

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Eightieth Session
March 1, 2019**

The Senate Committee on Government Affairs was called to order by Chair David R. Parks at 1:08 p.m. on Friday, March 1, 2019, in Room 1214 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Melanie Scheible, Vice Chair
Senator Julia Ratti
Senator Ben Kieckhefer
Senator Pete Goicoechea

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Policy Analyst
Heidi Chlarson, Committee Counsel
Suzanne Efford, Committee Secretary

OTHERS PRESENT:

Dagny Stapleton, Executive Director, Nevada Association of Counties
Yvonne Nevarez-Goodson, Executive Director, Commission on Ethics
John Fudenberg, Clark County
Marlene Lockard, Retired Public Employees of Nevada
Mike Ramirez, Las Vegas Police Protective Association Metro, Inc.
Tom Dunn, Professional Fire Fighters of Nevada
Terri Laird, Executive Director, Retired Public Employees of Nevada
Rick McCann, Executive Director, Nevada Association of Public Safety Officers
Pricilla Maloney, American Federation of State, County and Municipal
Employees, Local 4041
Kent Ervin, Ph.D., Nevada Faculty Alliance
Maurice White

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Corey Solferino, Washoe County Sheriff's Office
Tina Leiss, Executive Officer, Public Employees' Retirement System
Chris Nielson, General Counsel, Public Employees' Retirement System
Tom Wellman, President, Nevada State Education Association, Retired
Steve Horner, Vice-President, Nevada State Education Association, Retired
Alexander Marks, Nevada State Education Association
Bernard Paolini, President, Retired Public Employees of Nevada
Harry Beall
Scott Edwards, President, Las Vegas Peace Officers Association
Michelle Jotz, Chairman, Police Managers and Supervisors Association
Gloria Deyhle
Richard Karpel, Executive Director, Nevada Press Association
Paul Moradkhan, Las Vegas Metro Chamber of Commerce
Robert Fellner, Policy Director, Nevada Policy Research Institute
Patti Jesinoski

CHAIR PARKS:

We will begin this meeting with the work session. We will start with Senate Bill (S.B.) 10.

SENATE BILL 10: Revises provisions governing compensation of members of a board of trustees of a general improvement district. (BDR 25-432)

JENNIFER RUEDY (Policy Analyst):

"The Legislative Counsel Bureau is a nonpartisan agency and as such I neither oppose nor advocate for legislation."

We are starting the work session with S.B. 10 in the work session document (Exhibit C). Senate Bill 10 increases the amount a member of a board of trustees of a general improvement district (GID) may be compensated from \$6,000 to \$9,000. The measure further increases the amount a member of a board of trustees of a GID that is granted certain powers—those powers relate to sewer, waste and water—may be compensated from \$9,000 to \$12,000. Finally, "compensation," as used in this section, is defined as salary and wages.

There were no amendments for this measure.

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The first compensation amount, \$6,000, was put into statute in 1977 as indicated by testimony during the first hearing on this bill. The second tier of compensation, \$9,000, was added in 2005.

SENATOR RATTI MOVED TO DO PASS S.B. 10.

SENATOR SCHEIBLE SECONDED THE MOTION.

SENATOR GOICOECHEA:

I am surprised that we did not have more feedback on this bill. I will support it out of Committee and wait for the fallout.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

The second bill in the work session is S.B. 12.

SENATE BILL 12: Revises provisions governing telephone systems used for reporting emergencies. (BDR 20-475)

Ms. RUEDY:

I will present S.B. 12 from the work session document ([Exhibit D](#)).

There were two proposed amendments to this measure. The first one was submitted by the Nevada Taxpayers Association, [Exhibit D](#), page 2. It amends section 1, subsection 3, paragraph (c). It requires the county to hire an independent auditor and report his or her findings to the advisory committee. This advisory committee was established by ordinance to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. In addition, the costs for that audit shall not exceed actual costs.

The second amendment was provided by the Nevada Association of Counties (NACO) after the hearing to address concerns raised by telecommunications providers regarding the frequency of the audits, [Exhibit D](#), page 3.

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CHAIR PARKS:
Do these amendments conflict with each other?

HEIDI CHLARSON (Committee Counsel):
No, they do not conflict with each other.

SENATOR KIECKHEFER MOVED TO AMEND AND DO PASS AS
AMENDED S.B. 12 WITH BOTH OF THE PROPOSED AMENDMENTS.

SENATOR RATTI SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:
The next bill in the work session is S.B. 13.

SENATE BILL 13: Authorizes the board of county commissioners of a county to form a nonprofit corporation to aid the county in providing certain governmental services. (BDR 20-483)

MR. RUEDY:
I will explain S.B. 13 as contained in the work session document ([Exhibit E](#)).

A proposed amendment was submitted by NACO subsequent to the hearing on the bill, [Exhibit E](#), page 4. The first part of the amendment is in section 3, subsection 1. The language "or a time of need" is being stricken from the bill; therefore, a county could form a nonprofit corporation only during a county-declared emergency.

The second part of the proposed amendment is in an additional subsection 3 of section 3 of the bill, [Exhibit E](#), page 4.

One more amendment was provided by NACO that came from the State Ethics Director. It is not included in NACO's proposed amendment. The amendment is in section 3, subsection 4, and adds one word. Since the NACO amendment was already printed, I will just state the word to be added which is "private." It adds "private" to section 3, subsection 4, to be clear that "a private person who

is appointed to serve as a member of the board of directors is not a public officer by virtue of such appointment." This was to make "private person" distinct from a "public officer."

SENATOR KIECKHEFER:

Is the purpose of that amendment to ensure that an individual who serves as a member of a board of directors is not already a public official and does not have to deal with the filing of ethics forms and so forth?

Ms. CHLARSON:

My understanding of the intent of that change is to clarify that someone not already a public officer or employee who is appointed to the board of directors does not become a public officer by virtue of that appointment. However, if the person is already a public officer or employee, that status does not change by virtue of being appointed to the board of directors.

SENATOR KIECKHEFER:

What are the implications of becoming a public officer?

Ms. CHLARSON:

The implications would be certain requirements relating to filing financial disclosure statements and being subject to the statutes that provide the ethical rules for public officers. If the Committee would like to hear clarification from NACO or the Executive Director of the Commission on Ethics, they could better explain their intent.

CHAIR PARKS:

Perhaps NACO would like to come forward and clarify if for any reason you see it differently.

DAGNY STAPLETON (Executive Director, Nevada Association of Counties):

It is exactly as stated by Ms. Chlarson. If the person is a private individual, he or she would not be considered a public official, but if the person is already a public official, he or she would still be considered a public official under the ethics laws.

YVONNE NEVAREZ-GOODSON (Executive Director, Commission on Ethics):

My concern comes from comments made by Senator Ratti in the original Committee hearing on this bill about the consequences of a public employee

having a fiduciary duty to a nonprofit that could be separate and distinct from other duties to the county. The same is true for a public officer. Therefore, the Commission has multiple opinions that make the distinction that if a public officer is serving on a nonprofit organization, he or she has a duty of private loyalty to the nonprofit that could potentially create conflicts for him or her in his or her official duties. When we saw the language in subsection 4 of section 3, we were concerned that a person appointed to one of these nonprofit boards, who is already a public officer or public employee, does not lose that status by virtue of being appointed to a nonprofit organization.

If a private citizen is appointed to one of these nonprofit boards, we are not concerned about responsibility under ethics and government law. However, if someone is already a public officer or public employee, we wanted confirmation that he or she would maintain that status for ethics purposes. Outside of ethics, the Secretary of State has the responsibility for financial disclosure statements of public officers. Other responsibilities for public officers are in other chapters of NRS, but for our purposes we just wanted to make that clear.

SENATOR GOICOECHEA:

It would probably be worse for the public official because he or she would be carrying part of the liability of his or her other board position with him or her. You definitely need to ensure that is separated. If a county commissioner sitting on a nonprofit board made a decision and he or she should not have been a county commissioner anyway, he or she would then carry his or her liability and exposure forward because of involvement with the nonprofit board. The clarification is good.

SENATOR GOICOECHEA MOVED TO AMEND AND DO PASS AS AMENDED S.B. 13.

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That brings us to S.B. 36 in the work session.

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SENATE BILL 36: Revises provisions governing the purchase, sale or lease of real property by a board of county commissioners. (BDR 20-489)

Ms. RUEDY:

I will present S.B. 36 from the work session document ([Exhibit F](#)).

The work session document states that two amendments, [Exhibit F](#), pages 2 and 3, were proposed at the bill's original hearing. There was actually a third amendment proposed by the City of Henderson ([Exhibit G](#)) almost as soon as we had the work session document drafted. However, it is not included in this work session document.

The third proposed amendment from the City of Henderson, [Exhibit G](#), was mentioned at the original hearing on S.B. 36. It expands the bill to include cities incorporated under *Nevada Revised Statutes* (NRS) 268.

The amendment from the Nevada Taxpayers Association regarding boldface type, if adopted, would probably get added to the language proposed by the City of Henderson for its notifications.

SENATOR SCHEIBLE:

Do any of the amendments conflict with one another?

Ms. CHLARSON:

No, as submitted to the Committee, there would be no conflict between the amendments if the Committee chose to accept all of them.

SENATOR RATTI:

Did Clark County have the opportunity to review all these amendments, and is it in agreement?

JOHN FUDENBERG (Clark County):

We reviewed all of the amendments and are okay with all three of them; specifically, the amendment proposed by the City of Henderson that was not included in the work session document.

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CHAIR PARKS:

The amendment proposed by the Nevada Taxpayers Association says "setting forth in bold face type," [Exhibit F](#), page 2. Do we normally put a minimum font size on anything? Typically, a minimum font size is required for public notices.

MS. CHLARSON:

I would need to take some time to find specific examples. There is a general requirement for notices published in newspapers, but there is no font size associated with that. However, there are examples throughout NRS where something more specific is required for certain types of notices. Depending on what type of notice it is, the Legislature would certainly be free to specify a font or whether something should be bolded.

SENATOR RATTI MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 36.

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That takes us to S.B. 104 in the work session.

SENATE BILL 104: Revises provisions concerning the statewide low-income housing database maintained by the Housing Division of the Department of Business and Industry. (BDR 25-378)

MS. RUEDY:

I will present S.B. 104 from the work session document ([Exhibit H](#)).

SENATOR RATTI:

There may be an additional question from the Housing Division on this bill. Therefore, I am requesting that it be removed from this work session in order to have the opportunity to sort that out. We will bring it forward on another work session.

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CHAIR PARKS:

That would be appropriate. In that case, we will hold S.B. 104 for further possible amendment. We will bring it back in a future work session.

We will move on to S.B. 113 in the work session.

SENATE BILL 113: Revises provisions relating to the membership of the Nevada Commission on Homeland Security. (BDR 19-577)

Ms. RUEDY:

I will summarize S.B. 113 as contained in the work session document ([Exhibit I](#)).

SENATOR GOICOECHEA MOVED TO DO PASS S.B. 113.

SENATOR RATTI SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That takes us to the last bill in the work session, S.B. 175.

SENATE BILL 175: Revises provisions relating to public works. (BDR 28-618)

Ms. RUEDY:

I will present S.B. 175 from the work session document ([Exhibit J](#)).

SENATOR SCHEIBLE MOVED TO DO PASS S.B. 175.

SENATOR RATTI SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

That concludes our work session. We will open the hearing on S.B. 224.

SENATE BILL 224: Provides for the confidentiality of certain information in the records and files of public employee retirement systems. (BDR 19-598)

SENATOR JULIA RATTI (Senatorial District No. 13):

There has been significant litigation in Nevada regarding the release of Public Employees' Retirement System (PERS) retirees' personal information to the public. The most current standing order from *Reno Newspaper v. Public Employees Retirement System of Nevada*, No. 11EW000091B (Carson City Ct. Nev. Filed Dec. 20, 2013) specifically states:

...that PERS has an obligation to provide the entirety of the pension information. Any such production, however, shall not include Social Security numbers, bank account information or contact information (such as addresses, telephone numbers, and email addresses) for any recipient of PERS benefits. Conversely, PERS shall not redact or withhold any of the pension information for any recipient of PERS benefits, with the exception that PERS may redact the information on minor children and the names of recipients who are currently serving or served in sensitive law enforcement positions... .

The reason this is the standing order is because the Legislature has not clarified its intent regarding what information is public and what is private. The standing order leaves a significant amount of personal information of our public servant retirees available to public records requests. Examples of additional information that cannot be withheld include date of birth, beneficiary information, gender and marital status.

This raises a number of concerns:

Privacy—at what point is a public servant no longer a public person. These former administrative assistants, maintenance workers, law enforcement officers, social workers and their colleagues dedicated their careers to public service. In exchange, they earned a salary and benefits. Their earned PERS benefit was set aside for their future use. When we are prying into their individual accounts, we are not looking at taxpayer money, we are looking at each individual's earned benefit. That is no different than if I wanted to know about the contents of each of your personal retirement accounts.

Public safety—in a world where terrible people continue to prey on vulnerable senior citizens, we are serving their private information regarding their income up on a platter. The State should not be facilitating putting seniors at greater risk for identity fraud.

High-cost litigation—because the legislative intent has not been clarified, we drive continued litigation. The hard-working team at PERS does what they can to follow the intent of the law to be transparent while still protecting the private information of their members. They need clarity to be able to do their job.

These concerns are in conflict with a real need for transparency and the ability of our free press to serve their critical fourth estate function that keeps our government honest. I believe in the fourth estate. However, we should be cautious when it comes to limiting the release of information. When working on this bill, I endeavored to reach a balance—make as much information public as possible to allow the press to investigate how PERS benefits are managed without identifying the private information of an individual recipient.

How does this bill solve the problem? This bill would clarify public records law to ensure that identifying personal information or intensely personal collateral information will remain confidential. Keeping this information confidential will lessen the risk of preying on the elderly and the risk of identity theft. This clarifying language will also provide guidance to the courts and reduce litigation. This bill balances the competing interests of privacy and public safety of retired employees with the public's need to know by putting into statute more information than has previously been identified in statute as public.

Specifically, S.B. 224 requires PERS to release an identification number, the last employer, years of service credit, the retirement date, annual pension amount and whether the benefit is a disability or service retirement. It does not release the name of the individual but does allow PERS to respond to and investigate any allegations of fraud from a public record request by matching that identification number to connect the allegations to the individual file.

MARLENE LOCKARD (Retired Public Employees of Nevada):

For more than 35 years, PERS personal information was considered confidential. As a result of the court cases that have been mentioned, we are now at a point where one standing order continues to make public, if requested, date of birth, beneficiary information, gender, passports, addresses of ex-spouses, birth

certificates and marital status. What is the purpose of releasing this personal information to the public?

The Retired Public Employees of Nevada (RPEN) asserts that releasing this information is unnecessarily invasive and places our members as targets for fraud and scam artists, and identity theft. Most importantly, it places them at risk for their personal safety. Identity theft experts in the past have stated that even though de-identified datasets appear to decouple information from a person's identity, they still contain enough content to form a unique data fingerprint.

Just yesterday in another hearing on identity theft, law enforcement officers testified that identity theft is on the rise in Nevada. Nevada ranked No. 1 for identity theft and fraud and second for average loss amount due to fraud according to WalletHub. The study showed that last year, Nevada had about 128 identity theft complaints per capita. The average amount of money lost due to online identity theft was about \$13,500 per person in Nevada, again according to WalletHub.

The largest misunderstanding about the PERS retirement fund is that it is taxpayers' money—it is not. When an employee goes to work for the government, he or she is given a benefit package and a salary. The employee receives a salary every two weeks. As part of the benefit package, the employer makes a contribution into a health plan for the employee. There is also a contribution into PERS that is paid 50 percent by the employer and 50 percent by the employee. At that point, when the State or another public entity makes that deposit into the PERS retirement fund, it is no longer public money. It belongs to the individual. The benefits paid out of that fund are a result of investments from the PERS fund.

We strongly urge your support of this measure.

SENATOR GOICOECHEA:

The information to be provided is the last public employer and years of service credit. Is the retirement date included in the bill?

Ms. LOCKARD:

Yes, the retirement date is included to be released.

SENATOR GOICOECHEA:

In some of the rural counties, such as Lincoln County or Elko County, I can probably identify half of these retirees from where they worked and their retirement date. If you are looking for equity, and I am not sure you are, in small community such as Lincoln County, if someone worked for the County and retired in May 2007, I can tell you who that person is. You might be defeating your purpose in many arenas. Maybe it is too much information. If you list whom a person worked for, the number of years worked and when that person retired, even in a county like Elko of 50,000 people, you can find at least one-half of them if you do a little research.

MS. LOCKARD:

We could not agree more. We prefer this information remain confidential as it has for over 35 years. The release of that information is the result of litigation and court cases. Contrary to this bill keeping information secret, this bill releases more information than has ever been released before by PERS.

SENATOR GOICOECHEA:

Yes, I understand that and I am sympathetic, but on the other side, I have many constituents who would argue all day long with you whether it is information that should be reported.

SENATOR KIECKHEFER:

Was the inclusion of job title or classification ever discussed?

SENATOR RATTI:

There was significant discussion in the Seventy-ninth Session; however, in this Session, no one has approached me to discuss this bill. I have not had any additional input concerning my efforts to make the list more expansive to enable members of the media and others to have the information needed to complete their analyses. Based on the comments from Senator Goicoechea and the questions of others, I would be open to review the list to give the fourth estate the information needed to do their jobs without identifying any individual persons. We could discuss leaving in the retirement date but removing the employer. I am not sure why employer is important because the retirement benefit is similar regardless of employer. That could be a way to de-identify the data further but still have enough information to analyze. I am open to tweaking the list to ensure we are sharing as much information as possible while still maintaining the privacy of the individual.

CHAIR PARKS:

The argument for releasing all kinds of information is to prevent the likelihood of fraudulent activity. Are you aware of any retiree who has committed anything of a fraudulent nature?

SENATOR RATTI:

We will have people testify in support who will share individual, anecdotal stories. The challenge is with the dark web and the nefarious people who use all kinds of public information to commit all kinds of terrible acts against seniors. We do not necessarily have the ability to go back and determine from where that information came. Once it is public, it is public. It is out there, and it is hard to go back and say absolutely this information came from PERS. A reasonable person, using a reasonable person's standard, could say it is not a good idea to put that information up on a platter and serve it out to those who might use it for terrible purposes.

CHAIR PARKS:

I was thinking in the reverse. Are you aware of retirees who did something fraudulent in order to get substantially greater benefits from PERS? That seems to be one of the major arguments for requesting more information.

SENATOR RATTI:

That is why I want to ensure we release enough information so the fourth estate, which wants to keep government and those potential employees honest, has the information to look at large databases, see things that are irregular, question activity for one individual file but not have that file identified with an individual's name. We do not need to share everybody's public information to track down that one individual. The PERS has that identification number so if questions are brought forward, PERS can refer back to that file and do further investigation.

SENATOR KIECKHEFER:

I am interested in when a public dollar stops being a public dollar. Is there law regarding that? We appropriate money at the State level for a variety of reasons. We track it, we claw it back and do all sorts of different things with it once we put it out the door. When does it stop being public?

SENATOR RATTI:

I am not certain I can comment on the legality. I would refer that to counsel to see if we can get an answer. However, off the top of my head, I can think of all kinds of individual benefits that we give to people where we do not make their records public. The information of those who receive taxpayer money such as a Temporary Assistance for Needy Families check or a Supplemental Nutrition Assistance Program payment or those who qualify for affordable housing is not published for a public purpose. There are many examples where we do not ask to see an individual's account when he or she is given that resource.

Ms. LOCKARD:

The PERS retirement fund is addressed in the Nevada Constitution. The fund is isolated and untouchable for use by any other part of government or borrowing from it because it is no longer the government's money.

SENATOR GOICOECHEA:

We are referring to a number that would be there. Who can access that number, and how would that be done? What would be the reason to access that number? The way this bill is written, it would take at least a court order to retrieve that number from PERS.

SENATOR RATTI:

Do you mean the identification number?

SENATOR GOICOECHEA:

Yes, the identification number.

SENATOR RATTI:

The identification number is part of the information that would be released. For example, if a media organization is doing an analysis of trends and is tracking fraud, it could review an individual receiving PERS benefits year after year by using his or her identification number. It could see what that person earned in 2010 and what he or she will earn in 2020. If a media organization sees a significant jump in that benefit and has questions about that, it could go to PERS. That identification number is attached to a PERS record, and PERS could provide an explanation of what is happening in that individual record without identifying the individual who is receiving the benefit. The identification number is public. The name attached to it is not.

SENATOR GOICOECHEA:

I was thinking not necessarily just of PERS and tracking one individual regarding his or her benefits but of an agency or some other entity wanting to know the identification number in order to tie it back to a person. Law enforcement or someone else investigating a fraud case could come to PERS with concerns about the benefits a retiree is receiving. How would they access the name tied to the identification number? I would assume they would have to get a court order to find out. However, they could probably do that today. You could go to PERS with a court order asking for information about who is actually retired and making a certain amount of money in Eureka County and where he or she is getting the money.

SENATOR RATTI:

Allegations of fraud would be addressed by the criminal justice system. The criminal justice system and law enforcement have all of the appropriate tools not available to average citizens to request information. Court orders would come into play if we are talking about a criminal investigation. If we are trying to get at fraud and criminal activity, there is another system to deal with that.

MIKE RAMIREZ (Las Vegas Police Protective Association Metro, Inc.):

It is hard enough being a police officer worrying about coming home each night without having to worry about someone knowing your address, your birth date, your significant other, your dependents and so forth. I have no issue with how the bill is written regarding my identification number, what I make or where I work. That is fine. A police officer told me that in a raid on a gang member's house, all of his information, as well as other officers' information, was found. It is happening now. This would be another step to help prevent that.

We support S.B. 224.

TOM DUNN (Professional Fire Fighters of Nevada):

Yesterday during a hearing on S.B. 155, law enforcement officers testified that Nevada is now No. 3 in the Country in the number of identity thefts. This is a change from the Seventy-ninth Session when during Committee testimony, we were told Nevada was No. 6. Our effectiveness in preventing identity theft in this State is declining.

SENATE BILL 155: Establishes provisions regarding the possession and use of fictitious personal identifying information. (BDR 15-917)

Identity theft is a continuing problem among all sectors of our society. Look at the data breaches at Starwood Hotels and Resorts Worldwide, Experian Data Credit and Yahoo where millions of records were compromised.

We have asked the members of the Professional Fire Fighters of Nevada (PFFN) if any of them have been victims of identity fraud or theft. Unfortunately, this has been a difficult question for us to ask our members. It has been met with some apprehension. The question itself may be insulting or embarrassing to our members. While there may be no hard numbers to give you today, here is one example of what happened in Iowa. I am reading from a document that was put out by the Iowa PERS titled "Account Takeover Update:"

On October 31, 2017, IPERS determined that 103 retiree accounts were compromised through its online account access. Criminals, who obtained Social Security numbers and birth dates elsewhere, were able to register as the IPERS member and change email address, phone number, street address and the bank account where the member's monthly benefit payment was electronically deposited. Since the new bank accounts were then accessible only to the criminals, most were drained immediately after benefit payments were deposited.

This type of cyberattack is known as an "account takeover." Armed with personally identifiable information (often referred to as PII), criminals actually take over the account without the victim's knowledge. Since the criminals did not obtain the PII from IPERS, this incident is not considered a "data breach."

At the end of the document there is a paragraph called "Other considerations":

Transparency in government is important, but it cannot come at the expense of compromising citizens' personally identifiable information. State government websites publish names, addresses, salaries, taxes, etc. that can be downloaded and quickly cross-referenced with data stolen from other security breaches. In the case of IPERS' account takeover incident, all 103 members were state employees whose salary, department and termination status could be easily accessed on [a specific government website]. While we cannot say with certainty that this was the

source used by the criminals, the opportunity existed there. Steps should be taken to eliminate this exposure.

The Nevada Supreme Court case from October 2018 does not make clear what is or is not confidential information, even with a balancing test that may be legally challenged in the future. Members of the PFFN respond to some of the worst incidents with our law enforcement partners in our communities, including murders and arson, violent crimes, DUI accidents and Legal 2000 calls. We are often required to testify in front of a grand jury or in court.

While we are public safety employees, we have a right to privacy along with our dependents and beneficiaries. In preparation for my testimony today, I met with members of PERS who showed me a redacted email requesting information regarding passport numbers, beneficiaries and birth certificates. These were identified in the Nevada Supreme Court case as being confidential information and yet PERS is still being asked for similar information.

The PFFN is not aware of any past or current waste, fraud or abuse cases within PERS among our members or retirees. Our members serve in high-profile roles in our community and could be called away for weeks at a time leaving their families vulnerable to criminal activity.

The PFFN supports S.B. 224 as proposed.

TERRI LAIRD (Executive Director, Retired Public Employees of Nevada):
I have submitted my written testimony supporting S.B. 224 to the Committee ([Exhibit K](#)).

RICK McCANN (Executive Director, Nevada Association of Public Safety Officers):
We are here to support S.B. 224. I echo the sentiments of my colleagues in law enforcement and public safety regarding privacy, confidentiality and undue risk of harm that could come from exposing this type of information. I am also here as a citizen because I am not a PERS benefit recipient. I am just a taxpayer.

The Nevada Policy Research Institute (NPRI), one of the litigants in this many-year process, has a website that says "The Institute educates Nevada's citizens, media members and public officials about free-market solutions to public problems." Could someone explain to me what the problem was that started this attack upon PERS information? I do not know what that problem

was. I am a citizen and a taxpayer. Could someone tell me why we started this? What was it that instituted this entire process? I do not know.

The PERS and its supporters are not attempting to shield records from public inspection in some subversive way. The media likes to put that out there. That is not what we are doing. I am a taxpayer, and this is my concern. We are attempting to protect the public and my public safety employees from public harm, trying to stop public harm to you, members of the Committee, because you are part of this process, not just as taxpayers but as recipients. At the end of the day, that is what we do. We concern ourselves with public harm. This bill is attempting to stop some public harm; public harm that is well-documented and will continue if we do not have this bill in place.

PRICILLA MALONEY (American Federation of State, County and Municipal Employees, Local 4041):

We support the intent of S.B. 224 to protect the privacy and safety of Nevada seniors. We submitted a written statement from one of our members ([Exhibit L](#)), Mrs. Laura Leavitt, who was recently widowed and has some privacy and safety concerns about issues such as this.

On behalf of Nevada seniors and retirees, I ditto everything previously said.

KENT ERVIN, PH.D. (Nevada Faculty Alliance):

I represent faculty at all eight Nevada System of Higher Education (NSHE) institutions. Eighteen percent of NSHE faculty and all of our classified staff colleagues are members of PERS. We ask for your support of S.B. 224.

The PERS is the substitute for social security for State and local public employees. Once contributed by the employer and employee, PERS funds are the property of the participants, not taxpayers, held in trust by PERS. The provision in the Nevada Constitution which calls the PERS fund a trust fund is Article 9, section 2, subsection 2. The funds are held in trust for the participants and are not to be used for anything else.

Also relevant is Nevada Constitution Article 1, section 15, which says that "no law impairing the obligation of contracts shall ever be passed." The defined benefit is a contract with the employee that he or she will receive a certain benefit as set in statute.

The fiduciary of a trust fund has the duty to serve in the best interests of the beneficiaries. Therefore, PERS, as created by the Constitution and directed by Legislators through statute, should stand by its beneficiaries by protecting them from the sharing of information that could cause them harm.

The idea that names connected with pensions or benefits should be public information is misguided. By analogy, that would apply to all social security recipients and their monthly payments. Social security is even more directly a taxpayer-supported program than is PERS that has this trust fund. There are no requests for social security payments and the recipients' names to be public information. The same should apply to PERS.

The question was brought up about fraud. I attend PERS board meetings on a regular basis. Every few months they report their full audits. If a mistake made is uncovered in an audit, PERS claws back that money. Anyone can look at the audit reports and find that information. We have a good system to prevent any fraudulent activity.

As an organization representing collective bargaining units at three of the NSHE community colleges, we have made public record requests for salaries and positions of all NSHE active employees for the purposes of comparing and analyzing the salaries. That is public information when it goes from the State to the employee in the first place. We are fine with that; however, when we do that, we do not ask for names because it does not help with the analysis. We want to know about the salary trends, averages, medians and so forth. It does not help to have the individual names.

Regarding identifying individuals: because of small groups in academia, when we make reports like that, if there are fewer than five or ten individuals in a category, those are consolidated with other individuals. That is one way to handle that situation.

MAURICE WHITE:

This information is not PERS's to give out. Local governments supply this information to PERS for the sole purpose of calculating benefits. This information belongs to the local governments.

The opponents claim that fraud and abuse will increase if this bill passes. What fraud and abuse has been prosecuted? The opponents claim that they need this

information from PERS because PERS is in peril of failing and taxpayers will have to bail out PERS. That is absolutely not true. The PERS is not in peril of failing. *Nevada Revised Statutes* 286.260 and NRS 286.6793, subsection 4, make it absolutely clear that the taxpayers are protected from bailing out PERS.

Is it not odd to you that the opponents of this bill use examples mostly from outside of Nevada and not related to PERS management to frighten you? I ask that you summarily reject the opponents fearmongering and give a do pass recommendation to S.B. 224.

COREY SOLFERINO (Washoe County Sheriff's Office):

I will echo the comments made by my law enforcement and firefighting colleagues. We support S.B. 224.

TINA LEISS (Executive Officer, Public Employees' Retirement System):

The Public Employees' Retirement Board has not yet had an opportunity to take a position on S.B. 224, but staff will be recommending a position of support. This bill is similar to S.B. No. 384 of the 79th Session which the Board voted to support. This position is primarily based on the need for clarity and certainty regarding which records and information of members and retirees are confidential and which are open for public inspection.

This bill only concerns member and retiree information. The large volume of records we maintain reflecting financial, investment, governance, policies and procedures, and employer information of the System are readily available to the public. This would not change.

We have been living with the issue of what is confidential for over eight years. It takes some history of the statutes and court cases to understand why clarity is needed from this Legislative Body.

Nevada Revised Statutes 286.110, subsection 3 provides in part that the official correspondence and records, other than the files of individual members or retired employees of the System, are public records. This statute exempts the files of individual members and retired employees from being public records.

Nevada Revised Statutes 286.117 provides that all records maintained for a member, retired employee or beneficiary may only be copied by certain individuals, including the member, the member's spouse or by court order.

These two statutes were enacted in 1977 to resolve a question as to whether our member and retiree files were confidential or public records. There were two differing opinions from the Office of the Attorney General, one in 1974 and one in 1976.

It is my understanding that since these two statutes were enacted in 1977 until a 2013 Nevada Supreme Court decision, the consistent legal advice from the Office of the Attorney General was that because all individual files of the members and retirees are not public record, the System was legally prohibited from releasing any information from those files except to those listed in NRS 286.117.

In 2011, the *Reno Gazette-Journal* requested that the System provide the names of all individuals who are collecting pensions, their employers, their salaries, hire and retirement dates, and the amount of the pension. The System, through its Deputy Attorney General and long-standing advice from the Attorney General's Office, denied this request, maintaining they were not public records.

Aside from the confidentiality issues, there were also administrative issues because not all of that data is maintained in a searchable database. We have records on retirees that go back into the 1940s.

The First Judicial District Court ordered the System to produce a report for the *Reno Gazette-Journal* concerning each retired employee currently receiving a benefit containing the name, the employer, the salary, the hire and retirement dates, and the amount of the payment.

The Nevada Supreme Court issued its opinion on November 14, 2013, affirming in part and reversing in part the District Court decision. The Nevada Supreme Court ruled that the files are indeed confidential; however, the Court also ruled that where the information is contained in a medium separate from the individual files, including any administrative reports generated from data contained in those files, those reports are not confidential merely because they contain information that was in the file.

The Supreme Court also vacated the District Court order to the extent that it required the System to create new documents or customize reports by searching for information from those individual files or records.

The Board is the governing body of a trust fund and holds fiduciary duties to its members and retirees. After the Supreme Court decision in 2013, we were left in a situation in which the Legislature declared this information from the files confidential, but the Supreme Court said that if we run reports containing that information, it is no longer confidential. That put us in a difficult position, administratively, because at least one interpretation was that what we did with that information converted it from confidential to public.

The status of the member and beneficiary information became less clear in a Nevada Supreme Court decision issued in October 2018. This second Supreme Court decision was a 4-3 decision with the author of the first Supreme Court decision concurring in the dissent. The majority opinion affirmed in part and reversed in part the first Supreme Court decision and remanded to the District Court. The two First Judicial District Court and two Nevada Supreme Court decisions did not all agree. All four had a different outcome in one way or another.

The second Supreme Court decision seems to require PERS to create a customized report to respond to a public records request by searching data contained in the member and beneficiary files which appears to be in direct conflict with the first Supreme Court order. This opinion appears to hold that some information in a member or beneficiary file is public, but "more sensitive personal information, such as birth date, sex, marital status, beneficiary information, and beneficiary birth dates, the balancing test may weigh in favor of nondisclosure." Does that keep it confidential or not? That is what we are hoping to get clarified with this bill.

Based on this opinion, it is not clear what information is confidential. It is also not clear whether we are required to create custom reports and to what extent are we required to create custom reports. The fact that three of the seven Nevada Supreme Court Justices dissented in the second opinion clearly illustrates the need for this bill.

This is the concluding paragraph of a dissenting opinion:

In sum, the majority's opinion today contravenes the plain language of the Public Records Act, it directly violates NRS 286.110(3), it exposes official state records otherwise declared confidential to agency search simply because they are stored in a computer, it

inexplicably departs from *stare decisis* by overruling *Reno Newspapers*, and it sets Nevada apart from other jurisdictions that have considered this issue.

Based on these decisions and in particular the sharply divided Nevada Supreme Court in the second opinion, legislative action is warranted.

The System should not be determining which member or retiree information is confidential or public either as a by-product of performing its administrative functions or by applying a balancing test. The results of that balancing test subject the System to litigation either by the person whose information we released or by the person who did not receive the requested information. It is in no one's best interest that these issues be determined on a case-by-case basis by the courts.

Some of the opponents state that this bill would prevent the detection of fraud in disability retirements and double-dipping. This is inaccurate in the case of disability retirements. These statements were made in reference to situations in other states without any acknowledgement or recognition of the significant differences between Nevada's disability retirement provisions and other states' programs. A number of differences in Nevada make its disability retirement program significantly less susceptible to abuse and fraud. For example, in Nevada the disability benefit is calculated based on what the member has earned. It is not a mandatory percentage of salary which makes Nevada's disability retirement benefit significantly lower in most instances. In addition, because Nevada's benefit is based on service credit in the same manner as a service retirement benefit, Nevada's disability benefit is taxable under federal law unlike many other states. Therefore, there is not much financial incentive to seek disability retirement over service retirement unless that member truly cannot perform his or her job.

Also in Nevada, disability is based on the member's current or comparable job for which the person is qualified by training and experience. It is not based on permanent and total disability for all gainful employment. The disability may also be based on injury or mental or physical illness.

Making personal information public based on alleged prevention of fraud or abuse in disability retirement without any evidence of such fraud in Nevada's program would require making medical information public, which of course

cannot be done. Because disability requirements are job-specific and may include mental illness, it is often not readily apparent why a person is legitimately collecting a disability retirement benefit. However, the law provides mechanisms for the System to track disability retirees, which we do using all the information in the file.

The bill would not prevent the detection of alleged double-dipping. Opponents claim it would be impossible to detect when a disability retiree goes back to work for another agency. That also is inaccurate. An example of double-dipping from California was used where there are many separate retirement systems. Nevada has one system covering virtually every public employee. Both the retiree and the employer have a legal duty to inform the System when a retiree returns to work for any public employer. In addition, the employer has certain reporting duties which allow PERS to detect when the retiree has returned to work. The System always asks for this information when it audits employers. It also asks the public employer if it is paying a person under contract or otherwise in order to detect if a retiree has returned to work without notifying PERS. This bill would not prevent the detection of fraud or double-dipping because PERS has provisions in the law which allow it to detect such occurrences.

We are not necessarily recommending to you what should be public, but we would like you to be mindful of the limitations of the computer system. The highly sensitive nature of some of the information we maintain has not been litigated yet but could be in the future if we do not have clarification. I would also like to remind you that we have personal information not only on public employees but their spouses, children and any person they may have ever named as a beneficiary.

With more personal information available, the risk of loss increases to both the System and the individual. Within the last three years, at least two public retirement systems have been the victims of the account takeover issue that was previously mentioned with Iowa PERS.

CHRIS NIELSON (General Counsel, Public Employees' Retirement System):

We are here due in part to a recent Nevada Supreme Court decision called *Public Employees' Retirement System of Nevada v. Nevada Policy Research Institute, Inc.*, 429 P.3d 280 (2018). That decision appears to fundamentally change the way PERS handles public records.

The decision gutted the plain meaning of NRS 286.117 so much so that the confidentiality of PERS members' personal information is now determined on a case-by-case basis using a search ability or balancing test, instead of using the long-standing rule and policy set by the Legislature as contained in NRS 286.117.

As Justice Lidia Stiglich pointed out and to which Ms. Leiss alluded, the decision drastically departed from *stare decisis* by turning the Public Records Act into an affirmative duty to create custom reports. That is our interpretation.

I support S.B. 224 because it provides clarity. It attempts to balance the interests of transparency with the interests of privacy. It proposes black-and-white rules to determine what is confidential.

The PERS receives numerous public records requests each year, many of which relate to the System itself, including financial information, investment information or vendor information. These types of public requests are routinely complied with and not at issue. At issue are public record requests that seek the personal information of PERS members and retirees.

Because PERS stores a wealth of sensitive, personal information of our members and retirees, it is challenging from an administrative standpoint to determine what information is confidential, especially in light of the most recent Supreme Court Decision. For example, this past week PERS received two separate public record requests from two different unrelated groups or individuals asking for the home addresses of PERS members. While at first glance this type of information would not constitute public information, I am not aware of any specific statute that would make this information confidential. However, this request is still under review.

One of the court orders alluded to making home addresses confidential, but we must weigh that in light of the NPRI decision which says:

We hold that where the requested information merely requires searching a database for existing information, is readily accessible and not confidential, and the alleged risks posed by disclosure do not outweigh the benefits of the public's interest in access to the records, the Act mandates that PERS disclose the information.

That is the latest rule with which we are dealing from an administrative standpoint.

Some of the written material submitted in opposition to this bill suggests that legislation is not needed because law is clear or nothing is needed other than perhaps adding "names" to section 1, subsection 2, paragraph (a) instead of using identification number. Whether names are included is a policy decision for the Legislature to make, not PERS at an administrative level. I can assure you, however, that clarity is needed. I urge everyone to read the *Public Employees' Retirement System of Nevada v. Nevada Policy Research Institute, Inc.*, 429 P.3d 280 (2018) decision and tell me if that decision is clear or not.

Some of the written materials in opposition to this bill suggest that the word "record" should be substituted for the word "information" in section 1. From an administrative standpoint, "information" is necessary to create some categorical, black-and-white rules so that certain personal information—confidential or not—does not rely on whether the information constitutes a record. In my view, if the Legislature wants to make something confidential, or public for that matter, it should not be limited to or rely on whether that information constitutes a "record." That term is not even defined in NRS 239.

The PERS should not be in a position to determine what is confidential. This is a policy decision of the Legislature. We support this bill, not so much for the substance of what is in it but for the fact that it provides clarity to an area of law that sometimes, unfortunately, leads to litigation. The PERS does not want to be in the business of litigation. It is in the business of providing retirement income to thousands of individuals each year.

TOM WELLMAN (President, Nevada State Education Association, Retired):
I have submitted my written statement supporting S.B. 224 ([Exhibit M](#)).

STEVE HORNER (Vice-President, Nevada State Education Association, Retired):
My written statement in support of S.B. 224 ([Exhibit N](#)) has been submitted to the Committee.

ALEXANDER MARKS (Nevada State Education Association):
I have submitted my written remarks on behalf of the Nevada State Education Association supporting S.B. 224 ([Exhibit O](#)).

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BERNARD PAOLINI (President, Retired Public Employees of Nevada):
I have submitted my written testimony supporting S.B. 224 ([Exhibit P](#)).

HARRY BEALL:
I have submitted my written statement supporting S.B. 224 ([Exhibit Q](#)).

SCOTT EDWARDS (President, Las Vegas Peace Officers Association):
We urge your support of S.B. 224. I represent the correction officers who work at the City of Las Vegas Jail. Inmates have much time on their hands and come up with creative ways of doing things. Their involvement in our personal lives does not end when we retire. I ask that you protect our retirees and our working members wherever possible.

MICHELLE JOTZ (Chairman, Police Managers and Supervisors Association):
We support S.B. 224. Members of law enforcement spend their 20-, 25- or 30-year careers putting bad actors in jail or prison. Those bad actors would love nothing more than to get their hands on any identifying information of the people who put them behind bars.

We have had officers involved in critical incidents who received death threats and were forced to move in order to keep themselves and their families safe. We should not have to fear that our personal information is going to be made available to just anyone. This bill provides transparency without becoming overly intrusive and is a reasonable compromise.

CHAIR PARKS:
I see many people in the room in southern Nevada. Could we please see a show of hands of those who support S.B. 224 but are choosing not to testify? It looks like it is unanimous.

Now we will come to northern Nevada and ask for a show of hands of those individuals who support S.B. 224 but choose not to speak. There is a majority here also.

GLORIA DEYHLE:
I am a registered nurse retired from the State of Nevada. I did many things during my career with the State. I worked for welfare and the former Health Division, enforced public safety by inspecting nursing facilities and hospital

facilities, took care of children's programs, pregnant women, the elderly and so forth.

I support S.B. 224 primarily because there are a few things no one has mentioned. They talk about identity theft problems, and we know those stories. I have an aunt who receives a pension from the State. She gets numerous calls daily from scammers asking for money and so forth. A neighbor of mine who is an elderly lady on welfare gets few calls. Obviously, people know she is on welfare and she has no money; my aunt does.

The pension plan we were offered as employees is part of the salary arrangement. As a nurse, I could have made much more money working in clinical situations. I had many offers. However, I liked what I did, and what I was doing was important. The pension was one of the draws. I contributed to that pension, it was not just handed to me. The benefit package is part of your salary.

When hiring people in any business, you have to include one-third more on top of the salary you are offering as a benefit package. Still, it is far below the private sector. However, there are instances, primarily with sports coaches, where they get much more than in the average private sector.

Besides the identity theft problems, the older a retiree becomes the more vulnerable he or she is to scams. If someone is receiving a regular retirement pension, it is easy to determine age based on the date of retirement because most people retire at a certain age. Scammers are less likely to complete a scam on a 60-year-old who is retired than they would with an 85-year-old.

Another concern is the physical safety of these individuals. If someone is receiving a disability payment, this person is even more vulnerable, physically. It is an important issue that we do not talk about. Besides all the privacy problems, the actual risk to the individuals who are physically disabled as well as elderly is also a problem.

RICHARD KARPEL (Executive Director, Nevada Press Association):

I have submitted my written comments opposing S.B. 224 and my proposed amendment ([Exhibit R](#)).

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PAUL MORADKHAN (Las Vegas Metro Chamber of Commerce):

The Las Vegas Metro Chamber of Commerce has long-standing concerns with transparency on these types of issues with PERS and the System as a whole.

The Chamber has concerns with section 1, subsection 2, paragraph (a) of the bill regarding identification numbers. I understand the dialogue today and many of the proponents' concerns. We respect those opinions.

ROBERT FELLNER (Policy Director, Nevada Policy Research Institute):

I have submitted my written statement ([Exhibit S](#)) along with an order from the First Judicial District Court of the State of Nevada granting a petition for a writ of mandamus ([Exhibit T](#)) and a copy of search results from the State of New Jersey retirement system ([Exhibit U](#)).

PATTI JESINOSKI:

A right does not cost someone else money. Nevada's tax-funded government workers' pension costs are second highest in the Nation, meaning 48 states fall below the Nevada rates.

A comment was made that the employee pays 50 percent into PERS. Figures quoted by former Governor Brian Sandoval on December 23, 2018, for 2019 through 2021 suggested that regular employee contributions would increase from 14.5 percent to his suggested increase of 15.25 percent, a 0.75 percent increase, not 50 percent. Police and fire employee contributions would increase from 20.75 percent to 22 percent, a 1.25 percent increase, not 50 percent.

Wirepoints special report shows that the real problem plaguing pension funds nationwide has gone largely ignored. Others report claim underfunding and lack of taxpayer dollars.

Wirepoints analysis of The Pew Charitable Trusts and other pension data from 2003-2016 found it is the uncontrolled growth in pension promises that wrecks havoc on state budgets and taxpayers. Overpromising is the true cause of many state crises. Underfunding is often just a symptom of the underlying problems. Growth is two to three times faster than the pace of economies. It is no wonder taxpayer contributions have not been able to keep up.

These retirees are making 88 percent to well over 100 percent of their base salary, as well as a cost of living adjustment of up to 3 percent, not seen in private industry. This Session, there are bills being brought forward to increase the number of high-salary government employees such as judges.

The population of Nevada cannot sustain these pensions. Instead of bringing in more taxpaying residents and industry to fund PERS, the State will begin repelling people, industry and current residents. We will collapse like Illinois.

To help ensure financial growth in Nevada, we who pay your salaries as well as your retirements have a right to monitor these individual retirements. These employees should convert to a more sustainable retirement program like the private sector in which you fund your own retirement. After 35 years as a pharmacist in private industry, it would be wonderful but improbable that I would ever see such a lucrative retirement.

As long as the salaries and pensions are using public funding, there is no right to privacy on this issue. After the Nevada Supreme Court ruling on the privacy issue, S.B. 224 should be dead on the desk.

I am a taxpayer. I have suffered public harm from identity theft, both private and corporate, from Blue Cross Blue Shield, Aetna, retail local stores, Amazon and more than I can remember. As a Nevada resident, my identity has been stolen four times in the last two years.

SENATOR RATTI:

I want to address some of the concerns that were brought by the opposition to S.B. 224.

Conflict of interest for elected officials cuts close to home for those of us sitting in this room. There is no secrecy about who is serving in your Legislature. It is widely known who has been a public employee and who has not been a public employee. There is no secrecy about the votes we take when making adjustments to PERS. If someone believes there is a conflict of interest regarding the participation of public employees or former public employees on a PERS vote, that is something we can look at with our existing conflict of interest rules and statutes within the State. There is nothing hidden. It is clear who is serving in our public offices. It is widely known what jobs they have held and what votes they take. There is abundant information out there. I am not

sure how releasing the individual information of thousands of retirees advances any better understanding of that issue, regardless of your opinion on whether public employees should be participating in those conversations.

Comments were made about Governor Sandoval's reference to the increase of contribution percentages that were in the teens instead of a 50-50 contribution from an employee and an employer to the PERS account. There are different examples of what percentages are contributed by the employee versus the employer. The numbers cited by Governor Sandoval were actually an increase in the contribution to PERS. It was not the percentage of the employee versus the employer. It was an increase in the contribution. That was happening during that recessionary period. Both employers and employees were being asked to make a larger contribution to PERS in order to ensure that we were stabilizing the System and that benefits would be available in the future. It had nothing to do with who was giving what portion but rather we needed a larger contribution from the employees. In fact, during the Great Recession, many employees were experiencing furloughs, layoffs or other cutbacks and no raises. However, they were being asked to contribute more to PERS.

One of the speakers said "it is in the public interest to know who the government is giving its money to." It is not the government's money. These benefits were earned by these employees. When a person signed up to be an administrative assistant and worked 30 years for some government agency in public service, he or she did not sign up knowingly to have their financial information be public for the remainder of their lives. That is not a realistic expectation of what we should be asking of our public employees.

Most critically important here is that one of the speakers in opposition gave an opinion of the legal state of affairs. The attorneys I have been talking to give a completely different opinion of the current legal state of affairs. We can all agree that if you look at the 4-3 split decision in the Nevada Supreme Court and the contrary opinions written in that case, our current state of what is public and what is private is unclear. Using a balancing test so that every individual case must be litigated before we get to that answer is a waste of everyone's resources.

In this Session in front of these two rooms of dedicated retired public servants, I ask the Legislature to declare absolutely and with certainty that this information is confidential. It is confidential if it is in an individual file. It is confidential if it is

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in a record created from that file. It is confidential if it has been pulled into a custom report. It is confidential if it lives on a piece of paper. It is confidential if it lives in a computer. With the exception of some limited information we are going to release because we believe in transparency in government, it is confidential.

I ask for your support of S.B. 224.

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CHAIR PARKS:

We will close the hearing on S.B. 224. Having no further business to come before the Senate Committee on Government Affairs, we are adjourned at 3:11 p.m.

RESPECTFULLY SUBMITTED:

Suzanne Efford,
Committee Secretary

APPROVED BY:

Senator David R. Parks, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	14		Attendance Roster
S.B. 10	C	1	Jennifer Ruedy	Work Session Document
S.B. 12	D	3	Jennifer Ruedy	Work Session Document
S.B. 13	E	6	Jennifer Ruedy	Work Session Document
S.B. 36	F	3	Jennifer Ruedy	Work Session Document
S.B. 36	G	7	Jennifer Ruedy	Proposed Amendment
S.B. 104	H	2	Jennifer Ruedy	Work Session Document
S.B. 113	I	1	Jennifer Ruedy	Work Session Document
S.B. 175	J	1	Jennifer Ruedy	Work Session Document
S.B. 224	K	1	Terri Laird / Retired Public Employees of Nevada	Written Testimony
S.B. 224	L	1	Patricia Maloney / American Federation of State, County and Municipal Employees, Local 4041	Written Testimony of Laura Leavitt
S.B. 224	M	1	Tom Wellman / Nevada State Education Association	Written Testimony
S.B. 224	N	1	Steve Horner / Nevada State Education Association	Written Testimony
S.B. 224	O	1	Alexander Marks / Nevada State Education Association	Written Testimony
S.B. 224	P	1	Bernard Paolini / Retired Public Employees of Nevada	Written Testimony
S.B. 224	Q	1	Harry Beall	Written Testimony
S.B. 224	R	9	Richard Karpel / Nevada Press Association	Written Testimony
S.B. 224	S	4	Robert Fellner / Nevada Policy Research Institute	Written Testimony

S.B. 224	T	10	Robert Fellner / Nevada Policy Research Institute	District Court Writ of Mandamus
S.B. 224	U	1	Robert Fellner / Nevada Policy Research Institute	New Jersey Retirement System Search Results