

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

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

The Committee on Government Affairs was called to order at 8:09 a.m., on Friday, February 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:**

Susan Scholley, Committee Policy Analyst  
Eileen O'Grady, Committee Counsel  
Kiz Malin, Committee Attaché

**OTHERS PRESENT:**

None

**Chairman Parks:**

[Meeting called to order, and roll called.] Today we have a work session on one bill. We have a couple of bills for introduction. We also have two BDRs to request. We will start with the work session on A.B. 28.

**Assembly Bill 28: Makes various changes regarding administration of Rehabilitation Division of Department of Employment, Training and Rehabilitation. (BDR 18-386)**

**Susan Scholley, Committee Policy Analyst, Legislative Counsel Bureau:**

You have a handout ([Exhibit B](#)) for A.B. 28. This was heard in the Committee on February 17. The bill was sponsored by the Assembly Committee on Government Affairs on behalf of the Department of Employment, Training, and Rehabilitation [DETR]. Assembly Bill 28 eliminates two bureau chief positions, one for the Bureau of Services to the Blind and Visually Impaired, and the other in Vocational Rehabilitation.

The bill also transfers the powers and duties of those two bureau chiefs to the administrator of the Rehabilitation Division. During the hearing, amendments were proposed by DETR to clarify that the Rehabilitation Division will be the designated state unit for purposes of administering a federal independent living grant. I have attached the proposed amendment from DETR to your work session document ([Exhibit B](#)). There was no testimony in opposition to the bill, and there is no identified fiscal impact.

**Assemblywoman Parnell:**

I am still undecided on this one. I want to advise you that I may abstain at this point. I am trying to get a little more information. Removing the position of a chief in those two areas—Services to the Blind and Rehabilitation—I am not sold on this. I am talking to people in those departments, so I will probably not be voting today, or I will vote against and keep the option to change my vote on the Floor.

**Chairman Parks:**

I also share the concerns that you have. There has certainly been plenty of time for any opposition to come forward. Knowing the Division of the Blind and how

vocal they have been in the past, my only comment is that this must not be a big issue for them, otherwise they would be storming our meeting. With that, I understand your concerns relative to them.

**Assemblyman Grady:**

If I remember, when Terry [Johnson] testified, he did say that those two positions would be deputy chiefs in that Division. Although their titles will be changed, there will still be a deputy in charge of each one of those divisions.

**Assemblywoman Kirkpatrick:**

When they change titles, do their pay grades change? Do they have a lateral move? How does that work?

**Chairman Parks:**

That is a good question. Job classifications are put into different grade structures and put on different schedules. I may not have the words exactly correct. When a readjustment is made, and I think that we are going to be seeing a bill come along later which will take people out of the classified ranks and put them in the unclassified ranks. This will be a major step for the Department of Personnel. We will then get a better picture of it. You are correct.

When we create an administrator or a deputy administrator, and we take somebody from another position and do away with that position, we are affecting a change in the salary structure and the pay grade of that individual. I have just been informed that we think that the Bureau of the Blind Services' chief position is currently a vacant position or may have recently been a vacant position.

**Assemblyman Goicoechea:**

Am I right in understanding that they both are vacant positions?

**Chairman Parks:**

That is a good question. I was previewed on the proposed bill that is going to come forward to us for the changes from classified to unclassified. It is fairly extensive. They are also going to make proposals. They discussed it with the employees who are in the various deputy administrator, administrator, and professional positions, such as physicians, pharmacists, and others. Their intent is to make it consistent across the board. From what I understand, they will give those individuals—presumably someone who may be close to retirement who says, "I have a year to go, and I would rather stay as a classified employee"—an unclassified rank. However, they themselves would remain

classified. My understanding is that there are a minor number of individuals who are asking to stay as classified.

**Assemblyman Goicoechea:**

So they are going to allow that?

**Chairman Parks:**

Yes.

**Assemblyman Goicoechea:**

I think that takes care of a lot of the issues we would have with this.

**Assemblyman Claborn:**

What is the object of this? Is the object to have different payrolls, or is this going to better the program that we already have? I don't see the object here. Can anybody explain it to me?

**Assemblyman Goicoechea:**

I think this is a case of taking a few chiefs out and putting a few more back in the tribe.

**Assemblyman Claborn:**

I look at it this way. If it is going to better the program, I can see a change. If we are changing it just for some individuals and it is not going to help the program, it is just going to raise the funding of the program. I don't see any essential for this. Am I wrong, or am I thinking wrong?

**Chairman Parks:**

My understanding was two things. One was to better clarify the roles and the responsibilities of these various individuals. The other part was to reduce some of the redundancy that was within the organization. As it was explained to me, and I believe we heard it in testimony, the intent of this was to make improvements. Now, there have been some other shifts and some other clarifications within the Department of Employment, Training, and Rehabilitation. Mr. [Terry] Johnson has moved from being Labor Commissioner to being the Deputy Director of the Department. As we move along, there are always those revisions and those changes that we must change relative to the statutory authority, because we don't put everything into assigning them or delegating them to regulations administered by the Department. Unfortunately, this is one of those situations where it is set out in statute, and we are the only ones that can change that. As it was explained to me, prior to the testimony and during the testimony, I saw that it was consistently a situation of clarifying

the roles and responsibilities of the Director and to reduce some of the redundancy that was currently within that organization.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 28.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED, WITH ASSEMBLYWOMAN PARNELL  
VOTING NO.

**Chairman Parks:**

I have two bills that have been drafted that are ready for committee introduction.

- BDR 952—Authorizes certain persons to have personal information contained in certain public records kept confidential in certain circumstances. (Assembly Bill 142)

ASSEMBLYWOMAN PARNELL MOVED FOR COMMITTEE  
INTRODUCTION OF BDR 952. (ASSEMBLY BILL 142)

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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- BDR 593—Increases the maximum balance allowed in district fire emergency funds in certain fire protection districts. (Assembly Bill 141)

**Chairman Parks:**

Currently, there is a cap on the amount of money that may be held in a reserve for when we have a catastrophic fire. This bill is a request to increase it from \$250,000 to \$1 million.

ASSEMBLYWOMAN KIRKPATRICK MOVED FOR COMMITTEE  
INTRODUCTION OF BDR 593. (ASSEMBLY BILL 141)

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Parks:**

We would like to have a Committee request for a BDR. It relates to Chapter 288, which is the relations with employees, and it proposes adjustments to some of the timelines for arbitration. There is currently in statute a timeline that is set as to how the arbitration process must take place. There is also some inconsistency in it. What this bill would do would be to adjust the timelines with what is currently in statute.

ASSEMBLYWOMAN PARNELL MOVED TO REQUEST A BILL DRAFT TO ADJUST TIMELINES FOR THE ARBITRATION PROCESS AS DESCRIBED IN NEVADA REVISED STATUTES (NRS) CHAPTER 288.

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Parks:**

There is another request for a BDR, which deals with the marriage license process in larger counties. It would clarify where the files and records are kept for marriage licenses. It is not a reorganization of the Recorder's Office. It strictly deals with the process of who records and how the marriage licenses are handled. It would put the entire responsibility under the county clerk, as opposed to separating the responsibilities between the recorder's office and the clerk's office.

ASSEMBLYMAN HARDY MOVED TO REQUEST A BILL DRAFT TO CLARIFY RESPONSIBILITY FOR FILING OF MARRIAGE LICENSES.

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

[Meeting adjourned at 8:27 a.m.]

RESPECTFULLY SUBMITTED:

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Nancy Haywood  
Transcribing Attaché

APPROVED BY:

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Assemblyman David Parks, Chairman

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

**EXHIBITS**

**Committee Name:** Assembly Committee on Government Affairs

**Date:** February 25, 2005

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

<b>Bill #</b>	<b>Exhibit ID</b>	<b>Witness</b>	<b>Dept.</b>	<b>Description</b>
	A	*****		Agenda
<u>A.B. 28</u>	B	Susan Scholley / LCB		Work session document