

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

**Seventy-Fourth Session
February 15, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 8:00 a.m., on Thursday, February 15, 2007, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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 Marilyn Kirkpatrick, Chair
Assemblywoman Peggy Pierce, Vice Chair
Assemblyman Kelvin Atkinson
Assemblyman Bob Beers
Assemblyman David Bobzien
Assemblyman Jerry D. Claborn
Assemblyman Pete Goicoechea
Assemblyman Ruben Kihuen
Assemblyman Harvey J. Munford
Assemblywoman Bonnie Parnell
Assemblyman James Settelmeyer
Assemblyman Lynn D. Stewart
Assemblywoman RoseMary Womack

COMMITTEE MEMBERS ABSENT:

Assemblyman Chad Christensen, excused



GUEST LEGISLATORS PRESENT:

Assemblyman Mark Manendo, Clark County, District No. 18
Assemblyman John Ocegüera, Clark County, District No. 16

STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst
Scott McKenna, Committee Counsel
Rachelle Myrick, Committee Secretary

OTHERS PRESENT:

Catherine Cortez Masto, Attorney General, Office of the Attorney General
Nicole Moon, Public Information Officer, Office of the Attorney General
Keith Munro, Chief of Staff, Office of the Attorney General
Pamela Rowse, Private Citizen, Las Vegas, Nevada
Frank Adams, Executive Director, Sheriffs' and Chiefs' Association
Joshua Martinez, Detective, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department
Donovan Hansen, Battalion Chief, City of North Las Vegas
Al Gillespie, Fire Chief, City of North Las Vegas, and President,
Nevada Fire Chiefs' Association
Kimberly McDonald, State Legislative Affairs Officer, City
Manager's Office, City of North Las Vegas

Chair Kirkpatrick:

[Meeting brought to order and roll called at 8:00 a.m.]

We have one presentation this morning by the Attorney General's Office. From there we will move on to our bills.

Catherine Cortez Masto, Attorney General, Office of the Attorney General:

I am honored to be able to appear before your Committee today to spend a few moments to talk a little bit about the office and what the Attorney General does ([Exhibit C](#)). I would like to introduce to you some of the people who work with me. Keith Munro is our Chief of Staff, and Nicole Moon is our Public Information Officer.

The framers of the *Nevada Constitution* created the position of Attorney General as a constitutional officer. The duties are both constitutional and statutory. Most of my duties are set forth in statute. *Nevada Revised Statutes* chapter 228 is the statute that has been devoted to the Attorney General's Office. Given the parameters of the law, the main mission of the Attorney General's Office is to serve Nevada by advising and defending its institutions, enforcing laws for the protection and benefit of its citizens, ensuring open government, and empowering through educational outreach. The two general duties of the office are to provide legal counsel and representation for State institutions, and enforce the State laws and prosecute offenders.

There is a misconception that our office can also provide legal services for our citizens. We do not provide legal advice to private citizens. We are prohibited by law from doing that.

The Nevada Attorney General's Office provides legal representation for each of the Executive Branch Agencies and most but not all of the State boards and commissions: 98 State agencies and 111 boards and commissions ([Exhibit C](#)).

These agencies, boards, and commissions exist to protect the public interest of all Nevadans. While their primary missions may differ in general, these bodies exist to ensure that all Nevadans get the services they need from State government. Also, that the professional practitioners are qualified, licensed, and regulated. The sheer size of this list raises a question as to how we can accomplish this task. The office of the Attorney General employs 144 attorneys, 45 investigators, and 161 support staff.

Under our current structure, the Attorney General's constitutional and statutory duties are met through the efforts of a number of major divisions. The Civil Division is the largest division, representing over 200 State agencies, boards, and commissions I just mentioned. It consists of several teams of attorneys that work in the following areas: Boards and Commissions, Government Affairs, Commerce, Conservation and Natural Resources, and Taxation. We also have three specialized units that provide legal services for some of our larger State agencies. The Gaming Division supports our state's gaming and athletic regulatory bodies. The Health and Human Services Division supports each of the divisions within the Department of Health and Human Services. The Transportation Unit supports the Department of Transportation, the Department of Motor Vehicles, and the Department of Public Safety. The next unit is our Litigation Unit. This unit handles conflict litigation involving our State agencies. This includes State and federal lawsuits involving inmate civil rights, tort claims, Title 7 discrimination claims, ADA (Americans with Disabilities Act), employment cases, actions against any district court judge, or Nevada Supreme

Court Justice, the Department of Corrections, Board of Pardons Commissioners, and Board of Parole Commissioners.

Another general duty of the Attorney General's Office is to enforce State laws and prosecute offenders. The bulk of this obligation is handled by our Criminal Justice Unit. This unit is charged with prosecuting, preventing and punishing crime under the Attorney General's Criminal Prosecution Authority. It is broken into four divisions: the Special Prosecutions Unit, the Public Integrity Unit, the Insurance Fraud Unit, and the Workers Compensation Unit. Collectively these units prosecute crimes committed by State prisoners, crimes referred to us by a district attorney's office, crimes committed by State employees and elected officials, criminal violations of the Workers Compensation Law, and crimes involving insurance fraud. In addition, the Special Prosecutions Unit consists of the only team of Nevada lawyers that defends State federal habeas cases, or petitions filed by Nevada's most serious offenders before the Federal District Court, the Ninth Circuit Court of Appeals, and the United States Supreme Court. Supporting our prosecutors is a team of dedicated investigators. These investigators investigate criminal offences committed by State officers and employees, conduct fraud investigations, and assist in other investigations.

We currently have 45 peace officers spread among several units: General Investigations, Workers Compensation, Insurance Fraud, Bureau of Consumer Protection, Missing Children's Unit, Tobacco Enforcement, and Medicaid Fraud Control. Within our office is the Bureau of Consumer Protection. It was created in 1997 and combined the resources of four areas within the office: the Advocate for Customers of Public Utilities, Telemarketing Consumer Fraud Unit, Criminal Securities Unit, and the Anti-Trust and Non-Profits Unit. The BCP (Bureau of Consumer Protection) represents the interest of customers of Nevada's regulated public utilities, enforces State laws to protect the public interest, prosecutes those who harm Nevada's consumers, and helps ensure open competitive markets for Nevada's businesses.

Our office also has a number of special units. One of them is our Domestic Violence Unit. It houses the State's Domestic Violence Ombudsman and several grant administrators who distribute federal grant monies to local agencies and organizations. Two other units we have are the Medicaid Fraud Unit, which investigates misuse and fraud of Medicaid funds by private individuals and businesses, and the Senior Nevada Advocates on Guard program, which fields complaints of Medicare fraud and also participates in educational outreach projects to educate our seniors on how to protect themselves from fraudulent exploitation of their Medicare health benefits.

The Nevada State Advocate for Missing and Exploited Children is also in our office. This unit investigates and prosecutes child abduction cases, and works with other states' missing children clearinghouses and the National Center for Missing and Exploited Children to locate and reunite missing children with their families.

The Cyber Crime Task Force in our office collaborates the efforts of the local, State, and federal agencies in investigating and prosecuting computer and technology-related crime.

The Attorney General also, by statute, establishes the guidelines for community notification of sex offenders. Right now those guidelines call for notifying the schools and child care centers of Tiers Two and Three sex offenders who have registered as living or working in their community.

We also have the Tobacco Enforcement Unit, which works with our national organization, the National Association of Attorneys General, to make sure Nevada will receive its monetary portions of the National Tobacco Settlement. The Unit also performs random stings, and investigates the sale of tobacco to minors.

The Attorney General's Office also has an Open Meeting Law prosecutor who investigates and prosecutes State and local entities when they fail to follow the State's Open Meeting Law.

We have a Yucca Mountain Unit which works closely with the Governor's Agency for Nuclear Projects on the legal fight against the Department of Energy's plan to build the Yucca Mountain Nuclear Waste Dump in southern Nevada.

There are two other units that are statutorily assigned to the Attorney General's Office. One is the Prosecution Advisory Council, which oversees the County District Attorneys' offices, and provides additional resources to those offices as requested.

The other is the private investigators licensing board, which approves the licenses of, and regulates any private investigator, private patrolman, process server, re-possessor, polygraph examiner, and canine handler in the State.

The Attorney General's Office issues opinions. AGOs (Attorney General Opinion) are another service we provide to our clients. By statute an Attorney General's opinion can be requested by our clients, county district attorneys, or city attorneys. Opinions cannot be requested by members of the public or the

media. Published opinions dating back to 1914 can be found on our website. Unpublished opinions, however, must be obtained from the client because they are considered a product of attorney/client privilege.

In your packet, I have provided you with a copy of a memo I sent out earlier this year to all of our State clients, outlining the availability of opinions and how to request one.

The office also puts together educational publications for our clients and the public. These publications are available on our website, and they are regularly updated as laws change. On the slide you can see the types of publications that we present and publish.

As Attorney General, I serve as a member of several constitutional and statutorily created boards that may come to your attention during this legislative session, and I just want to highlight a few of these. One is the Board of Examiners. The Board of Examiners examines claims against the State, and performs various other duties as set forth by law. I sit as a member on the State Board of Prison Commissioners, which administers all matters connected with the Department of Corrections. I sit as a member on the State Pardons Board, which has the authority to remit fines and forfeitures, commute criminal punishments, and grant pardons after convictions. I sit on the Department of Transportation Board of Directors, which has been charged with establishing and maintaining adequate highways and roads in our State.

There is also an Executive Branch Audit Committee, which is comprised of all the Executive Branch Constitutional Officers, and that Committee reviews the audits conducted by the Division of Internal Audits.

Assemblywoman Parnell:

How many people do you have working in the AG's (Attorney General's) office?

Catherine Cortez Masto:

A total of 351.

Assemblywoman Womack:

I know you have an office in Las Vegas, and one in Reno, but do you have sub-offices throughout the State?

Catherine Cortez Masto:

The only other office we have besides Reno, Carson, and Las Vegas, is in Ely. We have one attorney and support staff there.

Assemblyman Goicoechea:

Is the reason you have the one attorney in Ely because of the maximum security prison there?

Catherine Cortez Masto:

Yes, it handles most of the litigation dealing with the prison system and the courts there.

Assemblyman Goicoechea:

Do you care to comment about the court facilities that are available in White Pine County?

Catherine Cortez Masto:

I support the need for a new courthouse there. I have walked through it, and as a former prosecutor, I know how close a defendant is not only to the jury, but to the rest of the staff. They need someone to come in and look at the security issues, the needs and concerns, and the physical space in that courthouse.

Assembly Bill 48: Requires the Governor to proclaim the third week in April as "Nevada Shaken Baby Syndrome Awareness Week." (BDR 19-128)

At this time we would like to invite Assemblyman Manendo and now open the hearing on A.B. 48. This bill states the above.

Mr. Manendo, please proceed.

Assemblyman Mark Manendo, Assembly District 18, Las Vegas:

I will start out by saying that April has been designated as National Child Abuse Prevention Month. It is an annual tradition that was initiated in 1979 by former President Jimmy Carter.

Over the years I have been working with one of my constituents, who is at the witness table. She, unfortunately, had an incident in her family in which her granddaughter was murdered. Her granddaughter's name is Kierra Harrison and she was murdered on March 5, 1997. At that time, there was a conviction for the murder and a life sentence given. In December of 2000, it was overturned on a jury instruction technicality. There is a new trial set for April of this year.

Ms. Rowse decided to start her own crusade as a grandmother. She started the Kierra Harrison Foundation. I want to give you some background to inform you about the Kierra Harrison Foundation, and what she has been trying to do.

Currently, across the country there are several states that are taking up this cause in the form of a resolution or a proclamation designating the third week in April as "Nevada Shaken Baby Syndrome Awareness Week". These states are: New York, California, Florida, Illinois, Washington, Wisconsin, Maryland, Nebraska, and now Nevada.

The following is some background information about my constituent and friend, community leader Pam Rowse, the founder of the Kierra Harrison Foundation. She is on the State Advisory Board for Prevention of Child Abuse America, Nevada Chapter. She is a Board of Trustees member for the Area Health Education Council of Nevada. She is co-Chair of the National Center for the Shaken Baby Syndrome Nursing Network Taskforce, co-Founder and former Vice President of the National Shaken Baby Coalition, former Advisory Board Member for the Shaken Baby Alliance, March of Dimes Nurse of the Year in 2003, and the list goes on.

I want you to know that this is a woman who has experience in the health care profession.

Once I had the opportunity to see a video wherein they asked an abuser to take a baby doll and shake it the way she shook her own child to death. I was absolutely frightened by the force. When you see that, you become so afraid to do anything or to make any sharp movements with a child. Seeing the force that this person was demonstrating on a doll showed you why there is potential for harm. Unfortunately, in some cases, death occurs. I still remember that video, which I saw prior to this becoming an issue; people were not even thinking about Shaken Baby Syndrome (SBS). That completes my testimony and the real expert is going to speak, if that is ok with you.

Chair Kirkpatrick:

Ms. Rowse, it is truly an honor to have you here. Welcome to Government Affairs.

Pamela Rowse, Founder, The Kierra Harrison Foundation:

I have been actively practicing as a Registered Nurse in the State of Nevada since 1980. My primary background was in emergency critical care and pre-hospital patient care. I am very thankful that I can speak today on behalf of A.B. 48 ([Exhibit D](#), [Exhibit E](#), and [Exhibit F](#)).

In 1997 my life took a very difficult and painful change in course from my primary nursing career. On March 5, 1997, my 14-month-old granddaughter Kierra Ashlie Danielle Harrison died from a form of shaken baby abusive head trauma. This March will mark the tenth anniversary of Kierra's death. If she

were alive today she would be 11 years old, entering the sixth grade, and enjoying all of the practices and things that sixth graders do. Since her tragic death, it has been my mission to educate as many individuals as I could, both publicly and professionally, about SBS and abusive head trauma. The measure for prevention is just "Do Not Shake."

One of the things I learned from my research and investigation was the unbelievable lack of awareness of what shaking can create and cause, and the very prevalent and insidious trigger, which is a baby crying inconsolably. The statistics before you show what the national data is on SBS. It is prevalent. We actually know that the statistics are well under-reported because of the coding in health care. These are other issues that we will address at some point.

The fact is that 33 percent of the cases do not initially show critical signs and symptoms. Ultimately, we are learning that it does impact behavioral and educational learning disabilities in later years. Another 33 percent of the cases reveal that victims sustain such severe neurological deficits and injuries that their life spans are shortened. We just had a 13-year-old die yesterday morning, who was shaken when she was three months old. She lived in a vegetative state for most of her 13 years. One third are kids that die from the initial shaking and the amount of brain damage that it causes.

The other most important thing is the cost of caring for the survivors. You cannot actually track the total number or amount in those cases related to the legal components in the prosecution, investigation, and incarceration of SBS perpetrators. We have been able to gather statistics on the medical costs, care, and services for surviving children. It has been documented that it can exceed \$1 million in the first three years. For such a highly expensive event, and one that could be prevented, we need to make people aware that shaking a baby does cause brain injury.

Since 2001, the United States Congress has annually proclaimed the third week in April as "National Shaken Baby Awareness Week", in conjunction with "National Child Abuse Awareness Month". Currently H.R. 67, with six co-sponsors, is in the Legislative Review and has been referred to the Committee on Energy and Commerce, and the Committee on Education and Labor Committees.

Approximately 15 states have adopted proclamations for an annual awareness week in the last 10 years. I want to request that you approve A.B. 48. Passage of A.B. 48 would provide an excellent platform for nonprofit organizations throughout the State of Nevada to collectively work to reduce the

cases of SBS through education. Help us help them by designating the third week of April as "Awareness Week," now and forever. Remember the children and honor their health and safety.

Much thanks to the Committee, and Mark Manendo for the bill submission and his work over the last 10 years. The Nevada Prevent Violence Team, the Nevada Prevent Violence Chapter, the National Shaken Baby Coalition, and hundreds of people in our State are working very hard to protect our children and to prevent harm to them.

Chair Kirkpatrick:

Is there anyone else in Clark County that is in support of this? [There were none.]

Any questions from the Committee?

Assemblyman Beers:

In reading some of the paperwork, I found a statement that was very troubling to me about the woman who had shaken her granddaughter; a day-care provider was issued a license after previous allegations of child abuse. Is there anything that I am not aware of? Is there anything being done to deal with that part of the issue?

Pam Rowse:

Since Kierra's death there have been significant changes in the screening regarding licensure for day-care providers. Her provider was a home day-care provider rather than a center. I do know that Clark County has significantly tightened those screenings and background checks for licensure.

Assemblywoman Womack:

In talking about the issues of SBS and any other abuse, the first thing is awareness. Having a week, or even a day, named in honor of an issue brings that awareness to the community and to us as individuals. I commend you and thank you for bringing this before us.

Assemblyman Settelmeyer:

I think this is a very worthy cause, a fantastic thing. I am so glad that you were able to bring this to the forefront.

I do not think it has to be done within the bill, but could the information provided be broken down on the national and then the State level, so that we have an idea of the impact that is occurring in our State? Will there be individuals such as your esteemed colleague and friend in Las Vegas who will

help access this information and get it to the appropriate governmental office? Also, what government officers do you think this will go to?

Assemblyman Manendo:

There are many folks and nonprofits that are going to be able to assess data. We are constantly collecting data, not only statewide but nationally. We can try to find current information and get that to the Committee members.

I am sure that the local jurisdictions will think that the local health districts would probably be interested in seeing some of these statistics, too. They have places where they can put out pamphlets and awareness notices. There are many creative things we can do. I belong to several nonprofits, and we are constantly trading information and providing assistance to each other.

Chair Kirkpatrick:

We will move A.B. 48 to a work session for next week.

Assemblyman Goicoechea:

Do you intend to move all bills to a work session and not look for a motion from the Floor during this hearing?

Chair Kirkpatrick:

That is correct.

Assembly Bill 51: Revises provisions pertaining to the disclosure of certain information regarding an applicant for a position as a firefighter with a fire-fighting agency. (BDR 19-247)

Assemblyman John Ocegüera, Assembly District 16, Clark County:

I agreed to introduce this bill because I see the importance firsthand in the work that I do everyday. A.B. 51 would allow fire-fighting agencies to request information about the employment history of an applicant in the same manner that law enforcement agencies are currently allowed to do. Former employers would be able to answer questions related to the attendance, compensation, performance, and any disciplinary actions taken against the former employee who applies to work for the fire department without the fear of facing civil liability.

In my experience, it is imperative that only the best, most reliable, and honest individuals be allowed to work for a fire-fighting agency. Even more so than police officers, firefighters are often in the homes of citizens with unfettered access to their most valuable possessions at a very vulnerable time in their lives. Unlike the police, firefighters do not have to knock first and ask

permission to enter a home. When an emergency is in progress, citizens and those of us who are firefighters, deserve to know that we can trust those individuals who are hired to be on the front lines.

Today I am honored to have with me a good friend and colleague, Battalion Chief Donovan Hansen. Chief Hansen brought this issue to me when he was sent to a school in Birmingham, Alabama, when our Department started doing its own background checks. We had sent some folks to school to become proficient in this area. He came to me and said that we were having some issues on this. We were not getting employers to be forthright and forthcoming in some of these important investigations. I said that this was a lesson on why we should change the law.

Donovan Hansen, Battalion Chief, City of North Las Vegas Fire Department:

It is my pleasure to be here today with Assembly Majority Leader John Ocegüera, who also is a Battalion Chief for the North Las Vegas Fire Department and representing A.B. 51.

The purpose of A.B. 51 is to ensure that fire-fighting agencies can conduct thorough background investigations on applicants while giving their previous employers immunity from civil liabilities when requesting information about their employment history. Under the current *Nevada Revised Statutes* 239B.020, law enforcement agencies are able to obtain employment information from an employer or previous employer regarding an applicant's employment history. The employer is immune from the civil liability in NRS 41.755.

We are here today asking that the same provision be authorized for firefighting agencies because we are public safety agencies. It is only logical and consistent that both public safety agencies, police and fire, be able to conduct thorough background investigations and obtain employment history information while giving the employers immunity from civil liability.

Standard employment history information that we request are questions regarding an applicant's work history, work ethic, integrity, and honesty. Most employers are forthright and disclose that information anyway, but because public safety is our highest priority, we must recruit only those men and women of the highest caliber and character.

We take pride in our profession, and our goal is to hire only upstanding applicants. In fact, one of the handouts that we have provided is the North Las Vegas Fire Department's Vision, Mission, and Values ([Exhibit G](#)). The Values section lists the acronym, NLVFDPRIDE, which stands for Noble, Leadership, Vigilant, Family, Diligent, Professionalism, Respect, Integrity, Diversity, and

Excellence. The fire department conducts its own background investigations, and we are able to determine whether the person is likely to fit within our vision, mission, and values. The employer or former employer is one of the most valuable resources for this information.

The public trusts us to come into their homes and businesses to save their lives, or extinguish emergencies without fearing they will be robbed, hurt, or taken advantage of. We must always honor that trust.

We have enclosed copies of our online employment application, the fire department's authorization to obtain credit, and the police department's authorization of release of information and waiver of privilege ([Exhibit H](#)). Each includes a waiver in the signature area. Applicants sign these waivers. A.B. 51 adds authorization for firefighting agencies to obtain employment information by law.

In closing, the North Las Vegas Fire Department thanks Majority Leader John Ocegura for sponsoring A.B. 51 on our behalf, and we kindly ask for your support of its passage.

Assemblyman Stewart:

Chief, can you tell us the nature of the problems that you have had in the past? Has it been widespread?

Donovan Hansen:

In the majority of the background investigations that we do, we do not meet much resistance, but there are occasions where we have met resistance and that raises a red flag with our Background Investigations Committee. If they are reluctant to tell us about the candidate, maybe they are fearful of getting themselves into trouble. That raises the question: what kind of person is this? Is this someone that we want? If we can assure them they would be released of liability, it would help ensure that we have quality candidates.

Assemblyman Goicoechea:

I am not familiar with NRS 41.755 as far as the immunity extended to an employer. Is that far-reaching, Assemblyman Ocegura? Is there enough security in that for an employer?

Assemblyman Ocegura:

This statute is specific to police. I think it is fairly broad in its application as far as the release of immunity, but specific only to police.

Assemblyman Goicoechea:

With this change in the statute, then technically it would be extended from just police to fire, also?

Assemblyman Ocegüera:

Correct.

Assemblyman Beers:

How far-reaching would this coverage go? Does public safety simply include firefighters and police, or are there other agencies that would come into the envelope?

Assemblyman Ocegüera:

I believe there is a definition for public safety, but I do not have the bill in front of me.

Chair Kirkpatrick:

Mr. Beers, on page 3 it has the definition for you.

At this time I am going to Clark County. Is there anyone who would like to testify in support of this?

Al Gillespie, Fire Chief, City of North Las Vegas, and President, Nevada Fire Chiefs' Association:

I am Al Gillespie, Fire Chief with the City of North Las Vegas and the President of the Nevada Fire Chiefs' Association.

The members of the fire service enjoy a reputation as one of the most respected and trusted professions in the country. It is through exhaustive and thorough background checks on the men and women we bring into this profession that we maintain this reputation with the public we serve. People in our communities trust us to enter their homes and businesses when they are not there to protect their property. They allow us into their homes and businesses when they are sick and injured and at a time when they are most vulnerable; they expect that we will respect their personal information, their personal properties, and will be there to assist their families, friends, and neighbors in their hour of need. By supporting A.B. 51 you will assist us in ensuring that the respect and trust the public puts in the members of the fire service will be earned and deserved.

Chair Kirkpatrick:

I have a few people that would like to speak in support of this.

Josh Martinez, Detective, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:

I am also representing the Nevada Sheriffs' and Chiefs' Association. We are in favor of this bill. It would give them a better tool to do a full investigation, which they need to do.

Frank Adams, Executive Director, Nevada Sheriffs' and Chiefs' Association:

Being a native son of North Las Vegas and also a former member of the North Las Vegas Police Department, I was proud to see the firefighters from North Las Vegas bring this forward. I can tell you from our experience in law enforcement that this has helped us tremendously in finding information on prospective individuals applying for police service. I am glad to see that it is being brought before you for the fire service. Law enforcement in Nevada stands ready, willing and able to assist the fire service in its background investigations. We support this bill.

Kimberly McDonald, State Legislative Affairs Officer, City Manager's Office, City of North Las Vegas:

We wholeheartedly support this measure and, certainly the efforts of our public safety agencies in getting the very finest men and women possible.

Assemblyman Stewart:

Would EMTs (Emergency Medical Technician) be included in the firefighter designation? If not, maybe we could include them in here as well.

Assemblyman Ocegueda:

I do not have the bill in front of me, so I do not have that definition of public safety.

Chair Kirkpatrick:

The definition of public safety on page 3, line 27 and 28 says that a public safety agency means a fire-fighting agency or a law enforcement agency.

Assemblyman Stewart:

Would that include EMTs?

Assemblyman Ocegueda:

I am guessing that it probably would not.

Chair Kirkpatrick:

Let me clarify that with Legal.

Scott McKenna, Committee Counsel:

On page 3, line 17 through 19, the term firefighter is defined to mean a person who is a salaried employee of a fire-fighting agency and whose principle duties are to control, extinguish, prevent, and suppress fires. At present, this would not include EMTs.

Assemblyman Settelmeyer:

If we changed the language to an inclusive term, such as public safety officer, rather than firefighter/police officer, would that clear up the language and help establish it? I agree with the concept Mr. Stewart has expressed. If individuals who are EMTs come into your home, it would be nice to have that ability because an EMT is a fire person. That is just the way I term it. I feel they both provide such a valuable service.

Chair Kirkpatrick:

Mr. Ocegüera do you have any appetite to include EMTs or shall we just leave it as is now stated?

Assemblyman Ocegüera:

If we expand this to the private sector, or to volunteer ranks, it may bring some unintended consequences to the folks that are doing the background investigation. They may not be as qualified as say, for example, those in the professional fire service. Mr. Hansen has been to school and trained, but with these types of background checks, you may be opening up a can of worms.

Assemblyman Goicoechea:

I think we could probably amend the language so it would incorporate a paramedic that was serving with the fire service, but I also would be very apprehensive, especially moving out of Clark County into some of the rural counties. If you start talking about doing a background check on every volunteer EMT you had in your service, it would not be a good thing.

Chair Kirkpatrick:

I would like to move this to next week's work session.

We now have some BDRs that we need to introduce.

BDR 31-83— Lowers threshold for payment of costs and fees related to debt collection. ([Assembly Bill 121](#).)

The first one is BDR 31-83. It is requested by the State Controller. It revises provisions relating to the collection of certain debts owed to the State.

ASSEMBLYWOMAN PIERCE MOVED TO INTRODUCE BDR 31-83.

ASSEMBLYWOMAN WOMACK SECONDED THE MOTION.

THE MOTION CARRIED.

* * * * *

BDR 22-376— Revises requirements for notice of vacatings or abandonments of rights-of-way and easements. ([Assembly Bill 120.](#))

The second one is BDR 22-376. This was requested by NACO (Nevada Association of Counties). It revises notice requirements for a proposal to vacate certain rights of ways and easements.

ASSEMBLYMAN BOBZIEN MOVED TO INTRODUCE BDR 22-376.

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION CARRIED.

* * * * *

BDR 20-380— Revises provisions governing systems used for reporting emergencies in certain counties. ([Assembly Bill 122.](#))

BDR 20-380 was requested by NACO. It revises provisions governing systems used for reporting emergencies in certain counties.

ASSEMBLYMAN GOICOECHEA MOVED TO INTRODUCE BDR 20-380.

ASSEMBLYMAN BEERS SECONDED THE MOTION.

THE MOTION CARRIED.

* * * * *

BDR 23-614— Clarifies provisions governing purchase of retirement benefits by state agencies. ([Assembly Bill 119](#).)

BDR 23-614 was requested by the Department of Personnel. It makes various changes to provisions governing the purchase of retirement benefits by state agencies.

ASSEMBLYWOMAN PIERCE MOVED TO INTRODUCE BDR 23-614.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION CARRIED.

* * * * *

Chair Kirkpatrick:

Does anyone have anything they would like to state in public comment? [There was no one.]

[Meeting adjourned at 8:57 a.m.]

RESPECTFULLY SUBMITTED:

Rachelle Myrick
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: February 15, 2007

Time of Meeting: 8:00 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Sign In Sheet
	C	Attorney General's Office	Packet
A.B. 48	D	Pamela Rowse	Handout
A.B. 48	E	Pamela Rowse	Handout
A.B. 48	F	Pamela Rowse	Script for presenter
A.B. 51	G	Donovan Hansen	Mission statement
A.B. 51	H	Donovan Hansen	Employment forms