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TRANSCRIPT OF A TELECONFERENCE
STATE OF NEVADA
PRIVATE INVESTIGATORS LICENSING BOARD
HEARING
FOR THE ADOPTION, AMENDMENT AND REPEAL OF
PERMANENT REGULATIONS
(LCB FILE NO. R096-20)

Wednesday, March 3, 2021
9:00 a.m.

(Pursuant to the Governor's Emergency Declaration 006,
there was no physical location for this meeting.)

REPORTED BY: SHANNON L. TAYLOR, CCR, CSR, RMR
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A P P E A R A N C E S
(all via Teleconference)

Board Members Present:

Tammy Nixon, Chair
Rick Brown
Katherine Cortez
Robert Gronauer

Also: Kevin Ingram
Executive Director

Michael Detmer
Deputy Attorney General
Board Counsel

Lori Irizarry
Chief of Operations

Mary Klemme
Financial Specialist

Public Attendees:

Sophia Patterson
Montgomery Turner

1 WEDNESDAY, MARCH 3, 2021, 9:00 A.M.

2 -oOo-

3 BOARD CHAIR NIXON: Okay. Good morning, and
4 welcome to day two of the PILB meeting. This meeting is
5 an intent to act upon regulations. I'd like to call the
6 meeting to order.

7 Director Ingram, would you conduct roll call,
8 please.

9 MR. INGRAM: Yes. Thank you.

10 Board Member Brown?

11 BOARD MEMBER BROWN: Here.

12 MR. INGRAM: Board Member Cortez?

13 BOARD MEMBER CORTEZ: Present.

14 MR. INGRAM: Board Member Gronauer?

15 BOARD MEMBER GRONAUER: Here.

16 MR. INGRAM: And Chair Nixon?

17 BOARD CHAIR NIXON: Here.

18 MR. INGRAM: That does prove we have a quorum
19 today. With us, also, is Chief of Operations Lori
20 Irizarry and our counsel, Michael Detmer; myself, Kevin
21 Ingram, Executive Director. And in the north we have
22 Mary Klemme. And our court reporter today is Shannon
23 Taylor.

24 If I could ask anybody else that is on the
25 phone right now in the public, if you could please

1 identify yourself for the record.

2 MS. PATTERSON: My name is Sophia Patterson.

3 MR. INGRAM: Hi, Sophia.

4 MS. PATTERSON: Good morning.

5 MR. INGRAM: And is there anyone else on the
6 hearing, on the call today, from the public?

7 BOARD CHAIR NIXON: Okay. So let's go ahead.
8 Let's go ahead and move forward. Is there any public
9 regarding proposed regulations for amendment or
10 adoption?

11 MR. DETMER: Mike Detmer, for the record. That
12 is to say, is there any public comment by any member of
13 the public as to any of the sections that are presented
14 today for proposed amendment or adoption?

15 BOARD CHAIR NIXON: Okay. If there is no
16 public comment, I'd like to move to the Board. Is there
17 any Board comments concerning or regarding these
18 proposed regulations for amendment or adoption?

19 BOARD MEMBER CORTEZ: This is Board Member
20 Cortez. I have no questions at this time.

21 BOARD MEMBER GRONAUER: Board Member Gronauer.
22 I have no questions at this time.

23 BOARD MEMBER BROWN: Board Member Brown, also
24 no questions at this time.

25 BOARD CHAIR NIXON: Do I have to take a motion?

1 MR. DETMER: No. No, Madam Chair.

2 BOARD CHAIR NIXON: Okay. So if there are no
3 questions from either the public or the Board, I'll
4 entertain a motion.

5 MR. DETMER: Mike Detmer, for the record. If
6 the -- I believe, the question was if there was a motion
7 for adoption of the regulations that were presented for
8 adoption or amendment. If the Board wishes to go into
9 deliberation or discussion about the regulations, we
10 should take a step back and go into that, opposed to
11 moving into the motion for adoption.

12 BOARD CHAIR NIXON: The question is, if we had
13 any questions, then that was --

14 MR. DETMER: Okay. I'm sorry. Then, this, the
15 questions part, I thought, was the invitation for
16 deliberation.

17 BOARD CHAIR NIXON: Right. That's what I
18 thought, too.

19 MR. DETMER: Does the Board and other Board
20 members have a desire to deliberate on the regulations?

21 BOARD CHAIR NIXON: Do you want to talk about
22 what we're trying to do here?

23 BOARD MEMBER GRONAUER: Yes.

24 BOARD CHAIR NIXON: I don't know what the word
25 is.

1 MR. DETMER: Discussion, deliberation.

2 BOARD CHAIR NIXON: Okay.

3 BOARD MEMBER GRONAUER: So this is Gronauer.

4 Okay. I'd like to make a motion that we go into
5 deliberations before we go ahead and adopt everything.

6 BOARD CHAIR NIXON: Okay.

7 MR. DETMER: Absolutely.

8 BOARD CHAIR NIXON: Okay. So, then, we have a
9 motion.

10 BOARD MEMBER BROWN: This is Board Member
11 Brown. I'll second that motion.

12 BOARD CHAIR NIXON: Okay. We have a motion.
13 We have a second. All in favor, say "aye."

14 (Board members said "aye.")

15 BOARD CHAIR NIXON: Okay.

16 BOARD MEMBER GRONAUER: I think, we should take
17 them one by one.

18 MR. DETMER: If that would be the Board's
19 preference.

20 BOARD MEMBER GRONAUER: Well, you know, we have
21 a lot of information. This is Gronauer. We have a lot
22 of information in front of us. All right. And we all
23 may, we all have different opinions maybe, and maybe we
24 all agree. But I'd like to take them one by one and
25 just see if we agree or disagree with them. I mean we

1 get to read them. But that's a little different than
2 sitting here, and, you know, reading them in your own
3 mind does not list thinking about somebody else's mind.
4 I would like to take them one by one, and just we can go
5 through them real fast, for the most part.

6 BOARD CHAIR NIXON: Okay.

7 MR. DETMER: Mike Detmer, for the record. I
8 believe, there's a couple different ways we can do this.
9 We could -- I believe, it's Member Gronauer's desire to
10 go through them individually.

11 I think, it's at the Board's pleasure if it
12 wants to read them into the record one by one or not. I
13 believe, the regulations, as proposed, are within the
14 record and can be referenced by incorporation. So if
15 the Board would say, "I'm looking at Section 2," I don't
16 think you necessarily have to read it in verbatim into
17 the record.

18 BOARD CHAIR NIXON: Okay. So, Kevin, do you
19 want to go over the regulations, or, you know, Board
20 Member Gronauer, do we want to just go into regular
21 discussion? If you reference the section, the number of
22 the agenda item, and then the section, then we can go
23 into the actual, without having to read the whole thing
24 for separate.

25 BOARD MEMBER GRONAUER: Okay. Madam Chair,

1 this is Board Member Gronauer. I'm not trying to make
2 this difficult. What I'm trying to do is just make sure
3 that we are all on the same page while we're reading
4 these things. If we just go ahead and approve things,
5 one, two, three, four, five, that's going to be
6 difficult if we have different opinions. Because,
7 again, we'll read things, but you may interpret it
8 differently than I will, or somebody else may interpret
9 it differently than I will, or I will interpret it
10 differently than they do.

11 So I just think it's for our sake and the
12 public's sake, even though these are all handed out, and
13 this is part of being distributed, that everybody should
14 have had a chance to read them. But, again, I'd like to
15 be, for the sake of not making mistakes or brushing over
16 something, I would rather just go one by one. We can do
17 them pretty fast.

18 BOARD CHAIR NIXON: Okay.

19 BOARD MEMBER GRONAUER: And, I think, you have
20 to read them through.

21 BOARD CHAIR NIXON: Okay.

22 BOARD MEMBER GRONAUER: And just say, "Anybody
23 have any questions?"

24 BOARD CHAIR NIXON: Okay.

25 BOARD MEMBER GRONAUER: I'm sorry, but, again,

1 I don't want to make it to long or too difficult, but I
2 really think it should be very clean.

3 BOARD CHAIR NIXON: Not a problem. And I just
4 want to clarify that these are ones that we did back in
5 the December meeting and made the choice that more
6 things should be done, before we go ahead and make a
7 motion.

8 MR. INGRAM: Okay. So, Board Member Gronauer,
9 just for clarification, did you want me to start with
10 the actual amendment in section 2 where the blue is
11 showing the R096 filing with the LCB?

12 BOARD MEMBER GRONAUER: This is Board Member
13 Gronauer. I think, what I would like is that we go over
14 the amended part of it.

15 MR. INGRAM: Okay.

16 BOARD MEMBER GRONAUER: You know, what's in
17 blue.

18 MR. INGRAM: Okay.

19 BOARD MEMBER GRONAUER: So we know what we're
20 really talking about.

21 MR. INGRAM: Perfect.

22 BOARD MEMBER GRONAUER: Because I know, in the
23 December meeting, we discussed this, but, also, there
24 was some of us that weren't exactly happy with
25 everything.

1 MR. INGRAM: Right.

2 BOARD MEMBER GRONAUER: It may have been only
3 one of us. But I mean I remember some of the things to
4 do. So I don't want to keep -- I don't want to say what
5 it was, because then we'll get a double thing.

6 MR. INGRAM: Right.

7 BOARD MEMBER GRONAUER: So if we just go
8 through the amendments, I think, I think that would make
9 it clearer and cleaner for everybody.

10 BOARD CHAIR NIXON: Okay.

11 MR. INGRAM: Sounds good. Sounds good.

12 So what we did, after the discussion at the
13 Board meeting, was any of the regulations that the Board
14 did not want to move forward with we pulled out
15 completely. And then, as discussed at that meeting, I
16 had to then forward them to the Legislative Counsel
17 Bureau legal department for them to write them in this
18 format to actually have them on file with them. So this
19 is our best effort in capturing everything that was
20 discussed.

21 So if we look on page five of the actual
22 proposed amendments, in the Section 2, it starts with
23 legal language to adopt definitions, to include the
24 following definitions. So in Section 2, this is legal
25 language that was put in by the LCB, not by us, just to

1 make sure everything flows correctly in the amendments.

2 Okay.

3 So in Section 3, this is where we are defining
4 the qualifying agent. And we've ascribed the meaning
5 to: Has been approved by the Board to represent and
6 work for the corporate licensee. And, number 2, is
7 responsible for, (a), managing the corporate licensee in
8 this state, including, without limitation, management of
9 the, (1), daily operations of the corporate licensee
10 and, (2), conduct and professionalism of the staff of
11 the corporate licensee. Section (b), executing and
12 completing all necessary documents to maintain the
13 standing of the corporate licensee in this state;
14 (c), carrying out the provisions of this chapter and
15 chapter 648 of Nevada Revised Statutes; complying with
16 all lawful and responsible orders of the Board; and
17 acting as an advisor for the management of the corporate
18 licensee.

19 So right now, there are several references in
20 our statutes and regs talking about a qualifying agent.
21 It had never been defined. So this is our attempt to
22 define what a qualifying agent is responsible for. And
23 that was the discussion with Board Member Gronauer
24 months ago.

25 BOARD CHAIR NIXON: So after he reads each one

1 of these, and do I -- it's open for discussion, then do
2 I ask if we move on, or we approve it, or?

3 BOARD MEMBER GRONAUER: Should we talk to each
4 one of them, though?

5 MR. DETMER: I feel like that would make it
6 cumbersome.

7 BOARD CHAIR NIXON: Okay.

8 MR. DETMER: Mike Detmer, for the record. You
9 have a couple options. You could adopt them one by one.
10 But, I think that adopting them in total might be the
11 way to go. Additionally, depending on what happened, if
12 there's further revision, it may have to be sent back to
13 the LCB to make changes for substantive things.

14 BOARD CHAIR NIXON: Okay. So, then, right now,
15 ask if there's any further discussion needed?

16 BOARD MEMBER GRONAUER: This is Board Member
17 Gronauer. That was one of my main concerns was that we
18 definitely had it codified, that says what a qualifying
19 agent is. Because I asked that question probably a year
20 ago, and we couldn't find it anywhere in the NRS or NAC.
21 And I thank you for the work that's been done on that,
22 thank the people up north, also. I'm good with that
23 one.

24 BOARD CHAIR NIXON: Okay. Actually, I'm
25 motioning to you, but I was asking if there was any

1 further questions.

2 BOARD MEMBER CORTEZ: None.

3 BOARD CHAIR NIXON: Okay.

4 MR. INGRAM: Section 4 of the proposed
5 amendments. The last legislative session, a bill passed
6 for boards to adopt regulation for license by
7 endorsement, which basically has some very specific
8 guidelines that must be followed, if someone is licensed
9 in another state, to help streamline a process of
10 licensure for them if they were to relocate to our
11 state. I believe, the bill, most of the testimony was
12 surrounding those individuals that were spouses of
13 military or spouses of medical staff. But it is
14 all-encompassing as well.

15 So what we did was we took the bill as written
16 and made very subtle changes to say the Board will do
17 this, the Board will do that. And it follows the bill
18 verbatim otherwise. Because, again, it's so specific,
19 if we would have made any changes, it wouldn't have met
20 the bill requirements. So it's just taking their bill,
21 putting it into our language for Board review and
22 adoption.

23 Do you want me to read the whole thing, or?

24 BOARD CHAIR NIXON: This is open for
25 discussion. Is there any discussion?

1 BOARD MEMBER GRONAUER: Again, Gronauer. The
2 only discussion I have on it, it really cleans this up,
3 makes it clear. And I just, because that could be a
4 step they had to be real careful with, and, I think,
5 this stops it right where it's supposed to be. Here's
6 good direction on endorsement of any kind of license.

7 BOARD CHAIR NIXON: Next section?

8 MR. INGRAM: Okay. Section 5. We had a
9 section of NAC that covered a lot of requirements of a
10 licensee. And one of the little, small side notes was
11 the Board could audit licensees. But it didn't go into
12 any detail on what the Board would audit on. And so, as
13 Board staff, in looking at that, we felt that we really
14 needed to clarify what an audit would entail, so that it
15 would set our licensees up for success in knowing what
16 they need to have in their records.

17 So Section 4 is our attempt to -- I'm sorry.
18 Section 5, our attempt to add those requirements. The
19 LCB decided what they would like to do is make this a
20 standalone Nevada Administrative Code instead of the way
21 that we proposed it as an amendment. But this is the
22 same verbiage that was discussed at the previous Board
23 meeting. I'd be happy to read through it if you want me
24 to, or --

25 BOARD CHAIR NIXON: Okay.

1 MR. INGRAM: Or however you wish for me to
2 proceed.

3 BOARD MEMBER NIXON: Is there any discussion on
4 this item?

5 Okay. No discussion. Okay. Next.

6 MR. INGRAM: Section 6. Section 6 is to
7 clarify NRS. We currently have an NRS that defines that
8 a licensee must pay a license fee and must pay a renewal
9 fee every year, and it says of no more than \$500. The
10 Board's interpretation of this over the years, way
11 before I was here, was that it would be \$500. It's been
12 that way as long as I've been here. But in the LCB
13 audit of our laws and regs, the Sunset Committee, they
14 notified me that we really needed to clarify this in
15 Nevada Administrative Code to say exactly what the
16 amount would be.

17 So that's exactly what we're doing. We've
18 taken the NRS, we've made it to be specific that the
19 actual fee to be paid is \$500 for the issuance of a
20 license, which still can be prorated, pursuant to other
21 regs, the annual renewal of the license to be \$500, and
22 the renewal of a license held in abeyance of \$100. We
23 already have regulations in place that says to place a
24 license in abeyance is \$100.

25 Are there any questions or clarification on

1 that?

2 BOARD CHAIR NIXON: No further discussion.

3 Okay. Next.

4 MR. INGRAM: Section 7. We've never had a true
5 requirement, other than under the regulations governing
6 certified firearms instructors, to have their
7 registration or certification on their person at all
8 times. It's been Board policy and protocol to require
9 that. However, it was never put in writing in any of
10 our regulations.

11 So Section 7 is to add that requirement of
12 anyone, while performing their duties, that they need to
13 have their PILB registered work card on them at all
14 times. If they don't have the active permanent plastic
15 card, that they are required to have their provisional
16 certification on them at all times.

17 BOARD CHAIR NIXON: I did ask, on Section 7, it
18 says an unlicensed employee. I'm wanting clarification
19 on the word "unlicensed."

20 MR. INGRAM: So in our regulations and
21 statutes, there is a licensed individual or there's an
22 unlicensed individual. An unlicensed individual is a
23 registered work card employee, meaning they don't have a
24 license but they are registered.

25 BOARD CHAIR NIXON: Okay.

1 MS. PATTERSON: This is Sophia Patterson, for
2 the record. I do have a question. Are there any
3 penalties, you know, if that is, if that does happen, to
4 where someone does not have their work card on them?

5 MR. DETMER: Mike Detmer, for the record.
6 Madam Chair, we didn't discuss the process as far as
7 additional public comment. The Board can take public
8 comment at the end. It also can take them after each
9 session, if it just chooses to.

10 As far as the back and forth, I don't think the
11 Board is under any obligation to have a back-and-forth
12 dialogue with the public on these regulations, but it
13 can take into consideration a comment on the revision to
14 the amendments.

15 BOARD CHAIR NIXON: Okay. So if you would
16 like, could you hold that public comment or question
17 till the end. I think, that would probably be easier.

18 MS. PATTERSON: Okay.

19 BOARD CHAIR NIXON: When we open it to public
20 comment, so that we could go through all of them.

21 MS. PATTERSON: Yep.

22 BOARD CHAIR NIXON: Okay. Awesome. Thank you.

23 BOARD MEMBER GRONAUER: Yeah. This is
24 Gronauer. I have a question on that. Okay. During
25 public comment, if we can't do any action on it?

1 MR. DETMER: You could still receive, the Board
2 could still receive public comment as to the changes on
3 a regulation, as opposed to public comment at the end of
4 the meeting. But I would see this as public comment on
5 the regulations that are being adopted, not one at the
6 end of the meeting that the Board can't take action on.
7 The idea per se would be to give the public the ability
8 to provide their opinions on the regulations. But the
9 question is when do we do that. You can do it after
10 each regulation or at the end.

11 BOARD CHAIR NIXON: Well, I'm not going to ask
12 for a motion before I ask is there any public comment on
13 all the items, right, that we review?

14 MR. DETMER: Correct. I believe, the idea was
15 to do the motion at the end.

16 BOARD CHAIR NIXON: Right.

17 MR. DETMER: To adopt it in total.

18 BOARD CHAIR NIXON: Right, after we've asked
19 for, again, public comment on all the different items?

20 MR. DETMER: The Board has that ability, yes.

21 BOARD CHAIR NIXON: Right. That was my
22 thought. Versus stopping every time and going through
23 every one and asking questions or public comment.

24 BOARD MEMBER GRONAUER: No, I understand for
25 the brevity of it all. This is Gronauer again. I'm

1 sorry. I guess, my angst to this, all right, is I'm not
2 understanding what we're doing. Because if we come up
3 with something, and we have a question, some questions
4 could be answered then.

5 MR. DETMER: It's up to the Board if it wants
6 to take questions and answers, or even engaging. The
7 Board would be happy to engage. But it can take the
8 comments from the public into advisement.

9 BOARD MEMBER GRONAUER: But if we take it in
10 advisement now -- I think, it was a legitimate question
11 that was asked. Okay. So if we take it into advisement
12 now, and then we vote on it later that we're accepting
13 all of them, then how does the change happen?

14 MR. DETMER: But that's a matter of the Board's
15 desire of how it wants to proceed, at the end or take it
16 one by one.

17 BOARD CHAIR NIXON: We'll take it one by one.
18 Let's just make it easy and we'll take it one by one.

19 Director Ingram, can you answer that question?

20 MR. INGRAM: The answer to that question is
21 yes.

22 BOARD MEMBER CORTEZ: This is Board Member
23 Cortez. Can I have a repeat of the question, please?

24 BOARD CHAIR NIXON: Ms. Patterson, would you
25 mind asking the question again.

1 MS. PATTERSON: Absolutely. My question was
2 just if there are any penalties for not having your work
3 card on you at all times, registered or licensed, and
4 what, I guess, those penalties would be or where they
5 would be outlined?

6 MR. DETMER: Mike Detmer, for the record. The
7 point of the hearing is for the adoption of amendments
8 or full adoption of the regulation. I'm not sure if
9 that was relevant to. It was more of a legal question
10 as far as what are possible penalties.

11 I'm sorry, Shannon. I should know better by
12 now. Mike Detmer, for the record. The point of today's
13 hearing is for consideration and possible adoption of
14 the regulations that are being proposed and to be sent
15 to the LCB. I believe, the question wasn't necessarily,
16 unless I misunderstood it, was not based on an amendment
17 that is being amended or adopted today. It was more of
18 a question as to possible penalties in general, unless I
19 understood that wrong.

20 BOARD CHAIR NIXON: Am I able to say?
21 Ms. Patterson, yes, there are penalties. And if you'd
22 like better clarification of those penalties, please
23 contact the PILB office. They'll be able to direct you.

24 MS. PATTERSON: Thank you.

25 BOARD CHAIR NIXON: All right. Okay. So I'm

1 kind of lost. Are we good on Section 7; is there any
2 more comment, public or otherwise?

3 We're good? Okay. Section 8.

4 MR. INGRAM: Section 8 amends NAC 648.120, and
5 it's the duties and responsibilities of the Executive
6 Director of the Board, the appointment of the Executive
7 Director of the Board. And at the request of one of the
8 Board members, they wanted to add that the salary of the
9 Executive Director must be reviewed annually by the
10 Board not later than the 15th day of each May.

11 So that was put in at the request of one of the
12 Board members.

13 BOARD CHAIR NIXON: Is there any comment on
14 Section 8?

15 BOARD MEMBER GRONAUER: This is Gronauer.
16 Okay. The only comment I have on it, the 15th of May
17 falls between Board meetings. And, I think, it should
18 be probably put in at the 15th of June. I mean this is
19 only for discussion at this moment?

20 BOARD CHAIR NIXON: Yes.

21 BOARD MEMBER GRONAUER: Because there is Board,
22 the Board's January, or the Board's in June, or March,
23 June. Okay. And I'm just thinking, we should have it
24 in front of a Board at that time. And if I'm wrong
25 about that, I'm just trying to figure out why we would

1 do it in May when we're not together?

2 BOARD CHAIR NIXON: So can I ask, Kevin, was
3 that date, or Director Ingram, was that date chosen for
4 a particular reason, was that?

5 MR. INGRAM: My understanding was, again, the
6 Board can meet at any time.

7 BOARD CHAIR NIXON: Okay.

8 MR. INGRAM: Through special meetings.
9 Generally speaking, this would be reviewed, they put it
10 there not later than May 15th. And the reason for the
11 May 15th deadline was, if they were going to change the
12 salary of the Executive Director, that they would have
13 to act on it at the June Board meeting for it to take
14 effect the July 1 cycle of the new fiscal year.

15 BOARD CHAIR NIXON: Okay.

16 MR. INGRAM: So, normally, this would be heard
17 in March.

18 BOARD CHAIR NIXON: Okay.

19 MR. INGRAM: But they said no later than the
20 15th to give enough time for it to be enacted come
21 July 1.

22 BOARD CHAIR NIXON: Okay.

23 BOARD MEMBER GRONAUER: Okay. I understand.
24 Gronauer again. I understand the reasoning behind that.
25 But March is already here.

1 BOARD CHAIR NIXON: So, I think, because we
2 had -- right now, we don't have a regulation on this.

3 BOARD MEMBER GRONAUER: Okay. So we start next
4 year. I'm good with it. I'm good. No problem.

5 BOARD CHAIR NIXON: Okay. Let's move to 9.

6 MR. INGRAM: Okay. Section 9 is an amendment
7 to an existing regulation, 648.140. Again,
8 responsibilities of the Executive Director. In the LCB
9 audit, nowhere in our regulations did it say who the
10 custodian of records was for the Board. And in boards
11 and commissions, it is generally the Executive Director,
12 Executive Secretary, whoever is the highest appointed
13 state employee there.

14 So, at, again, the direction of the Board to
15 place the duty and responsibility on the Executive
16 Director to serve as the custodian of records for the
17 Board, for public records requests, subpoenas, things of
18 that nature.

19 BOARD CHAIR NIXON: Okay.

20 BOARD MEMBER GRONAUER: Good.

21 BOARD CHAIR NIXON: No questions?

22 Okay. Section 10.

23 MR. INGRAM: Section 10 was proposed by the LCB
24 just for clarification and continuity across the
25 different regulations of other boards to say, to remove

1 the terminology "For the purposes of NAC 648.215 to
2 648.330, inclusive, the term 'corporation'"; and they
3 are pulling that out and just saying "'Corporation'
4 includes a limited-liability company and foreign
5 limited-liability company." That's just for continuity
6 across all the different statutes in the state. Or
7 regulations. I apologize. Regulations, not statutes.

8 BOARD CHAIR NIXON: No questions?

9 Okay. Section 11.

10 MR. INGRAM: Section 11 is to clarify language.
11 In years previously, there's some contradiction in NACs
12 and NRSS, Nevada Administrative Code and Nevada Revised
13 Statutes. Years past, in the NAC, it said that a QA
14 could -- if they were going to become a qualifying
15 agent, they had to surrender their license. And we have
16 proposed to change that to be placed in abeyance to
17 become a qualifying agent.

18 The reason for that is, if a license holder
19 surrenders their individual license to become a QA, and
20 then they break their agreement with that corporation to
21 no longer be the qualifying agent, they no longer have
22 an individual license to activate or become a qualifying
23 agent for another entity. It would require them to go
24 through the licensing process again.

25 In speaking to previous directors and Board

1 members, that the word "surrendered" that was not the
2 intent. The intent was to no longer work with their
3 individual license active, to place it in abeyance, so
4 that, again, they could then reactivate it. So it's
5 just a clarification of that.

6 BOARD CHAIR NIXON: Okay. Any questions?

7 Okay. Section 12.

8 MR. INGRAM: Section 12, again, is
9 clarification on the same point, that any person who
10 holds a license issued by the Board must place that
11 license in abeyance before the Board will approve the
12 person's application to be qualifying agent.

13 BOARD CHAIR NIXON: Okay. Are there any
14 questions on that?

15 Okay. Section 13.

16 MR. INGRAM: Section 13 was written years and
17 years ago, requiring -- at the time, the Board employed
18 peace officers as the full-time investigators for the
19 Board. They were actually hired as A.G. criminal
20 investigators, because we had fallen under the authority
21 of the A.G.'s Office. There is currently a bill going
22 through the Legislature right now to actually remove us
23 out from under the Attorney General's Office. And the
24 NAC said that the Board would prepare the examinations
25 and would designate one or more peace, police officers

1 or law enforcement officials to administer them.

2 While currently, under chapter 29, all
3 investigators have the rights of a peace officer who are
4 employed by us. We can still do that. But we felt it
5 was best, again, to clarify the record to say
6 examinations will be prepared and administered by the
7 Board and then administered in -- right now, the
8 regulation says in January, April, June and October of
9 each year and -- or I'm sorry, July of each year. And
10 we wanted to place on there that we could do additional
11 testing, if need be. So any other time prescribed by
12 the Board. A lot of times, with -- a perfect example is
13 COVID. Things were delayed, and then we couldn't test
14 people until those specific months.

15 So it's just to give the Board a little bit
16 more flexibility, Board staff a little bit more
17 flexibility in meeting the needs of special situations.

18 BOARD CHAIR NIXON: Okay. Any concerns with
19 Section 13?

20 BOARD MEMBER GRONAUER: This is Gronauer.
21 Okay. Apparently, I'm reading something wrong.
22 Examinations will be prepared and administered by the
23 Board. Explain examinations to me.

24 MR. INGRAM: That would be the licensee
25 examinations, the examinations that each license

1 applicant has to take, to pass, to meet the
2 requirements.

3 BOARD MEMBER GRONAUER: Okay. Okay.

4 BOARD CHAIR NIXON: You're good?

5 BOARD MEMBER GRONAUER: Yeah.

6 BOARD CHAIR NIXON: You don't look like
7 you're --

8 BOARD MEMBER CORTEZ: This is Board Member
9 Cortez. Are you envisioning the Board actually
10 administering an exam?

11 BOARD MEMBER GRONAUER: If you're asking me,
12 Board Member Gronauer, no, I'm trying to envision
13 examinations prepared and administered by the Board and
14 administered in these months and at any other time. But
15 you're saying examinations of licensees. But I don't
16 see it saying that.

17 BOARD CHAIR NIXON: Because they're not
18 licensees yet.

19 BOARD MEMBER GRONAUER: Well, examinations of
20 who, then?

21 BOARD CHAIR NIXON: Of people who want to
22 become licensees, I guess.

23 BOARD MEMBER GRONAUER: Yeah, because prepare
24 examinations and may designate one or more police. So
25 you'd have to see the beginning of this exactly.

1 MR. INGRAM: Right. So let me pull that up for
2 you.

3 BOARD MEMBER GRONAUER: All right.

4 MR. INGRAM: Because this is just the amended.

5 BOARD MEMBER GRONAUER: It's my fault probably
6 for not looking that up, but I mean.

7 MR. INGRAM: So the actual title of NAC 648.310
8 says "Examinations." And it, under section 4, it also
9 states that except as otherwise provided in
10 subsection 5, examinations will be administered
11 simultaneously to all applicants, whether it's given in
12 one location or more, and then field examinations for
13 licensing as canine handlers and trainers will not be
14 administered at the same time as the written
15 examinations are given.

16 So the reference under Examination is NRS
17 648.030, which is the duties and powers of the Board.
18 And it says that the Board may, by regulation, fix
19 qualifications of licensees and of the directors and
20 officers for the licensees necessary to promote the
21 public welfare. And then may, by regulation, requires
22 people to attend firearms training as well. That's one
23 of the references that's specific to licensees.

24 The other reference is NRS 648.100, which
25 specifically says "Licenses: Examinations" and

1 "investigations of applicants." And this says, under
2 section 1, "The Board shall require an applicant to pass
3 a written examination for an initial license and may
4 require an applicant to pass an oral examination."

5 BOARD MEMBER GRONAUER: Excuse me. That's
6 good.

7 MR. INGRAM: That's good?

8 BOARD MEMBER GRONAUER: Yeah. Thank you.

9 MR. INGRAM: Uh-huh (affirmative).

10 (The Reporter indicated an inability to hear.)

11 MR. INGRAM: I think, somebody needs to place
12 their phone on mute.

13 THE REPORTER: Oh, okay. Sorry.

14 MR. INGRAM: No, that's great, Shannon. Thank
15 you.

16 BOARD CHAIR NIXON: Okay. Section 14.

17 MR. INGRAM: Section 14. The amendment here is
18 for, again, clarification on the abeyance of a licensee.
19 Under section 2 there, it just says that a licensee
20 who's the qualifying agent for a corporate license,
21 licensee pursuant to chapter 648 of NRS "must have his
22 or her license placed in abeyance and refrain from
23 engaging in licensed activities independent of his or
24 her status as qualifying agent."

25 Before, it said "may" have his license placed

1 in abeyance as long as they refrained. And, again, just
2 to be consistent with the other laws and regulations,
3 we're changing that to "must" and that they must refrain
4 from engaging in licensed activities other than their
5 individual license that's not active.

6 BOARD CHAIR NIXON: Any? You're good?

7 Okay. Section 15.

8 MR. INGRAM: Section 15 is an amendment as
9 well. Upon receipt of a written request for exemption,
10 the Board may grant an exemption from the prohibitions
11 set forth in paragraph (a) and (b) of subsection 1, and
12 the Executive Director or designee can make the
13 exemption for only paragraph (c) of subsection 1.

14 This was explained once before. But let me
15 kind of do this again just so it's fresh in everybody's
16 mind. Right now, the regulation states that if somebody
17 is employed by a peace officer or employed by a federal,
18 state or local law enforcement agency, that the Board
19 can grant an exemption for those individuals to get a
20 license or work card, if they feel that it would not
21 interfere, conflict or of interest with the
22 responsibilities of being a public employer and having
23 the license or work card. Traditionally, the Board has
24 found anybody that's an active peace officer, they're
25 just not going to allow that.

1 The other section, though, says that if a
2 person is in a position which makes the unlicensed
3 person eligible to contribute to any public employees'
4 requirement system.

5 So the way it's written says if somebody is a
6 janitor at Clark County and they pay into PERS, they
7 would have to grant an exemption from the Board body.

8 Again, over the years that I've been here,
9 prior to and since then, the Board had delegated
10 authority to the Executive Director to make those
11 determinations only, that if they're working for a
12 public body where they're paying into PERS, we request
13 that a copy of their duties and responsibilities, and we
14 request that that other public entity provide us a
15 letter saying they don't see it as a conflict of
16 interest, they don't see it would impact them in any
17 way. At that time, the Board would say, okay, you're a
18 teacher, you're paying into PERS, we'll go ahead and let
19 you have a work card. You're a janitor, you're paying
20 into PERS, we'll go ahead and issue the work card.

21 In times where the duties and responsibilities
22 does not specifically state they're a peace officer,
23 however, if the Executive Director determines that their
24 duties are closely related, that the Director would
25 request that they appear before the Board for that

1 exemption.

2 The examples I'll give you is a caseworker at a
3 prison. A caseworker at a prison is not a peace
4 officer. However, they have access to NCIC and CJIS,
5 criminal justice information that they could use to gain
6 some type of advantage on someone that's just in the
7 public. So at that time, at my discretion, I would say,
8 no, you still need to go before the Board. The only
9 ones the Executive Director will clear are the very
10 cut-and-dried, have no access to anything, they have the
11 letters.

12 So that's why it was put into regulation to
13 make sure that the actions of the Board, instead of
14 being protocol, at the direction of the Board was
15 actually printed in the NAC giving them that ability.

16 BOARD CHAIR NIXON: You're okay?

17 All right. Are there any questions?

18 Okay. Section 16.

19 MR. INGRAM: Section 16 is just a small cleanup
20 under section 3. The Board used to require two sets of
21 fingerprints be provided, or provide electronic. The
22 Board's now just requiring the one set. It saves the
23 applicant money, and the two are not necessary.

24 And then, in section 5 of that same proposed
25 amendment, before, it said "Each licensee shall maintain

1 a passport-sized photo of." We changed that to a copy
2 of the registered work card. And that they must retain
3 that copy for not less than five years. We removed the
4 photograph with a copy of the work card.

5 BOARD CHAIR NIXON: Are there any questions?

6 Okay.

7 MR. INGRAM: And just for clarification, the
8 work card does have a photograph of the individual on
9 the card, for public safety.

10 Section 17. Before a licensee employs an
11 unlicensed person. It used to say for a private patrol
12 officer or security only. We're changing it to the
13 licensee must ensure that all unlicensed person has
14 passed the examination described in NAC 648.342 with a
15 score of 100 percent.

16 This examination is specific for a registered
17 work card applicant. The examination is we give the
18 applicant a study guide, and they're able to take this
19 examination as many times as they need to to get
20 100 percent.

21 So this examination was set up to be more of an
22 orientation of laws and regulations pertaining to a
23 registered work card so that an individual clearly reads
24 the questions and answers them, some of them specific to
25 do you understand this is not a license, it's a

1 registered work card, you can't work independent of your
2 registered work card, just to give every work card
3 applicant an understanding of what they can and cannot
4 do with that registered work card. There's a couple of
5 questions asking security questions. There's questions
6 asking process server, reposessor, definitions,
7 all-inclusive.

8 The reason that this was presented to the
9 Board, and the Board agreed upon it, was our registered
10 work cards are not specific to an employer. The
11 registered work card applicants own their registered
12 work card, and that registered work card allows them to
13 work for any category of licensee under our governance.
14 So they can work for a reposessor with that card. They
15 can work for a security company. The only individuals
16 that you cannot work for with a work card is polygraph
17 examiner and polygraph intern. And that's specific to
18 another statute.

19 So because of the fact that they may at any
20 time use that card to work for another individual, we
21 felt that every single person, instead of just somebody
22 currently working for security, should go do that
23 examination.

24 BOARD CHAIR NIXON: Are there any questions on
25 that one?

1 BOARD MEMBER GRONAUER: Yeah. This is
2 Gronauer. Before a licensee employs an unlicensed
3 person. I get all that and understand what you're
4 saying. For every category. Doesn't matter to me. I
5 got it. But they won't get a work card, then, from your
6 office, the Executive Director's office unless they pass
7 this test?

8 MR. INGRAM: Correct.

9 BOARD MEMBER GRONAUER: What about the people
10 that already have work cards?

11 MR. INGRAM: The ones that already have work
12 cards --

13 BOARD MEMBER GRONAUER: They're grandfathered
14 in?

15 MR. INGRAM: Yeah, we have no way to really go
16 back.

17 BOARD MEMBER GRONAUER: What happens when
18 they --

19 MR. INGRAM: It's only renew.

20 BOARD MEMBER GRONAUER: Okay. And what about
21 if their work card expires, not expires, but it's over
22 with, expires, and they have to renew their work card?

23 MR. INGRAM: At that time, they would go
24 through the new provisions, pass.

25 BOARD MEMBER GRONAUER: And who sets up that?

1 MR. INGRAM: Yeah, the test is 30 questions.
2 It literally takes minutes to go through. They have a
3 study guide to go through as well with it. They can
4 take it online. Study materials are allowed, or
5 accessible online. So it's kind of like an open book
6 type of.

7 BOARD MEMBER GRONAUER: I get it. But, now,
8 they go down to renew their work card.

9 MR. INGRAM: M-hm (affirmative).

10 BOARD MEMBER GRONAUER: Just give me the steps
11 what happens. Because I'm going to need to know for if
12 I have an employee on it.

13 MR. INGRAM: Sure. So if they're going to
14 renew, they go through the exact same process as a new
15 applicant does every five years. So they would complete
16 an application. They would get their fingerprints
17 taken. The fingerprints would be submitted. They would
18 take this exam, either in-house or online. And then
19 they would pay their fee. We would run SCOPE to make
20 sure that they have no active warrants or arrests that
21 they didn't place on their application, which is only
22 Nevada. If they pass that, they're given a provisional
23 work card.

24 And once they have the provisional work card,
25 the provisional work card in regulation says it's good

1 for 90 days or that it can be extended by the Executive
2 Director for cause. The example would be it's taking --
3 I mean we've got a person who been waiting 16 weeks for
4 fingerprint results back. So we can either give them a
5 little bit longer time on their provisional. Or, once
6 we get the fingerprints back, we review them, if they're
7 clean, we issue the permanent card for them. If they
8 have something that shows up on their prints they didn't
9 have on the application, that's when we would deny their
10 application or revoke their card that they're working
11 under in provisional until such time as they come before
12 the Board for their appeal.

13 BOARD MEMBER GRONAUER: All right. I
14 understand all that because it's like getting a new work
15 card.

16 MR. INGRAM: Correct.

17 BOARD MEMBER GRONAUER: However, I just don't
18 understand, when is this test supposed to be given and
19 given back?

20 MR. INGRAM: It's part of the application.

21 BOARD MEMBER GRONAUER: Before what? Or in
22 between what?

23 MR. INGRAM: It's part of the application.

24 BOARD MEMBER GRONAUER: Okay. They can't get
25 any, all this other stuff until they have this test in?

1 MR. INGRAM: Correct. When they turn in, when
2 they turn in their application, they're either turning
3 in their answer sheet, or if it's missing, we say you
4 have to take this exam real quick. They'll send your
5 card. Get it done, hand it in.

6 BOARD CHAIR NIXON: Or it's online, and you can
7 see it online.

8 BOARD MEMBER GRONAUER: No problem. All right.
9 Thank you.

10 BOARD MEMBER BROWN: Board Member Brown. I
11 have a question for clarification on that. If this is
12 adopted, this becomes the regulation, anybody gets their
13 work card under this, five years from now, they renew,
14 they take the test again?

15 MR. INGRAM: M-hm (affirmative), yes.

16 BOARD MEMBER BROWN: I just want to make sure I
17 understood it. Thank you.

18 MR. INGRAM: Because right now, it's only
19 required for a private patrol officer or security guard
20 to take that exam. So tracking just them, when we've
21 got 60,000 plus registered work cards, that at any time,
22 just because I'm hired as a secret shopper, and that's
23 all I do, but by having that card alone, secret
24 shopping, hey, COVID hit, we're not doing that anymore,
25 I need a job, I want to work for security, but they

1 haven't taken the test.

2 BOARD MEMBER BROWN: Okay.

3 MR. INGRAM: So it's to help eliminate those
4 inconsistencies.

5 MS. IRIZARRY: Chief Irizarry. When we
6 originally wrote this, so near the end of 2019, when I
7 ran the statistics to see how many people had active
8 work cards, about 71 percent of them had already taken
9 the exam. So we were trying to, through attrition,
10 already trying to get people to take the exam. It's a
11 part of their application, it's included. They just
12 could have chose at the end to accept or not accept it,
13 about their job. Some of them already have it.

14 MR. INGRAM: And there's no added expense. The
15 time is very limited and how long it takes to do it.
16 So.

17 BOARD MEMBER BROWN: This is Board Member
18 Brown. There's no added expense. You said they could
19 take it multiple times. There's no added expense each
20 time they take it?

21 MR. INGRAM: That's correct. That is correct.

22 BOARD CHAIR NIXON: Okay. Any other questions?
23 Okay. Section 18.

24 MR. INGRAM: So Section 18 is talking about the
25 examination for the registered work card. It says "The

1 examination must be provided by the Board." Before, it
2 said "and administered by the licensee."

3 BOARD MEMBER GRONAUER: Okay.

4 MR. INGRAM: Right now, we're just saying
5 "provided by the Board, administered by the Board or its
6 designee, and designed to ensure that each registered
7 employee has familiarity with and a thorough
8 understanding of core topics, and must include, without
9 limitation" those items that are established in
10 regulation already.

11 And, so, again, it's just ensuring that the
12 Board stays up on the examination, updates it as need be
13 when new laws and regs passed, and then administer it.

14 The other reason we put in there or designee is
15 the ability to take it online. Or if in the future the
16 Board moves to require and have additional requirements,
17 it could be designated to those individuals at that
18 time.

19 BOARD CHAIR NIXON: Any questions?

20 Okay. 19.

21 MR. INGRAM: 19 is a requirement under NAC
22 648.3435, and it talks about the Board establishing and
23 maintaining an internet website that contains a system
24 of records. So that's our database that we're talking
25 about there.

1 LCB did a little cleanup to take out some of
2 the extra language. So instead of "Each person who is"
3 they just added it to "Contains information regarding
4 each person who" and then lists subsections there, is
5 registered, has applied for registration.

6 We've added the section 3 to include "Has
7 completed a course of training in carrying, handling and
8 using firearms safely, including, without limitation,
9 information concerning the certificate of completion for
10 the course and a description of any other qualifications
11 that the person has concerning firearms" and identifies
12 training required by the Board.

13 As of right now, the only required training
14 under our statutes are for firearm training. However,
15 there has been more discussion in the past talking about
16 some mandatory training. That was one of the other
17 workshops that we've been working on that had to be put
18 on the back burner because of COVID.

19 So right now, the certified firearms
20 instructors have to mail in all their paperwork to us
21 for RAIN scores, to who attended, and things of that
22 nature. We're currently working on, as part of Chief
23 Irizarry's capstone project for the certified public
24 manager's class. She's asked if she could use our
25 project as her capstone, which, yeah, absolutely. And

1 it's setting the system up the way it was supposed to be
2 set up originally when we switched to the new database,
3 and that is, CFIs will be given specific access, much
4 like the licensees currently are. But instead of
5 updating a roster, they're going to be entering RAIN
6 scores, submitting it. And instead of it taking five
7 days to two weeks to get the documents to us, as soon as
8 it's uploaded it'll go in a folder. The person
9 designated will get a little ping. You'd have RAIN
10 scores to review. We review them, make sure
11 everything's correct, hit submit. Once we hit submit,
12 it populates everybody's record. And firearm cards can
13 be printed pretty much the same day.

14 So it's going to really expedite the process in
15 somebody becoming one. And that's the reason behind
16 this.

17 BOARD CHAIR NIXON: Any questions on that?

18 Section 20?

19 MR. INGRAM: Yes. Section 20, again, clarifies
20 the need for a license holder to enter termination or --
21 yeah, terminated from the database. NRS said they have
22 three days. NAC said they had five days. So this is to
23 clarify that they only have the three business days and
24 not the five, to be in line with the Nevada Revised
25 Statute.

1 BOARD CHAIR NIXON: Any questions?

2 Okay. Next, 21.

3 MR. INGRAM: I'm sorry. I do need to go back
4 to Section 20. There was a second part there on the
5 next page. My apologies.

6 The top of page 21 says "A person is deemed
7 provisionally registered." Currently, we have it "A
8 person who becomes employed by another additional
9 licensee is deemed provisionally registered" upon the
10 filing of the employment notice. So just, again,
11 clarifying a little bit more of what the NAC says.

12 And then it also is requiring that -- when we
13 conduct audits, we look at a licensee's active roster.
14 We call it a roster. It's an electronic roster within
15 the database that shows for a licensee every employee
16 that's employed by that licensee.

17 So we can go in there and conduct audits off of
18 that. If we've got somebody who has an expired firearm
19 credential, and we see that they're still on the roster,
20 and they working for a company that only works armed, we
21 notify that company: Hey, is this individual working?
22 Are you aware that their firearms are out of whole? And
23 you need to remove them from an armed post. It allows
24 us to communicate more freely.

25 One of the things that our database allows is,

1 once you add an employee to your roster -- if, for
2 example, you're an event license holder only. Maybe all
3 you do is the Electric Daisy Carnival every year. You
4 can leave that employee on your roster, because you're
5 only going to use that person once a year. But other
6 companies were doing that, too. They were never calling
7 them. They were leaving them on their roster. So as
8 we're doing our audits, we're making multiple phone
9 calls, because we've got a registered work card employee
10 on five different rosters. Oh, no, he doesn't work for
11 me. Then, why didn't you terminate him off your roster?
12 Oh, yeah, I needed to do that. So we issue a fine.

13 But this just puts an additional provision in
14 there that says, if a registered, a person who's
15 registered has not worked for the licensee within the
16 last 12 months, a licensee must terminate the employment
17 of the person. That prevents them from staying on there
18 forever.

19 BOARD MEMBER GRONAUER: This is Gronauer. I
20 have a question.

21 MR. INGRAM: Okay.

22 BOARD MEMBER GRONAUER: 2020 was a unique year.
23 Okay. A couple of my employees have not worked since
24 March. However, in May, I got my PPP. Okay. So I paid
25 them. And that was in May. So they're still on my

1 roster, because May hasn't come yet again. And I might
2 end up getting another PPP deal.

3 MR. INGRAM: Right.

4 BOARD MEMBER GRONAUER: So how does this work?
5 Because they're not -- they're being paid but not really
6 working. But I'm trying to give them a bridge so they
7 can live.

8 MR. INGRAM: Sure. If they're being paid,
9 they're being employed.

10 BOARD MEMBER GRONAUER: Okay. So, but I'm just
11 saying, the last time, a couple of my people -- well,
12 they were paid in May. All right. And they may not
13 have worked for me since.

14 MR. INGRAM: Right. So in this instance --

15 BOARD MEMBER GRONAUER: Do you understand, I
16 were to --

17 MR. INGRAM: Yeah, I understand. So in this
18 instance where we're not sure, and there's a potential
19 that it could be a long period of time, all that we're
20 asking is that you terminate them from the roster and
21 then just re-add them when the time comes to go ahead
22 and put them back to work, if it's going on that 12
23 months.

24 It's to help with audits. It's to help keep
25 the records clean. It's not saying you can't rehire

1 them back. It's just saying, if it's going to be more
2 than 12 months.

3 BOARD MEMBER GRONAUER: I understand, I
4 understand the reason.

5 MR. INGRAM: Right.

6 BOARD MEMBER GRONAUER: That's not bothering
7 me. Okay. I get that. I have no problem with that.
8 That makes things, again, cleaner. I have no problem
9 with that.

10 MR. INGRAM: Right.

11 BOARD MEMBER GRONAUER: The problem is we have
12 very special situations here, that it could be that
13 he'll be not working for two years.

14 BOARD CHAIR NIXON: So, here, we need to
15 clarify a little bit. In order to get PPP, they have to
16 be employed, and so they have to be, you know --

17 BOARD MEMBER GRONAUER: They have to be on the
18 roster.

19 BOARD CHAIR NIXON: They have to be on the
20 roster. So you could, by terminating off the roster,
21 even though they're not being payrolled, you could
22 potentially not be able to qualify for PPP.

23 BOARD MEMBER GRONAUER: Thank you, Tammy. This
24 is Gronauer. Thank you, Madam Chair. But the problem
25 is, that clarifies it even more what I'm trying to say.

1 BOARD CHAIR NIXON: Yeah.

2 BOARD MEMBER GRONAUER: Is that that creates
3 problems with federal laws and --

4 BOARD CHAIR NIXON: Yeah.

5 BOARD MEMBER GRONAUER: -- lending institutions
6 and everything else. So we have to be really careful
7 what we're saying there at this moment. I mean I'm not
8 against what we're doing.

9 BOARD CHAIR NIXON: Right.

10 BOARD MEMBER GRONAUER: But we have to have
11 some wiggle room, so to speak, I guess.

12 BOARD CHAIR NIXON: And I have one further
13 that's come up, that's, again, a unique situation, but
14 LOA for military folks. We've had folks that have been
15 gone now for, you know, almost two years.

16 MR. INGRAM: Yeah, there's a provision for
17 anybody that's away on military leave --

18 BOARD CHAIR NIXON: Okay.

19 MR. INGRAM: -- or active LOA, that allows for
20 exemptions to the regulations right now.

21 BOARD CHAIR NIXON: Okay. So could you put
22 them on LOA?

23 MR. INGRAM: Yeah, because when we discussed
24 this, again, it was June of last year.

25 BOARD CHAIR NIXON: Yes.

1 MR. INGRAM: Things have changed.

2 BOARD CHAIR NIXON: Yes.

3 MR. INGRAM: Board counsel, if we were to make
4 a change to this, that means we have to change the whole
5 R096 and resubmit it back to LCB, correct?

6 MR. DETMER: The question, then, is whether or
7 not it's a substantive change.

8 MR. INGRAM: Correct.

9 MR. DETMER: Mike Detmer, for the record. The
10 question becomes whether or not this is a substantive
11 change or it will lead to a small business impact. I
12 would have to defer to the Board's expertise, and this
13 could possibly lead to impact of small businesses.

14 As to the other, that's debatable. I guess, it
15 depends on the amendment that you're going to make, or
16 if you're going to make an amendment to it.

17 BOARD MEMBER GRONAUER: Okay. I believe --
18 this is Gronauer. I believe that the amendment's fine.
19 Okay. I don't know if we need a change. I just think
20 that we need an understanding with the Executive
21 Director and the Board that certain circumstances. And
22 I don't think it has to be incorporated. I don't think
23 it has to be changed. It's just that, well, hey, hello,
24 this is small business so-and-so. My person, because of
25 COVID, you know, whatever, we haven't had him employed,

1 but we did pay him at this time. Now we have a year
2 again. I get that. Okay. But if...

3 MR. INGRAM: Let me take a look at something
4 real quick, if I may. Yeah, this is -- the Board's
5 indulgence. I'm going to look something up here real
6 quick.

7 BOARD MEMBER GRONAUER: Well, let's go for a
8 pause for a second. Okay?

9 BOARD CHAIR NIXON: So we can take --

10 BOARD MEMBER GRONAUER: Why don't we take a
11 couple minute break. We've been going.

12 BOARD CHAIR NIXON: Yeah.

13 MR. DETMER: Yes.

14 BOARD MEMBER GRONAUER: Okay. So.

15 BOARD CHAIR NIXON: We're going to take a
16 10-minute break to allow the Executive Director to look
17 up some amendments and take a break.

18 BOARD MEMBER GRONAUER: 10 minutes.

19 BOARD CHAIR NIXON: 10 minutes. We'll be back
20 at 10:15.

21 * * * * *

22 (A break was taken, 10:05 to 10:16 a.m.)

23 * * * * *

24 BOARD CHAIR NIXON: Okay. So, Executive
25 Director, you were looking up some information

1 concerning Board Member Gronauer's question?

2 MR. INGRAM: Yeah. So at Section 20, when we
3 go down to number 4, which is just above midpage on page
4 21, I knew we had an extension clause in one of our
5 NRSs. So I went to the registration and issuance and
6 expiration of provisional registration that I commented
7 on earlier, where the provisional expires 90 days from
8 its date of issuance. But then, right after that, it
9 says "unless an extension is granted by the Executive
10 Director of the Board for good cause."

11 And I'm thinking that clause, with Board
12 counsel's input, may fix the issue that we're talking
13 about under number 4.

14 MR. DETMER: So Mike Detmer, for the record.
15 With the phrase, as I understood it, I do not believe
16 that would constitute a substantive change to the
17 regulation, that would require a going through the
18 entire regulatory process. I would have to, again, have
19 to defer to the Board as to whether or not it believes
20 that is, it would lead to a small business impact. I
21 just don't have any foundation of knowledge to make that
22 assessment.

23 But I should note, as a caveat to all that,
24 while I believe it will not constitute a substantive
25 change, LCB may disagree.

1 BOARD CHAIR NIXON: So, Board Member Gronauer.

2 BOARD MEMBER GRONAUER: Yeah, this is Board
3 Member Gronauer. I just think, I believe, we found a
4 way to at least look into this. If a small business has
5 a problem, they're able to call the PILB, the Executive
6 Director, and they can make that determination at that
7 time. If it gets too complicated, they can have a Board
8 meeting.

9 MR. INGRAM: I have a question and, again, for
10 counsel. If it was left without this clause, as is, is
11 there any, anything in any provision that I may not be
12 aware of that gives the Executive Director of an agency
13 or a board or commission the ability to take in
14 consideration special instances or situations?

15 MR. DETMER: Mike Detmer, for the record. To
16 my knowledge, no. The Board's powers, the Director's
17 powers, they all come from statute or regulation. And
18 if it's not spelled out, you don't have those powers.
19 Off the top of my head, I can't independently think of
20 one that would give that kind of authorization.

21 BOARD MEMBER GRONAUER: That is Board Member
22 Gronauer again. You know, I don't think we have to
23 change anything. We could do it as is. And we can make
24 this an administrative-type thing.

25 BOARD CHAIR NIXON: Board Member Nixon. Isn't

1 that in the provision that you pulled out, it's already
2 in the provision?

3 MR. INGRAM: This is in a statute.

4 BOARD CHAIR NIXON: It is.

5 MR. INGRAM: But it's specific to extending a
6 provisional registration for cause. Which, right now,
7 we're having to extend it because we don't have the
8 fingerprints back in time within that 90-day period.

9 BOARD CHAIR NIXON: Okay. So it allows you
10 that or gives that, specifically calling for the
11 provisional?

12 MR. INGRAM: Correct.

13 BOARD CHAIR NIXON: Okay. So what we were
14 discussing earlier, I was saying that the provision that
15 Kevin, or Director Ingram noted was for the provisional
16 status registration. But it doesn't give any leeway for
17 anything else other than the provisional status. So we
18 would have to make those changes in what we're doing
19 right now in order to give you, give us that opportunity
20 to make those decisions for special circumstances.

21 MR. DETMER: Mike Detmer. Mike Detmer, for the
22 record. As that amendment is written, it doesn't give
23 discretion. It just says "must." So if the person
24 hasn't worked within the last 12 months, the licensee
25 must terminate. This doesn't give the licensee

1 indulgence.

2 MR. INGRAM: Madam Chair?

3 BOARD CHAIR NIXON: Yes.

4 MR. INGRAM: Would it be something that would
5 be as simple as changing "must" to "may"?

6 BOARD MEMBER GRONAUER: Or "shall." Yeah,
7 "may" is better, "may" is more --

8 BOARD CHAIR NIXON: May.

9 MR. DETMER: Mike Detmer, for the record. I
10 think, the one that was originally proposed is fine.
11 You can also do "may." But then there's the question of
12 who makes the determination as to when a licensee will
13 do it. It will read -- Mike Detmer for the record. It
14 will read that the licensee has that discretion on
15 whether or not to.

16 MR. INGRAM: So maybe the two options we have,
17 then, is to add the clause or remove section 4
18 completely.

19 BOARD MEMBER BROWN: This is Board Member
20 Brown. The question I have, would adding that clause be
21 considered a substantial change?

22 MR. DETMER: Mike Detmer, for the record. I
23 don't believe so. But, again, I could be wrong on that.
24 LCB can overrule my decision on that. They're the
25 scribes of draft. So.

1 BOARD MEMBER GRONAUER: Scribners?

2 MR. DETMER: Yeah, no. I don't believe that it
3 will be a change that would require to bring the whole
4 thing up to the regulatory process, but I could be
5 wrong. So, I believe, Director Ingram is correct, we
6 just amend it as proposed, or you can remove 4
7 altogether, if it's that concerning, or leave it is
8 without changing it.

9 BOARD CHAIR NIXON: So I feel, if we remove it
10 altogether, then that gives the licensee an opportunity
11 to -- we're back where we started. Okay. If we change
12 the word "may" instead of "must," then that gives the
13 licensee, again, the same thing, the option to be back
14 where we started. I think, adding, it's my opinion,
15 adding the wording gives us an opportunity to make a
16 decision based off of certain standards.

17 That's my opinion. I don't know where you guys
18 want to go with that.

19 BOARD MEMBER BROWN: This is Board Member
20 Brown. I agree with that.

21 BOARD MEMBER GRONAUER: Board Member Gronauer.
22 I agree.

23 BOARD MEMBER CORTEZ: Board Member Cortez. I
24 agree as well.

25 MR. DETMER: So just for clarification, was the

1 Board meaning to amending the provision --

2 BOARD CHAIR NIXON: Yes.

3 MR. DETMER: -- with the proposed language?

4 BOARD CHAIR NIXON: Yes.

5 MR. DETMER: So there's several ways in which
6 the Board can do this. The cleanest way may be to do it
7 by motion for amendment to the particular section.

8 Which doesn't adopt the entire draft, it just adopts
9 that amendment to that section. So if a Board member
10 would be willing to make a motion to amend Section 20 --

11 BOARD MEMBER BROWN: Subsection 4.

12 MR. DETMER: -- as discussed, the proposed
13 draft, for adoption, that could be voted on, and then
14 the revision can be made.

15 BOARD CHAIR NIXON: So would the Board like me
16 to read the proposed language just to clarify, before we
17 make a motion?

18 BOARD MEMBER BROWN: Yes.

19 BOARD CHAIR NIXON: Okay. So I will -- we're
20 looking to entertain a motion to add the language
21 "unless an extension is granted by the Executive
22 Director of the Board for good cause."

23 BOARD MEMBER BROWN: Again, that would be to
24 subsection 4.

25 BOARD CHAIR NIXON: Yeah. So the entirety --

1 BOARD MEMBER BROWN: Of Section 20.

2 BOARD CHAIR NIXON: Yeah. So the entirety of
3 the statement would be "If a person who is registered
4 has not worked for a licensee within the last 12 months,
5 the licensee must terminate the employment of the
6 person, unless an extension is granted by the Executive
7 Director of the Board for good cause."

8 BOARD MEMBER BROWN: This is Board Member
9 Brown. I like that language.

10 MR. DETMER: Would that be a motion, Member
11 Brown?

12 BOARD MEMBER BROWN: Yes. This is Board Member
13 Brown. I will move that we adopt the language as
14 proposed to amend subsection 20. Or Section 20. I'm
15 sorry.

16 BOARD MEMBER GRONAUER: Subsection 4.

17 BOARD MEMBER CORTEZ: This is Board Member
18 Cortez. I'll second the motion.

19 BOARD CHAIR NIXON: Okay. So we have a motion.
20 We have a second. All in favor, say "aye."

21 (Board members said "aye.")

22 MR. INGRAM: All right. So I'll make that
23 amendment when I present this to the LCB, should the
24 Board approve the rest of the language moving forward.
25 And I'll report back to the Board Chair on my findings

1 once I speak with the LCB.

2 BOARD CHAIR NIXON: Thank you.

3 MR. INGRAM: Thank you.

4 BOARD CHAIR NIXON: So, then, we're on to 21.

5 MR. INGRAM: Section 21 talks about an
6 individual not being able to carry a firearm until
7 they've gone through the required training.

8 We've had a few inquiries over the years
9 saying, well, how old does a person have to be to work
10 armed? Our statutes and regulations clearly define that
11 a certified firearm instructor must be 21 years of age.
12 But nowhere in regulation has it given a minimum age for
13 an individual to work armed.

14 Some of the conversations were with law
15 enforcement and military. And, you know, the licensees
16 were saying, look, they served our country, and they
17 carried a firearm, you know, as a soldier, at 18. Why
18 can't they work security?

19 In speaking with law enforcement, they have
20 ascribed to their regulations that to be a peace
21 officer, you must be 21 years of age. From my
22 understanding of talking to previous Board chairs and
23 Board members, the direction given to the Board, to
24 Board staff, was to follow that same protocol as law
25 enforcement. Nothing was ever put into regulation.

1 So what this does is it clearly defines that a
2 person must be 21 years of age and that, additionally,
3 an individual who is just provisionally registered is
4 prohibited from going through any firearm training and
5 qualifications, that they must have their permit work
6 card to be able to do that.

7 There has been a lot of discussion in workshops
8 and former meetings as well, why is that? As I had
9 discussed earlier, when Mr. Gronauer asked about the
10 application process, an applicant who is applying for a
11 work card, we can run SCOPE and that's going to give us
12 just Nevada information. And if we allow them to go
13 through firearm training in a provisional status, before
14 we have a full fingerprint result back, we could be
15 potentially allowing ex-felons or individuals that have
16 DV convictions on their record to be in possession of a
17 firearm at a firing range and thus, then, violating
18 federal law.

19 Discussion was, well, is that the Board's
20 responsibility, or is it the responsibility of the
21 individual? Once we allow a person to go to that
22 training, it was believed by former counsel, and I don't
23 know if we've even spoken with current Counsel Detmer on
24 this, that we've authorized them to go to that training.
25 So we could have a little bit of liability there as

1 well.

2 So that's the need for adding that they can't
3 go if they're in provisional status.

4 Additionally, if they went, they were given an
5 armed card, and then after the fact we got the
6 fingerprints back, again, we could have given them a
7 permanent registration to be out in their employment
8 with a firearm.

9 BOARD CHAIR NIXON: Are there any questions or
10 concerns?

11 MR. INGRAM: The same provision on the next
12 page, 22, addresses something a little bit different,
13 but it's still under that same section. And that is, an
14 individual that is qualified as a certified firearm
15 instructor, right now, pays an annual fee of \$100 for
16 that certification. That certification allows them to
17 run a business of a training school or a firearms
18 training school, or whatever that might be. And there
19 has been discussions in the past that, well, why do they
20 only have to pay a fee of \$100 if a licensee, who has to
21 have those same type of business licenses, has to pay
22 the \$500?

23 Discussion of the Board previously was, we
24 don't want to jump that fee up from 100 to 500, but
25 Board was willing to support an increase from \$100 to

1 \$250 per year. In discussion with certified firearms
2 instructors that attended the workshops, there was no
3 opposition to this, and they felt the fee of \$250 would
4 be widely acceptable of all.

5 On the next page, page 23, this is a very long
6 regulation, as you can see. On page 23, middle of the
7 page, under subsection 2, right now, the qualifying
8 course of fire is outlined in regulation, which makes it
9 very difficult to change if situations arise. It
10 currently reads that an individual must qualify with a
11 score of 275 out of 300 on a full-size B27-type target.

12 There's a lot of concern right now with the
13 ability to get your hands on ammo, and the prices of
14 ammo. So if the course of fire was ever changed to be
15 less rounds, no longer a 30-round, it could really
16 jeopardize the scoring system.

17 So what Board staff proposed is to make it just
18 a 90 percent pass, regardless of how many rounds are
19 shot, and removing a specific type of target from the
20 Nevada Administrative Code. So if those targets are no
21 longer available, we could use a different type of
22 target, or licensees could use a different type of
23 target.

24 Top of page 24, again, it reiterates that the
25 certification of a firearm would change from \$100 to

1 \$250.

2 And then that completes Section 21.

3 BOARD CHAIR NIXON: Are there any questions on
4 Section 21?

5 No. Section 22.

6 MR. INGRAM: Okay. Section 22, again, is a
7 pretty long regulation. Page 24 has no proposed
8 amendments to the beginning of it.

9 When we get to page 25, about halfway down,
10 under subsection (d)(1), it talks about, and there's
11 been a lot of discussions back and forth over the years,
12 of the regulation says "firearms." Firearms. But
13 everything relating to the firearms has been created,
14 including the training curriculum that, again, was
15 established in regulation prior to me coming here, that
16 is specific to the training of handguns, even though it
17 says "firearms." There is nothing in the training
18 curriculum that was approved. There's nothing in
19 regulation that is outside of handguns, even though, if
20 you read it, and you see "firearm," it could be
21 all-encompassing.

22 So to clarify this language, we're proposing --
23 and, again, this came from workshop input from a lot of
24 firearms instructors -- that under that subsection
25 (d)(1), when we're teaching in the firearms class, to

1 include "The fundamentals of operating a handgun, comma,
2 rifle and shotgun"; in section 2 "The general
3 differences among handguns, rifles and shotguns"; and
4 then, under 5, "Proper techniques for gripping a
5 handgun, rifle and shotgun and shooting positions" so
6 that that can be specifically added to the training
7 curriculum.

8 There are a lot of other states that are moving
9 to do this as well. Most states, their firearms deal
10 specifically with handguns or they've already changed it
11 to include rifle and shotgun. So, again, creating
12 consistency across the states.

13 On page 26, you get down to the bottom,
14 section 6, it says -- right now, the red that is struck
15 out says "using a firearm of the same type and caliber
16 as the firearm the person will use while on duty. The
17 course of fire must require firing at least 30 rounds of
18 live ammunition with a passing score of 75 percent, and
19 must include drawing and shooting 5 rounds of ammunition
20 from a distance of 3 yards in 15 seconds."

21 Transferring the firearm to support hand,
22 shooting 5 rounds from a distance of 3 yards in 15
23 seconds. And you'll see that it lists down all of the
24 other subsections there to talk about a course of fire.
25 And it's specifically talking about handguns again.

1 So our proposal is to remove "a course of fire"
2 from Nevada administrative regs, because course of fires
3 can change based on needs, based on resources. And
4 those of you that have law enforcement backgrounds
5 should change to where it's not the same course of fire
6 over and over and over and over again. Because that
7 just prepares people for one situation and not for
8 other.

9 So our proposal is to just simply shorten
10 subsection 6 to say "Qualifying with a passing score of
11 at least 75 percent in an approved course of fire
12 established and maintained by the Board." That gives
13 Board staff the ability to stay up on those course of
14 fires, and then we could actually have those brought
15 before the Board body to be approved should the Board
16 want or desire that to happen.

17 BOARD MEMBER GRONAUER: I have a question.
18 Board Member Gronauer. Okay. This "Qualifying with a
19 passing score of at least 75 percent"; didn't we just do
20 one with 90 percent?

21 MR. INGRAM: That one is for the certified
22 firearm instructor.

23 BOARD MEMBER GRONAUER: Okay.

24 MR. INGRAM: We're holding them to a higher
25 standard.

1 BOARD MEMBER GRONAUER: I understand. Okay.

2 MR. INGRAM: Because they're instructors.

3 BOARD MEMBER GRONAUER: I'm good. Thank you.

4 MR. INGRAM: Good question.

5 On page 27, halfway down, in section 2(b),
6 right now, we require a minimum of 5 hours of
7 instruction and training on a firing range and 8 hours
8 in a classroom. With everything going on in the world
9 today, and following what other states are doing, and in
10 speaking with law enforcement as well, we're looking to
11 increase the time on the range from 5 hours to 8 hours
12 to give the instructors a little bit more time with the
13 individuals in making sure they can handle a firearm
14 safely, put them through some scenarios that would be
15 part of the course of fire, other than just standing and
16 shooting at a stationary target, and allow them a little
17 bit more freedom to go beyond just a basic
18 qualification.

19 You know, depending on the number of applicants
20 they have going through a course, if they've got 8 or
21 10, it's going to take longer to go through
22 qualifications, which could really eat up the 5 hours.
23 With 8 hours, it gives enough time to do these other
24 activities as well.

25 Section 4, at the bottom, again, changing to at

1 least a 75 percent. I know it's silly, but it currently
2 reads, if a person fails to complete the written
3 examination with a passing score of 75 percent, then
4 they have to retake it. Well, does that mean they have
5 to get exactly 75 percent? So we're saying "at least
6 75 percent" to clarify that.

7 Page 28 is still the same regulation, with no
8 proposed changes.

9 And the top of page 29 is finishing out the
10 regulation as it's written right now, with no additional
11 changes to that.

12 You will see, under 6, at the top of 29, under
13 6(a), it still says that the person's not authorized to
14 carry a firearm unless they've qualified on that same
15 type. So even though the individuals would go through a
16 training on safe handling of rifles and shotguns in the
17 classroom, if they're not going to be assigned that
18 weapon by the licensee, then they would not be required
19 to qualify on that weapon on range day. That would be
20 abuse of, you know, ammo and where the licensee may not
21 have the cost to cover that. So it would be only,
22 they're only qualifying on those weapons they're going
23 to be assigned. So armored transport might have rifle
24 and shotgun included.

25 If this is to pass, we've already spoken to

1 database to be able to provide new fields of entry, to
2 be able to say exactly what these people are qualified
3 on. So when a licensee looks, adds to the roster, the
4 licensee will know exactly what training.

5 And that ends Section 22.

6 BOARD CHAIR NIXON: Are there any questions?

7 Okay. No questions. 23.

8 MR. INGRAM: Section 23 is speaking again to
9 like the certified firearms instructors and once a
10 person has completed their qualifications. Right now,
11 the CFI, the certified firearms instructor, has five
12 days to mail their range stuff to us. And then,
13 depending on the mail, even if they're on time, it may
14 be two weeks before we receive it and could update it.
15 Right now, requiring them to enter it into the database,
16 we would say that the firearms instructor shall enter
17 that information within two days of the actual range.
18 The reason we made it two days is a lot of times they'll
19 run back-to-back range days. And they'll enter that
20 into the record and enter that website. Again, part of
21 the capstone project that Chief Irizarry's working on.

22 That regulation still carries over onto
23 page 30, with no proposed changes. It carries over to
24 page 31, with no proposed changes. And on page 32 gets
25 to us Section 24.

1 BOARD CHAIR NIXON: All right. Are there any
2 questions on Section 23?

3 Sorry. I was just asking if there are any
4 questions.

5 And Section 24?

6 MR. INGRAM: Section 24, starting on page 32,
7 you'll see there's no changes on that. Originally, the
8 Board had proposed changing some of the citations and
9 fine amounts. The Board discussed they did not want us
10 to move forward with this at this time, especially due
11 to COVID and the costs associated.

12 On page 33, you will see that there's a repeal
13 of NAC 648.343. That's due to the changing of language
14 dealing with the auditing. So that one would no longer
15 be existent. That's one that was identified as LCB
16 needed it to come out. Because 343 does not exist
17 there.

18 Page 34, at the top, is just changing a section
19 number to reflect a previous change from subsection 4 to
20 subsection 5.

21 And then that takes us to Section 25.

22 BOARD CHAIR NIXON: Are there any questions
23 on 24?

24 Okay. Section 25.

25 MR. INGRAM: Section 25 specifically talks

1 about a fine imposed and a notice of violation. It
2 currently says "must be paid by cashier's check or money
3 order." The Board has implemented the card readers in
4 our offices, both north and south, as well as a
5 licensee's ability to pay citations and fines through
6 the database. So this is just to update that a
7 violation may be paid by credit card or debit card,
8 cashier's check or money order. As, I believe, the
9 Board knows, the Board does not accept cash for any
10 payments.

11 BOARD CHAIR NIXON: Any concerns there?

12 Section 26.

13 MR. INGRAM: Section 26 is also talking about
14 citations, which would be unlicensed activity.
15 Section 2, again, is adding the credit card and debit
16 card as payments options.

17 BOARD CHAIR NIXON: We're good?

18 Okay. Section 27.

19 MR. INGRAM: Section 27, we have quite a few
20 changes to this, proposed changes. This is in regards
21 to a licensee using uniforms, marked vehicles, patches,
22 logos. We currently have some guidelines that were
23 established, but it was never really put into
24 regulation, and on occasion those are challenged.

25 For the most part, everybody's on board with

1 these proposed changes. Everybody was accepting of them
2 at the workshops. However, just it really aligns us
3 with what Clark County will and will not approve, also.
4 And I don't know if the Board knows that there is a
5 county code that also requires Las Vegas Metro, in our
6 jurisdiction, to approve uniforms for security
7 companies. So not only do I have to review them and
8 approve them, I then work collectively with my contact
9 at Metro, and we follow the same guidelines.

10 So these proposals are that under section 1
11 there of 648.530, "If an applicant or licensee intends
12 to use a uniform, badge or patch," we're adding uniform,
13 badge, patch, logo or marked vehicle in connection with
14 their activities, that they must submit an application
15 for the uniform, badge, patch, logo or marked vehicle, a
16 color uniform, including -- or a color picture,
17 including logo or marked vehicle, for approval.

18 The top of page 35, and again adding the
19 terminology "logo or marked vehicle" in there in two
20 different sections.

21 And then, when we get to section 3, this is all
22 proposed new. And these are based on the guidelines we
23 had been given by the Board that had not been put into
24 regulation. So I'll go ahead and read these: "A
25 uniform badge, patch, logo or marked vehicle is" -- I'm

1 sorry. Let me catch up where I'm at. Bear with me a
2 minute.

3 BOARD CHAIR NIXON: I believe, you're on
4 number 3.

5 MR. INGRAM: Yeah, I'm on number 3, but it
6 just, it says "A uniform, badge, patch, logo or marked
7 vehicle is deceptively similar as described in
8 subsection 2, if" -- okay. I'm here now. Took me a
9 minute.

10 So above, in section 2, where it adds "logo and
11 marked vehicle," it also says, it says "A licensee must
12 not use a uniform, badge, patch, logo or marked vehicle
13 in connection with the licensee's business which is the
14 same or deceptively similar to a uniform, badge, patch,
15 logo or marked vehicle" -- okay -- "used by any other
16 licensee or law enforcement agency in the State."

17 So on section 3, it defines deceptively
18 similar. So "A uniform, badge, patch, logo or marked
19 logo vehicle is deceptively similar as described in
20 subsection 2, if the badge, patch or logo uses the State
21 Seal; the badge, patch or logo is shaped as a star; the
22 badge, patch or logo is shaped as a shield; the uniform
23 bears a similar resemblance to that of a local law
24 enforcement; or the uniform, badge, patch, logo or
25 marked vehicle uses any name, seal or acronym that may

1 be interpreted as implying that the licensee is
2 affiliated with a governmental agency or entity."

3 "A marked vehicle used by a private patrol
4 officer must be clearly identified as a security or
5 safety patrol vehicle with the letters 'PILB' followed
6 by the license number of the private patrol officer."

7 And section 5, "The lettering described in
8 subsection 4 must, (a), be permanently affixed to the
9 driver's side, passenger's side and rear of the vehicle;
10 (b), must be sufficient size and clarity; (c), measure
11 at least 2 inches in height and at least 1 inch wide;
12 and, (d), be legible from the center of the nearest
13 street or road."

14 Those specific guidelines were extracted from
15 county code so that they were identical and there was no
16 discrepancy there.

17 And that's the changes to Section 27.

18 MR. TURNER: I have a quick question, though.

19 BOARD CHAIR NIXON: Sir, could you please
20 identify yourself.

21 MR. TURNER: I'm Montgomery Turner. I'm a CFI
22 up in Reno, Nevada.

23 BOARD CHAIR NIXON: Okay. Yes, go ahead, sir,
24 with your comment.

25 MR. TURNER: With regards to that, what about

1 lighting? Because there's a couple of these cars,
2 running around here anyway, that's got, looks like
3 red-and-blues in the front and the rears, and they got
4 strobes in the corners. Shouldn't that be put in this?

5 BOARD MEMBER GRONAUER: Sir, it's in NRS.

6 BOARD MEMBER BROWN: Executive.

7 BOARD CHAIR NIXON: Yeah, Executive Director
8 Ingram, could you please address that.

9 MR. INGRAM: Those are addressed in NRS, under
10 law enforcement guidelines, and county code. So,
11 therefore, we don't have jurisdiction over that. That,
12 the jurisdiction would fall in those areas.

13 MR. TURNER: Okay. That's the question I have.
14 Thank you.

15 BOARD MEMBER GRONAUER: Yeah, actually -- this
16 is Gronauer. DPS has actual control over yellow lights,
17 red lights and blue lights. And if you want to put
18 caution lights on your vehicle even, you have to get it
19 approved by DPS.

20 BOARD CHAIR NIXON: Okay. So. Sorry. Were
21 there any questions, any additional questions on
22 Section 27?

23 No. Okay. On to Section 28, please. No?

24 MR. INGRAM: There is no Section 28.

25 BOARD CHAIR NIXON: We are done.

1 MR. DETMER: Mike Detmer, for the record. But
2 Section 28 is repealed.

3 MR. INGRAM: Oh, I'm sorry. Yes. It just
4 doesn't say Section 28 on the page.

5 BOARD CHAIR NIXON: It does, on the bottom.
6 Section 28, at the bottom of the page.

7 MR. INGRAM: Oh, I got you. Okay. I'm sorry.
8 My bad.

9 So this is the text of the repealed section
10 where, under 643.343, where I'd referenced that LCB was
11 going to take out that fine. It's the date of
12 examination of employee to be recorded on the Internet
13 website for system of records, duties of licensee, proof
14 that employee passed the examination.

15 That's an outdated section there. So we're
16 just asking that be removed. That's covered in other
17 regulations as far as entering stuff in the website, the
18 three days, and that type of information.

19 But if there's any questions, we can read
20 through it in its entirety.

21 BOARD CHAIR NIXON: Are there any questions?

22 Okay.

23 MR. DETMER: And, Madam Chair, Mike Detmer, for
24 the record. Madam Chair, even if there was an amendment
25 to at least one of the sections, if the Board be willing

1 to poll the public and see if there's any comments
2 whatsoever on any section that was addressed, including
3 the amended section, that might be advisable.

4 BOARD CHAIR NIXON: Okay. So at this point,
5 I'd like to ask, is there any public comment regarding
6 any of the proposed regulations for amendment or
7 adoption?

8 Okay.

9 MR. DETMER: Having heard no public comment --
10 sorry. Mike Detmer, for the record. Having heard no
11 comment on the sections to be amended or adopted, the
12 Board may now go into discussion, deliberation and
13 possible motion for the adoption of the regulation as
14 amended.

15 BOARD CHAIR NIXON: So I will open this up to
16 the Board for open discussions on any of the changes or
17 amendments suggested.

18 BOARD MEMBER CORTEZ: This is Board Member
19 Cortez. I make a motion to adopt the rules and
20 regulations as amended.

21 MR. DETMER: Mike Detmer, for the record. And
22 this is, of course, in reference to LCB File Number
23 R096-20.

24 BOARD MEMBER BROWN: Board Member Brown. I
25 second the motion.

1 BOARD CHAIR NIXON: Okay. I have a motion. I
2 have a second. All in favor, say "aye."

3 (Board members said "aye.")

4 BOARD CHAIR NIXON: Okay. The motion passes
5 unanimously. I believe, the next steps --

6 MR. DETMER: Madam Chair, would it be the
7 Board's direction to the Director that that be submitted
8 to the LCB?

9 BOARD CHAIR NIXON: Yes.

10 MR. DETMER: Okay. I thank the Board.

11 BOARD CHAIR NIXON: Okay. So, then, we open
12 this up again to public comment. Are there any public
13 comment concerning the actions that were just taken?

14 Okay. If there's no public comment, then, can
15 I adjourn the meeting?

16 MR. DETMER: Yes, Madam Chair.

17 BOARD CHAIR NIXON: If there's no public
18 comment, I move to adjourn the meeting.

19 BOARD MEMBER GRONAUER: Second.

20 BOARD CHAIR NIXON: I have a motion. I have a
21 second. All in favor?

22 (Board members said "aye.")

23 BOARD CHAIR NIXON: Thank you. Have a great
24 day.

25 MR. INGRAM: Thank you, Shannon.

1 THE REPORTER: Thank you. Thank you all very
2 much. You guys have a great day, too.

3 MR. INGRAM: You, too.

4 BOARD CHAIR NIXON: Thanks.

5 MR. INGRAM: Thanks, Mary.

6 BOARD MEMBER GRONAUER: I really want to thank
7 all of you for your indulgence of that.

8 * * * * *

9 (The teleconference meeting adjourned at 11:32 a.m.)

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REPORTER'S CERTIFICATE

I, SHANNON L. TAYLOR, a Nevada Certified Court Reporter, Nevada CCR #322, do hereby certify:

That I was present via teleconference on Wednesday, March 3, 2021, at 9:00 a.m. and took stenotype notes of a teleconferenced hearing for the adoption, amendment and repeal of permanent regulations of the State of Nevada, Private Investigators Licensing Board;

That I thereafter transcribed the aforementioned stenotype notes into typewriting as herein appears, and that the within transcript, consisting of pages 1 through 77, is a full, true, and correct transcription of said stenotype notes of said teleconferenced hearing for the adoption, amendment and repeal of permanent regulations;

I further certify that I am not an attorney or counsel for any of the parties, not a relative or employee of any attorney or counsel connected with the actions, nor financially interested in the actions.

DATED this 8th day of April, 2021.

SHANNON L. TAYLOR
Nevada CCR #322, RMR