

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

**Seventy-Fourth Session
February 19, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 9:02 a.m., on Monday, February 19, 2007, in Room 3143 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 Marilyn Kirkpatrick, Chair
Assemblywoman Peggy Pierce, Vice Chair
Assemblyman Kelvin Atkinson
Assemblyman Bob Beers
Assemblyman David Bobzien
Assemblyman Chad Christensen
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

STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst
Scott McKenna, Committee Counsel
Cheryl Williams, Committee Secretary



OTHERS PRESENT:

Roger Bremner, Administrative Director, Division of Industrial Relations
Rusty McAllister, President, Professional Firefighters of Nevada

Chair Kirkpatrick:

[Roll called]

Thank you, happy holidays, I am glad that we are all here on Monday morning, and we are on time. I take great pride in having our Committee on time, so I appreciate that. This morning we have a full quorum. I welcome the people that are in the audience, as well as those on the Internet. I need to make one disclosure here. We are having trouble with cell phone usage and with text messaging in the mornings, usually during the first ten minutes of the meeting. We have had problems with people standing outside the committee room doing this. So, if you see anyone doing this, let him know we cannot be efficient if we cannot hear our minutes.

Assembly Bill 6: Authorizes a board of county commissioners to enter into a contract to provide the residents of the county with discounts on prescription drugs. (BDR 20-530)

[Not Heard]

I would like to move forward with a work session, as we heard six bills last week, four of them will be on this morning's work session. With that, we will start with Assembly Bill 16, and I will turn it over to staff.

Assembly Bill 16: Revises the authority of the State Board of Examiners concerning bad debts. (BDR 31-82)

Amber Joiner, Policy Analyst, Legislative Counsel Bureau [LCB]:

The first item in your work session document ([Exhibit C](#)) is Assembly Bill 16. The bill is sponsored by the Assembly Committee on Government Affairs on behalf of the State Controller. It was heard on February 16, 2007, there were no amendments proposed, and there was no testimony in opposition to this measure.

Chair Kirkpatrick:

Thank you, Ms. Joiner. At this point I would like to entertain a motion.

ASSEMBLYMAN GOICOECHEA MOVED TO DO PASS ASSEMBLY BILL 16.

ASSEMBLYWOMAN PARNELL SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Kirkpatrick:

That is a Do Pass for Committee action. I need to assign someone to make the Floor Statement. Mr. Christensen, would you be happy to do that?

Assemblyman Christensen:

Absolutely.

Chair Kirkpatrick:

Next, we are going to Assembly Bill 28.

Assembly Bill 28: Revises provisions governing the Advisory Council of the Division of Industrial Relations of the Department of Business and Industry. (BDR 18-555)

Amber Joiner:

The second measure for consideration is Assembly Bill 28. This bill is sponsored by the Assembly Committee on Government Affairs on behalf of Division of Industrial Relations ([Exhibit C](#)). No amendments were proposed, and there was no testimony in opposition of this measure.

Chair Kirkpatrick:

With that I will entertain a motion. I am sorry, Mr. Goicoechea?

Assemblyman Goicoechea:

I would, again, make one comment on this. I question the effectiveness of an Advisory Council that meets only once a year. I think it is fine that we are cutting it back, but what is the function of a Commission that has to only meet once a year? This bothers me, and I bet there is a \$20,000 budget there.

Chair Kirkpatrick:

Thank you, Mr. Goicoechea. Mr. Christensen.

Assemblyman Christensen:

I would like to ask my colleague from Eureka if he has any ideas, an amendment, or other change to this before it is processed that would make it more effective?

Assemblyman Goicoechea:

Well, I think it is effective because we are cutting the required number of meetings, so that is probably a benefit, but I think that perhaps in another session we would need to look at this to see if it is a required Commission. They are an Advisory Council, but, again, I wonder who they are advising if they meet only once a year. Even we meet more than that. Thank you.

Chair Kirkpatrick:

Ms. Joiner, would you be able to go over the justification again, just so we can discuss it again? Why do they want to go from two meetings to one meeting a year? Do you have that? How about if we let Ms. Pierce, who chaired the meeting, go over that?

Assemblywoman Pierce:

What they discussed was that they had been having the requisite number of meetings but felt that they did not have enough business, so they wanted to cut it down to one meeting.

Chair Kirkpatrick:

Yes, Mr. Claborn.

Assemblyman Claborn:

I talked with your proponent of the bill, and this is what happened; they can have six meetings a year, but it is mandatory to have two. The last meeting that they had, that was mandatory, nobody showed up, so they said they might as well have only one, and if we need to have five more, we can call them at anytime. Sometimes people have different functions to attend, and I think it is a very good idea. They still can have six meetings if they want to call them upon request.

Chair Kirkpatrick:

Thank you, Mr. Claborn. Would you please state your name for the record?

Roger Bremner, Administrative Director, Division of Industrial Relations:

What Mr. Claborn said is exactly right—we wanted the statutory requirement from being forced to meet twice a year changed to at least once a year, and we still can meet up to six times. The reason is a Legislative audit found us to be in violation when one year we did not meet twice. We could not get a quorum.

Then last year we had one meeting to comply with statute, but we did not have a quorum. We have a very good advisory board; they are very effective for us often when they are not in session rather than when they are. For example, we have a member here, Gary Milliken, who is in the back of the room. We talk to him frequently by phone but not during a meeting. He advises us of what is happening in his particular community. We also have other members spread throughout the State. We have Richard Houts and Maria Arias in Northern Nevada, Fred Gailey in Southern Nevada, Pat Walquist, and as I said, Mr. Milliken and Danny Thompson. It is a seven member board, but we have one vacancy at the present time. It is a matter of their having busy schedules, and our having busy schedules, and sometimes we are not able to get together at the same time. When we need a meeting, we always have the opportunity to call one.

Chair Kirkpatrick:

Thank you, Mr. Bremner. And without rehearing the bill, I want to see if there are any questions from the Committee to you before we continue.

Assemblyman Goicoechea:

How many times did you meet last year, or the year before? Please do not get me wrong, I do not have a problem because we are moving in the right direction, but it seems that you can solicit the advice you need without structuring the Advisory Council.

Roger Bremner:

Yes, that is absolutely right, Assemblyman Goicoechea, and we do. We had two meetings last year, and two meetings the previous year. At the second meeting last year, there was not a quorum. So we had the meeting because we were statutorily required to do it, but we could not approve minutes, nor could we approve any write offs.

Assemblyman Goicoechea:

Maybe we would be better off to remove that from the statutes completely. Thank you.

Chair Kirkpatrick:

Are there any other questions from the Committee? At this point I will entertain a motion.

ASSEMBLYMAN CLABORN MOVED TO DO PASS ASSEMBLY BILL 28.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Kirkpatrick:

This moves forward as a Do Pass, and I am looking for a volunteer for a Floor Statement. I will pick someone if no one volunteers. Mr. Claborn will you do the Floor Statement, please?

Assemblyman Claborn:

Sure. I would be happy to.

Chair Kirkpatrick:

Thank you. Moving along, we will now go to A.B. 48, and I will turn this over to staff.

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

Amber Joiner:

The proclamation calls for news media, educators, health care providers, and governmental officers, to distribute factual information and educational materials about this syndrome to residents in Nevada (Exhibit C). It is sponsored by Assemblyman Manendo, by request, and it was heard on February 15, 2007. There were no amendments proposed, and there was no testimony in opposition to this measure.

Chair Kirkpatrick:

Thank you, Ms. Joiner. Do we have any discussion? I will take a motion.

ASSEMBLYWOMAN PARNELL MOVED TO DO PASS ASSEMBLY BILL 48.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Kirkpatrick:

Motion carries, and that is a Do Pass. Ms. Parnell, would you like to do the Floor Statement?

Assemblywoman Parnell:

Yes.

Chair Kirkpatrick:

I hope that by next floor session, I will have more volunteers. Otherwise, I will have to assign. Next, we will move on to Assembly Bill 51, and I will turn it over to Ms. Joiner.

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)

Amber Joiner:

It is sponsored by Assemblyman Ocegüera. It was heard on February 15, 2007, and there were no amendments proposed, and no testimony in opposition ([Exhibit C](#)).

Chair Kirkpatrick:

Thank you, Amber Joiner. Do we have any discussion? Mr. Stewart.

Assemblyman Stewart:

I was in favor of the bill, but I am still concerned about the EMT (Emergency Medical Technician) situation. Are they going to be included? Is that a big issue, and do we have testimony on that?

Chair Kirkpatrick:

Mr. McAllister, would you like to address the Committee?

Rusty McAllister, President, Professional Firefighters of Nevada:

Thank you, Madam Chair, and the rest of the members of the Committee. With regard to EMTs, the vast majority of fire-fighting agencies has firefighters, who are their EMTs, so the fire-fighting agencies would be investigating, seeking to investigate, and getting background information on those who are EMTs and also firefighters. Many of the fire departments in the State of Nevada have combination departments that have firefighters/EMTs, and volunteer firefighter/EMTs. By being a firefighter agency, they would be able to do background checks on both. I have talked to a representative of the private ambulance companies in southern Nevada. They already conduct an extensive background police investigation along with drug tests, and anyone that has any type of problem on any of those things revealed in their background check is eliminated from employment.

Chair Kirkpatrick:

Thank you, Mr. McAllister. Mr. Stewart, did you want to follow up?

Assemblyman Stewart:

Thank you, Madam Chair. I am satisfied; thank you very much for your input.

Chair Kirkpatrick:

Thank you, Mr. Stewart. Mr. Goicoechea, and then Mr. Beers.

Assemblyman Goicoechea:

Thank you, Madam Chair. Rusty [McAllister], the real meat in this bill is that it extends civil immunity. But there would be no way that this bill would extend that to the private sector ambulances. Am I correct?

Chair Kirkpatrick:

Mr. McAllister?

Rusty McAllister:

That is correct. It does not extend to private ambulance companies. I cannot speak for the private ambulance companies in Reno, but the ones in Las Vegas already have that capability, and do perform extensive police background and drug tests.

Assemblyman Goicoechea:

The way I look at the bill, it provides that you have to keep the information confidential, and it is only extended to public employers. Again, we are having this dialog in this hearing as to how extensive that is. In fact, local jurisdictions could start investigating their volunteer EMTs. I believe the way the bill is written, and correct me, either staff or you, if you feel that I am wrong, is that this bill would allow the public employer to investigate any and all, even for a volunteer fireman that was working under an assumed wage.

Rusty McAllister:

I believe that to be correct, Mr. Goicoechea.

Chair Kirkpatrick:

Thank you, Mr. Goicoechea. Do you have anything else?

Assemblyman Goicoechea:

Well, I am not so sure. I do not know if we really intend to go that far with it. I mean, into the volunteer program. If one is truly an employee, it is different from being a volunteer.

Chair Kirkpatrick:

I am going to have Mr. McKenna address that.

Scott McKenna:

Thank you, Madam Chair. I would point out again, that the definition of firefighter is limited to somebody who is a salaried employee. And it would also be limited to somebody whose principal duties are to control, extinguish, prevent, and suppress fires. So, in regard to the possibility of a joint firefighter/EMT, the person's principle duties would still have to be to control, extinguish, prevent, and suppress fire, or they would not be covered by the definition. Thank you.

Assemblyman Goicoechea:

One more question, if I may.

Chair Kirkpatrick:

Mr. Goicoechea.

Assemblyman Goicoechea:

With that then, Rusty [McAllister], down south, I assume that in the urban areas they probably have paramedic teams that run with your units, or are they separate?

Rusty McAllister:

The way the response system works in southern Nevada, it is a dual response system, in which the fire departments all have firefighter/paramedics, or firefighter/EMTs that respond to a call. At the same time, a dual response goes out to the private ambulance companies. That way we have coverage, we are more centrally located, and can get to the call a lot sooner than the private ambulance companies do. The private ambulance companies do the majority of the transport in southern Nevada. In that way it is a dual response, the fire departments have firefighter/paramedics, and firefighter/EMTs. As a matter of fact, everybody in our department is an EMT at a minimum. We respond with the private ambulance companies.

Chair Kirkpatrick:

Mr. Goicoechea.

Assemblyman Goicoechea:

Thank you, Madam Chair. Do you have units that respond, EMS (Emergency Medical Services), that are strictly paramedic, and where would they be in this classification, as a firefighter/paramedic?

Rusty McAllister:

The fire departments in southern Nevada do not have units that are strictly paramedic/EMTs. We have rescues that have a paramedic and a firefighter/EMT assigned to them. But our people fill a dual role. They are certified both as firefighters and EMTs, or paramedics, so when we have a fire, we respond to rescues with a paramedic and an EMT, and they will go in and fight fires just like everybody else.

Assemblyman Goicoechea:

Thank you. I do not have any heartburn with the bill; I just want some clarification that we are going to accomplish what we really want to. Thank you.

Chair Kirkpatrick:

Thank you, Mr. Goicoechea. Mr. Beers, do you still have a question?

Assemblyman Beers:

I just wanted to re-clarify Mr. McKenna's statement that those EMTs whose primary duties are not fighting fires would be excluded from this bill. Did I understand that correctly?

Chair Kirkpatrick:

Mr. McAllister, I can have Mr. McKenna address that if you would like.

Scott McKenna:

As I indicated before, the definition of firefighter is a person who is a salaried employee of a fire-fighting agency, and whose principal duties are to control, extinguish, prevent, and suppress fires. Those are the persons to whom the bill applies.

Chair Kirkpatrick:

Thank you, Mr. McKenna. Mr. Beers, does that address your concern?

Assemblyman Beers:

That would indicate that those agencies, such as those in the southern urban areas that have EMTs who are not primarily firefighters, but are fire personnel, would not be covered by this bill.

Chair Kirkpatrick:

Mr. Christensen.

Assemblyman Christensen:

If I may just address that from my experience, I went out twice with Clark County Fire on ride alongs, and went out on the engine. All those guys were firefighters, but also when on fire rescue, they responded to more of the paramedic type of responsibility. If I understand you, all of those guys in Station 12 fit the classification of what Mr. McKenna said, whereby their responsibility is to extinguish fires. So whether they are in the fire rescue, or they are in the engine, all of those in Station 12 fall into this classification.

Chair Kirkpatrick:

Mr. McAllister.

Rusty McAllister:

That is correct. The Las Vegas Fire Department, the Clark County Fire Department, Henderson, and North Las Vegas fire departments hire firefighters. The fact that they are EMTs or paramedics is secondary to the fact that they work for the fire department, and are firefighters first; they provide a dual role by serving also as EMTs and paramedics, but their first and primary role is as firefighters.

Chair Kirkpatrick:

Thank you. Mr. Christensen and Mr. Beers, does that help answer your questions? With that, I do not see anymore discussion; do we have any more discussion? I will entertain a motion.

ASSEMBLYMAN CHRISTENSEN MOVED TO DO PASS ASSEMBLY BILL 51.

ASSEMBLYMAN SETTELMAYER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Kirkpatrick:

I will assign this Floor Statement to Mr. Ocegüera. With that being said, at this time I will be happy to take any public comment. Do we have any public comment? No? Are there any comments from the Members before we close? That concludes our meeting for today, and our next meeting will be tomorrow morning at 8:00 a.m. Thank you and have a nice holiday.

[The meeting was adjourned at 9:24 a.m.]

RESPECTFULLY SUBMITTED:

Cheryl Williams
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: February 19, 2007

Time of Meeting: 9:00 a.m.

	A		Agenda
	B		Guest List
	C	Amber Joiner	Work Session Document