



**NEVADA LEGISLATURE
SUNSET SUBCOMMITTEE OF THE
LEGISLATIVE COMMISSION**
(Nevada Revised Statutes [NRS] 232B.210)

SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Nevada Legislature's Sunset Subcommittee of the Legislative Commission was held on Monday, January 13, 2014, at 8:30 a.m. in Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/77th2013/committee/>. In addition, copies of the audio record are available through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Irene Bustamante Adams, Chair
Senator David R. Parks
Assemblywoman Michele Fiore
David Goldwater

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator James A. Settelmeyer
Assemblyman Richard (Skip) Daly

COMMITTEE MEMBER PRESENT BY TELECONFERENCE IN LAS VEGAS:

Senator Patricia (Pat) Spearman, Vice Chair

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Carol M. Stonefield, Managing Principal Policy Analyst, Research Division
James W. Penrose, Senior Principal Deputy Legislative Counsel, Legal Division
Heidi A. Chlarson, Principal Deputy Legislative Counsel, Legal Division
Natalie J. Pieretti, Senior Research Secretary, Research Division

CALL TO ORDER

- Assemblywoman Bustamante Adams called the first meeting of the Sunset Subcommittee of the Legislative Commission to order, welcomed the members, and requested the secretary call the roll.

PUBLIC COMMENT

- Assemblywoman Bustamante Adams called for public comment; however, no testimony was presented.

ELECTION OF CHAIR AND VICE CHAIR

- Assemblywoman Bustamante Adams made preliminary comments referencing the Subcommittee's composition pursuant to Chapter 232B of NRS, "Legislative Review of Public Agencies," provisions for election of a chair and vice chair from each House, and appointments of non-voting members by the Governor.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN DALY MOVED TO NOMINATE ASSEMBLYWOMAN BUSTAMANTE ADAMS AS CHAIR OF THE SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION. THE MOTION WAS SECONDED BY SENATOR PARKS. ASSEMBLYWOMAN BUSTAMANTE ADAMS ASKED FOR OTHER NOMINATIONS FOR CHAIR. HEARING NONE, THE MOTION PASSED UNANIMOUSLY.

SENATOR PARKS MOVED TO NOMINATE SENATOR SPEARMAN AS VICE CHAIR OF THE SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION. CHAIR BUSTAMANTE ADAMS ASKED FOR OTHER NOMINATIONS FOR VICE CHAIR. HEARING NONE, THE MOTION PASSED UNANIMOUSLY.

OPENING REMARKS AND INTRODUCTIONS

- Chair Bustamante Adams welcomed Subcommittee members, the public, those joining the meeting by teleconference and over the Internet, and introduced staff. She noted last Interim the Subcommittee reviewed 29 boards and commissions, of which 19 were recommended for continuation, 2 for termination, and 8 for revision or consolidation.

REVIEW OF REQUIREMENTS OF CHAPTER 232B OF THE *NEVADA REVISED STATUTES*

- James W. Penrose, Senior Principal Deputy Legislative Counsel, Legal Division, Legislative Counsel Bureau (LCB), presented an overview of the provisions of Chapter 232B, which included membership of the Subcommittee, election of chair and vice chair, scheduling of meetings at the call of the chair, and compensation of members. Mr. Penrose reported that changes during the 2013 Legislative Session made legislative members of the Subcommittee voting members and appointed members nonvoting, while reducing the minimum number of boards and commissions to be reviewed from 20 to 10. Under the provisions of NRS 232B.220, Mr. Penrose noted the Subcommittee is directed to:
 1. Review each board and commission not provided for in the Nevada Constitution or established by an executive order of the Governor;
 2. Determine whether the board or commission should be terminated, modified in some way, consolidated with another board or commission, or continued without change;
 3. Evaluate the major policies and programs of the agency and any recommendations for improvements in those policies and programs offered by the agency;
 4. Determine whether a statutory tax exemption, abatements, or money set aside for the board or commission should be terminated, modified, or continued; and
 5. Review not less than 10 boards or commissions.

Mr. Penrose explained any action taken by the Subcommittee is independent of action taken by the Legislative Commission. He briefly addressed NRS 232B.230, which provides for the submission of required information by boards and commissions subject to review.

Under the provisions of NRS 232B, Mr. Penrose specified the Subcommittee shall:

1. Be permitted to request a maximum of four audits of any board or commission upon the approval of the Legislative Commission;
2. Be required to conduct public hearings; and
3. Require LCB to submit reports within the scope of its work.

Concluding, Mr. Penrose stated a board or commission has the burden of proving there continues to be a public need for its existence. He noted the Subcommittee is to make recommendations to the Legislative Commission on or before June 30, 2014. (Please see [Exhibit B](#).)

In response to Assemblyman Daly, Mr. Penrose clarified the boards and commissions listed for review are appointive entities in nature.

SELECTION OF BOARDS, COMMISSIONS, AND SIMILAR ENTITIES FOR REVIEW

Chair Bustamante Adams requested each member provide three selections for consideration.

- Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB, directed the Subcommittee members to the summary of boards and commissions that were reviewed during the 2011-2012 Legislative Interim. Ms. Stonefield recapped the total number of entities recommended for continuation including the date on which the review was held, those recommended for continuation with modification, and the two entities recommended for termination. Regarding the one board recommended for termination, Ms. Stonefield noted a report would be presented in agenda item VIII. (Please see [Exhibit C.](#))

Addressing the boards repealed or expired, Ms. Stonefield provided a brief overview of action taken during the 2013 Legislative Session. (Please see [Exhibit C-1.](#))

Ms. Stonefield drew the Subcommittee's attention to the complete list of Boards, Commissions, and Similar Entities for review, explaining the format, and briefly describing notations made for particular boards or commissions. She noted that four audits per Interim may be requested by the Subcommittee upon approval by the Legislative Commission. (Please see [Exhibit C-2.](#))

The inactive boards and commissions were discussed by Ms. Stonefield. She remarked should the Subcommittee be interested in pursuing an inactive board, before any action is taken, contact with the appointing authority would be made to determine whether a meeting is likely or if there is any interest in maintaining the board. (Please see [Exhibit C-3.](#))

Regarding the health-related boards and commissions, Ms. Stonefield reported all entities in this jurisdiction were compiled together at the request of the Chair. A brief overview was presented. (Please see [Exhibit C-4.](#))

Continuing, Ms. Stonefield addressed the next list containing boards and commissions with expiration dates. She advised the list includes boards and commissions enacted in 2013, with expiration dates in their respective enabling legislation. Ms. Stonefield remarked some boards listed are regarded as Interim committees, as members include legislators. (Please see [Exhibit C-5.](#))

Concluding, Ms. Stonefield directed the Subcommittee's attention to the boards and commissions created by the Nevada Constitution that do not fall under the jurisdiction of the Sunset Subcommittee. (Please see [Exhibit C-6.](#))

DISCUSSION AND POSSIBLE REVISION OF FORM TO BE SUBMITTED TO THE SUBCOMMITTEE BY BOARDS, COMMISSIONS, AND SIMILAR ENTITIES UNDER REVIEW

- James W. Penrose, previously identified, guided members to the Sunset Subcommittee's Review Form, which is located on the Subcommittee's Internet website, to be completed by the boards or commissions subject to review. He discussed statutorily required information as well as items added by the Subcommittee during the last Interim. (Please see [Exhibit D.](#))

The following boards, commissions, and similar entities were recommended for review by the Subcommittee members. For reference, the page numbers are listed next to each board or commission. ([Exhibit C-2.](#))

- Assemblyman Daly:
 1. Nevada Commission on Homeland Security (page 1);
 2. Committee for the Statewide Alert System (page 3);
 3. State Apprenticeship Council (page 10); and alternatively,
 4. State Historical Records Advisory Board (page 6); and
 5. Committee to Approve Schedules for the Retention and Disposal of Official State Records (page 4).
- Senator Settlemeyer:
 1. State Predatory Animal and Rodent Committee (page 8); and
 2. Executive Council to the Land Use Planning Advisory Council (page 11).
- Senator Spearman:
 1. Medical Care Advisory Group (page 18);
 2. Advisory Committee to Pharmacy and Therapeutics Committee and Drug Use Review Board (page 19);
 3. Board of Examiners for Long-Term Care Administrators (page 16); and
 4. Nevada Equal Rights Commission (page 15).

- David Goldwater:
 1. Commission for Common-Interest Communities and Condominium Hotels (page 10); and
 2. Board for the Education and Counseling of Displaced Homemakers (page 15).
- Senator Parks:
 1. Board of Hearing Aid Specialists (page 33); and
 2. Board of Examiners for Audiology and Speech Pathology (page 33).
- Assemblywoman Fiore:
 1. Advisory Commission on the Administration of Justice (page 12);
 2. Nevada Transportation Authority (page 10); and
 3. Commission on Nuclear Projects (page 1).
- Chair Bustamante Adams:
 1. Governor's Workforce Investment Board (page 15); and
 2. Employment Security Council (page 15).

Chair Bustamante Adams included Assemblyman Daly's alternate selections within Senator Settlemeyer's list for inclusion in the review. There were no further recommendations by Senator Parks or Mr. Goldwater.

Ms. Stonefield identified the Subcommittee's individual selections, along with those listed as inactive for review.

- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN FIORE MOVED TO ADOPT THE BOARDS, COMMISSIONS, AND OTHER ENTITIES SELECTED BY THE SUBCOMMITTEE, AS WELL AS THE BOARDS, COMMISSIONS, AND OTHER ENTITIES IDENTIFIED AS INACTIVE. THE MOTION WAS SECONDED BY SENATOR SPEARMAN AND PASSED UNANIMOUSLY.

Discussion ensued concerning revision of the Sunset Subcommittee Review Form with a recommendation by Senator Settlemeyer to include the funding source of a board or commission. Senator Spearman expressed concern regarding the accessibility of all forms on the Legislative website. Chair Bustamante Adams suggested including: hours of operation; a listing of the last five regulations adopted, as well as a timeline for adoption of the regulations; and minutes of the immediately preceding six meetings. She voiced a desire to reword the request on page 3 of the form for information of any duplication of services or recommendation for consolidation with another board or commission and stated she would

work with staff on the issue. Senator Spearman suggested utilizing an electronic matrix to provide the information the Chair is seeking. Senator Parks recommended adding physical and mailing addresses. ([Exhibit D](#))

- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

SENATOR PARKS MOVED TO APPROVE THE RECOMMENDED REVISIONS OF THE FORM TO BE SUBMITTED BY BOARDS, COMMISSIONS, AND SIMILAR ENTITIES UNDER REVIEW. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN FIORE AND PASSED UNANIMOUSLY.

REPORT FROM THE NEVADA FUNERAL AND CEMETERY SERVICES BOARD, PURSUANT TO SECTION 7 OF ASSEMBLY BILL 494 (CHAPTER 348, *STATUTES OF NEVADA* 2013)

- R. Todd Noecker, Secretary, Nevada Funeral and Cemetery Services Board reported: (1) the board has been renamed; (2) the first meeting of the new board was held November 5, 2013, (Please see [Exhibit E](#)) and a subsequent January 2014 meeting was conducted with quarterly meeting dates established; (3) minimum qualifications for executive director and investigator job descriptions have been established; (4) the Internet website at <http://funeral.nv.gov/> is active with job postings for executive director and investigator, as well as agendas and notices of meetings and minutes of previous meetings; (5) regulatory fees for written and signed agreements for funeral services began October 1, 2013, and have been collected for October and November 2013; (6) the previous board was dissolved effective October 1, 2013, and seven new board members have been appointed; and (7) the written report required to be submitted to the Sunset Subcommittee every six months will be provided by Mr. Noecker.
- Chair Bustamante Adams expressed her appreciation and gratitude to the new board members for their commitment and volunteer hours in serving the citizens of the State.
- Senator Settelmeyer stated even though he voted against the bill, he is hopeful the problems in the past will no longer occur in the future.

DISCUSSION OF SCHEDULE AND SCHEDULING OF FUTURE MEETINGS

- The Subcommittee discussed calendar conflicts and proposed meeting dates. The next meeting was scheduled for Monday, February 3, 2014, at 8:30 a.m. Chair Bustamante Adams said she will work together with staff to schedule the remaining meetings with the dates provided by Subcommittee members. (Please see [Exhibit F.](#))

PUBLIC COMMENT

- Chair Bustamante Adams called for public comment; however, no testimony was presented.

Upon the request of Senator Spearman, Chair Bustamante Adams asked for a moment of silence to honor former Assemblyman Bernard (Bernie) Anderson who recently passed away. She expressed the Subcommittee's condolences to the family.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 10:06 a.m.

Respectfully submitted,

Natalie J. Pieretti
Senior Research Secretary

Carol M. Stonefield
Managing Principal Policy Analyst

APPROVED BY:

Assemblyman Irene Bustamante Adams, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, Legislative Counsel Bureau (LCB), Carson City.

[Exhibit B](#) is a document titled “Chapter 232B Legislative Review of Public Agencies” presented by James W. Penrose, Senior Principal Deputy Legislative Counsel, Legal Division, LCB, Carson City.

[Exhibit C](#) is a document titled “Summary of Recommendations” submitted by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit C-1](#) is a document titled “Nevada State Government Boards, Commissions and Similar Entities Repealed or Expired in 2013,” prepared by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit C-2](#) is a document titled “Nevada State Government Boards, Commissions and Similar Entities December 2013,” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit C-3](#) is a document titled “Nevada State Government Boards, Commissions and Similar Entities Appear to be Inactive December 2013,” submitted by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit C-4](#) is a document titled “Nevada State Government Boards, Commissions and Similar Entities Health-Related December 2013,” prepared by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit C-5](#) is a document titled “Nevada State Government Boards, Commissions and Similar Entities With Expiration Dates December 2013,” presented by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit C-6](#) is a document titled “Nevada State Government Boards, Commissions and Similar Entities Created by the Nevada Constitution December 2013,” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit D](#) is a form titled “Information concerning Board or Commission Subject to Review by the Sunset Subcommittee of the Legislative Commission,” submitted by James W. Penrose, Senior Principal Deputy Legislative Counsel, Legal Division, LCB.

[Exhibit E](#) is the Nevada Funeral and Cemetery Services Board Agenda and Notice of Meeting for November 5, 2013, offered by R. Todd Noecker, Secretary, Nevada Funeral and Cemetery Services Board, Las Vegas.

[Exhibit F](#) is the 2013-2014 Interim Scheduled and Proposed Meetings of the Sunset Subcommittee of the Legislative Commission proposed by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.