

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

**Seventy-Third Session
March 4, 2005**

The Committee on Government Affairs was called to order at 8:08 a.m., on Friday, March 4, 2005. Chairman David Parks presided in Room 3143 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4412 of the Grant Sawyer State Office Building, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. David Parks, Chairman
Ms. Peggy Pierce, Vice Chairwoman
Mr. Kelvin Atkinson
Mr. Chad Christensen
Mr. Jerry D. Claborn
Mr. Pete Goicoechea
Mr. Tom Grady
Mr. Joe Hardy
Mrs. Marilyn Kirkpatrick
Mr. Bob McCleary
Mr. Harvey J. Munford
Ms. Bonnie Parnell
Mr. Scott Sibley

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Eileen O'Grady, Committee Counsel

Kiz Malin, Committee Attaché

OTHERS PRESENT:

Dan Musgrove, Director of Intergovernmental Relations, Office of the
County Manager, Clark County, Nevada
Marty Manning, Director, Department of Public Works, Clark County,
Nevada
Cheri Edelman, representing the City of Las Vegas, Nevada
Steve Walker, Legislative Advocate, representing Carson City, Douglas
County, and Lyon County, Nevada
Carole Vilardo, President, Nevada Taxpayers Association, Carson City,
Nevada
Barry Duncan, Legislative Advocate, representing the Southern Nevada
Home Builders Association
Gary Milliken, Legislative Advocate, representing the Southern Nevada
Chapter of the Association of General Contractors and the National
Association of Industrial and Office Properties
Jeanette K. Belz, Legislative Advocate, representing the Associated
General Contractors of America, Nevada Chapter
George A. Ross, Legislative Advocate, representing the Las Vegas
Chamber of Commerce, Las Vegas, Nevada
Richard "Skip" Daly, Business Manager, Laborers' International Union of
North America Local 169, Reno, Nevada
Jack Jeffrey, Legislative Advocate, representing the Southern Nevada
Builders and Construction Trades Council, Las Vegas, Nevada
David S. Noble, Assistant Staff Counsel, State of Nevada Public Utilities
Commission
Craig C. Steele, Manager, Safety and Quality Assurance Division, State of
Nevada Public Utilities Commission
Kimberly J. McDonald, Special Projects Analyst and Lead Lobbyist,
City Manager's Office, City of North Las Vegas, Nevada

Chairman Parks:

[Meeting called to order and roll called.]

**Assembly Bill 74: Authorizes governing body of local government to create
maintenance districts to pay cost of maintaining and improving certain
local improvement projects. (BDR 21-330)**

Chairman Parks:

I have been informed that this bill may need some revisions, so they will probably be coming back to us in the form of an amendment.

Dan Musgrove, Director of Intergovernmental Relations, Office of the County Manager, Clark County, Nevada:

Assembly Bill 74 authorizes the governing body of a local government to create maintenance districts to pay the cost of maintaining and improving certain local improvement projects. We believe that this bill is necessary because infrastructure projects in Las Vegas and across the state are becoming more and more complicated. The maintenance costs of those improvements should be passed among those that benefit the most rather than the normal taxpayer, because they are asking for things that are above and beyond what a normal government would provide.

This bill brings together all the issues of the maintenance-related assessments that are currently in statute under NRS [*Nevada Revised Statutes*] 271. I would like to have Mr. Manning give you a brief introduction on what we are trying to accomplish.

Marty Manning, Director, Department of Public Works, Clark County, Nevada:

[Referred to [Exhibit B](#).] This bill consolidates three existing sections of NRS 271 and allows maintenance special improvement districts to exist under a single maintenance district, thereby eliminating some redundancy in NRS 271. These sections: transportation projects, under NRS 271.369; commercial area revitalization projects, under NRS 271.377; and street beautification projects, under NRS 271.378 are the only topics that we are talking about today. The idea is to be able to make them no longer separate, but to be included under the title of "maintenance district."

Maintenance districts can be created for improvements regardless of the source of the original funding, as it is proposed in this bill draft, provided that the other provisions governing the due process requirements for the creation of a district are fulfilled. All the notice, the public hearing on protests, findings and decisions by the governing body, are all things that still have to be satisfied within this bill draft. Assembly Bill 74 allows the governing body to set maintenance district assessments over a three-year period, if they so choose. This is one of the things that we are very interested in, in the sense of having discretion in our county commission as to be able to establish a district assessment period that might be two years long.

The reason for that is that Clark County presently renews its three existing beautification maintenance districts annually. This provision would certainly

reduce administrative expenses of having these full processes exercised and at the discretion of the commission. These district beautification projects could be established in a slightly different term, something that might work a little bit better. Regardless of the renewal of these districts, it does require the notification, resolution, public hearings on protest and findings, and decisions by the governing board. In no sense are those things removed by this bill draft. It gives us some discretion to establish a term that may be more workable in this one area as opposed to another.

[Marty Manning, continued.] This would, again, save some money and time, not only to the county in performing all of the due process necessary to renew, but also for the people who are paying the price of the district. Up to this point, we are aware that there have been some concerns that have been registered about the bill. One of the ones that we talked to Mr. Bill Bible of the Nevada Resorts Association about had to do with pedestrian bridges, or pedestrian underpasses.

The funding for improvements on the resort corridor are now paid by the resort corridor funding that was undertaken under the county's Question 10 initiative and also new land development projects. There is a funding source for those things in an SID [Special Improvement District]. Even though there is one that exists on Las Vegas Boulevard South, it really is not necessary for us to be able to continue the maintenance of those facilities, the pedestrian bridges that we have already built, plus the ones that we are building now, from this source of funding.

The beautification project on Las Vegas Boulevard South did predate the resorts corridor creation by the Legislature, and what we are faced with now is that we have a residual beautification project that is annually renewed. If it provides more comfort to the Committee, we would have no objection to making it very clear in this legislation by doing two things. One is to actually delete any discussion or references to pedestrian overpasses and pedestrian underpass projects from Section 3 of the bill draft and to delete Section 9 in its entirety. We are prepared to provide the Committee with any further information that would be helpful in your consideration.

Dan Musgrove:

There are some other local governments here in the room that are in support of the bill. I would ask that they testify. Carole Vilardo with the Nevada Taxpayers Association does have some concerns. If possible, we would like to sit down and talk with her to see if there is any kind of mitigation that we can do to alleviate some of her fears, as to what the bill actually does or does not do. We will leave it up to the Committee as to how you want to process it going forward, based on the testimony today.

Chairman Parks:

Mr. Manning had indicated the deletion of Section 9. Could I ask what the other section was that was proposed for possible deletion?

Marty Manning:

The other section was any references to pedestrian bridges or pedestrian underpasses that exist in Section 3.

Cheri Edelman, representing the City of Las Vegas, Nevada:

[Referred to [Exhibit C.](#)]

We are in support of this bill for the following reasons:

- The proposal clarifies the statute governing the levy of assessments for maintenance districts. The current statute states that levies for assessments must be made by June 30. The current proposal allows the district to be levied for a period of up to 3 years, and this period is not tied to a specific date.
- The installment payment options by the municipality are simplified, allowing greater billing and budgeting flexibility.
- The flexibility in the levy period has a positive fiscal impact for the district itself and for the city of Las Vegas, whereby fewer resolutions and ordinances will be prepared by staff and considered by city council—essentially, the administrative work that goes along with this.
- This proposal provides a procedure for the dissolution of the maintenance district which is not currently addressed in NRS 271.
- This proposal allows for the creation of a maintenance district even if the improvements were not constructed with the proceeds from assessments. Again, if another funding source is used to create that improvement, we can now come back in with the maintenance district.
- The additions of pedestrian overpass and underpass projects complementing the existing improvement projects governed by NRS 271 could meet the future need of the city, to fund such improvements through an SID.

Steve Walker, Legislative Advocate, representing Carson City, Douglas County, and Lyon County, Nevada:

They support A.B. 74 because it provides additional resources that can be paid by the areas that benefit from the improvements. The amendment that is proposed, particularly Section 3, we would also support, since none of these entities have overpasses or underpasses.

Carole Vilardo, President, Nevada Taxpayers Association, Carson City, Nevada:

I can appreciate what the sponsors of the bill want to do, but I must speak in opposition to the bill. This bill is being revisited. We looked at this issue extensively during an interim study. It was the first time that we put "infrastructure" into statute as a word, in 1989. We revised the issue with another interim committee in 1983. The consistent argument that we have had, just on a philosophical basis, is that when you do these improvements and revitalizations, what you are doing is raising property values in surrounding areas.

That raise of property values bides you additional property tax revenue, which we believe then becomes what you use for the maintenance district. We understand the need for the hard infrastructure and creating those districts. The problem that I have with this bill is that, as I have gone through it, there are some different provisions that we used to have. While you have an enumeration of those items that may be covered, you are not covering just from A to B. I realize that you took out the pedestrian overpass from here to here, but a district has geographic boundaries that are relatively large.

You can have residential properties in those geographic areas. I found it interesting that in this bill, you can protest, but unlike some of the other provisions in statute, if the majority of people protest, and you can have a number of residential properties in the area, there is no recourse. The governing board still puts the district through, irrespective of the majority of people protesting, and they have that for three years before they can look at the solution. If I want, if I am impacted by this, I can petition to try to have it dissolved, but I cannot do that until it has been in place for a year. There is something that does not strike me as the right balance. I appreciate the enumerated listing here, but we have gone through this a number of times before.

An assessment district is not just from point A to point B. On an underpass, it encompasses a much larger territory than that. The notifications may be there, but if I have a hardship, what do I do about it? I find it hard to believe that with some of those areas being enumerated, you are not going to capture residential areas. I say our biggest opposition has consistently been from those interim

committees, and there are statements in those reports that maintenance was not appropriate to create districts for. When you set up the assessment district, if you have petitioning for the district—which I know has been some of the discussion I have had with proponents of the bill—there is nothing that precludes you from entering into a contract for maintenance for those people.

[Carole Vilardo, continued.] At this point, there is nothing in this bill as I read it that has a redeeming feature for me to want to support it. For that reason, we would want you to take a real hard look at this and not approve it.

Assemblyman Goicoechea:

I need a little clarification. You are telling me that under A.B. 74, and I was assuming under NRS 271, it still required at least 51 percent of people that were in the district, or 51 percent of the assessed value of that district, that could stop the creation of it. Am I correct?

Carole Vilardo:

Not as I read the sections on this in matching it through. I would bow to your legal staff as to whether that applies to this. That was a question that I had. When I was matching this up with statute, I could not find any place that had 51 percent or more, or 60 percent of the people opposing, that this district was stopped. We do have provisions where that petition process can be used to stop it, but I do not see it relating back to the provisions in here. That is problematic. It is particularly problematic because I have seen the areas that some assessment districts encompass. Given that you have hardships, and we have put hardship provisions in for other areas to cover residences that might not be able to afford it, I have a major concern with this.

Assemblyman Hardy:

Is there a way to make this statute work for being able to be blocked, but still adversely affect 49 percent of the people? As you were saying, there are already provisions that we can do something. Is there language in the other places in the statutes to roll over into this bill, that would grant petitioners the ability to block something if necessary?

Carole Vilardo:

I think that we have language in a number of places and I don't mind trying to look at it, but I would look at it with a very jaundiced eye. I think that we need to have the necessary protections in there. I am happy to see what we could find.

Chairman Parks:

I am certain that there is going to have to be some rework done on this before we bring it back for further questions.

Barry Duncan, Legislative Advocate, representing the Southern Nevada Home Builders Association:

Not to be redundant on Carole's points, but further, we believe that this establishes a new precedent in terms of assessment districts. What we believe is that they are new taxing districts. It allows a severe modification in our judgment for an assessment or a tax on people for public improvements. We fundamentally believe that if an improvement is in a public right-of-way, it is the obligation of that government to maintain that piece of infrastructure, whatever that might be. We are summarily opposed to this on behalf of the board and our leadership. Even given a rework, we don't believe that we can concur with a bill at this point.

Chairman Parks:

You are basically saying that, no matter what form that it might come back, you do not think that you can support it?

Barry Duncan:

That is correct.

Chairman Parks:

I was going to ask you to be part of a group in the hall, so to speak.

Barry Duncan:

We can be a group in the hall, but I just wanted to let the Committee know what our position is at this juncture, and we don't believe that any additional provisions or changes could be supported by our association.

Gary Milliken, Legislative Advocate, representing the Southern Nevada Chapter of the Association of General Contractors and the National Association of Industrial and Office Properties:

We are in opposition of this bill. Most of our ideas are very similar to what Carole Vilaro had. For the same reasons, we are opposing it. Defining the area, such as: What does this area encompass? Who makes the determination of how large this area will be? For her reasons we are opposing this bill.

Jeanette K. Belz, Legislative Advocate, representing the Associated General Contractors of America, Nevada Chapter:

Not to be redundant, but we oppose this bill for the same reasons.

George A. Ross, Legislative Advocate, representing the Las Vegas Chamber of Commerce, Las Vegas, Nevada:

The Las Vegas Chamber of Commerce represents about 600 to 800 businesses in the Las Vegas area, which are mostly small businesses. I stress that because they are the ones that would actually be many of the members of these assessment districts. Our concerns are basically the same as Carole Vilardo echoed, as well as Gary and Jeanette.

I would like to point out that, number one, there are extraordinarily broad definitions in here—the transportation project, the beautification project. These are very, very broad definitions as to what a district could be imposed for. Secondly, as a business you do not really have a voice in a hearing. A hearing is not the kind of due process, when you are adding a tax on top of the tax, that Carole already described, which you have given, because your property was already presumably improved, because of what happened with the improvement in the area.

Let me give you an example: You have a somewhat older boulevard with a lot of small businesses on both sides, and the city comes in and says, “Let’s beautify this place and put a median right down the middle, and we will put some trees on it.” Then, this particular area has the typical five-minute long red lights in Las Vegas. Then, a person comes on that street, and he could go forever before he could turn left to a business that is on the other side of the road. Essentially, the businesses are going to say that the people can’t get to our businesses, and we have no interest in wanting this, and we certainly have no interest in maintaining it, because it is really hurting my business.

These businesses have very little due process in this whole situation. So, if we are going to do this type of operation, there ought to be a very high threshold of agreement among the members before we tax them an additional tax, over and above the additional property tax they are already paying.

Richard “Skip” Daly, Business Manager, Laborers’ International Union of North America Local 169, Reno, Nevada:

We are neutral on this bill. It seems like there will be some work on this. You should have an amendment that we had proposed. I believed that it got off to you last night. It should be in your packet this morning. Some people view this as a new tax. Our amendment essentially goes to the prevailing wage statute and the application of prevailing wage to this new division of improvement districts. Do you have the amendment?

Chairman Parks:

The amendment was given out, but since we were having just the preliminary hearing on this, what I think we will do is give this bill back to the requestor of the bill, and we will make sure that they have copies of your amendment to look at, if they are able to build a consensus and bring it back for further consideration. At this point, we would appreciate sharing it first with the requestor of the bill and then going from there.

Jack Jeffrey, Legislative Advocate, representing Southern Nevada Building and Construction Trades Council:

I don't have anything to add. We support the position taken by Mr. Daly. The projects that go to bid to private contractors should be covered under the prevailing wage with this bill. That is our concern.

Chairman Parks:

[Closed the hearing on A.B. 74 and opened the hearing on A.B. 125.]

Assembly Bill 125: Revises provisions to clarify role of Public Utilities Commission of Nevada in approval of certain proposed subdivisions. (BDR 22-653)

David S. Noble, Assistant Staff Counsel, State of Nevada Public Utilities Commission:

[Referred to Exhibit D.] Assembly Bill 125 embodies our request to shore up our review of subdivision maps that, as proposed, would create jurisdictional water and/or sewer utilities. It provides for an early commission review of the subdivision maps in Section 1, by making it mandatory that the planning commission or the local government agency that reviews subdivisions forwards those maps to the commission for review and, at the same time, forwards to the Health Division and Water Resources. It would provide for a quick turnaround of a 15-day commission review of the tentative map. Section 2 provides what we look at, as a safety net, to ensure that the subdivision maps don't go through the review and approval process without our sign-off.

In Section 2, we request that the Health Division and Water Resources Division confirm that if this is a subdivision map that falls under our jurisdiction of NRS 704.6672, that those two state agencies confirm that the commission has reviewed and given its approval for those subdivision maps. The reason for doing this is that over the last few years, some of these subdivisions have gone through the approval process and have not reached the commission for its review as well. What happens is it creates a utility that we have not had a

chance to review and ensure that they have everything in place to provide adequate water and sewer service.

[David Noble, continued.] We found that when we do locate these utilities—often by chance—it is because we get a complaint or we see a list of approved subdivision maps from water resources and figure out that that one right there is going to be a jurisdictional water utility. When we go and talk to the developers, they are many times surprised that they have created a jurisdictional water utility. Their concept of what they were going to do to provide that service is very different from what the commission anticipates a regulated utility to perform.

Generally, we receive between 15 and 20 such subdivision maps for review each year. They have been, over the last few years, equally balanced between Nye County and Lyon County. We did just receive one last month from Elko County. Of those 15 to 20 each year, 2 to 3 are ones that would create a regulated public utility. What we do when we review those is, we talk to those developers, explain to them what is expected of them, and encourage them to look for other options.

The commission currently is trying not to encourage the proliferation of small water utilities. They just don't work. They don't have the capitalization, and they don't have the institutional knowledge that industrial utilities have to adequately run a regulated utility. As a result, somewhere down the road—generally 5, 10, 15 years down the road—you have a struggling utility that doesn't have an adequate customer base to generate the revenues to put in additional infrastructure or do the upkeep and replacement that is necessary to provide adequate service.

We encourage the developers to look around to see if there are other regulated utilities that we currently regulate, that would have a contiguous border, and that they could assimilate into their service territory. Or, if it is too far away to connect, that they would operate the investor-owned utilities that we regulate and would operate that new subdivision on a satellite basis. If there is a local government that is providing water or sewer utility service, we encourage them to look at that option as well. Those are the reasons why we have asked for your approval of A.B. 125.

Assemblyman Grady:

If a local municipality owns the utility, which is not under the control of your group, would they still have to present the subdivision map?

David Noble:

No, they would not. Nye County and Lyon County, as a practice, still forward those subdivision maps to us. We send a letter back to them informing them that it appears on the subdivision map and that the local government is providing that service, so there is no need for commission review of this subdivision.

Assemblywoman Parnell:

Currently, are you just part of the review? At this time, can you give final approval or denial, or are you just one of the groups that does a review of the project?

David Noble:

Under NRS 704.6672, they cannot go forward without our approval at this time. The reason why we have asked to have those provisions in Section 2, with Water Resources and the Health Division, is to confirm with us that there have been times where the planning commission or the developer has not forwarded those subdivision maps to the commission to review. We want to ensure that it doesn't go through the entire process and get approved. In some cases, they have actually built the subdivision out before we have actually found out they existed.

Assemblywoman Parnell:

Would passage of this give you the right of approval or denial? Because I see in the Legislative Digest, on line 30, it looks to me like this would be granting that right to be the final approval or denial of the project. Is that correct?

David Noble:

My understanding is, that already exists under our authority under NRS 704.6672.

Chairman Parks:

In general, with the rapid development both north and south and certainly in Lyon County as well, and with the demand for housing throughout the state, are you anticipating that there is a big push to create more of these subdivisions?

David Noble:

We have seen over the last few years in Douglas County, Nye County, and the Pahrump Valley, with its tremendous growth, that we have had several requests over the last two years of developers coming and not wanting to associate with the three regulated utilities that are down there and wanting to create their own regulated utilities. Mountain Falls subdivision is one that comes to mind. We worked with them over the last six months, encouraging them to look at other

options, and they finally did agree to go with Utilities, Inc. of central Nevada, which is the largest utility in the Pahrump Valley. It all depends on the areas.

[David Noble, continued.] Generally, in Clark County, the water and sewer services are being provided by local governments, and so we have not been involved there. I would say that both Douglas and Nye County are the two places that we see the most push. Douglas is unique, in that Douglas County will take over the operations of the utilities, but there has been a lag that we have been working with to encourage them not to let that lag to take place. They have an agreement to take over operation of the utility once they hit a certain level of customers. In that time in between, it will become a jurisdictional water utility.

The threshold that brings us into the picture is more than 25 customers or gross operating revenues of \$5,000 or more. That has happened in three instances over the last couple of years in Douglas County where, during that lag time, they become jurisdictional. We have been working with Douglas County to make them aware of what is happening, and we believe that the process has been changed so that they will be providing service immediately upon the utility coming on line.

**Craig Steele, Manager, Safety and Quality Assurance Division, State of Nevada
Public Utilities Commission:**

We are only seeking to secure an early opportunity to provide review, guidance, counseling, and continence to local governments and to the developers who are creating these subdivisions. Throughout Nevada, many subdivisions will be exempt. Where there are large municipalities, like Clark County for example, they will be exempt. Around Washoe County, most of the new utilities are serviced by Washoe County utilities. In Carson City, everything is served by Carson City utilities. For the most part, there are many counties where this will have very little impact. It is only in some of the more rural counties, where the municipalities or the counties are not providing direct service, where this bill would have an effect. It simply enables us to work with the county commissions, the planning commissions, and the developers to ensure that the utility that would be created, if there is a new one, will be viable.

Chairman Parks:

[Closed the hearing on A.B. 125 and opened a work session.] We have four bills for consideration. I will turn the meeting over to Ms. Scholley to lead us through the material that she has assembled for the work session. We will start with A.B. 22.

Assembly Bill 22: Authorizes appointed trustees of city library to sell, exchange, transfer, assign or otherwise dispose of real or personal property of library. (BDR 33-509)

Susan Scholley, Committee Policy Analyst, Legislative Counsel Bureau:

This bill was sponsored by the Assembly Committee on Government Affairs on behalf of the Nevada League of Cities and Municipalities and was heard by the Committee on February 14. The member of the Nevada League of Cities which generated the request was the City of North Las Vegas, who testified on behalf of the bill. At the hearing on the bill, you will recall that Committee members asked for additional information from North Las Vegas on what other city library boards in the state may be affected and the statutory authority for the city library board.

That information is attached to your work session documents and includes the information that the only other city library board is in Boulder City. The authority for the library board is in the North Las Vegas Charter. In response to concerns raised by members of the Committee about the role of the city council, public participation, and the decisions regarding the disposition of property, North Las Vegas has proposed amendments to the bill. That is the very last page of the North Las Vegas handouts there. You will see that the proposed amendment transfers the final authority for disposition of library property to the city council. That would be in NRS 379.105 Section 1, subsection 3.

Other than that, there was no testimony in direct opposition to the bill, and there is no fiscal impact at the State or local level. With that, I would be happy to answer any questions.

Assemblyman McCleary:

I would like to verify that if the library district decides that they need to sell a piece of property, they will make the recommendation, and that will go to the city council, and the city council will ultimately make the decision. Is that correct?

Susan Scholley:

That is my understanding. If you would like confirmation of that, there are representatives of North Las Vegas here.

Assemblyman McCleary:

I would like to make sure that it gets on Legislative record.

Kimberly J. McDonald, Special Projects Analyst and Lead Lobbyist, City Manager's Office, City of North Las Vegas, Nevada:

Yes. Your interpretation of that is correct. The final recommendation would be made by the city council.

Assemblywoman Kirkpatrick:

I did speak with Mayor Montandon the other day when he was here—and the property that I am concerned about—and he gave me his word that he would build a library at that particular part. However, this allows them to sell off a part of it to get a joint venture going. I want to clarify that when it goes to city council, it will be a public hearing, correct? It won't be on a consent agenda?

Kimberly McDonald:

It will be a public hearing. I do have meeting minutes from July 24, 2004, for the library district, where the current chairman, who was Councilwoman Stephanie Smith, has gone on record with one of the other trustees as giving the commitment to construct a library on that site.

Assemblywoman Parnell:

I need to point out that with the new language, the North Las Vegas City Council would be the final decision makers. I think that you might want to take a look at who makes up the North Las Vegas Library Board of Trustees and on that board are currently five city council members. Two residents and five city council members from North Las Vegas; is that correct?

Kimberly McDonald:

That is correct. I think that this also addresses the issue of the final authority being with the city council and, thereby, they would have more public participation through the public hearings and garner more interest. We have had very successful town hall meetings, where we have 75 to 100 people attend.

Assemblyman Hardy:

The folks in Boulder City would like that kind of thing to come through a more public venue than the library district. Boulder City would be happy with more opportunity to have them . . .

Assemblyman McCleary:

I am aware that the city council is the library board essentially, but they very seldom get anybody to show up for those meetings. There is very sparse participation, where I think that at a regular city council meeting, there is a lot more public scrutiny. That is why I wanted it at that level, and I wanted to make sure that I answered your question completely.

Assemblyman Claborn:

Is there any problem with the amendment?

Chairman Parks:

I am not hearing that there is any concern. I am hearing that the amendment adequately responds to and addresses the concerns that a number of the Committee members had.

Assemblywoman Kirkpatrick:

Because I am the one that brought up the public input, let me clarify it. What happens is that hardly anyone does show up at the library meeting, because they are at 4:45 and, in all honesty, some of the city council people do not show up either. When it becomes a public agenda, the residents have a chance to actually get there and make it a priority.

I am going to hold the mayor to his word because he gave me his word. He is going to represent the residents of that section of town and build that library. However, in North Las Vegas, because we do our own thing and we have our own library district, we can't get any other money. Believe me, I will be there watching the entire time, because I have seen that sit there for the last nine years. I feel comfortable voting for it, because I think the process now opens up to where the residents can make it. Hopefully, that clarifies things.

Assemblywoman Parnell:

How many members are on the city council? So the five city council members are also part of the library board? So they would be making their own recommendation to themselves? There is not really a second body there that they recommend to?

Kimberly McDonald:

That is accurate. The council serves as the trustees as well. This addresses the concern to have the stronger authority and the stronger accountability for the city council to make the final decision for the selling, swap, or transfer of donated land.

Assemblywoman Parnell:

When I first heard that, I was hoping that you would have two different groups of people being able to weigh into a decision that was made. It does not appear that that balance has helped with the new language.

Assemblywoman Kirkpatrick:

There is a group in North Las Vegas called the Friends of the Library who are advocates and are residents that would show up to oppose the city council's own recommendations.

Assemblyman Claborn:

I am very confused now. Are the same people going to be the writers, the directors, and the producers there? Will this be a conflict of interest?

Kimberly McDonald:

The council also serves as the trustees, but because they also steward the city, the intention was to have the stronger accountability and the more public input through the city council to make that final determination. Yes, they serve in dual capacities but they also have, on the library district board, two citizens. As Assemblywoman Kirkpatrick just mentioned, they have the North Las Vegas Friends of the Library as well. It is definitely not meant to confuse the issue; it is meant to give the stronger accountability to the city council, which is accountable to the entire city of North Las Vegas.

Assemblyman Claborn:

I know that when we heard the bill there wasn't any opposition against it. It seems like there is more opposition now, when we are not even debating on this issue.

Kimberly McDonald:

This just gives it again another layer of accountability, so that the district is not on the line, and so that the city council will be accountable to the voters of the city and working in the best interest for each of our residents and constituents.

Assemblyman Claborn:

I am not against the bill. I just needed some clarification.

Assemblyman Atkinson:

I think that we are beating a dead horse. I think that we are not dealing with the appointment of the board right now. If someone wants to bring that up in a different bill, we can deal with that, but I don't think that that is what we are dealing with now.

ASSEMBLYMAN ATKINSON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 22.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Susan Scholley:

On A.B. 80, we will be recommending that the Committee hold off on hearing this bill at this time. There were some issues that came up late last night that we were not able to resolve prior to this morning. We will bring that back as soon as we work those out.

Assembly Bill 130: Revises provisions governing filing of certain vacancies on Nevada Veterans' Service Commission. (BDR 37-755)

Susan Scholley, Committee Policy Analyst, Legislative Counsel Bureau:

This bill was sponsored by Assemblyman Grady, along with other Assembly members who are not listed here but are on the bill, and joint sponsors of the Senate. Assembly Bill 130 was heard in this Committee on March 1 and requires the executive director of the Office of Veterans Services to submit names to the Governor for appointment to the Veterans Services Commission. Currently the statutes designate the Adjutant General even though, due to reorganization, the Office of Veterans Services is no longer under his control. There were no proposed amendments, no testimony in opposition, and no fiscal impact.

ASSEMBLYMAN GRADY MOVED TO DO PASS
ASSEMBLY BILL 130.

ASSEMBLYWOMAN PARNELL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Assembly Bill 131: Eliminates requirement for joint meetings of Advisory Committee for a Veterans' Cemetery in northern Nevada and Advisory Committee for a Veterans' Cemetery in southern Nevada. (BDR 37-754)

Susan Scholley, Committee Policy Analyst, Legislative Counsel Bureau:

This bill was sponsored by Assemblyman Grady and a number of other Assemblypersons, as well as joint sponsors in the Senate. Assembly Bill 131 was also heard on March 1. There were no proposed amendments and no testimony in opposition and, again, no fiscal impact.

Assemblyman Grady:

They will continue their floor meetings four times a year. The statute, the way it reads now, two of those meetings had to be joint meetings. Now it will say that they can meet or they must meet four times a year. If the executive director or either board wants to have a joint meeting, that does not prohibit that. They can still have joint meetings.

ASSEMBLYMAN GRADY MOVED TO DO PASS
ASSEMBLY BILL 131.

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Chairman Parks:

This concludes our work session for today. We did have a few bills that we were trying to move forward, and those included A.B. 16, A.B. 49, and now A.B. 80. Assembly Bill 73 is now on more of a hold, waiting for some more information.

Susan Scholley:

I wanted to ask the members to leave their work session notebooks so that as we have work sessions, we will fill them with the appropriate documents. You can take the insides with you and keep them in a notebook in your office, or you can leave the insides in there and we will add to them as future work sessions come along. If any of you would like a separate notebook for your office, we would be happy to provide cover sheets and contents so you can have something similar and have two versions of them.

Assemblyman Goicoechea:

I wanted to apologize to you and the Committee for A.B. 80. I thought the fiscal note had been removed and surely should have been. I don't think that it has a fiscal impact, so I apologize for having A.B. 80 on the work session and not coming forward.

Chairman Parks:

I would rather see it resolved here at the Committee level before we get it to the Floor, and somebody wants to put it on the Chief Clerk's desk to resolve at a later time. I would like everything going out of here to go out as clean as possible.

Assemblyman Grady:

In regard to A.B. 20, thanks to the work of many of the folks, including Susan. I think that we have everything worked out on that. We have some language from the bond council that we will be ready to present to you and, hopefully, as soon as it is approved by Legal, we can get that on the work session also.

Chairman Parks:

I did get a chance to look at some of that material, although I didn't get a chance to go all the way through it. I am rooting for a revolving fund in order to address this issue. Thank you for your efforts there. [Chairman Parks adjourned the meeting at 9:12 a.m.]

RESPECTFULLY SUBMITTED:

Nancy Haywood
Transcribing Attaché

APPROVED BY:

Assemblyman David Parks, Chairman

DATE: _____

Bill #	Exhibit ID	Witness	Description
	A		Agenda
AB 74	B	Marty Manning, Director, Department of Public Works, Clark County, Nevada	Testimony (referenced)
AB 125	C	Cheri Edelman, Legislative Advocate, representing City of Las Vegas, Nevada	Testimony (referenced)
AB 74	D	David S. Noble, Assistant Staff Counsel, State of Nevada Public Utilities Commission	Testimony (referenced)