), or in public administration. In addition, there was a second provision stipulating the public member could not have been involved with the issues of any debt or financial responsibilities. With changes made to the debt management law during the 1997 legislative session, the local governments held workshops in order to develop expertise qualifications for the commission.

Continuing, Ms. Vilardo said Clark County was the largest debt issuer in the state. Most debt was entity specific and the majority of entity-specific debt was voter approved.

Mrs. Freeman commented she liked the proposed additions to section 6, subsections 2 and 4. She said if a member was not committed to their job another person should be provided a chance.

Mr. Williams asked if a designee of a superintendent of the school district was required to be an employee of the school district or could the superintendent designate any individual from the community. Senator Porter replied it should be a member of the district and its staff; however, if it had been determined the district needed to bring in an expert, the coalition could address the issue.

Mr. Williams remarked he would like that clarified in the bill, and commented S.B. 436 would be a good vehicle in which to raise the trustees' salaries. Discussion ensued in regard to the comment and the remuneration amount of \$80 per meeting. Senator Porter stated it was definitely an issue that needed to be addressed before the end of the 1999 session.

Chairman Bache called for a motion on S.B. 436.

ASSEMBLYMAN LEE MOVED TO AMEND AND DO PASS S.B. 436
WITH THE CONSIDERATION THAT THE SUPERINTENDENT'S
DESIGNEE BE A MEMBER OF THE DISTRICT OR ITS STAFF, AND
SPECIFIC TO ALL MEMBERS OF THE TECHNICAL COMMITTEE.

ASSEMBLYWOMAN SEGERBLOM SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Senate Bill 530: Provides for creation of commercial improvement districts.
(BDR 21-26)

Chairman Bache reiterated the hearing on S.B. 530 had been teleconferenced with Las Vegas. There had been several individuals who had testified in favor of the bill, and he could not recall anyone who testified in opposition. A verbal amendment had been proposed and discussed in the hearing. The sponsors of S.B. 530 had indicated they felt the amendment was not necessary.

Dave Ziegler, committee policy analyst, reviewed the intent of S.B. 530 with the committee. The bill would authorize property owners to form commercial improvement districts and had been described in testimony as a self-assessment process. A provision in the bill stipulated at the time of the district's formation, if 30 percent written remonstrances had been received it would be a sufficient amount to prevent the formation of the district. Peter Thomas, member, City Center Development Committee, had suggested an amendment whereby a supermajority of the governing body could override written remonstrances if it had been determined the formation of the improvement district was in the best interest of the businessowners. There had been testimony indicating such an override would be inappropriate.

Chairman Bache reiterated he had stated if there were problems with the district's formation, the district lines would be redrawn to exclude those properties not wishing to be part of the commercial improvement district. With regard to letters he received from residents at Arlington Towers, he had expressed concerns those residences had been included within the business and commercial improvement districts and did not want to be.

PROPOSED AMENDMENT TO SB 436 - First Reprint

PAGE 1

ection 5., line 12 - Amend as follows:

North Las Vegas, the City of Henderson [~~and~~], Boulder City and the Clark County School District.

Section 6., line 13 - Amend as follows:

1. The coalition must be governed by a board consisting of [~~9~~] 10

PAGE 2

Section 6. 2. - Add a new paragraph as follows:

(f) One member appointed by the Clark County School District Board of Trustees from its membership.

Section 6. 4. - Add a new paragraph as follows:

a. If a member of the board fails to attend at least 3 consecutive meetings or five meetings during a calendar year, his membership to the board is revoked.

Section 7. 1. line 17 - Amend as follows:

The board shall meet [~~at least once each calendar quarter~~] each month

PAGE 3

Section 11, lines 2 and 3 - Delete and renumber subsections 2 and 3 as 1 and 2.

section 12, 1., line 12 - Amend as follows:

City, the superintendent of the Clark County School District, or an appointee of such a person, is hereby created to provide

AMEND NRS 350.002 to add a new subsection as follows:

1. In Counties with a population of over 400,000 there is hereby created a debt management commission, to be composed one member from each of the local governments in Section 6, subsection 2 of this Act and the following additional representatives:

- (a) two members appointed by the county from its membership;
- (b) one member appointed from the smallest incorporated city;
- (c) two members from the public at large.

2. The term of each member appointed pursuant to Section 6 of this Act is coterminous with his term of elected office unless the public entity that appointed him revokes his appointment to the board and except for the term of the public members who hold office for a term of 2 years beginning January 1.

AMEND THE BILL to add the following provision:

The chairman of the debt management commission shall be elected from among the members and
for the first term must be the current chair of DMC

NOTE: Language is required so the current chairman of the DMC maintains the chairmanship until the completion of his term.

Effective date of the new provisions to NRS 350.002: January 1, 2000

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

**Seventieth Session
May 25, 1999**

The Senate Committee on Government Affairs was called to order by Chairman Ann O'Connell, at 11:00 a.m., on Tuesday, May 25, 1999, in Room 2144 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Ann O'Connell, Chairman
Senator William J. Raggio, Vice Chairman
Senator William R. O'Donnell
Senator Jon C. Porter
Senator Joseph M. Neal, Jr.
Senator Dina Titus
Senator Terry Care

GUEST LEGISLATORS PRESENT:

Senator Lawrence E. Jacobsen, Western Nevada Senatorial District

STAFF MEMBERS PRESENT:

Kim Marsh Guinasso, Committee Counsel
Juliann Jenson, Committee Policy Analyst
Wm. Gary Crews, CPA, Legislative Auditor
Angela Culbert, Committee Secretary

OTHERS PRESENT:

Alice A. Molasky-Arman, Commissioner, Division of Insurance, Department of Business and Industry
Ann Cathcart, Special Assistant Attorney General, Office of the Attorney General
Tom R. Skancke, Lobbyist, Las Vegas Convention and Visitors Authority
Michael J. Griffin, Lobbyist, Nevada Manufactured Housing Association
Gary E. Milliken, Lobbyist, Associated General Contractors, Las Vegas Chapter

SENATOR RAGGIO MOVED TO CONCUR WITH AMENDMENT NO. 1059 TO S.B. 323.

SENATOR O'DONNELL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS WAS ABSENT FOR THE VOTE.)

Next, the committee reviewed S.B. 391.

SENATE BILL 391: SUMMARY—Makes various changes concerning land use planning. (BDR 22-1197)

Senator Porter expressed concern that, as the sponsor of the proposed legislation, he had not been advised in advance about certain items before the committee, and, therefore, had not been able to discuss the matter prior to the meeting.

SENATOR PORTER MOVED TO NOT CONCUR WITH AMENDMENT NOS. 920, 1079, 1110, AND 1125 TO S.B. 391.

SENATOR O'DONNELL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS WAS ABSENT FOR THE VOTE.)

Chairman O'Connell called attention to S.B. 436.

SENATE BILL 436: Makes various changes relating to regional planning. (BDR 30-1588)

Senator Porter expressed his concurrence with the amendments, noting the changes made would clarify the role of the debt-management commission. He pointed out the members of the debt-management commission would be made

Senate Committee on Government Affairs
May 25, 1999
Page 11

parallel to and serve on the Southern Nevada Regional Planning Coalition. Chairman O'Connell noted the measure refers only to Clark County.

SENATOR PORTER MOVED TO CONCUR WITH AMENDMENT NOS. 898 AND 1118 TO S.B. 436.

SENATOR NEAL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS WAS ABSENT FOR THE VOTE.)

The committee addressed S.B. 470.

SENATE BILL 470: Makes various changes relating to debt management commissions. (BDR 30-707)

The chairman noted the amendment would resolve a conflict.

SENATOR RAGGIO MOVED TO CONCUR WITH AMENDMENT NO. 836 TO S.B. 470.

SENATOR O'DONNELL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS WAS ABSENT FOR THE VOTE.)

Chairman O'Connell called attention to S.B. 473.

SENATE BILL 473: Creates procedure for dissolution or disincorporation of certain local governments in severe financial emergency under certain circumstances. (BDR 31-702)

The chairman pointed out the committee was reviewing a conflict amendment.

BILLS

SENATE BILL NO. 436--SENATOR PORTER

MARCH 15, 1999

Referred to Committee on Government Affairs

SUMMARY—Creates Southern Nevada Regional Planning Coalition. (BDR S-1588)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.



EXPLANATION - Matter in *bolded italics* is new; matter between brackets ~~permitted material~~ is material to be omitted.

AN ACT relating to regional planning; providing in skeleton form for the creation of the Southern Nevada Regional Planning Coalition; establishing a governing board; prescribing the powers and duties of the board; establishing a technical committee; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** As used in sections 2 to 14, inclusive, of this act, unless the
2 context otherwise requires, the words and terms defined in sections 2, 3 and
3 4 of this act have the meanings ascribed to them in those sections.

4 **Sec. 2.** "Board" means the governing body of the Southern Nevada
5 Regional Planning Coalition.

6 **Sec. 3.** "Coalition" means the Southern Nevada Regional Planning
7 Coalition created pursuant to section 5 of this act.

8 **Sec. 4.** "Committee" means the technical committee to the coalition
9 created pursuant to section 12 of this act.

10 **Sec. 5.** The Southern Nevada Regional Planning Coalition is hereby
11 created, consisting of Clark County, the City of Las Vegas, the City of
12 North Las Vegas, the City of Henderson and Boulder City.

13 **Sec. 6.** 1. The coalition must be governed by a board consisting of
14 13 members.

15 2. The members of the board must be appointed as follows:

16 (a) Two members appointed by the Board of County Commissioners of
17 Clark County from its membership;

18 (b) Two members appointed by the City Council of the City of Las
19 Vegas from its membership;



1 (c) Two members appointed by the City Council of the City of North
2 Las Vegas from its membership;

3 (d) Two members appointed by the City Council of the City of
4 Henderson from its membership;

5 (e) One member appointed by the City Council of Boulder City from its
6 membership; and

7 (f) Four members appointed by the members appointed pursuant to
8 paragraphs (a) to (e), inclusive. Members appointed pursuant to this
9 paragraph must not be elected officials or officers or employees of a public
10 entity.

11 3. The term of each member who is appointed pursuant to paragraphs
12 (a) to (e), inclusive, of subsection 2 is coterminous with his term of elected
13 office unless the public entity that appointed him revokes his appointment
14 to the board. The initial terms of two of the members appointed pursuant to
15 paragraph (f) of subsection 2 are 2 years and the initial terms of the other
16 two members appointed pursuant to that paragraph are 3 years. After the
17 initial terms, the term of a member appointed pursuant to paragraph (f) of
18 subsection 2 is 2 years.

19 4. If a member is unable to serve for the duration of his term or has his
20 membership revoked, his position becomes vacant. A vacancy on the board
21 must be filled by the authority which was entitled to appoint the member
22 whose position is vacant. A vacancy must be filled within 45 days after the
23 departure of the member. The term of a member appointed by the board to
24 fill a vacancy is the remainder of the term of the member whose position is
25 vacant.

26 **Sec. 7.** 1. The board shall meet at least once each calendar quarter at
27 a time and place designated by the chairman of the board. The board may
28 hold special meetings as often as the needs of the board require, upon
29 notice to each member of the board.

30 2. The board must provide notice of a meeting in the manner
31 prescribed by NRS 241.020.

32 3. Except as otherwise provided in subsection 4:

33 (a) A majority of the members of the board constitutes a quorum; and

34 (b) All actions must be adopted by at least a majority of the members
35 present and constituting the quorum at such a meeting.

36 4. Only the members who are appointed pursuant to paragraphs (a) to
37 (e), inclusive, of subsection 2 of section 6 of this act may vote on an action
38 relating to:

39 (a) A budgetary matter or a matter which involves an expenditure of
40 public money;

41 (b) A contract or other instrument that creates a binding legal obligation
42 on a public entity; or

43 (c) An appointment of a member.



1 For purposes of an action described in this subsection, two-thirds of the
2 members who are appointed pursuant to paragraphs (a) to (e), inclusive, of
3 subsection 2 of section 6 of this act constitute a quorum, and the affirmative
4 vote of at least two-thirds of such members is necessary to pass such an
5 action.

6 **Sec. 8.** 1. The board shall elect a chairman and vice chairman from
7 its membership who are appointed pursuant to paragraphs (a) to (e),
8 inclusive, of subsection 2 of section 6 of this act at the first meeting of each
9 calendar year.

10 2. The term of the initial chairman and vice chairman expires on the
11 date on which the first meeting is held in the year 2000.

12 **Sec. 9.** The board shall:

13 1. Adopt rules or bylaws that govern its management and affairs.

14 2. Prepare and adopt an annual budget.

15 **Sec. 10.** The board may employ such professional, technical and
16 support staff as it deems necessary and shall prescribe specific duties for
17 such staff.

18 **Sec. 11.** The board shall:

19 1. Notwithstanding the provisions of NRS 350.002, serve as the debt
20 management commission of Clark County;

21 2. Consult with and request recommendations from a regional
22 organization, governmental agency or other public entity that may be
23 affected by a decision of the board; and

24 3. Take all other actions necessary to carry out the provisions of this
25 act.

26 **Sec. 12.** 1. The technical committee to the coalition consisting of the
27 County Manager of Clark County and the city managers of the City of Las
28 Vegas, the City of Henderson, the City of North Las Vegas and Boulder
29 City, or an appointee of such a person, is hereby created to provide
30 assistance to the coalition.

31 2. In performing its duties, the committee may request the participation
32 of representatives of regional agencies, including, without limitation, the
33 Regional Transportation Commission, the Clark County School District,
34 the Regional Flood Control District, the Clark County District Board of
35 Health, the Southern Nevada Water Authority and public utilities.

36 3. The committee shall elect a chairman and vice chairman from its
37 membership.

38 4. The committee shall meet as often as is necessary to provide
39 assistance to the board. The chairman shall determine the time and place of
40 the meetings of the committee and the method of providing notice of
41 meetings.

42 5. The committee shall perform such duties as the board may require.



* S B 4 3 6 *

- 1 **Sec. 13.** The board may:
- 2 1. Develop policies for Clark County which may include, without
- 3 limitation, policies for:
- 4 (a) The promotion of orderly development, coordinated land use
- 5 planning and the efficient provision of services to urban areas, including,
- 6 without limitation, roads, water and sewer service, police and fire
- 7 protection, mass transportation, libraries and parks;
- 8 (b) Protection of the environment;
- 9 (c) Recreational programs, including, without limitation, programs for
- 10 regional trails and open space;
- 11 (d) Economic development and employment; and
- 12 (e) Affordable housing.
- 13 2. Carry out and manage the strategic plan and recommendations for
- 14 financing infrastructure adopted by the Southern Nevada Strategic Planning
- 15 Authority, or its successor.
- 16 3. Compile and coordinate a regional and local data base for Clark
- 17 County, including, without limitation, a comprehensive regional master
- 18 plan with land use designations and a geographic information system.
- 19 4. Establish standard projections for population.
- 20 5. Recommend methods for increasing the efficiency of and reducing
- 21 the cost of furnishing governmental services.
- 22 6. Make recommendations for the disposal of federal land.
- 23 7. Establish methods for resolving disputes relating to annexation,
- 24 future land use, zoning and development that arise between jurisdictions,
- 25 including, without limitation, identification of the spheres of influence of
- 26 the jurisdictions. As used in this subsection, "sphere of influence" means an
- 27 area into which a jurisdiction plans to expand.
- 28 8. Establish a program of incentives to encourage regional strategic
- 29 planning for economic development, including, without limitation, joint
- 30 activities relating to the creation of jobs, agreements for revenue sharing,
- 31 education, transportation, law enforcement, water and sewer services, and
- 32 parks and recreation.
- 33 9. Develop a regional park plan in coordination with the Clark County
- 34 Regional Flood Control District, organized pursuant to NRS 543.240.
- 35 10. Consider any issues of regional significance as determined
- 36 appropriate by the board.
- 37 11. Review:
- 38 (a) Master plans adopted by the governing body of the county and each
- 39 city in the county;
- 40 (b) The annual plan for capital improvements prepared by the governing
- 41 body of each local government in the county pursuant to NRS 278.0226;
- 42 and



- 1 (c) Plans for capital improvements, facilities plans or other similar plans
2 adopted by:
3 (1) The Regional Transportation Commission of Clark County;
4 (2) The Southern Nevada Water Authority, created on July 25, 1991,
5 by a cooperative agreement entered into on that date pursuant to the
6 provisions of NRS 277.080 to 277.180, inclusive;
7 (3) The Board of Trustees of the Clark County School District;
8 (4) The Clark County District Board of Health; and
9 (5) The Board of Directors of the Clark County Regional Flood
10 Control District, organized pursuant to NRS 543.240.

11 **Sec. 14. 1.** The board shall establish:

12 (a) A subcommittee to address issues relating to the disposal of federal
13 land and report its activities to the board. The subcommittee must consist
14 of:

- 15 (1) The members of the board who are members of the Board of
16 County Commissioners of Clark County;
17 (2) The Mayors of the City of Henderson, the City of Las Vegas and
18 the City of North Las Vegas; and
19 (3) A representative of the Federal Bureau of Land Management and
20 a member selected by the United States Air Force, who are nonvoting
21 members.

22 (b) A subcommittee to carry out the duties of the Clark County
23 Clearinghouse Council, created on July 6, 1993, by a cooperative
24 agreement entered into on that date pursuant to the provisions of NRS
25 277.080 to 277.180, inclusive, and to report its activities to the board. The
26 subcommittee must be composed of six members as follows:

- 27 (1) One member appointed by the Board of County Commissioners of
28 Clark County from its membership;
29 (2) One member appointed by the City Council of the City of Las
30 Vegas from its membership;
31 (3) One member appointed by the City Council of the City of North
32 Las Vegas from its membership;
33 (4) One member appointed by the City Council of the City of
34 Henderson from its membership;
35 (5) One member appointed by the City Council of Boulder City from
36 its membership; and
37 (6) One member appointed by the City Council of the City of
38 Mesquite from its membership.



* S B 4 3 6 *

- 1 2. The board may form other subcommittees as it deems appropriate.
- 2 3. The board may appoint additional members of the subcommittees
- 3 formed pursuant to subsection 1 as the board deems appropriate.
- 4 **Sec. 15.** This act becomes effective on July 1, 1999.

30



* S B 4 3 6 *

SENATE BILL NO. 436—SENATOR PORTER

MARCH 15, 1999

Referred to Committee on Government Affairs

SUMMARY—Creates Southern Nevada Regional Planning Coalition. (BDR S-1588)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.



EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to regional planning; providing for the creation of the Southern Nevada Regional Planning Coalition; establishing a governing board; prescribing the powers and duties of the board; establishing a technical committee; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** As used in sections 2 to 14, inclusive, of this act, unless the
2 context otherwise requires, the words and terms defined in sections 2, 3 and
3 4 of this act have the meanings ascribed to them in those sections.
- 4 **Sec. 2.** “Board” means the governing body of the Southern Nevada
5 Regional Planning Coalition.
- 6 **Sec. 3.** “Coalition” means the Southern Nevada Regional Planning
7 Coalition created pursuant to section 5 of this act.
- 8 **Sec. 4.** “Committee” means the technical committee to the coalition
9 created pursuant to section 12 of this act.
- 10 **Sec. 5.** The Southern Nevada Regional Planning Coalition is hereby
11 created, consisting of Clark County, the City of Las Vegas, the City of
12 North Las Vegas, the City of Henderson and Boulder City.
- 13 **Sec. 6.** 1. The coalition must be governed by a board consisting of 9
14 members.
- 15 2. The members of the board must be appointed as follows:
- 16 (a) Two members appointed by the Board of County Commissioners of
17 Clark County from its membership;
- 18 (b) Two members appointed by the City Council of the City of Las
19 Vegas from its membership;



* S B 4 3 6 R 1 *

1 (c) Two members appointed by the City Council of the City of North
2 Las Vegas from its membership;

3 (d) Two members appointed by the City Council of the City of
4 Henderson from its membership; and

5 (e) One member appointed by the City Council of Boulder City from its
6 membership.

7 3 The term of each member of the board is coterminous with his term
8 of elected office unless the public entity that appointed him revokes his
9 appointment to the board.

10 4. If a member is unable to serve for the duration of his term or has his
11 membership revoked, his position becomes vacant. A vacancy on the board
12 must be filled by the authority which was entitled to appoint the member
13 whose position is vacant. A vacancy must be filled within 45 days after the
14 departure of the member. The term of a member appointed by the board to
15 fill a vacancy is the remainder of the term of the member whose position is
16 vacant.

17 **Sec. 7. 1.** The board shall meet at least once each calendar quarter at
18 a time and place designated by the chairman of the board. The board may
19 hold special meetings as often as the needs of the board require, upon
20 notice to each member of the board.

21 2. The board must provide notice of a meeting in the manner
22 prescribed by NRS 241.020.

23 3. Except as otherwise provided in subsection 4:

24 (a) A majority of the members of the board constitutes a quorum; and

25 (b) All actions must be adopted by at least a majority of the members
26 present and constituting the quorum at such a meeting.

27 4. The affirmative vote of at least two-thirds of the members of the
28 board is necessary to pass an action relating to:

29 (a) A budgetary matter or a matter which involves an expenditure of
30 public money; or

31 (b) A contract or other instrument that creates a binding legal obligation
32 on a public entity.

33 **Sec. 8. 1.** The board shall elect a chairman and vice chairman from
34 its membership at the first meeting of each calendar year.

35 2. The term of the initial chairman and vice chairman expires on the
36 date on which the first meeting is held in the year 2000.

37 **Sec. 9.** The board shall:

38 1. Adopt rules or bylaws that govern its management and affairs.

39 2. Prepare and adopt an annual budget.

40 **Sec. 10.** The board may employ such professional, technical and
41 support staff as it deems necessary and shall prescribe specific duties for
42 such staff.



* S B 4 3 6 R 1 *

1 **Sec. 11. The board shall:**

2 1. Notwithstanding the provisions of NRS 350.002, serve as the debt
3 management commission of Clark County;

4 2. Consult with and request recommendations from a regional
5 organization, governmental agency or other public entity that may be
6 affected by a decision of the board; and

7 3. Take all other actions necessary to carry out the provisions of this
8 act.

9 **Sec. 12. 1.** The technical committee to the coalition consisting of the
10 County Manager of Clark County and the city managers of the City of Las
11 Vegas, the City of Henderson, the City of North Las Vegas and Boulder
12 City, or an appointee of such a person, is hereby created to provide
13 assistance to the coalition.

14 2. In performing its duties, the committee may request the participation
15 of representatives of regional agencies, including, without limitation, the
16 Regional Transportation Commission, the Clark County School District,
17 the Regional Flood Control District, the Clark County District Board of
18 Health, the Southern Nevada Water Authority and public utilities.

19 3. The committee shall elect a chairman and vice chairman from its
20 membership.

21 4. The committee shall meet as often as is necessary to provide
22 assistance to the board. The chairman shall determine the time and place of
23 the meetings of the committee and the method of providing notice of
24 meetings.

25 5. The committee shall perform such duties as the board may require.

26 **Sec. 13. The board may:**

27 1. Develop policies for Clark County which may include, without
28 limitation, policies for:

29 (a) The promotion of orderly development, coordinated land use
30 planning and the efficient provision of services to urban areas, including,
31 without limitation, roads, water and sewer service, police and fire
32 protection, mass transportation, libraries and parks;

33 (b) Protection of the environment;

34 (c) Recreational programs, including, without limitation, programs for
35 regional trails and open space;

36 (d) Economic development and employment; and

37 (e) Affordable housing.

38 2. Carry out and manage the strategic plan and recommendations for
39 financing infrastructure adopted by the Southern Nevada Strategic Planning
40 Authority, or its successor.

41 3. Compile and coordinate a regional and local data base for Clark
42 County, including, without limitation, a comprehensive regional master
43 plan with land use designations and a geographic information system.



* S B 4 3 6 R 1 *

- 1 4. Establish standard projections for population.
- 2 5. Recommend methods for increasing the efficiency of and reducing
3 the cost of furnishing governmental services.
- 4 6. Make recommendations for the disposal of federal land.
- 5 7. Establish methods for resolving disputes relating to annexation,
6 future land use, zoning and development that arise between jurisdictions,
7 including, without limitation, identification of the spheres of influence of
8 the jurisdictions. As used in this subsection, "sphere of influence" means an
9 area into which a jurisdiction plans to expand.
- 10 8. Establish a program of incentives to encourage regional strategic
11 planning for economic development, including, without limitation, joint
12 activities relating to the creation of jobs, agreements for revenue sharing,
13 education, transportation, law enforcement, water and sewer services, and
14 parks and recreation.
- 15 9. Develop a regional park plan in coordination with the Clark County
16 Regional Flood Control District, organized pursuant to NRS 543.240.
- 17 10. Consider any issues of regional significance as determined
18 appropriate by the board.
- 19 11. Review:
 - 20 (a) Master plans adopted by the governing body of the county and each
21 city in the county;
 - 22 (b) The annual plan for capital improvements prepared by the governing
23 body of each local government in the county pursuant to NRS 278.0226;
24 and
 - 25 (c) Plans for capital improvements, facilities plans or other similar plans
26 adopted by:
 - 27 (1) The Regional Transportation Commission of Clark County;
 - 28 (2) The Southern Nevada Water Authority, created on July 25, 1991,
29 by a cooperative agreement entered into on that date pursuant to the
30 provisions of NRS 277.080 to 277.180, inclusive;
 - 31 (3) The Board of Trustees of the Clark County School District;
 - 32 (4) The Clark County District Board of Health; and
 - 33 (5) The Board of Directors of the Clark County Regional Flood
34 Control District, organized pursuant to NRS 543.240.
- 35 **Sec. 14. 1.** The board shall establish:
 - 36 (a) A subcommittee to address issues relating to the disposal of federal
37 land and report its activities to the board. The subcommittee must consist
38 of:
 - 39 (1) The members of the board who are members of the Board of
40 County Commissioners of Clark County;
 - 41 (2) The Mayors of the City of Henderson, the City of Las Vegas and
42 the City of North Las Vegas; and



* S B 4 3 6 R 1 *

1 (3) A representative of the Federal Bureau of Land Management and
2 a member selected by the United States Air Force, who are nonvoting
3 members.

4 (b) A subcommittee to carry out the duties of the Clark County
5 Clearinghouse Council, created on July 6, 1993, by a cooperative
6 agreement entered into on that date pursuant to the provisions of NRS
7 277.080 to 277.180, inclusive, and to report its activities to the board. The
8 subcommittee must be composed of six members as follows:

9 (1) One member appointed by the Board of County Commissioners of
10 Clark County from its membership;

11 (2) One member appointed by the City Council of the City of Las
12 Vegas from its membership;

13 (3) One member appointed by the City Council of the City of North
14 Las Vegas from its membership;

15 (4) One member appointed by the City Council of the City of
16 Henderson from its membership;

17 (5) One member appointed by the City Council of Boulder City from
18 its membership; and

19 (6) One member appointed by the City Council of the City of
20 Mesquite from its membership.

21 2. The board may form other subcommittees as it deems appropriate.

22 3. The board may appoint additional members of the subcommittees
23 formed pursuant to subsection 1 as the board deems appropriate.

24 Sec. 15. This act becomes effective on July 1, 1999.



(REPRINTED WITH ADOPTED AMENDMENTS)
SECOND REPRINT

S.B. 436

SENATE BILL NO. 436—SENATOR PORTER

MARCH 15, 1999

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to regional planning. (BDR 30-1588)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.



EXPLANATION – Matter in *bolded italics* is new; matter between brackets [~~omitted material~~] is material to be omitted.

AN ACT relating to regional planning; revising the composition of the debt management commission in certain counties; providing for the creation of the Southern Nevada Regional Planning Coalition; establishing a governing board; prescribing the powers and duties of the board; establishing a technical committee; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 350.002 is hereby amended to read as follows:
2 350.002 1. *There is hereby created in each county whose*
3 *population is 400,000 or more, a debt management commission, to be*
4 *composed of:*
5 (a) *Three representatives of the board of county commissioners from*
6 *its membership;*
7 (b) *One representative of each governing body of the five largest*
8 *incorporated cities in the county from its membership;*
9 (c) *One representative of the board of trustees of the county school*
10 *district from its membership; and*
11 (d) *Two representatives of the public at large.*
12 2. There is hereby created in each county *whose population is less*
13 *than 400,000, a debt management commission, to be composed of one*
14 *representative of the county, one representative of the school district and*
15 *the following additional representatives:*
16 (a) In each *such* county which contains more than one incorporated city:
17 (1) One representative of the city in which the county seat is located;
18 (2) One representative of the other incorporated cities jointly; and



* S B 4 3 6 R 2 *

1 (3) One representative of the public at large.

2 (b) In each *such* county which contains one incorporated city:

3 (1) One representative of the incorporated city; and

4 (2) Two representatives of the public at large.

5 (c) In each *such* county which contains no incorporated city, one
6 representative of the public at large.

7 (d) In each *such* county which contains one or more general
8 improvement districts, one representative of the district or districts jointly
9 and one additional representative of the public at large.

10 ~~{2.}~~ 3. In Carson City, there is hereby created a debt management
11 commission, to be composed of one representative of the board of
12 supervisors, one representative of the school district and three
13 representatives of the public at large. The representative of the board of
14 supervisors and the representative of the school district shall select the
15 representatives of the public at large, and for that purpose only, constitute a
16 quorum of the debt management commission. Members of the commission
17 serve for a term of 2 years beginning on January 1, or until their successors
18 are chosen.

19 ~~{3.—Each}~~

20 4. *Except as otherwise provided in subsection 1, each* representative
21 of a single local government must be chosen by its governing body. Each
22 representative of two or more local governments must be chosen by their
23 governing bodies jointly, each governing body having one vote. Each
24 representative of the general improvement districts must be chosen by their
25 governing bodies jointly, each governing body having one vote. Each
26 representative of the public at large must be chosen by the other members
27 of the commission from residents of the county, or Carson City, as the case
28 may be, who have a knowledge of its financial structure. A tie vote must be
29 resolved by lot.

30 ~~{4.—Members}~~

31 5. *Except as otherwise provided in this subsection, members* of the
32 commission or their successors must be chosen in January of each odd-
33 numbered year and hold office for a term of 2 years beginning January 1 . ~~{~~
34 ~~except the}~~ *The* representatives of incorporated cities ~~{, who}~~ must be
35 chosen after elections are held in the cities , but before the annual meeting
36 of the commission in July.

37 ~~{5.}~~ *The term of a representative who serves pursuant to paragraph*
38 *(a), (b) or (c) of subsection 1 is coterminous with the term of his elected*
39 *office, unless the public entity that appointed him revokes his*
40 *appointment.*

41 6. Any vacancy must be filled in the same manner as the original
42 choice was made for the remainder of the unexpired term.



* S B 4 3 6 R 2 *

1 **Sec. 2.** NRS 350.003 is hereby amended to read as follows:

2 350.003 1. The commission shall meet during the month of February
3 of each year, to organize by selecting a chairman and vice chairman. *In a*
4 *county whose population is 400,000 or more, the chairman must be one*
5 *of the representatives of the board of county commissioners.* The county
6 clerk is ex officio the secretary of the commission.

7 2. In addition to the organizational meeting, each commission shall
8 meet annually in July of each year and at the call of the chairman whenever
9 business is presented, as provided in NRS 350.004 and 350.005.

10 3. In conjunction with the meetings required by subsections 1 and 2,
11 the commission in a county whose population:

12 (a) Is 100,000 or more but less than 400,000, shall meet each calendar
13 quarter.

14 (b) Is 400,000 or more, shall meet each month.

15 The meetings required by this subsection must be scheduled at each annual
16 meeting in July.

17 4. Except as otherwise provided in subsection ~~{2}~~ 3 of NRS 350.002, a
18 majority of the members constitutes a quorum for all purposes.

19 **Sec. 3.** As used in sections 4 to 16, inclusive, of this act, unless the
20 context otherwise requires, the words and terms defined in sections 4, 5 and
21 6 of this act have the meanings ascribed to them in those sections.

22 **Sec. 4.** "Board" means the governing body of the Southern Nevada
23 Regional Planning Coalition.

24 **Sec. 5.** "Coalition" means the Southern Nevada Regional Planning
25 Coalition created pursuant to section 7 of this act.

26 **Sec. 6.** "Committee" means the technical committee to the coalition
27 created pursuant to section 14 of this act.

28 **Sec. 7.** The Southern Nevada Regional Planning Coalition is hereby
29 created, consisting of Clark County, the City of Las Vegas, the City of
30 North Las Vegas, the City of Henderson, Boulder City and the Clark
31 County School District.

32 **Sec. 8.** 1. The coalition must be governed by a board consisting of
33 10 members.

34 2. The members of the board must be appointed as follows:

35 (a) Two members appointed by the Board of County Commissioners of
36 Clark County from its membership;

37 (b) Two members appointed by the City Council of the City of Las
38 Vegas from its membership;

39 (c) Two members appointed by the City Council of the City of North
40 Las Vegas from its membership;

41 (d) Two members appointed by the City Council of the City of
42 Henderson from its membership;



* S B 4 3 6 R 2 *

1 (e) One member appointed by the City Council of Boulder City from its
2 membership; and

3 (f) One member appointed by the Board of Trustees of the Clark County
4 School District from its membership.

5 3. The term of each member of the board is coterminous with his term
6 of elected office unless the public entity that appointed him revokes his
7 appointment to the board.

8 4. If a member fails to attend three consecutive meetings or fails to
9 attend five meetings during a calendar year, his appointment is
10 automatically revoked.

11 5. If a member is unable to serve for the duration of his term or has his
12 membership revoked, his position becomes vacant. A vacancy on the board
13 must be filled by the authority which was entitled to appoint the member
14 whose position is vacant. A vacancy must be filled within 45 days after the
15 departure of the member. The term of a member appointed by the board to
16 fill a vacancy is the remainder of the term of the member whose position is
17 vacant.

18 **Sec. 9.** 1. The board shall meet each month at a time and place
19 designated by the chairman of the board. The board may hold special
20 meetings as often as the needs of the board require, upon notice to each
21 member of the board.

22 2. The board must provide notice of a meeting in the manner
23 prescribed by NRS 241.020.

24 3. Except as otherwise provided in subsection 4:

25 (a) A majority of the members of the board constitutes a quorum; and

26 (b) All actions must be adopted by at least a majority of the members
27 present and constituting the quorum at such a meeting.

28 4. The affirmative vote of at least two-thirds of the members of the
29 board is necessary to pass an action relating to:

30 (a) A budgetary matter or a matter which involves an expenditure of
31 public money; or

32 (b) A contract or other instrument that creates a binding legal obligation
33 on a public entity.

34 **Sec. 10.** 1. The board shall elect a chairman and vice chairman from
35 its membership at the first meeting of each calendar year.

36 2. The term of the initial chairman and vice chairman expires on the
37 date on which the first meeting is held in the year 2000.

38 **Sec. 11.** The board shall:

39 1. Adopt rules or bylaws that govern its management and affairs.

40 2. Prepare and adopt an annual budget.

41 **Sec. 12.** The board may employ such professional, technical and
42 support staff as it deems necessary and shall prescribe specific duties for
43 such staff.



* S B 4 3 6 R 2 *

1 **Sec. 13.** The board shall:

2 1. Consult with and request recommendations from a regional
3 organization, governmental agency or other public entity that may be
4 affected by a decision of the board; and

5 2. Take all other actions necessary to carry out the provisions of this
6 act.

7 **Sec. 14.** 1. The technical committee to the coalition consisting of the
8 County Manager of Clark County, the Superintendent of the Clark County
9 School District, and the city managers of the City of Las Vegas, the City of
10 Henderson, the City of North Las Vegas and Boulder City, or an appointee
11 of such an entity who is an employee of the entity, is hereby created to
12 provide assistance to the coalition.

13 2. In performing its duties, the committee may request the participation
14 of representatives of regional agencies, including, without limitation, the
15 Regional Transportation Commission, the Clark County School District,
16 the Regional Flood Control District, the Clark County District Board of
17 Health, the Southern Nevada Water Authority and public utilities.

18 3. The committee shall elect a chairman and vice chairman from its
19 membership.

20 4. The committee shall meet as often as is necessary to provide
21 assistance to the board. The chairman shall determine the time and place of
22 the meetings of the committee and the method of providing notice of
23 meetings.

24 5. The committee shall perform such duties as the board may require.

25 **Sec. 15.** The board may:

26 1. Develop policies for Clark County which may include, without
27 limitation, policies for:

28 (a) The promotion of orderly development, coordinated land use
29 planning and the efficient provision of services to urban areas, including,
30 without limitation, roads, water and sewer service, police and fire
31 protection, mass transportation, libraries and parks;

32 (b) Protection of the environment;

33 (c) Recreational programs, including, without limitation, programs for
34 regional trails and open space;

35 (d) Economic development and employment; and

36 (e) Affordable housing.

37 2. Carry out and manage the strategic plan and recommendations for
38 financing infrastructure adopted by the Southern Nevada Strategic Planning
39 Authority, or its successor.

40 3. Compile and coordinate a regional and local data base for Clark
41 County, including, without limitation, a comprehensive regional master
42 plan with land use designations and a geographic information system.

43 4. Establish standard projections for population.



* S B 4 3 6 R 2 *

- 1 5. Recommend methods for increasing the efficiency of and reducing
2 the cost of furnishing governmental services.
- 3 6. Make recommendations for the disposal of federal land.
- 4 7. Establish methods for resolving disputes relating to annexation,
5 future land use, zoning and development that arise between jurisdictions,
6 including, without limitation, identification of the spheres of influence of
7 the jurisdictions. As used in this subsection, "sphere of influence" means an
8 area into which a jurisdiction plans to expand.
- 9 8. Establish a program of incentives to encourage regional strategic
10 planning for economic development, including, without limitation, joint
11 activities relating to the creation of jobs, agreements for revenue sharing,
12 education, transportation, law enforcement, water and sewer services, and
13 parks and recreation.
- 14 9. Develop a regional park plan in coordination with the Clark County
15 Regional Flood Control District, organized pursuant to NRS 543.240.
- 16 10. Consider any issues of regional significance as determined
17 appropriate by the board.
- 18 11. Review:
 - 19 (a) Master plans adopted by the governing body of the county and each
20 city in the county;
 - 21 (b) The annual plan for capital improvements prepared by the governing
22 body of each local government in the county pursuant to NRS 278.0226;
23 and
 - 24 (c) Plans for capital improvements, facilities plans or other similar plans
25 adopted by:
 - 26 (1) The Regional Transportation Commission of Clark County;
 - 27 (2) The Southern Nevada Water Authority, created on July 25, 1991,
28 by a cooperative agreement entered into on that date pursuant to the
29 provisions of NRS 277.080 to 277.180, inclusive;
 - 30 (3) The Board of Trustees of the Clark County School District;
 - 31 (4) The Clark County District Board of Health; and
 - 32 (5) The Board of Directors of the Clark County Regional Flood
33 Control District, organized pursuant to NRS 543.240.
- 34 **Sec. 16.** 1. The board shall establish:
 - 35 (a) A subcommittee to address issues relating to the disposal of federal
36 land and report its activities to the board. The subcommittee must consist
37 of:
 - 38 (1) The members of the board who are members of the Board of
39 County Commissioners of Clark County;
 - 40 (2) The Mayors of the City of Henderson, the City of Las Vegas and
41 the City of North Las Vegas; and



1 (3) A representative of the Federal Bureau of Land Management and
2 a member selected by the United States Air Force, who are nonvoting
3 members.

4 (b) A subcommittee to carry out the duties of the Clark County
5 Clearinghouse Council, created on July 6, 1993, by a cooperative
6 agreement entered into on that date pursuant to the provisions of NRS
7 277.080 to 277.180, inclusive, and to report its activities to the board. The
8 subcommittee must be composed of six members as follows:

9 (1) One member appointed by the Board of County Commissioners of
10 Clark County from its membership;

11 (2) One member appointed by the City Council of the City of Las
12 Vegas from its membership;

13 (3) One member appointed by the City Council of the City of North
14 Las Vegas from its membership;

15 (4) One member appointed by the City Council of the City of
16 Henderson from its membership;

17 (5) One member appointed by the City Council of Boulder City from
18 its membership; and

19 (6) One member appointed by the City Council of the City of
20 Mesquite from its membership.

21 2. The board may form other subcommittees as it deems appropriate.

22 3. The board may appoint additional members of the subcommittees
23 formed pursuant to subsection 1 as the board deems appropriate.

24 **Sec. 17.** 1. This section and sections 3 through 16 of this act become
25 effective on July 1, 1999.

26 2. Sections 1 and 2 of this act become effective on January 1, 2000.



SENATE BILL NO. 436—SENATOR PORTER

MARCH 15, 1999

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to regional planning. (BDR 30-1588)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.



EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~{omitted material}~~ is material to be omitted.

AN ACT relating to regional planning; revising the composition of the debt management commission in certain counties; providing for the creation of the Southern Nevada Regional Planning Coalition; establishing a governing board; prescribing the powers and duties of the board; establishing a technical committee; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 350.002 is hereby amended to read as follows:
2 350.002 1. *There is hereby created in each county whose*
3 *population is 400,000 or more, a debt management commission, to be*
4 *composed of:*
5 *(a) Three representatives of the board of county commissioners from*
6 *its membership;*
7 *(b) One representative of each governing body of the five largest*
8 *incorporated cities in the county from its membership;*
9 *(c) One representative of the board of trustees of the county school*
10 *district from its membership; and*
11 *(d) Two representatives of the public at large.*
12 2. There is hereby created in each county *whose population is less*
13 *than 400,000, a debt management commission, to be composed of one*
14 *representative of the county, one representative of the school district and*
15 *the following additional representatives:*
16 (a) In each *such* county which contains more than one incorporated city:
17 (1) One representative of the city in which the county seat is located;
18 (2) One representative of the other incorporated cities jointly; and



- 1 (3) One representative of the public at large.
2 (b) In each *such* county which contains one incorporated city:
3 (1) One representative of the incorporated city; and
4 (2) Two representatives of the public at large.
5 (c) In each *such* county which contains no incorporated city, one
6 representative of the public at large.
7 (d) In each *such* county which contains one or more general
8 improvement districts, one representative of the district or districts jointly
9 and one additional representative of the public at large.
10 ~~{2.}~~ 3. In Carson City, there is hereby created a debt management
11 commission, to be composed of one representative of the board of
12 supervisors, one representative of the school district and three
13 representatives of the public at large. The representative of the board of
14 supervisors and the representative of the school district shall select the
15 representatives of the public at large, and for that purpose only, constitute a
16 quorum of the debt management commission. Members of the commission
17 serve for a term of 2 years beginning on January 1, or until their successors
18 are chosen.
19 ~~{3. Each}~~
20 4. *Except as otherwise provided in subsection 1, each* representative
21 of a single local government must be chosen by its governing body. Each
22 representative of two or more local governments must be chosen by their
23 governing bodies jointly, each governing body having one vote. Each
24 representative of the general improvement districts must be chosen by their
25 governing bodies jointly, each governing body having one vote. Each
26 representative of the public at large must be chosen by the other members
27 of the commission from residents of the county, or Carson City, as the case
28 may be, who have a knowledge of its financial structure. A tie vote must be
29 resolved by lot.
30 ~~{4. Members}~~
31 5. *Except as otherwise provided in this subsection, members* of the
32 commission or their successors must be chosen in January of each odd-
33 numbered year and hold office for a term of 2 years beginning January 1 . ~~{~~
34 ~~except the}~~ *The* representatives of incorporated cities ~~{, who}~~ must be
35 chosen after elections are held in the cities , but before the annual meeting
36 of the commission in July.
37 ~~{5.}~~ *The term of a representative who serves pursuant to paragraph*
38 *(a), (b) or (c) of subsection 1 is coterminous with the term of his elected*
39 *office, unless the public entity that appointed him revokes his*
40 *appointment.*
41 6. Any vacancy must be filled in the same manner as the original
42 choice was made for the remainder of the unexpired term.



1 **Sec. 2.** NRS 350.003 is hereby amended to read as follows:
2 350.003 1. The commission shall meet during the month of February
3 of each year, to organize by selecting a chairman and vice chairman. *In a*
4 *county whose population is 400,000 or more, the chairman must be one*
5 *of the representatives of the board of county commissioners.* The county
6 clerk is ex officio the secretary of the commission.

7 2. In addition to the organizational meeting, each commission shall
8 meet annually in July of each year and at the call of the chairman whenever
9 business is presented, as provided in NRS 350.004 and 350.005.

10 3. In conjunction with the meetings required by subsections 1 and 2,
11 the commission in a county whose population:

12 (a) Is 100,000 or more but less than 400,000, shall meet each calendar
13 quarter.

14 (b) Is 400,000 or more, shall meet each month.

15 The meetings required by this subsection must be scheduled at each annual
16 meeting in July.

17 4. Except as otherwise provided in subsection ~~2~~ 3 of NRS 350.002, a
18 majority of the members constitutes a quorum for all purposes.

19 **Sec. 3.** As used in sections 4 to 16, inclusive, of this act, unless the
20 context otherwise requires, the words and terms defined in sections 4, 5 and
21 6 of this act have the meanings ascribed to them in those sections.

22 **Sec. 4.** "Board" means the governing body of the Southern Nevada
23 Regional Planning Coalition.

24 **Sec. 5.** "Coalition" means the Southern Nevada Regional Planning
25 Coalition created pursuant to section 7 of this act.

26 **Sec. 6.** "Committee" means the technical committee to the coalition
27 created pursuant to section 14 of this act.

28 **Sec. 7.** The Southern Nevada Regional Planning Coalition is hereby
29 created, consisting of Clark County, the City of Las Vegas, the City of
30 North Las Vegas, the City of Henderson, Boulder City and the Clark
31 County School District.

32 **Sec. 8.** 1. The coalition must be governed by a board consisting of
33 10 members.

34 2. The members of the board must be appointed as follows:

35 (a) Two members appointed by the Board of County Commissioners of
36 Clark County from its membership, one of whom is a member of the debt
37 management commission established pursuant to subsection 1 of NRS
38 350.002;

39 (b) Two members appointed by the City Council of the City of Las
40 Vegas from its membership, one of whom is a member of the debt
41 management commission established pursuant to subsection 1 of NRS
42 350.002;



1 (c) Two members appointed by the City Council of the City of North
2 Las Vegas from its membership, one of whom is a member of the debt
3 management commission established pursuant to subsection 1 of NRS
4 350.002;

5 (d) Two members appointed by the City Council of the City of
6 Henderson from its membership, one of whom is a member of the debt
7 management commission established pursuant to subsection 1 of NRS
8 350.002;

9 (e) One member appointed by the City Council of Boulder City from its
10 membership who is a member of the debt management commission
11 established pursuant to subsection 1 of NRS 350.002; and

12 (f) One member appointed by the Board of Trustees of the Clark County
13 School District from its membership who is a member of the debt
14 management commission established pursuant to subsection 1 of NRS
15 350.002.

16 3. The term of each member of the board is coterminous with his term
17 of elected office unless the public entity that appointed him revokes his
18 appointment to the board.

19 4. If a member fails to attend three consecutive meetings or fails to
20 attend five meetings during a calendar year, his appointment is
21 automatically revoked.

22 5. If a member is unable to serve for the duration of his term or has his
23 membership revoked, his position becomes vacant. A vacancy on the board
24 must be filled by the authority which was entitled to appoint the member
25 whose position is vacant. A vacancy must be filled within 45 days after the
26 departure of the member. The term of a member appointed by the board to
27 fill a vacancy is the remainder of the term of the member whose position is
28 vacant.

29 **Sec. 9.** 1. The board shall meet each month at a time and place
30 designated by the chairman of the board. The board may hold special
31 meetings as often as the needs of the board require, upon notice to each
32 member of the board.

33 2. The board must provide notice of a meeting in the manner
34 prescribed by NRS 241.020.

35 3. Except as otherwise provided in subsection 4:

36 (a) A majority of the members of the board constitutes a quorum; and

37 (b) All actions must be adopted by at least a majority of the members
38 present and constituting the quorum at such a meeting.

39 4. The affirmative vote of at least two-thirds of the members of the
40 board is necessary to pass an action relating to:

41 (a) A budgetary matter or a matter which involves an expenditure of
42 public money; or



1 (b) A contract or other instrument that creates a binding legal obligation
2 on a public entity.

3 **Sec. 10.** 1. The board shall elect a chairman and vice chairman from
4 its membership at the first meeting of each calendar year.

5 2. The term of the initial chairman and vice chairman expires on the
6 date on which the first meeting is held in the year 2000.

7 **Sec. 11.** The board shall:

8 1. Adopt rules or bylaws that govern its management and affairs.

9 2. Prepare and adopt an annual budget.

10 **Sec. 12.** The board may employ such professional, technical and
11 support staff as it deems necessary and shall prescribe specific duties for
12 such staff.

13 **Sec. 13.** The board shall:

14 1. Consult with and request recommendations from a regional
15 organization, governmental agency or other public entity that may be
16 affected by a decision of the board; and

17 2. Take all other actions necessary to carry out the provisions of this
18 act.

19 **Sec. 14.** 1. The technical committee to the coalition consisting of the
20 County Manager of Clark County, the Superintendent of the Clark County
21 School District, and the city managers of the City of Las Vegas, the City of
22 Henderson, the City of North Las Vegas and Boulder City, or an appointee
23 of such an entity who is an employee of the entity, is hereby created to
24 provide assistance to the coalition.

25 2. In performing its duties, the committee may request the participation
26 of representatives of regional agencies, including, without limitation, the
27 Regional Transportation Commission, the Clark County School District,
28 the Regional Flood Control District, the Clark County District Board of
29 Health, the Southern Nevada Water Authority and public utilities.

30 3. The committee shall elect a chairman and vice chairman from its
31 membership.

32 4. The committee shall meet as often as is necessary to provide
33 assistance to the board. The chairman shall determine the time and place of
34 the meetings of the committee and the method of providing notice of
35 meetings.

36 5. The committee shall perform such duties as the board may require.

37 **Sec. 15.** The board may:

38 1. Develop policies for Clark County which may include, without
39 limitation, policies for:

40 (a) The promotion of orderly development, coordinated land use
41 planning and the efficient provision of services to urban areas, including,
42 without limitation, roads, water and sewer service, police and fire
43 protection, mass transportation, libraries and parks;



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- 1 (b) Protection of the environment;
- 2 (c) Recreational programs, including, without limitation, programs for
- 3 regional trails and open space;
- 4 (d) Economic development and employment; and
- 5 (e) Affordable housing.
- 6 2. Carry out and manage the strategic plan and recommendations for
- 7 financing infrastructure adopted by the Southern Nevada Strategic Planning
- 8 Authority, or its successor.
- 9 3. Compile and coordinate a regional and local data base for Clark
- 10 County, including, without limitation, a comprehensive regional master
- 11 plan with land use designations and a geographic information system.
- 12 4. Establish standard projections for population.
- 13 5. Recommend methods for increasing the efficiency of and reducing
- 14 the cost of furnishing governmental services.
- 15 6. Make recommendations for the disposal of federal land.
- 16 7. Establish methods for resolving disputes relating to annexation,
- 17 future land use, zoning and development that arise between jurisdictions,
- 18 including, without limitation, identification of the spheres of influence of
- 19 the jurisdictions. As used in this subsection, "sphere of influence" means an
- 20 area into which a jurisdiction plans to expand.
- 21 8. Establish a program of incentives to encourage regional strategic
- 22 planning for economic development, including, without limitation, joint
- 23 activities relating to the creation of jobs, agreements for revenue sharing,
- 24 education, transportation, law enforcement, water and sewer services, and
- 25 parks and recreation.
- 26 9. Develop a regional park plan in coordination with the Clark County
- 27 Regional Flood Control District, organized pursuant to NRS 543.240.
- 28 10. Consider any issues of regional significance as determined
- 29 appropriate by the board.
- 30 11. Review:
- 31 (a) Master plans adopted by the governing body of the county and each
- 32 city in the county;
- 33 (b) The annual plan for capital improvements prepared by the governing
- 34 body of each local government in the county pursuant to NRS 278.0226;
- 35 and
- 36 (c) Plans for capital improvements, facilities plans or other similar plans
- 37 adopted by:
 - 38 (1) The Regional Transportation Commission of Clark County;
 - 39 (2) The Southern Nevada Water Authority, created on July 25, 1991,
 - 40 by a cooperative agreement entered into on that date pursuant to the
 - 41 provisions of NRS 277.080 to 277.180, inclusive;
 - 42 (3) The Board of Trustees of the Clark County School District;
 - 43 (4) The Clark County District Board of Health; and



1 (5) The Board of Directors of the Clark County Regional Flood
2 Control District, organized pursuant to NRS 543.240.

3 **Sec. 16.** 1. The board shall establish:

4 (a) A subcommittee to address issues relating to the disposal of federal
5 land and report its activities to the board. The subcommittee must consist
6 of:

7 (1) The members of the board who are members of the Board of
8 County Commissioners of Clark County;

9 (2) The Mayors of the City of Henderson, the City of Las Vegas and
10 the City of North Las Vegas; and

11 (3) A representative of the Federal Bureau of Land Management and
12 a member selected by the United States Air Force, who are nonvoting
13 members.

14 (b) A subcommittee to carry out the duties of the Clark County
15 Clearinghouse Council, created on July 6, 1993, by a cooperative
16 agreement entered into on that date pursuant to the provisions of NRS
17 277.080 to 277.180, inclusive, and to report its activities to the board. The
18 subcommittee must be composed of six members as follows:

19 (1) One member appointed by the Board of County Commissioners of
20 Clark County from its membership;

21 (2) One member appointed by the City Council of the City of Las
22 Vegas from its membership;

23 (3) One member appointed by the City Council of the City of North
24 Las Vegas from its membership;

25 (4) One member appointed by the City Council of the City of
26 Henderson from its membership;

27 (5) One member appointed by the City Council of Boulder City from
28 its membership; and

29 (6) One member appointed by the City Council of the City of
30 Mesquite from its membership.

31 2. The board may form other subcommittees as it deems appropriate.

32 3. The board may appoint additional members of the subcommittees
33 formed pursuant to subsection 1 as the board deems appropriate.

34 **Sec. 17.** 1. This section and sections 3 through 16 of this act become
35 effective on July 1, 1999.

36 2. Sections 1 and 2 of this act become effective on January 1, 2000.

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5. Except as otherwise provided in this subsection, if a teacher who receives a reimbursement pursuant to this section does not teach in a public school in this state, including, without limitation, a charter school, for at least 2 years after the date on which he received the reimbursement, the teacher shall repay the full amount of the reimbursement to the Department of Education. The teacher may request that the Department of Education grant a waiver from the repayment required by this subsection. The Department of Education may grant a waiver if the Department determines that the teacher suffers from a hardship that warrants a waiver. The Department of Education shall prescribe the procedures for the repayment required by this subsection and the procedures for a teacher to request a waiver from the repayment. The Department of Education shall use any money that it receives pursuant to this subsection to reimburse the costs of other teachers who acquire certification by the National Board of Professional Teaching Standards.

6. The Department of Education shall not reimburse costs related to certification acquired by a teacher before July 1, 1999.

Sec. 2. Any remaining balance of the appropriation made by subsection 1 of section 1 of this act must not be committed for expenditure after June 30, 2001, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 3. This act becomes effective upon passage and approval.

Senate Bill No. 436—Senator Porter

CHAPTER 489

AN ACT relating to regional planning; revising the composition of the debt management commission in certain counties; providing for the creation of the Southern Nevada Regional Planning Coalition; establishing a governing board; prescribing the powers and duties of the board; establishing a technical committee; and providing other matters properly relating thereto.

[Approved June 8, 1999]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 350.002 is hereby amended to read as follows:

350.002 1. *There is hereby created in each county whose population is 400,000 or more, a debt management commission, to be composed of:*

(a) Three representatives of the board of county commissioners from its membership;

(b) One representative of each governing body of the five largest incorporated cities in the county from its membership;

(c) One representative of the board of trustees of the county school district from its membership; and

(d) Two representatives of the public at large.

2. There is hereby created in each county *whose population is less than 400,000*, a debt management commission, to be composed of one representative of the county, one representative of the school district and the following additional representatives:

- (a) In each *such* county which contains more than one incorporated city:
 - (1) One representative of the city in which the county seat is located;
 - (2) One representative of the other incorporated cities jointly; and
 - (3) One representative of the public at large.
- (b) In each *such* county which contains one incorporated city:
 - (1) One representative of the incorporated city; and
 - (2) Two representatives of the public at large.
- (c) In each *such* county which contains no incorporated city, one representative of the public at large.
- (d) In each *such* county which contains one or more general improvement districts, one representative of the district or districts jointly and one additional representative of the public at large.

~~{2.}~~ 3. In Carson City, there is hereby created a debt management commission, to be composed of one representative of the board of supervisors, one representative of the school district and three representatives of the public at large. The representative of the board of supervisors and the representative of the school district shall select the representatives of the public at large, and for that purpose only, constitute a quorum of the debt management commission. Members of the commission serve for a term of 2 years beginning on January 1, or until their successors are chosen.

~~{3.—Each}~~

4. *Except as otherwise provided in subsection 1, each* representative of a single local government must be chosen by its governing body. Each representative of two or more local governments must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the general improvement districts must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the public at large must be chosen by the other members of the commission from residents of the county, or Carson City, as the case may be, who have a knowledge of its financial structure. A tie vote must be resolved by lot.

~~{4.—Members}~~

5. *Except as otherwise provided in this subsection, members* of the commission or their successors must be chosen in January of each odd-numbered year and hold office for a term of 2 years beginning January 1. ~~{~~ *except the* The representatives of incorporated cities ~~{, who}~~ must be chosen after elections are held in the cities, but before the annual meeting of the commission in July.

~~{5.}~~ *The term of a representative who serves pursuant to paragraph (a), (b) or (c) of subsection 1 is coterminous with the term of his elected office, unless the public entity that appointed him revokes his appointment.*

6. Any vacancy must be filled in the same manner as the original choice was made for the remainder of the unexpired term.

Sec. 2. NRS 350.003 is hereby amended to read as follows:

350.003 1. The commission shall meet during the month of February of each year, to organize by selecting a chairman and vice chairman. *In a county whose population is 400,000 or more, the chairman must be one of the representatives of the board of county commissioners.* The county clerk is ex officio the secretary of the commission.

2. In addition to the organizational meeting, each commission shall meet annually in July of each year and at the call of the chairman whenever business is presented, as provided in NRS 350.004 and 350.005.

3. In conjunction with the meetings required by subsections 1 and 2, the commission in a county whose population:

(a) Is 100,000 or more but less than 400,000, shall meet each calendar quarter.

(b) Is 400,000 or more, shall meet each month.

The meetings required by this subsection must be scheduled at each annual meeting in July.

4. Except as otherwise provided in subsection ~~{2}~~ 3 of NRS 350.002, a majority of the members constitutes a quorum for all purposes.

Sec. 3. As used in sections 4 to 16, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4, 5 and 6 of this act have the meanings ascribed to them in those sections.

Sec. 4. "Board" means the governing body of the Southern Nevada Regional Planning Coalition.

Sec. 5. "Coalition" means the Southern Nevada Regional Planning Coalition created pursuant to section 7 of this act.

Sec. 6. "Committee" means the technical committee to the coalition created pursuant to section 14 of this act.

Sec. 7. The Southern Nevada Regional Planning Coalition is hereby created, consisting of Clark County, the City of Las Vegas, the City of North Las Vegas, the City of Henderson, Boulder City and the Clark County School District.

Sec. 8. 1. The coalition must be governed by a board consisting of 10 members.

2. The members of the board must be appointed as follows:

(a) Two members appointed by the Board of County Commissioners of Clark County from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(b) Two members appointed by the City Council of the City of Las Vegas from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(c) Two members appointed by the City Council of the City of North Las Vegas from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(d) Two members appointed by the City Council of the City of Henderson from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(e) One member appointed by the City Council of Boulder City from its membership who is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002; and

(f) One member appointed by the Board of Trustees of the Clark County School District from its membership who is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002.

3. The term of each member of the board is coterminous with his term of elected office unless the public entity that appointed him revokes his appointment to the board.

4. If a member fails to attend three consecutive meetings or fails to attend five meetings during a calendar year, his appointment is automatically revoked.

5. If a member is unable to serve for the duration of his term or has his membership revoked, his position becomes vacant. A vacancy on the board must be filled by the authority which was entitled to appoint the member whose position is vacant. A vacancy must be filled within 45 days after the departure of the member. The term of a member appointed by the board to fill a vacancy is the remainder of the term of the member whose position is vacant.

Sec. 9. 1. The board shall meet each month at a time and place designated by the chairman of the board. The board may hold special meetings as often as the needs of the board require, upon notice to each member of the board.

2. The board must provide notice of a meeting in the manner prescribed by NRS 241.020.

3. Except as otherwise provided in subsection 4:

(a) A majority of the members of the board constitutes a quorum; and

(b) All actions must be adopted by at least a majority of the members present and constituting the quorum at such a meeting.

4. The affirmative vote of at least two-thirds of the members of the board is necessary to pass an action relating to:

(a) A budgetary matter or a matter which involves an expenditure of public money; or

(b) A contract or other instrument that creates a binding legal obligation on a public entity.

Sec. 10. 1. The board shall elect a chairman and vice chairman from its membership at the first meeting of each calendar year.

2. The term of the initial chairman and vice chairman expires on the date on which the first meeting is held in the year 2000.

Sec. 11. The board shall:

1. Adopt rules or bylaws that govern its management and affairs.

2. Prepare and adopt an annual budget.

Sec. 12. The board may employ such professional, technical and support staff as it deems necessary and shall prescribe specific duties for such staff.

Sec. 13. The board shall:

1. Consult with and request recommendations from a regional organization, governmental agency or other public entity that may be affected by a decision of the board; and

2. Take all other actions necessary to carry out the provisions of this act.

Sec. 14. 1. The technical committee to the coalition consisting of the County Manager of Clark County, the Superintendent of the Clark County School District, and the city managers of the City of Las Vegas, the City of Henderson, the City of North Las Vegas and Boulder City, or an appointee of such an entity who is an employee of the entity, is hereby created to provide assistance to the coalition.

2. In performing its duties, the committee may request the participation of representatives of regional agencies, including, without limitation, the Regional Transportation Commission, the Clark County School District, the Regional Flood Control District, the Clark County District Board of Health, the Southern Nevada Water Authority and public utilities.

3. The committee shall elect a chairman and vice chairman from its membership.

4. The committee shall meet as often as is necessary to provide assistance to the board. The chairman shall determine the time and place of the meetings of the committee and the method of providing notice of meetings.

5. The committee shall perform such duties as the board may require.

Sec. 15. The board may:

1. Develop policies for Clark County which may include, without limitation, policies for:

(a) The promotion of orderly development, coordinated land use planning and the efficient provision of services to urban areas, including, without limitation, roads, water and sewer service, police and fire protection, mass transportation, libraries and parks;

(b) Protection of the environment;

(c) Recreational programs, including, without limitation, programs for regional trails and open space;

(d) Economic development and employment; and

(e) Affordable housing.

2. Carry out and manage the strategic plan and recommendations for financing infrastructure adopted by the Southern Nevada Strategic Planning Authority, or its successor.

3. Compile and coordinate a regional and local data base for Clark County, including, without limitation, a comprehensive regional master plan with land use designations and a geographic information system.

4. Establish standard projections for population.

5. Recommend methods for increasing the efficiency of and reducing the cost of furnishing governmental services.

6. Make recommendations for the disposal of federal land.

7. Establish methods for resolving disputes relating to annexation, future land use, zoning and development that arise between jurisdictions, including, without limitation, identification of the spheres of influence of the jurisdictions. As used in this subsection, "sphere of influence" means an area into which a jurisdiction plans to expand.

8. Establish a program of incentives to encourage regional strategic planning for economic development, including, without limitation, joint activities relating to the creation of jobs, agreements for revenue sharing, education, transportation, law enforcement, water and sewer services, and parks and recreation.

9. Develop a regional park plan in coordination with the Clark County Regional Flood Control District, organized pursuant to NRS 543.240.

10. Consider any issues of regional significance as determined appropriate by the board.

11. Review:

(a) Master plans adopted by the governing body of the county and each city in the county;

(b) The annual plan for capital improvements prepared by the governing body of each local government in the county pursuant to NRS 278.0226; and

(c) Plans for capital improvements, facilities plans or other similar plans adopted by:

(1) The Regional Transportation Commission of Clark County;

(2) The Southern Nevada Water Authority, created on July 25, 1991, by a cooperative agreement entered into on that date pursuant to the provisions of NRS 277.080 to 277.180, inclusive;

(3) The Board of Trustees of the Clark County School District;

(4) The Clark County District Board of Health; and

(5) The Board of Directors of the Clark County Regional Flood Control District, organized pursuant to NRS 543.240.

Sec. 16. 1. The board shall establish:

(a) A subcommittee to address issues relating to the disposal of federal land and report its activities to the board. The subcommittee must consist of:

(1) The members of the board who are members of the Board of County Commissioners of Clark County;

(2) The Mayors of the City of Henderson, the City of Las Vegas and the City of North Las Vegas; and

(3) A representative of the Federal Bureau of Land Management and a member selected by the United States Air Force, who are nonvoting members.

(b) A subcommittee to carry out the duties of the Clark County Clearinghouse Council, created on July 6, 1993, by a cooperative agreement entered into on that date pursuant to the provisions of NRS 277.080 to 277.180, inclusive, and to report its activities to the board. The subcommittee must be composed of six members as follows:

(1) One member appointed by the Board of County Commissioners of Clark County from its membership;

(2) One member appointed by the City Council of the City of Las Vegas from its membership;

(3) One member appointed by the City Council of the City of North Las Vegas from its membership;

(4) One member appointed by the City Council of the City of Henderson from its membership;

(5) One member appointed by the City Council of Boulder City from its membership; and

(6) One member appointed by the City Council of the City of Mesquite from its membership.

2. The board may form other subcommittees as it deems appropriate.

3. The board may appoint additional members of the subcommittees formed pursuant to subsection 1 as the board deems appropriate.

Sec. 17. 1. This section and sections 3 through 16 of this act become effective on July 1, 1999.

2. Sections 1 and 2 of this act become effective on January 1, 2000.

FLOOR ACTIONS

AMENDMENTS ON SECOND READING

FLOOR VOTES AND STATEMENTS

OTHER ACTIONS

Senator Rhoads moved that Senate Bill No. 432 be re-referred to the Committee on Finance upon return from reprint.

Remarks by Senator Rhoads.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 436.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 521.

Amend sec. 6, page 1, line 14, by deleting "13" and inserting "9".

Amend sec. 6, page 2, line 4, after "membership;" by inserting "and".

Amend sec. 6, page 2, by deleting lines 6 through 18 and inserting: "membership.

3. The term of each member of the board is coterminous with his term of elected office unless the public entity that appointed him revokes his appointment to the board."

Amend sec. 7, page 2, by deleting lines 36 and 37 and inserting:

"4. The affirmative vote of at least two-thirds of the members of the board is necessary to pass an action".

Amend sec. 7, page 2, line 40, after "money;" by inserting "or".

Amend sec. 7, page 2, by deleting lines 42 and 43 and inserting: "on a public entity."

Amend sec. 7, page 3, by deleting lines 1 through 5.

Amend sec. 8, page 3, by deleting lines 7 and 8 and inserting: "its membership at the first meeting of each".

Amend the title of the bill, first line, by deleting: "in skeleton form".

Senator Porter moved the adoption of the amendment.

Remarks by Senator Porter.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 438.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 667.

Amend the bill as a whole by deleting sections 1 through 3 and adding new sections designated sections 1 through 29, following the enacting clause, to read as follows:

"Section 1. Chapter 703 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *The governor may appoint administrative law judges to preside over contested matters involving the regulation of utilities subject to the jurisdiction of the commission. An administrative law judge appointed by the governor in accordance with this section shall not act as an administrative*

Roll call on Senate Bill No. 366:

YEAS—21.

NAYS—None.

Senate Bill No. 366 having received a two-thirds majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 369.

Bill read third time.

Roll call on Senate Bill No. 369:

YEAS—21.

NAYS—None.

Senate Bill No. 369 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 423.

Bill read third time.

Remarks by Senator Schneider.

Conflict of interest declared by Senator Porter.

Roll call on Senate Bill No. 423:

YEAS—20.

NAYS—None.

NOT VOTING—Porter.

Senate Bill No. 423 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 428.

Bill read third time.

Remarks by Senators Schneider and James.

Conflict of interest declared by Senator James.

Roll call on Senate Bill No. 428:

YEAS—20.

NAYS—None.

NOT VOTING—James.

Senate Bill No. 428 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 436.

Bill read third time.

Roll call on Senate Bill No. 436:

YEAS—21.

NAYS—None.

Senate Bill No. 436 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 436.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 898.

Amend the bill as a whole by renumbering sections 1 through 15 as sections 3 through 17 and adding new sections designated sections 1 and 2, following the enacting clause, to read as follows:

“Section 1. NRS 350.002 is hereby amended to read as follows:

350.002 1. *There is hereby created in each county whose population is 400,000 or more, a debt management commission, to be composed of:*

(a) *Three representatives of the board of county commissioners from its membership;*

(b) *One representative of each governing body of the five largest incorporated cities in the county from its membership;*

(c) *One representative of the board of trustees of the county school district from its membership; and*

(d) *Two representatives of the public at large.*

2. There is hereby created in each county *whose population is less than 400,000*, a debt management commission, to be composed of one representative of the county, one representative of the school district and the following additional representatives:

(a) In each *such* county which contains more than one incorporated city:

(1) One representative of the city in which the county seat is located;

(2) One representative of the other incorporated cities jointly; and

(3) One representative of the public at large.

(b) In each *such* county which contains one incorporated city:

(1) One representative of the incorporated city; and

(2) Two representatives of the public at large.

(c) In each *such* county which contains no incorporated city, one representative of the public at large.

(d) In each *such* county which contains one or more general improvement districts, one representative of the district or districts jointly and one additional representative of the public at large.

~~{2.}~~ 3. In Carson City, there is hereby created a debt management commission, to be composed of one representative of the board of supervisors, one representative of the school district and three representatives of the public at large. The representative of the board of supervisors and the representative of the school district shall select the representatives of the public at large, and for that purpose only, constitute a quorum of the debt management commission. Members of the commission serve for a term of 2 years beginning on January 1, or until their successors are chosen.

~~{3. Each}~~

4. *Except as otherwise provided in subsection 1, each* representative of

a single local government must be chosen by its governing body. Each representative of two or more local governments must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the general improvement districts must be chosen by their governing bodies jointly, each governing body having one vote. Each representative of the public at large must be chosen by the other members of the commission from residents of the county, or Carson City, as the case may be, who have a knowledge of its financial structure. A tie vote must be resolved by lot.

~~{4. Members}~~

5. *Except as otherwise provided in this subsection, members of the commission or their successors must be chosen in January of each odd-numbered year and hold office for a term of 2 years beginning January 1 . ~~{, except the}~~ The representatives of incorporated cities ~~{, who}~~ must be chosen after elections are held in the cities , but before the annual meeting of the commission in July.*

~~{5.}~~ *The term of a representative who serves pursuant to paragraph (a), (b) or (c) of subsection 1 is coterminous with the term of his elected office, unless the public entity that appointed him revokes his appointment.*

6. Any vacancy must be filled in the same manner as the original choice was made for the remainder of the unexpired term.

Sec. 2. NRS 350.003 is hereby amended to read as follows:

350.003 1. The commission shall meet during the month of February of each year, to organize by selecting a chairman and vice chairman. *In a county whose population is 400,000 or more, the chairman must be one of the representatives of the board of county commissioners.* The county clerk is ex officio the secretary of the commission.

2. In addition to the organizational meeting, each commission shall meet annually in July of each year and at the call of the chairman whenever business is presented, as provided in NRS 350.004 and 350.005.

3. In conjunction with the meetings required by subsections 1 and 2, the commission in a county whose population:

(a) Is 100,000 or more but less than 400,000, shall meet each calendar quarter.

(b) Is 400,000 or more, shall meet each month.

The meetings required by this subsection must be scheduled at each annual meeting in July.

4. Except as otherwise provided in subsection ~~{2}~~ 3 of NRS 350.002, a majority of the members constitutes a quorum for all purposes.”.

Amend section 1, page 1, line 1, by deleting: “2 to 14,” and inserting: “4 to 16,”.

Amend section 1, page 1, lines 2 and 3, by deleting: “2, 3 and 4” and inserting: “4, 5 and 6”.

Amend sec. 3, page 1, line 7, by deleting “5” and inserting “7”.

Amend sec. 4. page 1, line 9, by deleting “12” and inserting “14”.

Amend sec. 5, page 1, by deleting line 12 and inserting: “North Las Vegas, the City of Henderson, Boulder City and the Clark County School District.”.

Amend sec. 6, page 1, line 13, by deleting "9" and inserting "10".

Amend sec. 6, page 2, line 4, by deleting "and".

Amend sec. 6, page 2, by deleting line 6 and inserting: "membership; and (f) One member appointed by the Board of Trustees of the Clark County School District from its membership."

Amend sec. 6, page 2, line 10, after "4." by inserting: "If a member fails to attend three consecutive meetings or fails to attend five meetings during a calendar year, his appointment is automatically revoked.

5."

Amend sec. 7, page 2, line 17, by deleting: "at least once each calendar quarter" and inserting "each month".

Amend sec. 11, page 3, by deleting lines 2 and 3.

Amend sec. 11, page 3, line 4, by deleting "2." and inserting "1."

Amend sec. 11, page 3, line 7, by deleting "3." and inserting "2."

Amend sec. 12, page 3, line 10, after "Clark County" by inserting: ", the Superintendent of the Clark County School District,".

Amend sec. 12, page 3, by deleting line 12 and inserting: "City, or the appointee of such an entity who is an employee of the entity, is hereby created to provide".

Amend sec. 15, page 5, by deleting line 24 and inserting:

"Sec. 17. 1. This section and sections 3 through 16 of this act become effective on July 1, 1999.

2. Sections 1 and 2 of this act become effective on January 1, 2000."

Amend the title of the bill, first line, after "planning;" by inserting: "revising the composition of the debt management commission in certain counties;".

Amend the summary of the bill to read as follows:

"SUMMARY—Makes various changes relating to regional planning. (BDR 30-1588)".

Assemblyman Bache moved the adoption of the amendment.

Remarks by Assemblyman Bache.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 478.

Bill read second time.

The following amendment was proposed by the Committee on Elections, Procedures, and Ethics:

Amendment No. 1019.

Amend the bill as a whole by adding a new section designated sec. 3.5, following sec. 3, to read as follows:

"Sec. 3.5. *"Vexatious" means lacking justification and intended to harass.*"

Amend sec. 5, page 2, line 2, by deleting: "*and commission counsel*".

Amend sec. 5, page 2, by deleting lines 7 through 9 and inserting: "3. *The executive director is in the*".

5. *For the purposes of this section, "actual physical control of a vehicle or a vessel" must be determined in the manner set forth in section 5.5 or 25.5 of this act, as applicable.*"

Amend the title of the bill, first line, after "laws;" by inserting: "providing the manner in which to determine whether a person who is under the influence of alcohol or a controlled substance is in actual physical control of a vehicle or vessel;"

Amend the summary of the bill to read as follows:

"SUMMARY—Makes various changes concerning operating vehicle or vessel under influence of alcohol or controlled substance. (BDR 43-275)".

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblymen Giunchigliani, Perkins and Anderson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bache moved that Senate Bill No. 436 be taken from the General File and placed at the top of the General File.

Remarks by Assemblyman Bache.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 436.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1118.

Amend sec. 8, page 3, line 36, by deleting the semicolon and inserting: ", one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;"

Amend sec. 8, page 3, line 38, by deleting the semicolon and inserting: ", one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;"

Amend sec. 8, page 3, line 40, by deleting the semicolon and inserting: ", one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;"

Amend sec. 8, page 3, line 42, by deleting the semicolon and inserting: ", one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;"

Amend sec. 8, page 4, line 2, by deleting the semicolon and inserting: "who is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;"

Amend sec. 8, page 4, line 4, by deleting the period and inserting: "who is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002."

Assemblyman Bache moved the adoption of the amendment.

Remarks by Assemblyman Bache.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 192.

Bill read third time.

Remarks by Assemblywoman Segerblom.

Roll call on Senate Bill No. 192:

YEAS—38.

NAYS—Angle, Gibbons—2.

EXCUSED—Berman, Evans—2.

Senate Bill No. 192 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 210.

Bill read third time.

Remarks by Assemblywoman Giunchigliani.

Roll call on Senate Bill No. 210:

YEAS—29.

NAYS—Anderson, Angle, Bache, Carpenter, Claborn, Collins, Freeman, Giunchigliani, Goldwater, Gustavson, Price—11.

EXCUSED—Berman, Evans—2.

Senate Bill No. 210 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 282.

Bill read third time.

Remarks by Assemblymen Arberry and Chowning.

Roll call on Senate Bill No. 282:

YEAS—38.

NAYS—Angle, Gustavson—2.

EXCUSED—Berman, Evans—2.

Senate Bill No. 282 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 292.

Bill read third time.

Remarks by Assemblymen Parks and Price.

Potential conflict of interest declared by Assemblyman Price.

Roll call on Senate Bill No. 292:

YEAS—40.

NAYS—None.

EXCUSED—Berman, Evans—2.

Remarks by Assemblyman Goldwater.

Roll call on Senate Bill No. 428:

YEAS—37.

NAYS—Carpenter, Collins, Segerblom—3.

EXCUSED—Berman, Evans—2.

Senate Bill No. 428 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 436.

Bill read third time.

Remarks by Assemblyman Bache.

Roll call on Senate Bill No. 436:

YEAS—40.

NAYS—None.

EXCUSED—Berman, Evans—2.

Senate Bill No. 436 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 475.

Bill read third time.

Remarks by Assemblymen Bache, Freeman and Segerblom.

Assemblywoman Freeman requested that her remarks be entered in the Journal.

Thank you, Mr. Speaker. When we discussed the amendment to this bill earlier, I spoke afterwards with a representative from Clark County. I'd like this on the record please. Apparently, on page 6, line 34, where it addresses the question of the costs that may be related as a result of unexpected conditions, certain provisions are not in one local government chapter but are in the one regarding DOT. That was not my intent. I will ask in Conference Committee that this be corrected because it was not my intent to change things for Clark County. I want to make that very clear.

Roll call on Senate Bill No. 475:

YEAS—40.

NAYS—None.

EXCUSED—Berman, Evans—2.

Senate Bill No. 475 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 521.

Bill read third time.

Remarks by Assemblymen Anderson, Humke, Manendo, Segerblom, Freeman, Chowning and Williams.

Assemblyman Williams, McClain and Koivisto moved the previous question.

Motion carried.

The question being on the passage of Senate Bill No. 521.