

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

**Seventy-third Session
April 29, 2005**

The Senate Committee on Government Affairs was called to order by Chair Warren B. Hardy II, at 11:41 a.m. on Friday, April 29, 2005, 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 Warren B. Hardy II, Chair
Senator William J. Raggio
Senator Randolph J. Townsend
Senator Terry Care
Senator John Lee

COMMITTEE MEMBERS ABSENT:

Senator Sandra J. Tiffany, Vice Chair (Excused)
Senator Dina Titus (Excused)

GUEST LEGISLATORS PRESENT:

Assemblyman Tom Grady, Assembly District No. 38
Assemblyman John Ocegura, Assembly District No. 16

STAFF MEMBERS PRESENT:

Kim Marsh Guinasso, Committee Counsel
Michael Stewart, Committee Policy Analyst
Olivia Lodato, Committee Secretary

OTHERS PRESENT:

Randall C. Robinson, Virgin Valley Water District
Dan Musgrove, Clark County

Chair Hardy opened the meeting as a subcommittee. He began the meeting with a discussion of Assembly Bill (A.B.) 20 (1st Reprint.)

ASSEMBLY BILL 20 (1st Reprint): Revises provisions governing issuance of general obligation bonds of State of Nevada to support program to provide grants for water conservation and capital improvements to certain water systems. (BDR 30-753)

Chair Hardy said the bill contained language the Senate Government Affairs Committee had already processed in another bill. He said the Committee had previously passed legislation to increase the cap and make it a rolling bond. He said the language was similar to that bill.

Assemblyman Tom Grady, Assembly District No. 38, said there had been 3 bills, A.B. 20, Senate Bill (S.B.) 18 and S.B. 147, all covering the same subject. He said they used Senator McGinness's bill for some needed language changes. He said Assembly Bill 20 had progressed into a bill that would take care of the fund initiated by A.B. No. 198 of the 66th Session. Senator Rhoads' bill used language that was similar to the language in A.B. 20.

Chair Hardy asked if there were any questions concerning the bill.

Randall C. Robinson, Virgin Valley Water District, said the District had recently received a second grant from this funding source. The grant allowed the Virgin Valley Water District to leverage an additional \$13 million worth of other local and federal funding to begin a project which was crucial to their area. He said his organization was definitely in support of A.B. 20.

Chair Hardy noted Bruce Scott, a member of the Board for Financing Water Projects, was present. Mr. Scott did not address the Committee, but submitted his written testimony in support of A.B. 20 on behalf of the Board ([Exhibit C](#)).

Chair Hardy closed the hearing on A.B. 20 and opened the hearing on A.B. 179.

ASSEMBLY BILL 179 (1st Reprint): Exempts certain local governmental purchases of personal safety equipment from requirements for competitive bidding. (BDR 27-355)

Assemblyman John Ocegüera, Assembly District No. 16, said his bill added to a previous bill passed last Session. He said A.B. 179 added emergency responders, as defined under the United States Department of Homeland Security, to the bill. He said the bill would exempt personal emergency equipment from the requirement of competitive bidding.

Chair Hardy said he was aware the Assembly had already addressed the issue. He said the Senate did not want to cut corners on equipment that would enhance the safety of emergency responders.

Dan Musgrove, Clark County, said his clients and the City of Las Vegas were in support of A.B. 179.

Chair Hardy mentioned he had spent his entire career protecting the integrity of the bidding process. He said it was important when public money was spent that everyone had an equal opportunity to benefit. However, he said, this was an area he was not willing to allow price to be the deciding factor.

Chair Hardy closed the hearing on Assembly Bill 179 and opened the hearing on A.B. 235.

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

Assemblyman Grady stated A.B. 235 provided for ward boundaries within general law cities to be changed whenever the population of a ward exceeded the population of any other ward by more than 5 percent, as determined by the last decennial census. The bill also provided that ward boundaries could be changed due to annexation or a change in population between wards of greater than 5 percent, based on a reliable measure determined by the city council. The bill substituted population for number of registered voters as the basis for determining the ward boundaries, consistent with case law relating to the constitutional mandate of one person, one vote. Assemblyman Grady said when the Assembly discussed the bill they discovered there was a problem between *Nevada Revised Statute* (NRS) 266.095 and NRS 293.209. He said Ms. Erdoes was listening to the conversation and fully supported of the bill. He said the general law cities were Ely, Fallon, Fernley, Lovelock, Mesquite, West Wendover and Winnemucca.

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Chair Hardy asked Assemblyman Grady if the bill was necessary to bring the State into alignment with case law regarding the constitutional mandate of one person, one vote.

Senator Care asked if the conflict mentioned in NRS 266 would make the law consistent with all other incorporated cities.

Assemblyman Grady said A.B. 235 would make all of the laws conform to the national laws. He said the section in NRS 266.095 was the only section in conflict with the national laws. He said the charters were correct.

Senator Care's second question concerned section 1, subsection 4 of A.B. 235, which discussed when boundaries of a ward "must" be changed, except in subsection 4, paragraph (b) the wording was "may be changed." He asked if the word change was at the discretion of the city council and if they would not have to change per subsection 4, paragraph (b).

Assemblyman Grady said he could not answer the question. He said it was the bill drafter's language.

Kim Marsh Guinasso, Committee Counsel, said the charters had the option to change the ward boundaries when it was discovered the population exceeded the 5-percent mark.

Chair Hardy closed the hearing on A.B. 235. He said he would summarize the earlier discussions of the bills for Committee members who had not heard them.

Chair Hardy said A.B. 20 was a companion bill to S.B. 147. He said the Senate bill adopted the language into its bill.

SENATOR TOWNSEND MOVED TO DO PASS A.B. 20.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS TIFFANY AND TITUS WERE ABSENT FOR THE VOTE.)

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Chair Hardy discussed A.B. 179. He said the bill extended the definition of those eligible for exemption from the bidding requirements. He said the bill added emergency response agencies to those eligible for exemption.

SENATOR LEE MOVED TO DO PASS A.B. 179.

SENATOR TOWNSEND SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS TIFFANY AND TITUS WERE ABSENT FOR THE VOTE.)

Chair Hardy asked Senator Care if his questions concerning A.B. 235 had been answered to his satisfaction.

Senator Care said as long as the bill was consistent, he was satisfied with it.

Chair Hardy stated Ms. Guinasso had said the bill was necessary to bring the State into compliance with case law regarding the one-man-one-vote mandate.

SENATOR TOWNSEND MOVED TO DO PASS A.B. 235.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS TIFFANY AND TITUS WERE ABSENT FOR THE VOTE.)

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Chair Hardy asked if there was any further business to discuss. As there was none, he adjourned the meeting at 11:57 a.m.

RESPECTFULLY SUBMITTED:

Olivia Lodato,
Committee Secretary

APPROVED BY:

Senator Warren B. Hardy II, Chair

DATE: _____