



# **NEVADA LEGISLATURE JOINT INTERIM STANDING COMMITTEE ON GOVERNMENT AFFAIRS**

*(Nevada Revised Statutes [NRS] 218E.320)*

## **MINUTES**

**August 23, 2024**

The fifth meeting of the Joint Interim Standing Committee on Government Affairs for the 2023–2024 Interim was held on Friday, August 23, 2024, at 12:30 p.m. in Room 165, Nevada Legislature Office Building, 7230 Amigo Street, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Committee's [meeting page](#). The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) ([publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us) or 775/684-6835).

### **COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Assemblywoman Selena Torres, Chair  
Senator Edgar Flores, Vice Chair  
Assemblyman Max Carter  
Assemblyman Reuben D'Silva  
Assemblyman Richard McArthur

### **COMMITTEE MEMBERS PRESENT IN CARSON CITY:**

Senator Skip Daly  
Senator Ira Hansen  
Assemblyman Gregory Koenig

### **LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Jered McDonald, Deputy Research Director, Research Division  
Jennifer Ruedy, Research Director, Research Division  
Maria Velazquez, Research Policy Assistant, Research Division  
Heidi Chlarson, Chief Deputy Legislative Counsel, Legal Division  
Brody Leiser, Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division

*Items taken out of sequence during the meeting have been placed in agenda order.*

## **AGENDA ITEM I—CALL TO ORDER**

### ***Chair Torres:***

[Chair Torres called the meeting to order and welcomed Members, presenters, and the public to the fifth meeting of the Joint Interim Standing Committee on Government Affairs. She covered meeting guidelines and housekeeping information.]

## **AGENDA ITEM II—PUBLIC COMMENT**

### ***Chair Torres:***

[Chair Torres reviewed public comment guidelines and called for public comment.]

### ***Cadence Matijevich, Government Affairs Liaison, Washoe County, Nevada:***

Good afternoon, Chair Torres and Members of the Committee. I am here in support of Item V on your Work Session Document (WSD), and to express our thanks to the Chair for bringing it forward—and would encourage Committee Members to take it under consideration and move it forward. In April of 2024, the Washoe County Board of County Commissioners approved Washoe County's language access plan, and we have begun implementing it. We have taken this very seriously and are doing our best to comply with the requirements in legislation, and what we believe was the intent of the legislation. Certainly, this was an unfunded mandate for us and to the extent that funds could be made available for local governments to implement this, we would appreciate it.

### ***Chair Torres:***

Is there anyone else in Carson City? It does not appear so. I will go to Las Vegas; I see somebody wishing to testify in public comment.

### ***Marco N. Velotta, Planner and Chief Sustainability Officer, City of Las Vegas:***

The City of Las Vegas was in support of Item VI in the last legislative session related to heat mitigation elements for master plans, including a plan for developing heat mitigation strategies for cooling spaces, public drinking water, shade, and urban tree canopies. If the Committee does consider this for inclusion as a bill draft request (BDR) for the 2025 Legislative Session, the City of Las Vegas may be in support of that as well, as we were the last time around.

### ***Chair Torres:***

Is there anyone else wishing to testify in public comment? I do not see anyone in Las Vegas or Carson City. Broadcast and Production Services (BPS) is there anyone on the line wishing to testify in public comment?

### ***BPS:***

The public line is open and working. However, there are no callers online for public comment at this time.

### **AGENDA ITEM III—APPROVAL OF THE MINUTES FOR THE MEETING ON MAY 30, 2024**

***Chair Torres:***

We will move on to the approval of the minutes for the meeting on May 30, 2024.

VICE CHAIR FLORES MOVED TO APPROVE THE MINUTES FOR THE MEETING ON MAY 30, 2024.

ASSEMBLYMAN D’SILVA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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### **AGENDA ITEM IV—PRESENTATION ON THE UTILIZATION OF INTERNET-BASED FOOD DELIVERY APPLICATIONS BY FICTITIOUS RESTAURANTS TO SELL FOOD UNDER THE IDENTITY OF LEGITIMATE RESTAURANTS**

***Chair Torres:***

We will proceed to the next agenda item. Presenting are Tom Roberts and Christina Martin, thank you for joining us today.

***Tom Roberts, Managing Partner, Meridian Nevada:***

Good afternoon, Madam Chair. I have Jacqueline Bretell here as well; she is an attorney with the Nevada Justice Association and is associated with this presentation. We are here to speak about something that is occurring in Las Vegas and nationally regarding businesses who utilize food service applications to conduct business illegally under the name of other businesses. I will turn it over to Christina Martin who will talk about her business and experience. Then, Jacqueline Bretell will follow up with other implications.

***Christina Martin, Owner, Manizza’s Pizza:***

I am here to tell you what happened to my business this spring, and why I am so passionate about protecting other small businesses, as well as the public, when it comes to consuming food made at restaurants around Las Vegas. In April, I received a phone call from a guest inquiring about menu items that we do not serve. After a quick dive, I discovered they found us on the Uber Eats platform. I am not on Uber Eats. I do not love their business practices and since I call the shots; we are not on the platform. I begrudgingly downloaded the application, searched for my restaurant name, and found a local business posing as Manizza’s Pizza; they were fulfilling orders under my brand. After a quick search, I chose the “pick up” option and found the business address. I called the owner of the establishment, and he denied everything. After I placed an order, I watched the delivery driver via GPS pick up the pizza and deliver it to me—unbeknownst to him, of course. It was clear they were siphoning business off the reputation I have worked so hard to build, because we are so highly rated across all platforms. After a few days of ordering food from this establishment and other fictitious names they were operating under on the platform—many of which were my friend's restaurants—it became apparent they were creating Uber Eats accounts without any guardrails in place by Uber Technologies, Inc.

(Uber). There is a big difference between a ghost kitchen—you may have heard that CEC Entertainment, LLC. (Chuck E. Cheese) operated as Pasquale's Pizza throughout the Coronavirus Disease of 2019. I could operate Big Tina's Thighs and Fries and serve chicken wings out of Manizza's Pizza, if I wanted to. Ghost kitchens are okay, but posing as other people's brands and siphoning business is unacceptable and harms small businesses.

Once popularized by social media and the news—I found 15 businesses myself, but dozens more reached out to me in Las Vegas alone. These businesses found themselves on the Uber Eats and Postmates platforms because Uber acquired Postmates in 2020. This is a serious problem on behalf of Uber nationwide. I have a large social media following and work with many restaurants across the country; they found themselves in the same position. From a theft perspective, it is a big deal, but it is a huge deal when it comes to public health. If you are already operating on low morals and values, what is it to you to serve food with poor food handling practices when it is not under your brand name. God forbid someone got sick or injured while eating something under my brand. That is where Ms. Bretell will take over, but it is a big deal on two fronts.

***Jacqueline Bretell, J.D., Chief Executive Officer/Partner, Bighorn Law:***

My concern is from a consumer protection standpoint. As of now, particularly with the Uber platform, I could sell hot dogs out of the trunk of my car. I could create an Uber Eats profile for my business and call myself Nathan's Hot Dogs, like the one in New York. I could legitimately sell to you with no health inspection or business license whatsoever. As far as we can tell, Uber continues to practice in that same way. This is an example of where the law has not kept up with technology. What happened here is that Uber was not checking for things like a business license. They were not checking for any kind of health records. They were allowing anyone to create a profile and sell food off their platform. You have a consumer protection issue here.

***Chair Torres:***

Thank you for your presentation. It is great to hear your story and learn more about this issue in our community. Senator Flores.

***Vice Chair Flores:***

Do you know if we have had these issues with other platforms? I understand Uber Eats is one of them, but do you know if this is a problem on other platforms as well?

***Ms. Martin:***

No, I have not seen that it is an issue with DoorDash or Grubhub. Both required me to provide a business license and proof of address. One even required a Google Maps—establishing it was an actual business. Uber is the only one that I have come across.

***Vice Chair Flores:***

You referenced your business, and obviously that is terrifying. I am a small business owner too. If someone was doing anything under my name, that would be terrifying. Have you seen or heard of scenarios where there was a complaint on the quality of the food, delivery, et cetera, where the consumer realized they were not doing business with the intended company? Do you know of any scenarios like that?

**Ms. Martin:**

It is difficult for me to quantify exactly what that looks like. I have received reviews on *Google.com* and *Yelp.com* that did not reflect the quality of the product we provide, but it has been difficult for me to narrow it down specifically.

**Chair Torres:**

Assemblyman D'Silva.

**Assemblyman D'Silva:**

A question for the legal scholars on the panel. Have there been any court cases that have dealt with this issue, and have there been any statements made by the judiciary regarding this issue?

**Ms. Bretell:**

There is current ongoing litigation that has been moved to Federal Court as a class action lawsuit. There is no case law in the State of Nevada that I am aware of. As far as other litigation, there was a case in Chicago with similar facts several years ago. There was a large settlement on Uber's part, but the behavior has continued.

**Chair Torres:**

Are there any additional questions? Not seeing any.

**Mr. Roberts:**

Litigation aside, this is a loophole that should be fixed. A verification process should be required. Other applications like *Yelp.com* require health district certification to join their platform. That is what we are trying to implement, and any help this Committee can provide would be greatly appreciated.

**Chair Torres:**

To clarify, at this time there is no requirement in law that states you can operate these kitchens without a business license through these applications. There are other laws that target that practice, but they do not target them for posing as other businesses. Is that correct?

**Ms. Bretell:**

Not to our knowledge, no. There is no current law. There is no statute. There is nothing on the books that state that to go on a platform like this you have to demonstrate you are a legitimate business or restaurant owner, that you have the license to sell food, and you have been cleared by the health department.

**Chair Torres:**

You mentioned this was not an issue with DoorDash. It appears DoorDash has a certain model in place. Have you contacted them to explore whether there is a way to incorporate their approach into legislation to prevent this?

**Mr. Roberts:**

I have not. This issue arose quickly as the interim was coming to an end. I do not know exactly where in statute this should be added. I have done research in other states, and I cannot find that it is a requirement elsewhere. Most businesses do it as a due diligence as part of being good citizens and a responsible company. I will work with you and the LCB on drafting legislation, or at least finding a place in statute where this should belong.

**Chair Torres:**

Thank you, I appreciate it. Thank you for joining us and making a brief but concise presentation.

**AGENDA ITEM V—WORK SESSION—DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS RELATING TO:**

**Chair Torres:**

At this time, we will move on to the Work Session for the Interim Standing Committee on Government Affairs. The purpose of this Work Session is for the Committee to decide which legislative measures, if any, it will request for the 2025 Legislative Session. Staff has prepared a WSD to guide us through the Work Session. The document contains a combination of recommendations based upon testimony heard by the Committee throughout the interim and recommendations from stakeholders and Committee Members. The recommendations outlined in the WSD are not necessarily set in stone. If the Committee is so inclined, recommendations may be amended prior to the vote. Staff will guide us through each item in the WSD. There will be an opportunity to discuss each item, and I will accept a motion to approve the item at that time. I will turn things over to Mr. McDonald to begin. ([Agenda Item V](#))

**Mr. McDonald:**

As nonpartisan staff of the LCB, I can neither support nor oppose any measure that comes before this Committee. As the Chair briefly outlined, the WSD has been put together by staff and the Committee Chair. It contains a summary of recommendations presented during public meetings through communication with individual Committee Members or through correspondence submitted to Committee Members or staff. The Members of the Committee do not necessarily support or oppose these recommendations. These proposals are grouped by topic and are not preferentially ordered. Pursuant to NRS 218D.160, the Committee is limited to ten legislative measures which include both BDRs or resolutions. The Committee may vote to send as many statements or letters of recommendation of support as it chooses, that includes statements. Additionally, subsection 3 of NRS 218E.325 requires that any recommended legislation proposed by the Committee must be approved by a majority of the Members of the Senate and a majority of the Members of the Assembly. You will need two yay votes from Senate Members and three yay votes from Assembly Members. Finally, please be advised that the LCB, at the direction of the Chair, may coordinate with interested parties to obtain additional information for drafting purposes or for information to be included in the Committee's final report. With the approval of the Chair, we can begin.

## **A. USE OF ARTIFICIAL INTELLIGENCE IN EMERGENCY MANAGEMENT**

**Mr. McDonald:**

Recommendation one relates to the use of artificial intelligence (AI) and emergency management. This requests the drafting of a bill to require a natural person to make decisions during emergency management situations regarding the allocation of resources and response planning. This was requested by the Chair.

**Chair Torres:**

Members, are there any questions? It does not appear there are questions in Las Vegas or Carson City.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO REQUIRE A NATURAL PERSON TO MAKE DECISIONS DURING EMERGENCY MANAGEMENT SITUATIONS REGARDING THE ALLOCATION OF RESOURCES AND RESPONSE PLANNING.

SENATOR DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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## **B. COPPER WIRE THEFTS**

**Mr. McDonald:**

Recommendation number two relates to copper wire thefts. This recommendation requests the drafting of a bill to make it illegal to possess certain types of copper wire. This was discussed as a possible recommendation during the meeting held on May 30, 2024.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO MAKE IT ILLEGAL TO POSSESS CERTAIN TYPES OF COPPER WIRE.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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## **C. CYBER SECURITY**

**Mr. McDonald:**

The third recommendation relates to cyber security. The recommendation requests the drafting of a bill to make the Nevada Office of Cyber Defense Coordination an independent agency, to set the minimum qualifications for the Executive Director, and require reports of data incidents or security breaches for certain entities to the Nevada Office of Cyber Defense Coordination. This request was made by the Chair.

**Chair Torres:**

Are there any questions on the recommendation? Senator Daly.

**Senator Daly:**

Is it going to be a separate department under the Executive Branch? I know the Attorney General's Office coordinates cyber defense and the enforcement of the law, so is it going to be under the State Executive Branch, the Attorney General, or is that yet to be decided?

**Chair Torres:**

That is a conversation we will continue to have during session for the drafting of the bill. The intent is to create it under the Executive Branch. Are there any additional questions? Not seeing any.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO: (1) MAKE THE NEVADA OFFICE OF CYBER DEFENSE COORDINATION, DEPARTMENT OF PUBLIC SAFETY, AN INDEPENDENT AGENCY; (2) SET THE MINIMUM QUALIFICATIONS FOR THE EXECUTIVE DIRECTOR; AND (3) REQUIRE REPORTS OF DATA INCIDENTS OR SECURITY BREACHES FOR PUBLIC ENTITIES, PUBLIC UTILITIES, INFRASTRUCTURE ENTITIES, AND CERTAIN PRIVATE ENTITIES TO BE SUBMITTED TO THE NEVADA OFFICE OF CYBER DEFENSE COORDINATION.

ASSEMBLYMAN CARTER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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**Chair Torres:**

Moving on to recommendation number four.

**Mr. McDonald:**

Recommendation number four is to send a letter to the Governor to encourage the State to expedite the migration of public websites from .com to .gov for the purpose of improving security. This was requested by the Chair.

**Chair Torres:**

Are there any questions regarding the recommendation? Seeing none.

VICE CHAIR FLORES MOVED TO SEND A LETTER TO THE GOVERNOR TO ENCOURAGE THE STATE TO EXPEDITE THE MIGRATION OF PUBLIC WEBSITES FROM .COM TO .GOV FOR THE PURPOSES OF IMPROVING SECURITY.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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#### **D. LOCAL GOVERNMENT**

**Chair Torres:**

We will move on to recommendation number five.

**Mr. McDonald:**

Recommendation number five is to request the drafting of a bill to appropriate \$5 million to the Governor's Office for New Americans (ONA) to provide grants to local governments to implement language access plans. Of the \$5 million appropriation, no more than \$200,000 may be used by ONA to administer the grant program. This was requested by the Chair.

**Chair Torres:**

Are there any questions at this time? Seeing none.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO APPROPRIATE \$5 MILLION TO THE ONA TO PROVIDE GRANTS TO LOCAL GOVERNMENTS TO IMPLEMENT LANGUAGE ACCESS PLANS. OF THE \$5 MILLION APPROPRIATION, NO MORE THAN \$200,000 MAY BE USED BY ONA TO ADMINISTER THE GRANT PROGRAM.

ASSEMBLYMAN CARTER SECONDED THE MOTION.

MOTION PASSED UNANIMOUSLY.

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**Chair Torres:**

We will continue to recommendation number six.

**Mr. McDonald:**

Recommendation number six is to request the drafting of a bill to include the provisions of Senate Bill 169, as approved by the Legislature from last session, which requires certain local governments to include a heat mitigation element and master plans, including a plan to develop heat mitigation strategies such as cooling spaces, public drinking water, shade over paved surfaces, and urban tree canopies. This was requested by Jackie Spicer, Climate Equity Policy Fellow at the Nevada Environmental Justice Coalition.

**Chair Torres:**

Are there any questions or discussions?

**Senator Hansen:**

Yes, Madam Chair.

**Chair Torres:**

Go ahead, Senator Hansen.

**Senator Hansen:**

I voted no on this during the 2023 Session. I still think this is major overreach on the part of the Nevada Legislature telling county and city governments down on this level of planning. I will again be a no.

**Chair Torres:**

Is there any further discussion? I do have Senator Hansen in opposition.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO INCLUDE THE PROVISIONS OF SB 169 (2023), AS APPROVED BY THE LEGISLATURE, WHICH REQUIRES CERTAIN LOCAL GOVERNMENTS TO INCLUDE A HEAT MITIGATION ELEMENT IN MASTER PLANS, INCLUDING A PLAN TO DEVELOP HEAT MITIGATION STRATEGIES SUCH AS COOLING SPACES, PUBLIC DRINKING WATER, SHADE OVER PAVED SURFACES, AND URBAN TREE CANOPIES.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR HANSEN VOTED NO.)

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**Chair Torres:**

At this time, we will continue to recommendation number seven.

**Mr. McDonald:**

Recommendation number seven is to send a letter to local governments in Clark County requesting them to consider creating a mosquito abatement district to improve coordination and ensure there is a comprehensive approach to controlling mosquitoes and other vectors. This was requested by the Chair.

**Chair Torres:**

Are there any questions regarding the recommendation? Seeing none.

VICE CHAIR FLORES MOVED TO SEND A LETTER TO LOCAL GOVERNMENTS IN CLARK COUNTY REQUESTING THEM TO CONSIDER CREATING A MOSQUITO ABATEMENT DISTRICT TO IMPROVE COORDINATION AND ENSURE THERE IS A COMPREHENSIVE APPROACH TO CONTROLLING MOSQUITOS AND OTHER VECTORS.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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## **E. NEVADA NATIONAL GUARD**

### **Mr. McDonald:**

Recommendation number eight requests the drafting of a bill to make workers compensation for injuries or death benefits for National Guard Members serving under State authority equivalent to benefits provided while serving under Federal authority. This was requested by Major General Ondra L. Berry at a meeting previously this interim.

### **Chair Torres:**

Members, are there any questions on the recommendation? Seeing none.

SENATOR DALY MOVED TO REQUEST THE DRAFTING OF A BILL TO MAKE WORKERS' COMPENSATION FOR INJURIES OR DEATH BENEFITS FOR NATIONAL GUARD MEMBERS, SERVING UNDER STATE AUTHORITY, EQUIVALENT TO BENEFITS PROVIDED WHILE SERVING UNDER FEDERAL AUTHORITY.

ASSEMBLYMAN D'SILVA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY

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### **Major General Ondra L. Berry, Adjutant General, Nevada National Guard, Office of the Military:**

Thank you, Chair and Committee Members for considering this motion and this benefit to our Service Members. I appreciate it. Your staff has done a phenomenal job. We do work on the State active-duty status side. This was a result of the untimely unfortunate death of Sergeant Estes. Knowing the Committee is supportive and ready to work with us to push this forward means a lot to the men and women of the Nevada National Guard. Thank you.

### **Chair Torres:**

Thank you, General Berry. It is great to have you with us. We look forward to working together during the upcoming legislative session. Let us continue with the additional recommendations.

## **F. PEACE OFFICER WELLNESS**

### **Chair Torres:**

We will move on to recommendation number nine.

### **Mr. McDonald:**

Recommendation number nine is to request the drafting of a bill to create a Blue-Ribbon Panel or Task Force on Peace Officer Wellness. The panel composed of various stakeholders throughout the State will study State-level policies to support Officers and other positions within law enforcement regarding their personal wellness by looking at best practices from around the country. Additional topics to study include, but are not limited, to mandatory wellness checks for Officers and staff, and the use of peer support Officers. This was requested by the Chair.

**Chair Torres:**

Is there any discussion on recommendation number nine? It does not appear there is any.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO CREATE A BLUE-RIBBON PANEL/TASK FORCE ON PEACE OFFICER WELLNESS. THE PANEL, COMPOSED OF VARIOUS STAKEHOLDERS THROUGHOUT THE STATE, WILL STUDY STATE-LEVEL POLICIES TO SUPPORT OFFICERS AND OTHER POSITIONS WITHIN LAW ENFORCEMENT REGARDING THEIR PERSONAL WELLNESS BY LOOKING AT BEST PRACTICES ACROSS THE COUNTRY. ADDITIONAL TOPICS TO STUDY INCLUDE, BUT ARE NOT LIMITED TO, MANDATORY MENTAL WELLNESS CHECKS FOR OFFICERS AND STAFF, AND THE USE OF PEER SUPPORT OFFICERS.

ASSEMBLYMAN CARTER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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**G. PUBLIC RECORDS**

**Chair Torres:**

We will move to recommendation number ten.

Recommendation number ten relates to public records. This recommendation is to request the drafting of a bill to create the Office of the Public Records Ombudsman in the Executive Branch to help resolve disputes arising from public records requests made under Nevada's Public Record Law. This was requested by the Chair.

**Chair Torres:**

Are there any questions on the recommendation? Seeing none.

VICE CHAIR FLORES MOVED TO REQUEST THE DRAFTING OF A BILL TO CREATE THE OFFICE OF THE PUBLIC RECORDS OMBUDSMAN IN THE EXECUTIVE BRANCH TO HELP RESOLVE DISPUTES ARISING FROM RECORDS REQUESTS MADE UNDER NEVADA'S PUBLIC RECORDS LAW (CHAPTER 239 ["PUBLIC RECORDS"] OF NRS).

ASSEMBLYMAN CARTER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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**H. PREVAILING WAGE**

**Mr. McDonald:**

Recommendation number 11 relates to prevailing wage. This recommendation requests the drafting of a bill to create three new positions in the Office of the Labor Commissioner to enforce wage and hour provisions of Chapter 338 of NRS, and to revise NRS 338.070 to provide that a public body awarding a contract is not required to conduct an investigation and is only required to report possible violations committed in the course of the execution of

a contract to the Labor Commissioner to investigate. This was requested by Assemblyman Carter based on testimony held on May 30, 2024.

**Chair Torres:**

Thank you for making that recommendation. Do you have additional comments?

**Assemblyman Carter:**

I would like to clarify—and it was my inadequate communication with staff. What we are looking to do is expand. It is more than three positions. It is between seven and ten positions. It is an expansion of the Labor Commissioner's Office to address and recognize the expanded amount of work going on in our State.

**Chair Torres:**

I think that clarifies the intent for the record, and Legal will be able to draft a bill. Are there any other questions or discussion? Senator Daly.

**Senator Daly:**

However many positions we can get will be beneficial to the enforcement. Regarding public bodies reporting to the Labor Commissioner, if there is a finding it is also important. I know I had a question from my colleague from District 14 a minute ago. We already have in regulation that allows the Labor Commissioner to take jurisdiction of a complaint that comes in. What we have seen over the years—and we have a lot of experience in this space—the awarding bodies have varying levels of ability, resources, and expertise to conduct an investigation. It is an inconsistent application across the State, especially on the public works side—which workers are supposed to be doing what—sending that to the Labor Commissioner. The other thing I have seen with awarding bodies is they become the enemy. They do not want to look bad or have anything happen on their job. They will say “Nothing to see here,” and make determinations about there being no violation, which you then have to appeal and go through other processes to get it to the Labor Commissioner in the first place. Some of this could be clarifying and beneficial, provided we get the staff. If we do not get staff, then you have a new mandate without resources.

**Chair Torres:**

Thank you, Senator.

ASSEMBLYMAN CARTER MOVED TO REQUEST THE DRAFTING OF A BILL TO:  
(1) CREATE BETWEEN 7 AND 10 NEW POSITIONS IN THE OFFICE OF THE LABOR COMMISSIONER, DEPARTMENT OF BUSINESS AND INDUSTRY, TO ENFORCE WAGE AND HOUR PROVISIONS OF CHAPTER 338 (“PUBLIC WORKS”) OF NRS; AND (2) REVISE NRS 338.070 TO PROVIDE THAT A PUBLIC BODY AWARDING A CONTRACT IS NOT REQUIRED TO CONDUCT AN INVESTIGATION, AND IS ONLY REQUIRED TO REPORT POSSIBLE VIOLATIONS COMMITTED IN THE COURSE OF THE EXECUTION OF A CONTRACT TO THE LABOR COMMISSIONER TO INVESTIGATE.

VICE CHAIR FLORES SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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## **I. PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

**Chair Torres:**

We will move on to recommendation number 12.

**Mr. McDonald:**

The final recommendation on your Work Session relates to the Public Employees Retirement System (PERS). This is to request the drafting of a bill to include the provisions of AB 222 (2023), which provides for an employee of a school district who is a member of PERS to receive a full year of service credit if the employee works at least 900 hours in a school year.

This was requested by Assemblyman Carter.

**Chair Torres:**

Are there any questions or discussion regarding the recommendation at this time? Seeing none.

ASSEMBLYMAN CARTER MOVED TO REQUEST THE DRAFTING OF A BILL TO INCLUDE THE PROVISIONS OF AB 222 (2023), WHICH PROVIDES FOR AN EMPLOYEE OF A SCHOOL DISTRICT, WHO IS A MEMBER OF PERS TO RECEIVE A FULL YEAR OF SERVICE CREDIT IF THE EMPLOYEE WORKS AT LEAST 900 HOURS IN A SCHOOL YEAR.

SENATOR DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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**Chair Torres:**

This concludes our Work Session. We will now move on to public comment.

### **AGENDA ITEM VI—PUBLIC COMMENT:**

[Chair Torres called for public comment; however, no testimony was presented.]

**Chair Torres:**

This is our final meeting, and I would like to offer my sincere thanks to the Committee Members, stakeholders, presenters, and our staff who have generously given their time and expertise. Our LCB staff has supported our Committee, including the individuals in BPS, Fiscal, Legal, and Research Divisions. It has been an honor to serve as your Chair and work alongside everyone on this Committee. Thank you for your time and your service.

Since Assemblyman McArthur will not be returning to Carson City next session, I will allow him to gavel out.

***Vice Chair Flores:***

Before we adjourn, I want to thank you for running a great Committee, being efficient, and bringing in a host of individuals to work together and come up with great recommendations to take to the Legislature. I appreciate your leadership.

***Assemblyman D'Silva:***

I want to echo Senator Flores' comments and his sentiment. Thank you for your leadership on this interim Committee and during the last legislative session, my freshman session. I also want to thank Assemblyman McArthur for his dedicated service to this country, to the State, and our local communities. Thank you, Assemblyman.

## **AGENDA ITEM VII—ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 1:28 p.m.

Respectfully submitted,

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Maria Velazquez  
Research Policy Assistant

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Jered McDonald  
Deputy Research Director

APPROVED BY:

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Assemblywoman Selena Torres, Chair

Date: \_\_\_\_\_



## MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
<a href="#">Agenda Item V</a>	Jered McDonald, Deputy Research Director, Research Division, Legislative Counsel Bureau	Work Session Document

The Minutes are supplied as an informational service. All meeting materials are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or <https://www.leg.state.nv.us/Division/Research/Library/About/Contact/feedbackmail.cfm>.