

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

**Eighty-Second Session
May 2, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 9:12 a.m. on Tuesday, May 2, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Selena Torres, Chair
Assemblywoman Bea Duran, Vice Chair
Assemblyman Max Carter
Assemblyman Rich DeLong
Assemblyman Reuben D'Silva
Assemblywoman Cecelia González
Assemblyman Bert Gurr
Assemblyman Brian Hibbetts
Assemblyman Gregory Koenig
Assemblyman Richard McArthur
Assemblyman Duy Nguyen
Assemblywoman Angie Taylor
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Fabian Doñate, Senate District No. 10

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Sarah Delap, Committee Counsel
Judi Bishop, Committee Manager
Geigy Stringer, Committee Secretary
Cheryl Williams, Committee Assistant

Minutes ID: 1003



OTHERS PRESENT:

Jennifer Berthiaume, Manager, Government Affairs, Nevada Association of Counties
Steve Walker, representing Lyon County; Storey County; and Douglas County
Joanna Jacob, Manager, Government Affairs, Clark County
Nancy Amundsen, Director, Department of Comprehensive Planning, Clark County
Jack Giese, Government Affairs Administrator, Regional Transportation
Commission of Southern Nevada
Leonardo Benavides, Government Affairs Manager, City of North Las Vegas
Nicole Rourke, Director, Government and Public Affairs, City of Henderson
Richard McCann, representing Nevada Association of Public Safety Officers; and
Nevada Law Enforcement Coalition
John Abel, Director, Governmental Affairs, Las Vegas Police Protective Association
Cody Hoskins, Political Director, Service Employees International Union Local 1107
Troyce Krumme, Vice Chairman, Las Vegas Police Managers and Supervisors
Association
Morgan Biaselli, representing Las Vegas City Employees Association
Shane Sayles, Private Citizen, Las Vegas, Nevada
Jason Begun, Member, Executive Board, Las Vegas Police Protective Association
Civilian Employees, Inc.

Chair Torres:

Welcome to the happiest committee in the Nevada State Legislature and the hardest working, the Assembly Committee on Government Affairs. [Roll was taken. Committee rules were explained.]

We will be going in order of the agenda today. We will begin with Senate Bill 20 (1st Reprint), then we will go to Senate Bill 247, followed by Senate Bill 264 (1st Reprint). I will begin by opening the hearing on S.B. 20 (R1) which revises provisions relating to the process for filing for filling a vacancy in the office of county commissioner. Whenever you are ready.

Senate Bill 20 (1st Reprint): Revises provisions relating to the process for filling a vacancy in the office of county commissioner. (BDR 20-393)

Jennifer Berthiaume, Manager, Government Affairs, Nevada Association of Counties:

Thank you for the opportunity to present Senate Bill 20 (1st Reprint) on behalf of Nevada Association of Counties, whose members represent all 17 of Nevada's counties. Senate Bill 20 (1st Reprint) addresses the issue of vacancies on local boards of county commissioners. Under current law, should a vacancy occur, the Governor would appoint a person of the same political party as the most recent holder of the vacant office. However, no requirement exists for consultation or coordination with the local government.

Senate Bill 20 (1st Reprint) proposes to amend *Nevada Revised Statutes* 244.040 to allow for a board of county commissioners to establish a process via public ordinance to fill vacancies that may occur. After the bill was presented in the Senate Committee on Government Affairs, we amended the language to align with the process that cities are currently authorized for under the *Nevada Revised Statutes* to fill their vacancies.

I will summarize the amended bill as it was passed by the Senate: Within 30 days after the vacancy occurs, a board of county commissioners may, by a majority vote of the remaining members, choose to either declare by resolution a special election to fill the vacancy for the unexpired term, or establish an ordinance process to fill the vacancy at a public meeting, with an appointment of a person of the same political party as the most recent holder of the office, who must also be a qualified elector of their respective county. If the board of county commissioners chooses not to declare a special election or establish an ordinance to fill the vacancy, then the board may submit a list of two names for consideration to the Governor within 30 days. The Governor would then have 15 days to appoint one of those individuals. Lastly, if a board of county commissioners chooses not to engage in the process, it would revert to the existing process with the Governor appointing a member of the same political party as the most recent holder of the office. This completes my presentation of S.B. 20 (R1) and, at the pleasure of the Chair, I am happy to take any questions the Committee may have.

Chair Torres:

Members, are there any questions?

Assemblywoman Taylor:

Why the exception of Carson City?

Jennifer Berthiaume:

It is because Carson City is a city.

Assemblywoman Taylor:

Not a county.

Assemblyman DeLong:

In the processes you describe, if the county commission chooses not to do a special election or establish an ordinance, you said two names would be sent to the Governor. I did not see in the bill that those two names have to be of the same political party. Did I miss that?

Jennifer Berthiaume:

That is correct. They must be of the same political party.

Chair Torres:

That is on page 1, line 8 of the bill.

Assemblyman Koenig:

I have not gone through this process of vacating a county commission seat and seeing someone replace me. I like the timeline there because we are currently at the mercy of the Governor, to whenever he gets around to it. Having that timeline there is really nice.

I understand the special election; what would be an example of an ordinance? Can the county commission make an ordinance for them to make the pick? What would be an example of an ordinance, or what limits would apply to an ordinance?

Jennifer Berthiaume:

The ordinance would have to include those things such as being of the same political party and a qualified elector, and being in a public forum at an agenda meeting.

Assemblyman Koenig:

Could they potentially make an ordinance that they, as county commissioners, would be the ones to choose? Would that be legal for them to do?

Jennifer Berthiaume:

I am not sure of that.

Assemblyman D'Silva:

The way the bill is written, would you say it encourages that a special election should be held first, or is this something that is going to be completely under the purview of the county commissioners?

Jennifer Berthiaume:

It is just one of the options that exists for them.

Assemblyman Nguyen:

The permissive language in the bill, where the word "may" was used and not "shall," it is so if they do not want to do it, they do not have to. Therefore, this list is entirely at the whim of the board of county commissioners. That is why you want to use the word "may" instead of "shall."

Jennifer Berthiaume:

Yes, it is all permissive. It is an option for them, should they choose to.

Assemblywoman Taylor:

I want to circle back to the answer you gave me. That was not enough of an answer. I know, of course, Carson City is a city, but it is also a county. It is not because they are a city, as much as it is because they are a county but do not have a county commission. Am I clear on that, or am I missing something?

Jennifer Berthiaume:

They have a board of supervisors.

Assemblywoman Taylor:

Does it function as a county commission?

Jennifer Berthiaume:

The answer might be yes, and the city council would be— But that may be a question for the Legal Division.

Chair Torres:

We are missing our committee counsel, Mr. Asher Killian, right now, but we will make sure to get back to the Committee with an answer.

Assemblywoman Taylor:

Thank you, Chair. I appreciate that.

Assemblyman DeLong:

If the county commission does pass an ordinance for them to vote on a replacement, what happens if there is a tie vote?

Jennifer Berthiaume:

Based on the language of the bill, it does have to be a majority vote. In the case of a tie vote, they would not have fulfilled the process, and it would revert to selection by the Governor.

Chair Torres:

I have a question as well. I wanted to be very clear on what the current process is. If we were to have a vacancy, there would be a special election, is that correct?

Jennifer Berthiaume:

Currently, no public process exists for an appointment. The Governor would just appoint someone to the vacant office.

Chair Torres:

Is that true of all cities, because I remember, in 2019, in the middle of the legislative session, there was a vacancy in the City of Las Vegas. When that vacancy happened, there was a special election. Do you know what would make that 2019 instance different, or is that unique to certain city charters? Would this apply to all charters?

Jennifer Berthiaume:

There are some variants in the city charters, which were a guidance for creating this process. However, since nothing like that existed in the county process prior, we did use some charter-like language; but I am not sure of the process in each city.

Chair Torres:

What I seek to understand is why we would have a county process vary so much from the city process. The city process to fill the vacancies is a special election. It would be most

sensible to have a special election for the county commissioners as well, to give voice to that community and to have them participate and have a say. I think there is room for public participation.

I do have concerns because, where you have a majority Democratic county commission that gets to choose the Republican appointment, that definitely might bring concerns for the other party, and vice versa. I have some concerns with what that looks like, and what that looks like for working together and making sure there is somebody who actually represents the needs of that community.

I believe we have additional questions.

Assemblywoman Thomas:

My question has to do with the history of this bill. What prompted the bill going forward? A vacancy must have occurred. I want to know what the history of this bill is, the way it is written now, so I understand the process.

Jennifer Berthiaume:

From my understanding, because the established process is that the Governor would appoint someone, there have been instances where a Governor has consulted with the board of commissioners and instances where he has not. Also, the timing, as Assemblyman Koenig mentioned—I do know from my research that Governor Steve Sisolak appointed at least five commissioners that I know of, and Governor Joe Lombardo has appointed three thus far.

Chair Torres:

I do not believe there are any additional questions. At this time, we will invite anyone wishing to testify in support of S.B. 20 (R1). When you are ready, you may begin, sir.

Steve Walker, representing Lyon County; Storey County; and Douglas County:

We are in full support of this bill. To the question on the origin of the bill: Lyon County brought the bill forward as Assemblyman Ken Gray was appointed. They wanted to accelerate the process so that they did not have an even, four-member board; they needed a five-member board.

Chair Torres:

I do not see anyone else wishing to testify in support of S.B. 20 (R1) here in Carson City. Is there anyone on the line wishing to testify in support of S.B. 20 (R1)? [There was no one.] At this time, I will invite anyone wishing to testify in opposition to S.B. 20 (R1). [There was no one.]

[[Exhibit C](#), [Exhibit D](#), [Exhibit E](#), [Exhibit F](#), [Exhibit G](#), and [Exhibit H](#) in opposition to S.B. 20 (R1) were submitted but not discussed and are included as exhibits of the meeting.]

Is there anyone wishing to testify neutral to S.B. 20 (R1)? [There was no one.] At this time, I will invite you up for any closing remarks. It does not look like we have any, so at this time we will close the hearing on S.B. 20 (R1) and open the hearing on Senate Bill 247, which revises provisions related to regional planning. When you are ready.

Senate Bill 247: Revises provisions relating to regional planning. (BDR 22-684)

Joanna Jacob, Manager, Government Affairs, Clark County:

Senate Bill 247 was a committee-sponsored bill in the Senate. Clark County is presenting this because we have volunteered to take the lead on this bill. We worked with our city colleagues and with the Regional Transportation Commission (RTC) on this proposal before you, which is going to put our Southern Nevada Regional Planning Coalition (SNRPC) structure in statute. This is only specific to Clark County and to our Southern Nevada Regional Planning Coalition. The goal of this bill is to make some of the mandates in statute permissive, as we seek to talk with our colleagues about the future of regional planning after this legislative session.

I have a PowerPoint that will explain this bill to you [[Exhibit I](#)]. I will talk about the history of this bill [page 2, [Exhibit I](#)]. Our Director of Comprehensive Planning, Nancy Amundsen, is here via Zoom if there are any questions about this history. Southern Nevada Regional Planning Coalition (SNRPC) was created in 1999. We revised some of the sections in 2017, which took us out of the Statutes of Nevada and put us into the *Nevada Revised Statutes* (NRS) before you. At that time we also worked with our RTC of Southern Nevada, the metropolitan planning organization for our area, which is the coordinator for the regional planning now.

We call that regional plan the "Southern Nevada Strong" effort. There are required members. I have the members here [page 2]: two county members and two members each from the largest cities. We also have additional members: the Clark County School District and the City of Boulder City. The current chair of SNRPC is Councilman Scott Black of North Las Vegas. When we put this bill in, Clark County Commissioner Justin Jones was the chair, which is why I ended up here presenting this bill before you.

We have, through the years, talked about the future of SNRPC. The coalition has continued to look at what the future of this effort should look like. We approved a consultant to talk about various organizational structures as our community evolved. As RTC came up with the Southern Nevada Strong efforts, the question is, what is left over for SNRPC? If you want to look at our history, you can look at our website, snrpc.org, where you can look at all of the meetings where we have talked about the future of this effort. We have had 18 meetings total between 2018 and February 2022 to evaluate the future direction [page 3].

These are some of the challenges we have. I have listed here [page 4] what RTC has taken over as Southern Nevada Strong. It includes the regional trail planning and open space planning, land use forecasting, transportation planning for our organization, and some of the forecasting that is being done. The mandates we have in statute have become

administratively and financially burdensome. We do not have a funding source dedicated to this effort. The entities absorb these costs. For example, Clark County hosts the meetings, and the City of Henderson absorbs the costs for web hosting, but there is not a dedicated funding source that we have been able to agree to, to take on further efforts.

Therefore, last year, the SNRPC members voted to take a step back and to pursue this legislation to give us more flexibility in the statute while we are currently trying to negotiate an interlocal agreement with all the entities to try to figure out what is next. We took this bill draft request to the SNRPC board in August, and they approved moving forward with the bill that is before you.

I have here [page 5, [Exhibit I](#)] that the goal is permissive language. We do not want to eliminate the SNRPC. The entities collectively have agreed that there is a value to regional planning and there is a lot of regional collaboration going on in southern Nevada. We were here, just last week, talking about the heat mitigation bill and some of the regional collaboration we have done with RTC and some of our city colleagues, and also private entities in southern Nevada. Our goal is to try to keep the structure but make it permissive so we can at least have it if there is something that comes out of this legislative session, for example, that does not fit within RTC's purview, then there may be an avenue where we can take those issues to SNRPC. We want to keep it, and we have agreed to meet after the legislative session, should this bill pass, and then figure out the scope of the interlocal agreement.

I have bulleted out points here [pages 6-8, [Exhibit I](#)] to help you navigate through this bill. I have listed the duties in the sections of the bill that RTC has taken over, such as the master plan review for entities, the prereview, and also reviewing master plans for conformance with other agency goals and the collaborative, comprehensive regional policies that we have.

This was a question I got in the Senate on section 1 [page 6]. You see there is language we are deleting about a public hearing requirement. That is because the Clark County Board of County Commissioners also sits as our air pollution control board. We are federally required to collaborate with the RTC on an air pollution plan for our region. We take it to the RTC for public discussion, and then the public hearing on that plan, when it comes to the Clark County Board of County Commissioners, is very robustly attended. The SNRPC meetings were not the best place to have public comment, honestly. If you look at the number of meetings, we often do not meet. There are more robust opportunities to have the public hearing and input on that air quality plan. If you look at the Nevada Electronic Legislative Information System, you will see there was opposition in the Senate on this specific point, but we worked with them after the hearing, and they removed their opposition, and the bill did pass unanimously out of the Senate.

I want to note one section we are deleting at the end of the bill around bus turnout language [page 6]. This was RTC's request; they actually did what that section required, and we do not need it in the law anymore. That is the only section we are repealing.

We have kept the language permissive on some of the regional issues such as housing policy. You will see [page 7], section 5 is the main planning section of the bill. We have kept this very permissive because we created the Southern Nevada Strong effort so that we may collaborate, and these are some of the things we are working on together: heat island mapping; affordable housing; discussion of water issues; and community health. These are measures that are being discussed as part of Southern Nevada Strong.

In section 8 and section 9 [page 8, [Exhibit I](#)], there was language requiring us to create a budget and hire staff, but there is no dedicated funding source for this. We do have a mini budget for what the counties and the cities are absorbing. However, if we were to take this forward, the bill is written so that if we decide to continue this effort under the interlocal agreement, then these sections would also kick in so we may create a budget and we may employ our contract staff for the effort.

I have tried to make this as simple as possible. Planning is a very technical and complicated subject, which is why I have my subject matter expert here if there are questions from the Committee. I will stand for questions now, Chair Torres.

Chair Torres:

Thank you for the presentation. Members, are there any questions?

Assemblyman DeLong:

A couple of times during your presentation, you referenced the concept of an interlocal agreement. Do you believe in order to establish that interlocal agreement you need to have this bill complete to give you the permissive language to do that?

Joanna Jacob:

I will take a stab at that, and then I will ask Ms. Nancy Amundsen whether she has any further comment. No, nothing prohibits us from entering into an interlocal agreement with our city partners, but the city entities and the county have agreed that the scope of what goes into that interlocal agreement would be greatly assisted by passage of this bill. Ms. Amundsen, would you like to offer any additional comment?

Nancy Amundsen, Director, Department of Comprehensive Planning, Clark County:

Right now, we do have an interlocal agreement, but it is very much out of date. It was entered into in 2000. We have been working with the municipalities to update it, but this bill would help us to be more flexible in our planning agreements and how we work together. Right now, with the way NRS is written, it is very specific.

We have all worked together. I am vice chair of the Southern Nevada Strong steering committee. All of the municipalities are involved in it, as well as some local nonprofits, the University of Nevada, Las Vegas, the Governor's Office of Economic Development, and the Las Vegas Global Economic Alliance, so it is a very robust group. We would like more flexibility to be able to enter into agreement and work together as we always have but not be so restricted by what NRS requires that we do.

Assemblyman Hibbetts:

If I am reading this correctly, section 2, with the change from the word "shall" to "may," does this mean the county could just get rid of this planning commission if it chooses to do so?

Joanna Jacob:

Yes, I guess we could, though if you look at the SNRPC discussion— Do we continue it? Do we abolish it?—has been discussed through the years. The county would not do that in isolation because if we establish it, it has to be composed of the mandatory members. The nature of the work is such that we would do that in collaboration with our member agencies, with our member cities, and the people who are mandated to be part of it.

Yes, it was structured that the county, being a regional organization, would create it; we host it today. We complied with the mandate, and we created it. This bill says, depending on what the future is, we may establish it if there is a need later for it. I certainly think there could be, and that is what the conversation has been with the cities. It has been, We may want to keep the structure in place so it is there if we have to employ it in the future for another area suitable for regional planning that is outside of the RTC's purview or for any of those other areas. I do not look at it as we can get rid of it; it is so we may be able to structure it in our ordinance and create it in a way that fits the current need. Ms. Amundsen, do you have additional comments in response? [There were none.]

Assemblyman Hibbetts:

I just want to be clear: It is not the intent of the county to abolish the planning commission?

Joanna Jacob:

To clarify, this is not the planning commission; this is the Regional Planning Coalition that we are talking about, and no, the current intent is to meet after this legislative session and talk about the future of regional planning with our city collaborators and the Clark County School District, which is also a member of the group, and RTC. That is our current intent.

Assemblywoman Taylor:

That was my question, actually, whether the intention was to get rid of SNRPC. If I may connect to that, you mentioned Southern Nevada Strong several times. For those of us that do not live in southern Nevada, would you mind sharing how that replaces some of those functions?

Joanna Jacob:

I would like Ms. Amundsen to talk about Southern Nevada Strong because she is the vice chair, as she noted. I also have RTC here, who is going to come up in support. They can also talk about their role in Southern Nevada Strong. Ms. Amundsen, would you respond?

Nancy Amundsen:

The Southern Nevada Strong was a collaborative effort we did in southern Nevada to create a regional plan back in 2015. The initiative has continued. The SNRPC has moved it over to RTC for administration. However, all of the entities are involved, and it is our regional plan.

The Southern Nevada Strong steering committee met last week. We are going to look at updating it. It is our guiding document for southern Nevada, whether for economic development planning, housing, or heat island effect. That is something we are looking into—all of the different initiatives that have been discussed as related to regional planning, we do. We work on it through Southern Nevada Strong.

Assemblywoman Taylor:

I am from Washoe County. Our Truckee Meadows Regional Planning Agency serves in that role. It does the regional planning and many of those functions Ms. Amundsen mentioned. That gives me some context. Thank you.

Assemblyman D'Silva:

Section 8 mentions the creation of a budget pursuant to this endeavor. What is that budget going to look like? Is there a rough estimate of the annual operating amount?

Joanna Jacob:

The budget as adopted right now is pretty small. I do not want to say small, but the budget that would be adopted would be—

This was part of the interlocal agreement that Ms. Amundsen referenced that was approved in 2000. We had talked about the scope of what SNRPC was going to be, and then the contribution from each member agency was then created in the interlocal agreement that, in turn, had to go back to each local government for adoption by their governing board. The budget would be dictated by what would be put into the interlocal agreement.

In theory, we would agree on what the contribution would be from each entity, and then that would be set forth in the interlocal agreement that would go to the SNRPC and then go back to all of our component agencies for adoption. I cannot give you an overall budget number or anything. Trying to determine what this looks like and how we would fund it has actually been one of the challenges we have had through the years.

Chair Torres:

Members, are there any additional questions?

Assemblywoman Thomas:

If I am understanding this correctly, this will allow local government to have autonomy in what happens in their planning commissions.

Joanna Jacob:

I am going to think about your question and hopefully I can get there. If I do not answer it, Assemblywoman Thomas, redirect me 100 percent.

When we talked about regional planning versus each local government's planning, we have jointly discussed there is a value in trying to align those efforts, in the sense that we want to regionally align on some of our planning policies.

In planning and zoning for each local government, we all have our own autonomy on what the policy should be within the borders of each municipality or within Clark County's unincorporated areas. Then the regional planning would be an arm for us to say, Should we align these policies towards some sort of regional goal?

When you look at the history of SNRPC, there has been a buy-in on that concept; we see there is some value in trying to align our policies, because the planning aspect on certain things does impact us as a region overall. Some of these issues we have talked about through this meeting and others, especially the policies you have worked on as well about walkability on a regional basis or the heat mitigation that we have talked about, do not stay within a specific border. It is a regional issue. I hope that addresses your question.

It is not that we are trying to maintain local government autonomy by making this permissive. We are saying there is regional collaboration happening through RTC and other efforts and through Southern Nevada Strong, where you have all of the entities sitting on the steering committee and working together on these things as a region, as a collaboration, but there may be something that we may need this for in the future that does not sit within that structure. We are trying to keep this as an option for our entities to collaborate in the future, and we will work on what that interlocal agreement that we have talked may look like in the future.

Assemblywoman Thomas:

Thank you, you got there for me.

Chair Torres:

Members, are there additional questions? I have a couple. I imagine we have members here who may know the answer. Does SNRPC have to follow Open Meeting Law?

Joanna Jacob:

Yes.

Chair Torres:

Would that also be true of RTC?

Joanna Jacob:

Yes. The RTC will come up; they can also talk about what that looks like when they come to the mic.

Chair Torres:

I want to make sure I understand what this bill does. Right now, we have two different authorities that are responsible for doing the same kind of things. This bill would allow, if necessary, for that planning commission to continue to meet if there are things outside of the scope of what Southern Nevada Strong is already doing; but it also will allow Southern Nevada Strong to do the work they are already doing. Is there anywhere in statute right now where the work that Southern Nevada Strong is doing is codified?

Joanna Jacob:

I am not sure whether Southern Nevada Strong is codified in NRS. I will defer to Ms. Amundsen on that. We have done this as an interlocal agreement, largely. Perhaps Ms. Amundsen can clarify how Southern Nevada Strong is described in a contract document or elsewhere.

Nancy Amundsen:

The Southern Nevada Strong is our regional plan. Right now, in NRS, RTC has the ability to administer it, but it is codified in that, that is our regional plan. That is what we are looking at as our regional plan. The regional plan, as I noted before, has our land use, our economic development, and a lot of the social concerns we have here in southern Nevada. I hope that answers your question.

Chair Torres:

Thank you, it does, and I am happy to continue this conversation offline as well. I just want to make sure there is still the requirement that it be done. It seems there is this organization that is going to do it, but we never know what the unintended consequences are in 20 years. Maybe the local governments decide to take away Southern Nevada Strong and then nobody is doing the work. I do not foresee that happening, but I want to make sure there is still the requirement that these plans be created.

Joanna Jacob:

I just looked at my notes, Chair, about what Ms. Amundsen is talking about—our initial slides under SNRPC history, when we worked on the modifications to bring everything into NRS [page 2, [Exhibit I](#)]. I gave you the statute there, where we have codified RTC's ability to administer the regional plan; that is in statute today as NRS 278.02528, subsection 4. This statute has, incredibly, been worked on through the years, which is why we have many numbers after the chapter.

Chair Torres:

I appreciate that. Members, are there any additional questions? There do not appear to be any at this time. We will move on to individuals wishing to testify in support of S.B. 247.

Jack Giesea, Government Affairs Administrator, Regional Transportation Commission of Southern Nevada:

Ms. Jacob and Ms. Amundsen did an excellent job distilling the transfer of duties we have taken over, as well as the current structure of regional planning.

Just for the edification of the Committee, I would add that the Southern Nevada Strong steering plan has three main components: increasing economic competitiveness and education, investing in complete communities, and increasing transportation choice. All of the implementations being done in that committee fall under those buckets. In addition to that, we are actively working with our local government partners to identify topics of collaboration and shared priorities for the future. If there are other questions, we would be happy to answer those that relate to RTC.

Leonardo Benavides, Government Affairs Manager, City of North Las Vegas:

The City of North Las Vegas is here today in support of S.B. 247. We want to thank Clark County for bringing this bill forward and working with us in the interim on this in regard to identifying some of those redundancies that needed to be addressed, and in continuing to work on the interlocal government agreement so we can better narrowly tailor what regional services we want to look at together. We value the collaboration between our local governments in southern Nevada.

Nicole Rourke, Director, Government and Public Affairs, City of Henderson:

I would like to echo the comments of my colleagues and appreciate the sponsor of S.B. 247. We are here in support. We like the flexibility it provides, considering we also have other regional planning efforts, as you have heard.

[[Exhibit J](#) in support of S.B. 247 was submitted but not discussed and is included as an exhibit of the meeting.]

Chair Torres:

I see no one else in support of S.B. 247 here in Carson City. Is there anyone on the line wishing to testify in support of S.B. 247? [There was no one.] At this time, I will invite anyone wishing to testify in opposition to S.B. 247. I do not see anyone here in Carson City. Is there anyone on the line wishing to testify in opposition to S.B. 247. [There was no one.] At this time, I will invite anyone wishing to testify neutral to S.B. 247. I do not see anyone here in Carson City. Is there anyone on the line wishing to testify neutral to S.B. 247. [There was no one.]

We will close the hearing on S.B. 247, and open the hearing on Senate Bill 264 (1st Reprint) which revises provisions related to collective bargaining. Welcome, Senator Doñate and Mr. McCann. Senator, this is your first time testifying in the hardest working and happiest Committee in the Nevada State Legislature, so welcome.

**Senate Bill 264 (1st Reprint): Revises provisions relating to collective bargaining.
(BDR 23-932)**

Senator Fabian Doñate, Senate District No. 10:

Today I come before you to present on Senate Bill 264 (1st Reprint) which revises provisions relating to collective bargaining. I will quickly summarize, but I want to turn it over to Mr. McCann to present the bill. This is a conversation we have had for several months now. It is part of a situation they encountered in southern Nevada, and it is important for this Committee to reflect on and understand this issue. I will go ahead and turn it over so Mr. McCann can present the content of it.

Richard McCann, representing Nevada Association of Public Safety Officers; and Nevada Law Enforcement Coalition:

First, I wish to thank bill sponsors Senators Fabian Doñate and Julie Pazina for their help on this matter. I guarantee you this is going to be the easiest bill you are going to hear right now.

Existing law, *Nevada Revised Statutes* (NRS) 288.140 requires that employee organizations composed of police officers, sheriff's deputies, and other law enforcement officers be composed exclusively of those people. That maintains the community of interest for law enforcement personnel in their bargaining unit, that prevents non-law enforcement organizations from coming in and taking over those bargaining units.

Section 1, subsection 4 of this bill, very simply, adds that employee organizations composed of civilian—not officers themselves, not people who are out there doing that work, but civilians who provide support services to metropolitan police departments which are organized pursuant to NRS Chapter 280 must also be composed exclusively of those civilian law enforcement employees.

Law enforcement civilian employees provide support services to law enforcement agencies that include crime scene investigators, dispatchers, abuse and neglect specialists, cold case investigators, and many, many others. Civilian employees who provide support services to a metropolitan police department are vital to the police paramilitary structure, and it is necessary to provide them with the same exclusivity protections in their bargaining units as their law enforcement colleagues, in order to protect their own communities of interest. After all, the whole purpose of establishing bargaining units for labor positions is to ensure they are allowed to function within groups that are alike in their jobs while pursuing wages, benefits, and working conditions that are beneficial for that specific working group. That is it. For these reasons, we ask that you support S.B. 264 (R1), and I stand on my earlier promise. That was easy. [Written testimony was also submitted [Exhibit K](#).]

Chair Torres:

Thank you, Mr. McCann and Senator Doñate. Are you ready for questions? [Presenters assented.] It was not that easy; there is a question.

Assemblyman Hibbetts:

Mr. McCann, I am going to direct this to you simply because Senator Doñate probably does not have the historical knowledge. Why do we need this law? Is there an impetus that prompted this that I am not aware of?

Richard McCann:

What prompted this, quite frankly, Assemblyman Hibbetts, is there were efforts through the Police Protective Association for Civilian Employees (PPACE) in Metro. They had issues with some outside organizations attempting to come in, take them over, and run them that were not civilian law enforcement-oriented. It resulted in protracted litigation before the Government Employee-Management Relations Board. I am happy to say that the civilian

organization did prevail, but we want to stop that from occurring in the future. This is a bill that is responding to a problem that happened. We are not looking for a problem. We had one, and we are trying to fix it.

Assemblyman Hibbetts:

Thank you very much. In the interest of transparency, I would like to note that I was a member of PPACE back in the nineties before a lot of you were born.

Chair Torres:

It depends what year in the nineties, Assemblyman. Members, are there any additional questions?

Assemblywoman Thomas:

It is a matter of language; I was looking at section 1, subsection 6, where you mention "doctor or physician," and their definitions where you have "practitioner of Oriental medicine." I wonder whether that is something we want to continue to use in the bill or whether we want to list it as "Asian medicine?"

Senator Doñate:

Thank you so much, Assemblywoman Thomas. That was a conforming change. That is not the intent being addressed by this bill. The only portion we are looking to change is section 1, subsection 4. I do not know if your Committee counsel would like to respond as well, but it is not our intention to address that at this moment; it is just a conforming change.

Chair Torres:

We can make a note of that for our Committee counsel. Our Legal Counsel will be back soon.

Assemblywoman Thomas:

Since you did strike out section 1, subsection 5 and made it subsection 6, I was wondering whether you would like to amend "Oriental" medicine and make it "Asian" medicine to keep the bill current in today's society.

Chair Torres:

We are going to look into it, but I believe there are other places in the statute where it is also called that. You would probably have to change significant portions of the statute. That is not to say whether I am in support or opposition; I am just saying you would probably need a significant change to that policy. We might need another bill for that.

Assemblywoman Thomas:

Thank you, Madam Chair. Just so you know, it is on the record.

Chair Torres:

Members, do you have any additional questions? It does not appear there are any. At this time, we will invite anyone wishing to testify in support of S.B. 264 (R1).

John Abel, Director, Governmental Affairs, Las Vegas Police Protective Association:

I will keep it short and simple and say we support this bill wholeheartedly.

Cody Hoskins, Political Director, Service Employees International Union Local 1107:

As well, we will keep this very short. Service Employees International Union Local 1107 also supports this bill and urge your support.

Troyce Krumme, Vice Chairman, Las Vegas Police Managers and Supervisors Association:

I am testifying in favor of this bill. For the record, I think the nineties produced a lot of great humans and some even better music. In support as a union representative, I believe all unions should have a clear understanding of who is eligible to be on their membership and provided all the protections that the NRS intends to protect. This measure goes a long way to protect the civilian union with Metro to cover that.

Morgan Biaselli, representing Las Vegas City Employees Association:

We support this bill.

Chair Torres:

Thank you. I do not see anyone else here in Carson City wishing to testify in support of S.B. 264 (R1). Is there anyone on the line wishing to testify in support of S.B. 264 (R1)?

Shane Sayles, Private Citizen, Las Vegas, Nevada:

I am an information technology supervisor working for the Las Vegas Metropolitan Police Department. I am in strong support of Senate Bill 264 (1st Reprint) and ask that the Committee support this bill as well.

Jason Begun, Member, Executive Board, Las Vegas Police Protective Association Civilian Employees, Inc.:

I just want to say we strongly support this bill.

Chair Torres:

There are no more callers wishing to testify in support of S.B. 264 (R1). I do not see anyone in Carson City wishing to testify in opposition to S.B. 264 (R1). Is there anyone on the line wishing to testify in opposition of S.B. 264 (R1)? [There was no one.] Is there anyone wishing to testify neutral to S.B. 264 (R1)? I do not see anyone here in Carson City and there is no one on the line wishing to testify neutral to S.B. 264 (R1). At this time, I invite the bill sponsors for any closing remarks. It does not appear there are any.

At this time, we will close the hearing on S.B. 264 (R1), and we will move on to public comment. Is there anyone here in Carson City wishing to testify in public comment? [There was no one.] Is there anyone on the line wishing to testify in public comment? [There was no one.]

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At this time, we will take any additional remarks from members before we close today's hearing. [There were none.] The most efficient Committee was able to hear three bills in one hour. Well done, legislators. Thank you, presenters. [Meeting reminders were given.] At this time, the meeting is adjourned [at 10:12 a.m.].

RESPECTFULLY SUBMITTED:

Geigy Stringer
Committee Secretary

APPROVED BY:

Assemblywoman Selena Torres, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is written testimony submitted by Bruce Parks, Chairman, Washoe County Republican Party, in opposition to [Senate Bill 20 \(1st Reprint\)](#).

[Exhibit D](#) is an email submitted by Dennis Sanada, Private Citizen, Reno, Nevada, in opposition to [Senate Bill 20 \(1st Reprint\)](#).

[Exhibit E](#) is a letter dated May 2, 2023, submitted by Reva Crump, Private Citizen, in opposition to [Senate Bill 20 \(1st Reprint\)](#).

[Exhibit F](#) is a letter submitted by Ann Sweder, Private Citizen, Sparks, Nevada, in opposition to [Senate Bill 20 \(1st Reprint\)](#).

[Exhibit G](#) is a letter dated May 2, 2023, submitted by Ben Hoover, Private Citizen, in opposition to [Senate Bill 20 \(1st Reprint\)](#).

[Exhibit H](#) is a letter dated May 2, 2023, submitted by R Miranda, Private Citizen, Sparks, Nevada, in opposition to [Senate Bill 20 \(1st Reprint\)](#).

[Exhibit I](#) is a PowerPoint presentation dated May 2, 2023, titled "SB247: Southern Nevada Regional Planning Coalition (SNRPC)," submitted by Joanna Jacob, Manager, Government Affairs, Clark County.

[Exhibit J](#) is a letter dated May 1, 2023, submitted by Aviva Gordon, Chair, Legislative Committee, and Emily Osterberg, Director, Government Affairs, Henderson Chamber of Commerce, in support of [Senate Bill 247](#).

[Exhibit K](#) is testimony submitted by Richard McCann, representing Nevada Association of Public Safety Officers; and Nevada Law Enforcement Coalition in support of [Senate Bill 264 \(1st Reprint\)](#).