

Nevada Public Utilities Commissioner David Noble Denies Disabled Senior's ADA Accommodation

Nevada disabled senior being solely targeted for requesting ADA accommodations.

LAS VEGAS - Oct. 26, 2015 - [PRLog](#) -- David Noble, a Nevada Bar member currently in inactive status, has unilaterally determined that the Federal Americans with Disabilities Act (ADA) accommodation, a disabled senior has had for four years at the Public Utilities Commission (PUC) public meetings and hearings should be arbitrarily taken away.

Nevada Governor Brian Sandoval, also an attorney, former Federal District Court Judge and former State Attorney General, has an ADA link on his web site which says in part: "ADA is considered to be the first lawful affirmation for equal treatment of Americans with mental and physical disabilities, the ADA prohibits discrimination against people with disability in employment, government services, public accommodations, commercial facilities, education, and other areas of society."

In June 2015, Sandoval signed into law AB 236, which enacted provisions related to the promotion of public engagement by state agencies.

Sandoval appoints PUC Commissioners without legislative oversight, and reappointed Noble.

Noble has chosen not to comply with his benefactor's policy statements, or state and Federal statutes, which Noble willfully ignored with his latest decree.

Noble communicated the revocation through the Commission's General Counsel, Carolyn Tanner. Tanner has had her own recurring problems with understanding and honoring the ADA's requirements, repeatedly denying reasonable accommodations for a targeted, disabled senior.

The instant accommodation in question, which requires no public fund expenditures, is the use of the disabled senior's video camera by the disabled senior to record PUC meetings and hearings open to the general public. Tanner admitted in an e-mail that the media is allowed to videotape, but she claims she can bar a disabled senior from doing the same activity.

Tanner can point to no state law which precludes the use of a video camera at any PUC meeting, unless it is a personnel or other closed-door matter. On the contrary, state statute clearly states: "All or part of any meeting of a public body may be recorded on audio tape or any other means of sound or video reproduction by a member of the general public if it is a public meeting so long as this in no way interferes with the conduct of the meeting."

Tanner and Noble have no evidence of any disruptions by the disabled senior in her prior videotaping of PUC meetings.

Despite assurances of 'openness' and 'transparency' to the 78th Legislature during the PUC's defense of its excessive biennium budget increases, Tanner, chief internal investigator, Anne-Marie Cuneo, and the now-resigned PUC Executive Director, Crystal Jackson, have demonstrated a long record of dismissive treatment toward public input, questions and access. The PUC effectively operates in its own interest rather than the public interest offering the questionable excuse that its quasi-judicial structure exempts it from actively seeking and including public input and advice.

Sandoval is not without responsibility for the rogue manner in which the PUC operates. He has appointed people to the PUC and other boards and commissions who lack both initial qualifications and the ability to suspend their personal biases and employment backgrounds to serve the general public's best interests.

Regarding the ADA, Sandoval has appointed and reappointed people to state jobs who are disinterested in accommodating the disabled, to the medical detriment of the disabled and exposing state taxpayers to future lawsuits because reasonable accommodations are denied. He has failed to require that all parts of state government establish FEMA (Federal Emergency Management Agency) protocols. These are not qualities that would serve Sandoval well if the rumors are true that he aspires to either the vice-presidency or some other choice Federal patronage should Jeb Bush or another Republican be nominated and elected president.

The ultimate irony is that Jeb Bush's father signed the ADA into law in 1990, but contemporary Republicans such as Sandoval pay it no heed.

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Source National Toxic Encephalopathy Foundation
Email [Click to contact author](#)
Phone 702/490-9677
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