

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON ELECTIONS, PROCEDURES, ETHICS, AND
CONSTITUTIONAL AMENDMENTS**

**Seventy-Fourth Session
March 13, 2007**

The Committee on Elections, Procedures, Ethics, and Constitutional Amendments was called to order by Chair Ellen Koivisto at 3:52 p.m., on Tuesday, March 13, 2007, in Room 3142 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/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Ellen Koivisto, Chair
Assemblyman Harry Mortenson, Vice Chair
Assemblyman Chad Christensen
Assemblyman Ty Cobb
Assemblyman Marcus Conklin
Assemblywoman Heidi S. Gansert
Assemblyman Ed Goedhart
Assemblyman Ruben Kihuen
Assemblywoman Marilyn Kirkpatrick
Assemblyman Harvey J. Munford
Assemblyman James Ohrenschall
Assemblyman Tick Segerblom
Assemblyman James Settlemeyer

GUEST LEGISLATORS PRESENT:

Assemblywoman Kathy McClain, Assembly District No. 15

STAFF MEMBERS PRESENT:

Patrick Guinan, Committee Policy Analyst

Minutes ID: 547



Terry Horgan, Committee Secretary
Trisha Moore, Committee Assistant

Chair Koivisto:

[Roll taken] We have a bill introduction from the Subcommittee to Oversee the Consultant to Study the Health, Safety, Welfare, and Civil and Other Rights of Children in the Care of Certain Governmental Entities or Private Facilities. The bill would create a legislative committee on the health, welfare, safety, and protection of children. Is there a motion for introduction?

BDR 17-871—Revises provisions relating to the protection of children. (Later introduced as [Assembly Bill 305](#).)

ASSEMBLYMAN OHRENSCHALL MOVED FOR COMMITTEE INTRODUCTION OF BDR 17-871.

ASSEMBLYMAN CONKLIN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will be hearing one bill today, it is [A.B. 183](#).

[Assembly Bill 183](#): Creates the Legislative Committee on Senior Citizens and Veterans. (BDR 17-1101)

Assemblywoman Kathy McClain, Assembly District No. 15:

I am sponsoring [A.B. 183](#). Over the last year and a half I have coordinated the Interagency Senior Issues Task Force. About 30 different organizations and agencies that provide services to seniors were brought together on this Task Force. We talked about what seniors' needs were, how to go about supplying those needs, and other issues like the baby boomers and the increase in the senior population.

The meetings spanned over a year and ended with a senior solutions forum last June. Six working committees from the Task Force developed ten recommendations that were presented to civic leaders, legislators, other elected officials, agency directors, and anyone who had something to do with providing services to seniors. One committee was devoted to legal issues such as crime and fraud; another committee dealt with medical, mental health, wellness, nutrition, and prescription issues. A third committee looked at in-home care and caregivers; another worked on financial, workforce, and housing issues. We also had the perennial committee—transportation; and then we had one dealing

with outreach, advocacy, and demographics. We funded a survey through the Cannon Survey Center at UNLV (University of Nevada, Las Vegas). They spent about six months calling over 94,000 phone numbers all across the State of Nevada. The first question asked in the survey was whether there was someone in the household aged 50 or above. We wanted to try to identify the trends we might be seeing over the next 5, 10, or 15 years because people are both aging in place and moving to Nevada. We discovered many interesting things which were presented at the summit we had.

One recommendation was to create a standing legislative committee on seniors and veterans. We included veterans because so many of our seniors are veterans and there is great work being done with veterans in Nevada, though it may not be publicized enough and people do not know about it. Having a standing legislative committee on seniors' and veterans' issues will be to everyone's advantage.

Other suggestions that came out of the summit were an investigation and prosecution unit for crimes against elders; geriatric training for different professions that deal with senior citizens; expanding home-based community services for seniors; and support of Nevada 211, which is a very user-friendly phone number that can be called for information and referral. Seniors seem to gravitate to that very easily.

Assembly Bill 183 would create a legislative standing committee for senior citizens' and veterans' issues. Originally, I thought this committee could meet during the legislative session and deal with bills relating to seniors or veterans, but when you look at those bills, they cover the gamut of the NRS (*Nevada Revised Statutes*). There are criminal statutes, transportation statutes, and funding and revenue issues such as property tax rebates. Talking with people, we decided the best way to go would be to create a standing interim committee that would meet on a monthly basis and be patterned after some of the others such as the Legislative Committee on Persons with Disabilities. The committee could take testimony on many different issues and it would be a forum for discussion. It would also be able to request BDRs (bill draft requests).

For background information, we seniors have outstripped the school age population. From the 2000 Census through 2005, we had almost a 30 percent increase in our over-50 population. That is partly due to people aging in place and partly due to new growth. The projected increase between 2006 and 2007 is another 5.5 percent. Of the over-65 age group, we had a 72 percent increase from 1990 to 2000; then we had another 26 percent increase from 2000 to 2006, and another 5 percent increase from 2006 to 2007. There

should be a huge interest in providing whatever we need to for senior citizens in the State of Nevada. There are over 300,000 veterans in Nevada, but 208,000 are under the age of 65.

If you look at A.B. 183, the committee formed would be similar to the Disability Committee, except that I wanted the makeup of the committee to be all legislators. Many other committees include members of the public and agencies who use those committees as forums for their issues. I wanted to be able to stack this committee with legislators so when they approved going forward with a BDR, there would be some built-in support.

I looked at the current committees that deal with senior issues and noted that the money committees as well as judiciary, transportation, and health and human services were all involved. I would like the committee makeup to include five members from the Senate and five members from the Assembly. Two members would be from the money committees, one from each of the two judiciary committees, one from each of the two transportation committees, and one each from the two health committees. The ten members would have all the power normally provided for standing committees.

On the bottom of page 3 of the bill is a list of some of the issues we could review or comment upon. These are just some ideas, because this list is without limitation. On page 4 it mentions, "Conduct investigations, hold hearings in connection with duties...." I am thinking of several other commissions, boards, and committees that do not have any BDR authority. They have their hearings and come up with great ideas then must depend on agencies or individual legislators to go forward with their legislation.

This committee would serve as a great forum and a sort of umbrella organization that could hear from people like the Nevada Silver Haired Legislative Forum, the Nevada Commission on Aging, the Nevada Veterans' Services Commission, and all the veteran organizations. We have the SSSPAC, which is the Senior Services Strategic Plan Accountability Committee in the Aging Services Division, and has a ten-year strategic plan that is about four years old now. The Silver Haired Congress deals with national issues and can bring that perspective. We also have Nevada 211 and all the non-profit agencies that are a part of that. There is a task force on elder abuse that was just recently established in the south, and then there are all the various government agencies that provide social services and other services, such as transportation, for seniors.

I do not see any language in the bill concerning how many BDRs this committee would be allowed, but I think ten BDRs are allowed. I also included a sunset date. I think this committee is needed and will serve a good purpose for many years to come, but there is a four-year sunset on it just to see how it will work.

Assemblyman Segerblom:

Would this take the place of a standing committee?

Assemblywoman McClain:

I do not know.

Assemblyman Segerblom:

We are only allowed so many interim committees.

Assemblywoman McClain:

This is not an interim study committee; this is a standing committee.

Chair Koivisto:

Why monthly meetings? Most committees that meet during the interim meet six times.

Assemblywoman McClain:

I was not certain how often they met. The health committee I was on during the interim met every month. Maybe it depends on the number of issues the committee has. That is something you leave up to the committee to decide.

Chair Koivisto:

Usually the funding depends upon the number of meetings that are planned.

Assemblywoman McClain:

I know the Taskforce for the Fund for a Healthy Nevada only meets quarterly; the Nevada Commission on Aging meets quarterly, and SSSPAC meets quarterly. Maybe in the beginning you might want to have monthly meetings because there are so many organizations that will want to tell you what they do and give presentations and justification for what is needed. We can be flexible. That is not a problem.

Assemblyman Settlemeyer:

Would this be a standing committee during the interim, or would it be a standing committee during the session as well?

Assemblywoman McClain:

It will be an interim standing committee. That type of committee puts together a report to the Legislature at the end of the year and submits BDRs that get heard in the other committees. That was my rationale for stacking the committee with members of the Legislative committees. Say a bill got to the Transportation Committee, our senior committee member would know what it was about.

Assemblyman Settlemeyer:

I appreciate you bringing this bill because there are so many elder care and veterans' issues coming forward. How much money do you think would be required to fund this? I know the funds come from the Legislative Fund, but what is an estimated cost?

Assemblywoman McClain:

I have not seen a fiscal note.

Chair Koivisto:

Patrick Guinan just looked it up on the Internet and the fiscal note is \$326,279. That fiscal note is based on ten members, which is large for a standing committee that meets in the interim, and it is also based on monthly meetings. Most of the standing committees meet about six times during the interim, so it could be less. Just for the Committee's information, the Legislative Committee on Persons with Disabilities sunsets at the end of this session.

Assemblywoman McClain:

Because I am structuring it a little differently than most standing committees, I have heard some concern that I may not want to actually identify which committees to draw members from, and leave that up to Leadership. They may want to cut back on the number of members, too, and make it more of a traditional standing committee.

Assemblyman Cobb:

I notice that this is going to be a joint committee with the Senate, but I did not see where any Senators have signed on to the bill. Have you discussed this with them, and are they interested in doing this, as well?

Assemblywoman McClain:

We have some supporters on the Senate side, but you know what it has been like getting signatures, and I just wanted to get the bill heard.

Assemblywoman Gansert:

Would you have bill drafts, and if so, how many would there be?

Chair Koivisto:

The standing committees that meet during the interim generally have about ten BDRs they can put forward.

Assemblywoman McClain:

It did not specify in the bill, so I was assuming it would be a standard number.

Chair Koivisto:

Interim studies get five, standing committees get ten.

Assemblywoman McClain:

I did not want to have an interim study committee. In southern Nevada, the Interagency Task Force was basically an interim study committee. We put together a number of great recommendations and I had five bills out of it, but that was the end of it. We really need this focus point, and I would appreciate your support.

Assemblyman Segerblom:

If elected, would you serve as chair?

Assemblywoman McClain:

Possibly.

Assemblyman Ohrenschall:

Thank you for bringing this legislation. We have a burgeoning senior population and our laws need to keep up with their needs. Would the committee look at laws in states like Florida that also have an aging population?

Assemblywoman McClain:

Absolutely, and we have already studied a lot of those issues. Seniors I have been speaking to recently do not want to be referred to as "baby boomers," they just want to be called "boomers." That is another reason this is important. People tend to relate "senior citizen" with being kind of infirm, possibly incapable of driving, and never wanting to get on the Internet. Our survey showed that, in reality, it is almost the opposite. Two of the fastest-growing populations are those over 85 and those over 100.

What is a senior, really? Is it your age? Is it your physical condition? We need to address wellness issues, for one thing. Just because you have turned a

certain age, does not mean you have to fall apart. Those are some of the things I think will come out of this committee.

Chair Koivisto:

I would like to recognize a former legislator who has joined us, Mrs. Gene Segerblom.

Assemblywoman McClain:

She is a member of one of those fastest growing segments. Last year was the first year that baby boomers turned 60. One person was turning 60 every 7 seconds in our country. Then we will be getting the "echo boom," all of our children who will be turning 40.

Assemblyman Settlemeyer:

Is subpoena power normal for these committees?

Chair Koivisto:

I believe it is standard language. During the session, committees have subpoena power, too.

Are there any questions or comments from the Committee, or thoughts on amending the number of meetings to make it standard with other standing committees that meet in the interim?

Assemblyman Cobb:

I agree with the idea of sunseting it, and just trying it out to see how it works.

Assemblywoman McClain:

I do not know if we really want to limit it to a specific number of meetings. Maybe we could put some flexibility in the language.

Assemblyman Mortenson:

We might consider saying, "at the call of the chair."

Chair Koivisto:

I think, typically, that is the language used. Are you okay with that?

Assemblywoman McClain:

Whatever is in statute for other standing committees is fine; and if we want to amend the membership by leaving that up to Leadership in the Assembly and the Senate, that is fine, too.

Chair Koivisto:

All right. Tim Tetz, Executive Director of the Office of Veterans' Services has signed in. Do you want to speak, or are you here to support? [Tim Tetz replied that he was in support of the legislation.] Other people have signed in as neutral, but not indicated whether they wanted to speak. [There was no response from anyone else.]

Is the Committee inclined to vote on this bill today with the amendments we have talked about?

Assemblyman Settlemeyer:

I would like to add language that the committee is not required to meet. It can be a waste of funds if standing committees and commissions are forced to meet, even when they do not have to. I would like to see the discretion to have extra meetings if they are needed; but if the committee does not need to meet, that should be fine, too.

Chair Koivisto:

That is the thought behind changing the language to say, "at the call of the chair."

Assemblyman Ohrenschall:

Will the location of the meetings be at the discretion of the chair?

Assemblywoman McClain:

Normally, standing committees try to meet around the State, and videoconferencing makes that a whole lot easier.

Assemblywoman McClain:

How many members are on a normal standing committee?

Chair Koivisto:

Six.

Assemblywoman McClain:

Three and three? [Chair Koivisto agreed.]

That is fine, and they could be determined by Leadership. Whatever the makeup of other standing committees is, is fine.

Assemblywoman Gansert:

So, we will end up with a revised fiscal note, and this bill will move to Ways and Means, correct?

Chair Koivisto:

Correct.

ASSEMBLYMAN MORTENSON MOVED TO AMEND AND DO PASS ASSEMBLY BILL 184. THE AMENDMENTS WOULD CHANGE MEETINGS TO BEING CONVENED AT THE CALL OF THE CHAIR; AND THE NUMBER OF MEMBERS ON THE COMMITTEE WOULD BE REDUCED TO SIX—THREE MEMBERS FROM EACH HOUSE, TO BE DETERMINED BY THE LEADERSHIP OF EACH HOUSE.

ASSEMBLYMAN SEGERBLOM SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

With there being no further business to come before the Committee, we are adjourned [at 4:23 p.m.].

RESPECTFULLY SUBMITTED:

Terry Horgan
Committee Secretary

APPROVED BY:

Assemblywoman Ellen Koivisto, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Elections, Procedures, Ethics, and Constitutional Amendments

Date: March 13, 2007

Time of Meeting: 3:45 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster