



Office of the Governor

JIM GIBBONS
GOVERNOR

May 25, 2009

The Honorable Barbara Buckley
Speaker of the Assembly
Legislative Building
401 South Carson Street
Carson City, NV 89701

RE: Assembly Bill 473 of the 75th Legislative Session

Dear Speaker Buckley,

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Assembly Bill 473, which is entitled:

AN ACT relating to prisons; requiring the Department of Corrections to adopt regulations relating to medical emergencies and the provision of medical and dental services to prisoners; and providing other matters properly relating thereto.

This bill purports to impose certain requirements on the Director of the Department of Corrections with respect to medical treatment for inmates. In reality, the additional requirements set forth in this bill are already encompassed within existing law.

For example, the bill requires the Director to establish regulations governing staff training in medical emergency response and reporting. However, existing law already requires the Director to take "proper measures to protect the health and safety of staff and offenders in the institutions and facilities of the Department." NRS § 209.131(7). The bill also requires the Director to maintain an inventory of essential medical and dental equipment at each institution or facility. However, the Director is already required to establish standards for personal hygiene of offenders as well as standards for medical and dental services at each institution and facility. NRS § 209.381(2).

The Honorable Barbara Buckley

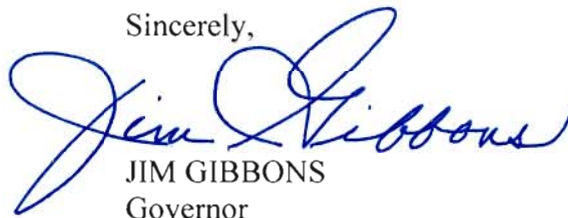
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Furthermore, the head of the Department of Corrections is the Board of Prison Commissioners. NRS § 209.101(2). The Board of Prison Commissioners is authorized to promulgate any necessary regulations to carry on the business of the Department of Corrections. NRS § 209.111(3). Pursuant to this global authority, the Board of Prison Commissioners is already authorized to enact any of the requirements set forth in Assembly Bill 473, should it deem fit to do so. In sum, Assembly Bill 473 is redundant and unnecessary legislation.

For these reasons, I hereby exercise my constitutional grant of authority and veto Assembly Bill 473.

Sincerely,

A handwritten signature in blue ink that reads "Jim Gibbons". The signature is fluid and cursive, with a large loop at the end of the name.

JIM GIBBONS
Governor

Enclosure

Cc: The Honorable Steven Horsford, Senate Majority Leader (without enclosure)
The Honorable Ross Miller, Secretary of State (without enclosure)
Susan Furlong Reil, Chief Clerk of the Assembly (without enclosure)
Claire J. Clift, Secretary of the Senate (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)