

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

**Seventy-fourth Session  
May 14, 2007**

The Senate Committee on Government Affairs was called to order by Chair Warren B. Hardy II at 1:41 p.m. on Monday, May 14, 2007, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Warren B. Hardy II, Chair  
Senator Bob Beers, Vice Chair  
Senator William J. Raggio  
Senator Randolph J. Townsend  
Senator Dina Titus  
Senator Terry Care  
Senator John J. Lee

**GUEST LEGISLATORS PRESENT:**

Assemblyman Ed Goedhart, Assembly District No. 36  
Assemblyman David R. Parks, Assembly District No. 41

**STAFF MEMBERS PRESENT:**

Eileen O'Grady, Committee Counsel  
Michael J. Stewart, Committee Policy Analyst  
Olivia Lodato, Committee Secretary

**OTHERS PRESENT:**

Mary C. Walker, City of Carson City; Douglas County; Lyon County;  
Storey County  
Stacey Giomi, Fire Chief, Carson City Fire Department  
Bob Bass, AT&T-Reno  
Jeffrey A. Fontaine, Nevada Association of Counties

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Laura Billman, Nye County  
Irene E. Porter, Southern Nevada Home Builders Association  
Madelyn Shipman, Southern Nevada Home Builders Association  
Gary E. Milliken, Associated General Contractors Las Vegas Chapter  
Bambi Spahr, Builders Association of Northern Nevada  
David L. Howard, National Association of Industrial and Office Properties  
Fred L. Hillerby, Regional Transportation Commission of Washoe County  
Derek W. Morse, Regional Transportation Commission of Washoe County  
Raymond J. Flynn, Las Vegas Metropolitan Police Department; Nevada Sheriffs' and Chiefs' Association  
Karen Keller, Executive Director, Office of Finance, Las Vegas Metropolitan Police Department  
Richard Derrick, Budget Manager, City of Henderson  
Tom Baker, Budget Manager, City of North Las Vegas  
Carole A. Vilardo, Nevada Taxpayers Association  
J. David Fraser, Nevada League of Cities and Municipalities  
Nicolas Anthony, Legislative Relations Administration, City of Reno  
Alan Glover, Clerk/Recorder Carson City  
Sabra Smith-Newby, Director, Intergovernmental Relations, Clark County  
Danny L. Thompson, Nevada State American Federation of Labor and Congress of Industrial Organizations  
Kathy A. Hardcastle, Chief District Judge, Department 4, Eighth Judicial District  
George Glasper, Bailiff, Eighth Judicial District  
Dan Musgrove, Clark County; University Medical Center of Southern Nevada  
Randy Robison, City of Mesquite  
Tim Hacker, City Manager, City of Mesquite  
Chuck Bentley, Pride Contractors, LLC  
Robert F. Joiner, City of Sparks  
Michael D. Hillerby, Coyote Springs Investments LLC

Chair Hardy opened the meeting with a discussion of Assembly Bill (A.B.) 122.

[ASSEMBLY BILL 122 \(1st Reprint\)](#): Revises provisions governing systems used for reporting emergencies in certain counties. (BDR 20-380)

Mary C. Walker, City of Carson City; Douglas County; Lyon County; Storey County, said *Nevada Revised Statute* (NRS) 244A allowed counties to enact a surcharge enhancing the telephone system for reporting emergencies. She said A.B. 122 did not impose new fees or taxes. She said it changed the

language "telephone company" and used "telecommunication provider." It allowed any county of less than 100,000 to impose the surcharge. She said current law excluded small jurisdictions of less than 20,000. She said A.B. 122 eliminated the requirement that wireless service franchise fees be deposited in the Enhanced 911 Fund if the surcharge was imposed. She said several rural areas did not impose the surcharge. She said everyone concurred with the bill. Ms. Walker said it passed in the Assembly 42 to 0.

Stacey Giomi, Fire Chief, Carson City Fire Department, said he worked with the rural counties and the telecommunications provider to put together a package that benefited the rural counties in Nevada.

Bob Bass, AT&T-Reno, said his organization supported A.B. 122.

Jeffrey A. Fontaine, Nevada Association of Counties, supported A.B. 122.

Chair Hardy closed the hearing on A.B. 122 and opened the hearing on A.B. 253.

**ASSEMBLY BILL 253 (1st Reprint)**: Revises provisions relating to the imposition of impact fees. (BDR 22-854)

Assemblyman Ed Goedhart, Assembly District No. 36, said A.B. 253 was a simple bill.

Laura Billman, Nye County, said Nye County asked for an addition to NRS 278B which clarified the use of impact fees for construction use ([Exhibit C](#)). She said the addition included utility hookups such as sewer and water. Nye County used impact fee ordinances for new developments. She said the bill was amended in the Assembly and there may be opposition to the amended version. Ms. Billman requested the Committee pass the bill with section 2, subsection 1, paragraph (a), intact.

Senator Care asked Assemblyman Goedhart if he agreed with all the amendments. Ms. Billman replied they had not seen all the proposed amendments. She said they knew there were disagreements between home builders and local government. She said Nye County wanted to remain neutral on the amendments.

Senator Care asked if all the amendments were acceptable as long as section 2, subsection 1, paragraph (a) remained intact and was drafted in the bill. Ms. Billman replied they had no objections at this time.

Irene E. Porter, Southern Nevada Home Builders Association, said page 2 of A.B. 253 had clarification of the definition of "service area" for the impact fee law. She said it was a friendly amendment. She said the service area was defined in NRS 278B. She said impact fees were different than a development tax ([Exhibit D](#)). Ms. Porter said an impact fee with a service area had to have a benefit nexus. She said benefit nexus meant the facility and the charge for that facility had to be attributable to new development. She said there could be multiple service areas within a local government and different fees for the service areas. She said the Southern Nevada Home Builders Association had redefined the service area to clarify the original law. Assemblyman Pete Goicoechea had problems with small communities having multiple service areas. He had asked for an amendment stating one service area was acceptable if the population of the city was 10,000 or less and the county 15,000 or less. She said the bill contained the existing law but stated in a different manner except for the amendment for small towns. She said impact fees could only be used to build new construction and new facilities. She said streets, drainage, storm drains, police, fire and parks were all covered under the impact fee law.

Chair Hardy said there was an amendment proposed by Washoe County and the amendment added in the Assembly.

Chair Hardy asked Ms. Porter if she was more or less inclined to support expansion of certain services that could be paid for by impact fees. Ms. Porter said it was expanded in the 2001 Legislative Session.

Chair Hardy said it was important to understand the goal was to protect the original intent of impact fees. He said a concise definition of the use of the money would diminish the opposition to the bill. He said if the service area was more clearly defined, there would be less opposition to expanding the services where the money could be spent.

Ms. Porter said the development of the impact fee ordinance in Nye County was an excellent example of the inclusion of everything but flood control. She said the homeowners ultimately paid for the impact fees, and they benefited from the services in their area.

Senator Care asked if the U.S. Supreme Court discussed whether an essential nexus included any road within the boundaries of a local government.

Madelyn Shipman, Southern Nevada Home Builders Association, said the cases he referenced concerned land use approvals and were not impact fees. She said *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987), was a U.S. Supreme Court case that said a rational nexus was required because it was a land use regulation, not a tax. She said a benefit nexus was required as a condition being imposed on the project. Impact fees were different because a broader-based imposition of fees was allowed to even out the lumping process that occurred through individual exactions on land use approvals. She said the Supreme Court case *Dolan v. City of Tigard*, 512 U.S. 374 (1994), came after Nevada adopted an impact fee ordinance ([Exhibit E](#)). She said that case established rough proportionality requirements on the part of local government. The local government must prove rough proportionality in the payments or the exaction process.

Chair Hardy asked for further testimony on [A.B. 253](#)

Gary E. Milliken, Associated General Contractors Las Vegas Chapter, spoke in favor of the bill as amended.

Bambi Spahr, Builders Association of Northern Nevada, pledged her organization's support of the bill and approval of the amendments.

David L. Howard, National Association of Industrial and Office Properties, added his organization supported both sections of [A.B. 253](#).

Fred L. Hillerby, Regional Transportation Commission of Washoe County, supported the original bill and proposed an amendment to the bill ([Exhibit F](#)).

Derek W. Morse, Regional Transportation Commission of Washoe County, said since 1995, the Regional Transportation Commission (RTC) has been required to administrate regional road impact fees that covered all of Sparks, Washoe and the urban area of Washoe County. The impact fees covered defined regional roads that everyone in the community used on a daily basis. The drivers on the roads made no distinction between Reno and driving into Sparks. He said the RTC objected to the addition of section 1 which redefined benefit districts by eliminating the inclusion of an entire city except where the city was less than

10,000 population. He said the limitation ignored the reality of regional transportation. He said it could affect future benefit districts. He said the proposed amendment, [Exhibit F](#), was to accept impact fees for streets from the new definition that has the size limitation proposed in section 1.

Chair Hardy said the proposed amendment wanted to carve out streets and roads because it impacted everyone regardless of where they lived. He said the RTC can show nexus and benefit.

Chair Hardy closed the hearing on [A.B. 253](#). He asked Mr. Morse to work with Ms. Porter and the others to arrive at an agreement. Chair Hardy opened the hearing on [A.B. 461](#).

**[ASSEMBLY BILL 461 \(1st Reprint\)](#)**: Makes certain changes to the Clark County Sales and Use Tax Act of 2005. (BDR S-1333)

Assemblyman David R. Parks, Assembly District No. 41, said [A.B. 461](#) made changes to the Clark County Sales and Use Tax Act of 2005. He said A.B. No. 418 of the 73rd Session authorized the Board of County Commissioners of Clark County to increase sales tax to employ and equip additional peace officers for the incorporated cities in southern Nevada. The bill was enacted and [A.B. 461](#) provided certain reporting requirements for the various entities that received the funds from the tax revenue. The important factor Assemblyman Parks wanted to point out was documentation of how the money was spent. He said [A.B. 461](#) required local governments make appropriate reports.

Senator Lee asked if there was a problem in keeping the number of necessary police officers due to retirement. He said it appeared to even out between new hires and retirees.

Assemblyman Parks said he received significant testimony two years ago that the funds would not be used to supplant their existing police efforts. He said the importance of [A.B. 461](#) was the requirement to show how the funds had been used.

Senator Lee asked how many more police officers had been hired since the bill was passed in 2005. Assemblyman Parks did not have an answer.

Chair Hardy asked if there was further testimony on A.B. 461.

Raymond J. Flynn, Las Vegas Metropolitan Police Department; Nevada Sheriffs' and Chief's Association, said Las Vegas Metropolitan Police Department (Metro) supported A.B. 461. He said the revenue from the increased sales tax greatly assisted Metro in hiring the necessary police officers needed. He said the financial experts for Metro and various agencies had a presentation.

Karen Keller, Executive Director, Office of Finance, Las Vegas Metropolitan Police Department, said when the More Cops Sales Tax initiative was passed last session, Metro expected there would be reporting requirements for the funds. She said Metro received requests for financial reports from the Legislative Counsel Bureau and the Department of Taxation. She said they provided the information upon each request. She said Metro also provided the Committee with a copy of a financial statement from inception of the program through March 2007 ([Exhibit G](#)). She said Metro had no issue with the reporting requirements in A.B. 461. She said the fourth quarter and year-end report deadlines required preliminary financial information because Metro's books were not closed yet. Ms. Keller said per requirement of A.B. No. 418 of the 73rd Session, Metro established a separate fund to track the More Cops Sales Tax initiative. The funds paid for salaries, benefits and equipment costs for the new officers. She said Metro anticipated hiring 150 to 200 additional officers per year and accumulate fund balance in the early years of the initiative. She said since January 2006, Metro hired 226 additional officers with the funds with an additional 65 officers starting later this month. She said Metro anticipated 450 officers by June 2008. She said all the new hires were assigned to patrol divisions. Ms. Keller said approximately 40 to 45 officers retire each year. They are replaced each year from a separate operating fund. She said the financial report showed revenues through March of \$90.3 million including interest income and expenditures of \$15.4 million. Ms. Keller said the fiscal year 2007-2008 budget for the More Cops Sales Tax initiative included \$68.3 million in revenue with \$42.5 million in expenditures. She said Metro maintained compliance with budgetary levels with the City of Las Vegas and Clark County. She said there was discussion regarding the second quarter-cent implement that could be levied in 2009. She said Sheriff Doug Gillespie said it was too soon to know if the increment was needed in 2009.

Richard Derrick, Budget Manager, City of Henderson, reiterated the City of Henderson appreciated the revenue source. He said the City of Henderson also

tracked the funds separately. He said there was a commitment to hire an additional 114 officers. He said 75 had been hired to date and 37 were budgeted for fiscal year 2008. Mr. Derrick gave the Committee a financial report of revenues and expenditures from inception to date ([Exhibit H](#)).

Tom Baker, Budget Manager, City of North Las Vegas, said he was in agreement with the earlier statements. The City of North Las Vegas fully supported [A.B. 461](#) as passed through the Assembly. He said North Las Vegas was in full compliance with the Clark County Sales and Use Tax Act of 2005. He said they had planned to hire 105 new officers with special revenue from the More Cops Sales Tax fund. He said all financial expenditures were readily available for the public.

Mr. Flynn said Las Vegas had a population increase of 120,000 since 2005. He said Metro was aggressively recruiting new officers.

Chair Hardy asked if there was further testimony. He asked Assemblyman Parks if the August reporting period based on preliminary information was acceptable to him.

Assemblyman Parks said a preliminary number was fine. He said as the year progressed, the numbers were adjusted after the fact.

Chair Hardy asked Eileen O'Grady, Committee Counsel, to verify there were no violations in providing preliminary numbers.

Senator Beers asked if there was significance to the August 15 date for quarterly reporting.

Assemblyman Parks said the financial statements were usually not finished until November. He said for the purpose of quarterly reporting, the August date was acceptable.

Carole A. Vilaro, Nevada Taxpayers Association, said her organization supported [A.B. 461](#). She said it was good when a report was provided to citizens showing how their tax dollars were spent.

Chair Hardy closed the hearing on [A.B. 461](#) and opened the hearing on [A.B. 138](#).



**ASSEMBLY BILL 138 (1st Reprint)**: Expands purposes for which certain impact fees may be used. (BDR 22-477)

J. David Fraser, Nevada League of Cities and Municipalities, said his organization was in favor of A.B. 138. He said the bill addressed how impact fees could be used as they related to police and fire projects.

Nicolas Anthony, Legislative Relation Administration, City of Reno, said A.B. 138 aimed to expand the definition of impact fees to include administrative use. He said police and fire protection had changed and were now built in local communities. He said the goal was to get away from centralized services. He said A.B. 138 expanded the ability to use the funds for community service officers. Mr. Anthony added there was a nexus as the services were placed in areas of new development.

Ms. Porter said she worked with the Nevada League of Cities and Municipalities and the City of Reno in the expansion of the language for police and fire facilities as part of the impact fee law. She said her organization fully supported the bill.

Chair Hardy closed the hearing on A.B. 138 and opened the hearing on A.B. 139.

**ASSEMBLY BILL 139 (1st Reprint)**: Revises provisions relating to local governmental administration. (BDR 20-325)

Alan Glover, Clerk/Recorder, Carson City, said his organization, Records Association of Nevada, requested a bill draft one year ago. He said the areas his organization were concerned with were on page 4, lines 33 through 40 of A.B. 139. Mr. Glover said the issue was how to handle small amounts of excess funds. He said if the money was \$5 or less, it went to the county's general fund. Mr. Glover said the bill also brought the sheriffs into conformity with other county officials on how they recorded the oaths of office and appointments of deputies. He said under current statute, sheriffs filed their deputies' oaths and appointments with the county auditor. He said that had not been done in years. Mr. Glover said he had no objections to the other amendments added to the bill.

Vice Chair Beers asked for discussion of the proposed amendments.

Sabra Smith-Newby, Director, Intergovernmental Relations, Clark County, said her proposed amendment dealt with an issue of refunds for charges, fees or deposits. She said small refunds had to be approved at a Board of County Commissioners meeting. She said the amendment changed wording from "registration fee or deposit" to "charges, fees or deposits" ([Exhibit I](#)).

Mr. Flynn wanted to address section 4 of [A.B. 139](#). He said another area of the NRS had not been used for many years. He said the sheriff or deputy was required to be in all sessions of district court. He said Metro had not done that for 30 years. He said the cleanup in the language would reflect the actual practice and comply with the law. Mr. Flynn said the amendment was in the reprint of [A.B. 139](#).

Danny L. Thompson, Nevada State American Federation of Labor and Congress of Industrial Organizations, said he was presenting an amendment to [A.B. 139](#) on behalf of the bailiffs ([Exhibit J](#)). He said the amendment clarified the sheriff was not in charge of the bailiffs. He said the amendment changed the names of the bailiffs in counties with populations over 400,000 to deputy marshals. He said it was a name change only. The second page of the amendment grandfathered in the bailiffs, now called deputy marshals, as Category 2 peace officers. He said if they were hired after passage of the bill, they would be trained to the level of Category 1 peace officers. He said this was the only way to solve the problem without throwing other counties into disarray.

Vice Chair Beers asked if the bailiffs were trained to a Category 2 at this time. Mr. Thompson replied he was correct. He asked if the point of the amendment was to have the bailiffs trained to a Category 1.

Mr. Thompson said it increased the standards in the Regional Justice Center in Las Vegas. Vice Chair Beers said the amendment needed a change in language in section 4, subsection 1, paragraph (a) to read "except in counties whose population is greater than 400,000."

Kathy A. Hardcastle, Chief District Judge, Department 4, Eighth Judicial District, said the judges from the Eighth Judicial District were in favor of the amendment in section 4 of [A.B. 139](#). She said the job of the bailiffs had dramatically increased over the last several years. She said it was a benefit to the employees and the citizens of Clark County.

Vice Chair Beers asked if there was a discussion of the fiscal impact with the county administration. Chief District Judge Hardcastle replied she had been in discussion with administration for the past two years. Vice Chair Beers asked if they approved spending the money for upgrade training of the bailiffs. Chief District Judge Hardcastle said the administration was not necessarily in approval of the expenditure of funds.

Mr. Thompson said Metro currently provided training for the bailiffs. He said he met with Mr. Flynn in Las Vegas and Metro agreed to provide upgrade training to the district court bailiffs.

George Glasper, Bailiff, Eighth Judicial District, spoke in support of the amendment to A.B. 139. He said it would upgrade and professionalize his agency. He said by becoming court marshals and Category 1 officers, they would better serve and protect the judges and public. He said he worked for an urban court and the job had become more complex and inherently dangerous.

Ms. Smith-Newby said she did not know how Clark County management was responding to the fiscal impact for upgrade training of the bailiffs.

Mr. Flynn said Metro provided in-service training to every law enforcement agency in Clark County at no charge. He said the bailiffs estimated it would take approximately 80 to 100 hours of additional training to bring them up to Category 1. He said Metro's in-service training facility provided courses five days a week and the bailiffs may sign up for those courses. He reiterated there was no charge to other entities for in-service training.

Senator Lee asked if the bailiffs would be called deputy marshals in the future.

Mr. Flynn replied they would be called deputy marshals. He said the group would still be considered a Category 2 agency.

Mr. Glasper said most of the officers were Category 1. He said the bailiffs were a Category 2 agency, but most of the officers voluntarily trained to upgrade to Category 1. He said all the bailiffs would be called deputy marshals after the law was enacted.

Dan Musgrove, Clark County; University Medical Center of Southern Nevada, proposed an amendment dealing with NRS 245.060. He said the amendment

dealt with actual expenses as related to travel for county employees doing county business. He said the existing language of NRS 245.060 required reimbursement, including actual living expenses, by all county agencies to employees on a receipt basis. He said most governmental agencies in the state reimbursed employees on a per diem basis. He said the amendment provided the option of reimbursement on actual living expenses or per diem comparable to state officers and employees ([Exhibit K](#)). Mr. Musgrove said the County Fiscal Officers Association of Nevada approved the amendment.

Vice Chair Beers closed the hearing on [A.B. 139](#) and opened the hearing on [A.B. 513](#).

**[ASSEMBLY BILL 513 \(1st Reprint\)](#)**: Revises provisions relating to general improvement districts. (BDR 25-1380)

Randy Robison, City of Mesquite, said the bill concerned the matter of proportional representation on governing boards and general improvement districts (GID). He said Mesquite was a member of the Overton Power District #5 which encompassed five different communities in northeastern Clark County. He said Mesquite was the fastest growing city in that district. He said Mesquite struggled to find adequate representation on that board. He said the bill gave Mesquite several options. Mr. Robison said currently in statute, there was a manner in which petitioners petitioned the county commission having jurisdiction over the GID to alter or create election areas within the district. He said [A.B. 513](#) offered extra options if a petition was presented to the commission. He said the Assembly amended the bill to allow a seven-member GID if the city had a seven-member county commission. He said another provision in the bill said the petition could stipulate a multimember election area. Mr. Robison said county representatives expressed concern over the multimember election area and that provision was being deleted from the bill. He said the petition provision was in statute since the 1920s. He said Mesquite was requesting extra options if the petition was forwarded.

Vice Chair Beers asked the specific area of the bill being amended. Mr. Robison replied on page 6, lines 5 through 8 and pages 6 and 7, line 43 through line 10.

Vice Chair Beers asked if the two changes eliminated the dual GID board member district. Mr. Robison replied he was correct.

Tim Hacker, City Manager, City of Mesquite, said it was appropriate at this time to have another option as far as representation on the boards. He said allowing the addition of two more seats would not disrupt the current seats held by Moapa Valley.

Chuck Bentley, Pride Contractors, LLC, said equal representation for Virgin Valley was a necessity and greatly appreciated.

Chair Hardy asked Mr. Robison if there was any resolution between the two valleys. Mr. Robison said there was some disagreement. Mr. Robison said there was no petition pending or an effort to usurp power and gain control of the board and automatically raise the power rates.

Robert F. Joiner, City of Sparks, said he had an amendment from the City of Reno, Sparks and Washoe County. Chair Hardy asked if Mr. Robison had seen the proposed amendment. Mr. Robison acknowledged he had seen the amendment.

Mr. Joiner said the Truckee Meadows area and its immediate surroundings were under regional planning as mandated by the state. He said the Truckee Meadows had several ways to annex property. He said the amendment provided another opportunity to expand annexation ([Exhibit L](#)). He said the city could create a GID within the unincorporated county. He said intergovernmental litigation had settlement disputes recently settled. He said his organization supported A.B. 513 to use GIDs. He said the settlement agreement was endorsed by a diverse group of organizations. He said the amendment offered an alternative, limited and permissive vehicle for eventual annexation. The advantage would establish a GID to raise tax rates within that particular area to cover the cost of services. He said that would ensure the new area paid for its growth. He said the GID budget remained separate from the city budgets. Services for the GID would be fully funded by developers and future residents within the GID. He said any services not funded through the GID would be funded by the homeowners association.

Chair Hardy said in the interest of public involvement, he would schedule the amendment for a hearing on Wednesday. He said it provided an opportunity for the Committee to review the proposal and allow public input on the amendment. He said the amendment was a new concept.

Senator Care said the proposed amendment was almost a stand-alone bill. He asked Mr. Joiner if the litigation was already concluded. Mr. Joiner replied the litigation was concluded.

Michael D. Hillerby, Coyote Springs Investments LLC, spoke in support of A.B. 513 as currently written. He said section 7, subsection 4 was an amendment which allowed a board of county commissioners, at its option, to remain ex officio the board of a newly created GID. He said the amendment did not impact any existing GIDs.

Senator Lee asked why a resident would want county commissioners to be their sewer and water representatives. He said GIDs were meant for local representation.

Mr. M. Hillerby said under state law for water and sewer, the county board of commissioners can remain the board of the GID. He said his organization dealt with Clark and Lincoln Counties, and they expressed an interest in the option.

Senator Lee asked if it allowed the county commissioners to be over the power district and all the districts of a GID. Mr. Hillerby said the law applied only to the newly created GIDs after October.

Chair Hardy closed the hearing on A.B. 513. He said Assemblyman Parks asked that A.B. 461 not be processed today.

Chair Hardy said the Committee heard A.B. 122 which revised provisions governing systems used for reporting emergencies in certain counties.

SENATOR LEE MOVED TO DO PASS A.B. 122.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hardy said A.B. 138 expanded purposes for the use of certain impact fees.

SENATOR TOWNSEND MOVED TO DO PASS A.B. 138.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hardy opened the discussion on A.B. 120 from the work session documents. He said the bill was relatively simple and discussions continued regarding the outdoor advertising amendment. He said he would hold a meeting in his office to attempt resolution. No action was taken by the Committee.

**ASSEMBLY BILL 120 (1st Reprint)**: Revises notice requirements for a proposal to vacate certain rights-of-way or easements or to vacate or abandon certain streets. (BDR 22-376)

He opened discussion on A.B. 258. He said the bill passed with no opposition and no amendments to the bill.

**ASSEMBLY BILL 258 (1st Reprint)**: Revises provisions relating to the division, exchange or transfer of certain agricultural lands. (BDR 22-701)

SENATOR TOWNSEND MOVED TO DO PASS A.B. 258.

SENATOR BEERS SECONDED THE MOTION

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hardy said A.B. 301 was concerned with qualifications for sheriffs in counties with population over 100,000.

**ASSEMBLY BILL 301 (1st Reprint)**: Revises the qualifications for the office of county sheriff. (BDR 20-539)

Chair Hardy said the bill proposed eligibility requirements including five consecutive years in law enforcement and the equivalent of a

Category 1 peace officer certification. He said in counties with population less than 100,000, the candidate was not required to meet any specific requirements. However, after one year, the office was forfeited if the candidate failed to earn certification. He said Senator Lee proposed an amendment to up the eligibility requirements from five to ten years. Chair Hardy said there was opposition to the bill.

Senator Raggio said law enforcement was no longer a small position. He said qualifications to serve as sheriff should be in place. He said when a police chief was appointed, qualifications were required. He said the qualifications including five consecutive years as a peace officer certified as a Category I peace officer were adequate. He said he supported the bill.

Senator Lee said he would remove his proposed amendment from the bill.

SENATOR TOWNSEND MOVED TO DO PASS A.B. 301.

SENATOR RAGGIO SECONDED THE MOTION.

Senator Care said he opposed the motion. He said it took away from the people the choice of who they wanted to have for sheriff.

Chair Hardy said he supported the motion.

THE MOTION CARRIED. (SENATORS CARE AND TITUS VOTED NO.)

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Chair Hardy opened the discussion on A.B. 326. He said the bill concerned a listing of buildings in the state constructed of unreinforced masonry. He said there were no amendments or opposition to the bill.

**ASSEMBLY BILL 326 (1st Reprint)**: Revises provisions relating to buildings constructed of unreinforced masonry. (BDR 28-716)

Senator Townsend said a note on the first reprint of the bill said it contained an unfunded mandate in sections 4 and 5.



Chair Hardy said there was no opposition from local government, and he agreed it was an unfunded mandate on local government.

SENATOR TOWNSEND MOVED TO DO PASS A.B. 326.

SENATOR RAGGIO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hardy said the next bill to consider was A.B. 350.

**ASSEMBLY BILL 350**: Revises provisions relating to certain cooperative agreements entered into by housing authorities. (BDR 22-981)

Chair Hardy asked Michael J. Stewart, Committee Policy Analyst, to recap the provisions of the bill. Mr. Stewart said the bill gave a housing authority the same powers granted to state and local government concerning insurance ([Exhibit M](#)).

Senator Raggio said there was positive testimony on A.B. 350. He said the pooling of resources was an excellent idea.

SENATOR RAGGIO MOVED DO PASS A.B. 350.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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The next bill Chair Hardy addressed was A.B. 358. He said he needed further discussion with the sponsor of the bill and would hold the bill.

Chair Hardy said A.B. 373 needed an amendment added to the bill. He said the bill authorized county commissioners to serve as the board of trustees for a GID.

**ASSEMBLY BILL 373**: Revises provisions governing general improvement districts. (BDR 25-388)

Mr. Michael Hillerby said the sponsor of the bill, Assemblyman Tom Grady, agreed to the amendment. He said the Chair of the Assembly Committee on Government Affairs said the Assembly would concur with the amendment.

SENATOR BEERS MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 373.

SENATOR TOWNSEND SECONDED THE MOTION.

Senator Lee said there was a county line in the middle of the Coyote Springs project. He asked if section 1, subsection 3 covered the county line. Mr. Hillerby replied as A.B. 373 currently read, subsection 3, paragraph (b) would apply only to the Lincoln County portion. He said the amendment allowed the board of commissioners of a newly formed GID the option of remaining the board. He said NRS 318 included a provision allowing a petition for change in governing structure.

Senator Care said the proposed amendment to A.B. 373 was identical to the language in a bill the Committee had just heard. He said he opposed the motion because of lack of time to study it.

Chair Hardy requested the motion and the second on A.B. 373 be withdrawn.

Senator Beers withdrew the motion on A.B. 373.

Senator Townsend withdrew the second on A.B. 373.

Chair Hardy opened the discussion on A.B. 406.

**ASSEMBLY BILL 406 (1st Reprint)**: Revises various provisions relating to marriage licenses. (BDR 11-523)

Chair Hardy said the bill established a marriage license branch in Henderson. It also had an amendment from the Department of Motor Vehicles, Washoe County and Clark County clerks ([Exhibit N](#)).

SENATOR LEE MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 406.

SENATOR TITUS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

Chair Hardy opened the discussion on A.B. 415.

**ASSEMBLY BILL 415 (1st Reprint)**: Authorizes the financing of projects by a local government through the issuance of commercial paper. (BDR 30-1067)

SENATOR RAGGIO MOVED TO DO PASS A.B. 415.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

The next bill considered by Chair Hardy was A.B. 463. He said there were several amendments and a mock-up of the bill with the proposed amendments ([Exhibit O](#)).

**ASSEMBLY BILL 463 (1st Reprint)**: Makes various changes pertaining to residential establishments and group homes. (BDR 22-534)

SENATOR LEE MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 463.

SENATOR TITUS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hardy said Senator Raggio requested A.B. 514 be held for further discussion. He opened the discussion on A.B. 533.

**ASSEMBLY BILL 533 (1st Reprint)**: Revises provisions governing notaries public.  
(BDR 19-543)

Chair Hardy said the bill resolved a conflict between two provisions in statute ([Exhibit P](#)).

SENATOR RAGGIO MOVED TO DO PASS A.B. 533.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

The final bill considered was A.B. 558. Chair Hardy said the bill was requested on behalf of the City of Reno. It allowed them to reject an incomplete land use application. He said he requested the words "may not be accepted" in place of the word "reject" ([Exhibit Q](#)).

**ASSEMBLY BILL 558 (1st Reprint)**: Authorizes governing bodies to reject certain incomplete applications relating to land use. (BDR 22-431)

SENATOR LEE MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 558.

SENATOR RAGGIO SECONDED THE MOTION.

Senator Care asked if the word "timely" had been part of the earlier discussion of the bill.

Chair Hardy said it was a valid point. He said he did not oppose the inclusion of the word "timely" in section 1, line 17.

Mr. Anthony said the governing body had three working days to respond as detailed in section 1, subsection 2 of A.B. 558. He said adding the word "timely" would be fine but not necessary.

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Chair Hardy said the second needed to be withdrawn as Senator Raggio had left the meeting.

Chair Hardy moved to withdraw the second on A.B. 558.

Senator Care said after three days, the governing body could review and accept or reject the application.

SENATOR TOWNSEND SECONDED THE MOTION.

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

\* \* \* \* \*

Chair Hardy asked if there was further discussion. As there was none, he adjourned the meeting at 3:45 p.m.

RESPECTFULLY SUBMITTED:

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Olivia Lodato,  
Committee Secretary

APPROVED BY:

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Senator Warren B. Hardy II, Chair

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