

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

**Seventy-Third Session  
March 25, 2005**

The Committee on Government Affairs was called to order at 8:09 a.m., on Friday, March 25, 2005. Chairman David Parks presided in Room 3143 of the Legislative Building, Carson City, 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:**

Brenda Erdoes, Legislative Council  
Susan Scholley, Committee Policy Analyst  
Eileen O'Grady, Committee Counsel  
Michael Shafer, Committee Attaché

**OTHERS PRESENT:**

Bob Erickson, Legislative Advocate, Representing the City of Fallon,  
Nevada

Nancy Howard, Assistant Director, Nevada League of Cities and  
Municipalities

**Chairman Parks:**

[Meeting called to order. Roll called.] We have only one bill on our agenda today. However, we do have a couple of bills for Committee introduction. The first one is BDR 121, which was requested by the Attorney General.

- BDR 18-121 — Revises provisions regarding the statutory authority of the Attorney General. (Assembly Bill 426)

ASSEMBLYMAN GOICOECHEA MOVED FOR COMMITTEE  
INTRODUCTION OF BDR 18-121 ([ASSEMBLY BILL 426](#)).

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Parks:**

We have a second BDR, and it's BDR 191. It's just a Committee introduction. I might also indicate that while we can introduce it, it's going to get referred to Commerce and Labor. They handle all the mobile home stuff.

- BDR 43-191: Makes various changes relating to manufactured homes. (Assembly Bill 427)

ASSEMBLYMAN CLABORN MOVED FOR COMMITTEE  
INTRODUCTION OF BDR 43-191. ([ASSEMBLY BILL 427](#).)

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Parks:**

This morning we have Assembly Bill 235.

**Assembly Bill 235: Revises provisions governing changes to boundaries of wards established in certain cities. (BDR 21-1394)**

**Assemblyman Tom Grady, Assembly District No. 38, Carson City (Part), Churchill County (Part), Lyon County, and Storey County:**

Assembly Bill 235 was requested because we found a problem with general law cities and a conflict with NRS [*Nevada Revised Statutes*] 293.209 for elections. The change is relatively simple. If you look in Section 1, subsection 4, lines 13 to 17, and on page 2, lines 1 to 3 and 5 to 8 correct the conflict, namely at the bottom of page 1 where the language has been struck: "At the close of registration before each general election, the number of registered voters in any ward exceeds the number of registered voters." That is what the correction was. The way the language conflicted, you could not set the wards until the close of registration, which is 3 weeks before the election. Basically, no one could even file until the close of registration. Now that I've probably confused everybody, Brenda will be bail me out. This only applies to general law cities.

**Assemblywoman Kirkpatrick:**

Mr. Grady, could you just define "generalized cities," for example?

**Assemblyman Grady:**

Cities can be organized in one of two different ways: under general law, which is under NRS 266, or by special charter. When you do special charter, you come before the Legislature with a charter which will tell how your city is being governed. The general law cities are Ely, Fallon, Fernley, Lovelock, Mesquite, West Wendover, and Winnemucca. All the other cities are special charter cities. In order to change their charter, they can either come before the Legislature and have their charter changed, or they can do it by a vote of the people. General law cities only can change what they do under NRS 266, through the Legislature.

**Assemblyman Claborn:**

Mr. Grady, on your bill, on the back side on page 2, it states in there: "The national decennial census conducted by the Bureau of the Census of the United States Department of Commerce." Is that not entering yours when they take the census?

**Brenda Erdoes, Legislative Counsel, Legislative Counsel Bureau:**

Yes, that's correct. That's why all of the population changes are based on an NRS unless otherwise stated, because of the decennial census. Part of the reason that we do that is because that's what's been upheld by the courts for elections, is the use of the census every 10 years.

**Assemblyman Claborn:**

Would this bill either give it the latitude to redo this today, or do we still have to wait until the census' 10 years is up?

**Brenda Erdoes:**

A city could use this today and change the boundaries, but it would be based on the last decennial census figures. In other words, if you got out of whack in terms of having more people in one district than another, it would be on the basis of those population figures from the last census until the next one comes up. You can change it now, but it would have to be based on those old figures.

**Chairman Parks:**

As we understand it, it is primarily cleanup language to handle a poorly written previous provision. I think it clearly offers interesting perspective on the opportunity that you could adjust boundaries just prior to the election.

**Bob Erickson, Legislative Advocate, Representing the City of Fallon, Nevada:**

Fallon is a general law city and is affected by this bill. We would like to express our appreciation to Assemblyman Grady for bringing this matter forward and providing this cleanup language for us that enhances our operation.

**Nancy Howard, Assistant Director, Nevada League of Cities and Municipalities:**

We too would like to express our appreciation to Assemblyman Grady and go on the record in support of this bill.

Assembly Committee on Government Affairs

March 25, 2005

Page 5

**Chairman Parks:**

We'll go ahead and close the hearing on A.B. 235, and that pretty much takes care of our agenda for this morning. Nothing else has come before the Committee; we'll go ahead and adjourn [at 8:19 a.m.]

RESPECTFULLY SUBMITTED:

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Michael Shafer  
Committee Attaché

APPROVED BY:

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Assemblyman David Parks, Chairman

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

**EXHIBITS**

**Committee Name:** Committee on Government Affairs

**Date:** March 25, 2005

**Time of Meeting:** 8:09 a.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
N/A	A	Government Affairs Committee	Agenda