NEVADA LEGISLATURE
LEGISLATIVE COMMISSION

***Nevada Revised Statutes* (NRS) 218E.150**

SUMMARY MINUTES
October 30, 2019

The Legislative Commission held its fourth meeting in Calendar Year 2019 on Wednesday, October 30, 2019, at 9 a.m. in Room 4401, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 4100, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Commission's meeting page. The audio or video recording may also be found at https://www.leg.state.nv.us/Granicus/. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Nicole J. Cannizzaro, Chair
Senator Moises (Mo) Denis
Senator Scott T. Hammond
Senator Joseph (Joe) Hardy, M.D.
Senator James A. Settelmeyer
Assemblywoman Maggie Carlton
Assemblyman Jason Frierson

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Julia Ratti, Vice Chair
Assemblywoman Teresa Benitez-Thompson
Assemblyman Richard (Skip) Daly
Assemblywoman Lisa Krasner
Assemblyman Jim Wheeler

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Rick Combs, Director
Mark Krmpotic, Senate Fiscal Analyst, Fiscal Analysis Division
Daniel L. Crossman, Legislative Auditor, Audit Division

Brenda J. Erdoes, Legislative Counsel, Legal Division
Risa B. Lang, Chief Deputy Legislative Counsel, Legal Division
Michael J. Stewart, Research Director, Research Division
Jan Brase, Research Policy Assistant, Research Division
Sylvia A. Wiese, Executive Assistant, Director's Office

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—ROLL CALL

Chair Cannizzaro called the meeting to order.

AGENDA ITEM II—PUBLIC COMMENT

Jenni Cartwright, Nevada resident, discussed proposed regulation R183-18, which relates to child support guidelines. She expressed gratitude to the Committee to Review Child Support Guidelines, Division of Welfare and Supportive Services (DWSS), Department of Health and Human Services (DHHS), for its review and said she appreciates having the ability to participate in the process and provide input. Ms. Cartwright referenced a report by Jane Venohr, Ph.D., submitted to the Child Support Enforcement Program, DWSS, DHHS, which included a number of recommendations, the first of which addressed a need to obtain input from child support guidelines users and stakeholders by establishing a standing committee to review the guidelines. Ms. Cartwright requested information relating to the parameters and time frames for review of existing child support orders. She said her understanding is that R183-18 will take effect 90 days after the date of approval and asked how and when cases and orders reviewed during this 90-day period, without specific changes in circumstances, will be evaluated under R183-18.

Glen Baker, Humboldt County resident and representative of custodial obligors, voiced his support for R183-18. He explained the general impression when discussing child support is that it involves the collection of payments from noncustodial parents. However, he noted joint custody has become the norm. He said that often in joint custody cases, child support obligations are unfairly assigned. Mr. Baker stated he is in a joint custody arrangement and pays $1,700 in child support per month. He pointed out Jenni Cartwright, who spoke earlier, is obligated to pay $1,500 per month. Mr. Baker submitted a letter (Agenda Item II) for the Commission's consideration. He expressed concern the courts will not allow the custodian obligor a modification, which is in line with the guidelines in R183-18.

Mr. Baker contended courts, especially in rural counties, cannot be trusted. He referenced findings from a recent Humboldt County court case, which was stalled in court for more than a year. Mr. Baker asserted that judges delay decisions in an effort to rely on ambiguous regulations, which may support one custodial obligor over another. He pointed out the cited case required one parent who holds primary custody of two of three shared children to pay $900. Mr. Baker suggested under provisions of subsection 4, Section 10 of R183-18, an obligor who has primary custody of as many as five of six children would realize only a $125 reduction in obligations. Mr. Baker expressed support for custody award calculations, which conform with the Nevada Supreme Court ruling in *Miller v. Miller*, 134 Nev., Advance Opinion 16, March 15, 2018, and requested subsection 4, Section 10 of R183-18 be amended to reflect the Supreme Court decision.

AGENDA ITEM III—APPROVAL OF MINUTES OF THE AUGUST 21, 2019, MEETING

MOTION: Senator Hardy moved to approve the minutes of the August 21, 2019, meeting. The motion was seconded by Assemblyman Frierson and passed unanimously.

AGENDA ITEM IV—LEGISLATIVE AUDITOR—APPROVAL TO ISSUE REQUEST FOR PROPOSAL TO CONDUCT PERFORMANCE AUDIT OF STATE BOARD OF MEDICAL EXAMINERS BY FEDERATION OF STATE MEDICAL BOARDS OF THE UNITED STATES, INC., PURSUANT TO NRS 630.127

Daniel L. Crossman, previously identified, drew the Commission's attention to a letter dated October 30, 2019, from the Audit Division, LCB, concerning Nevada's Board of Medical Examiners (BME) (Agenda Item IV). He referenced NRS 630.127, which addresses performance audits of the Board and requires that a request for proposal (RFP) be submitted by the Legislative Commission to the Federation of State Medical Boards of the United States, Inc. to conduct a performance audit of the Board. Statute requires the audit be conducted at least once every eight years. The Federation was established in 1912 and represents 70 state medical and osteopathic boards across the country.

Mr. Crossman said the Federation was originally selected and identified in statute to perform these audits as it has developed significant resources to support medical boards while achieving the legislative mandate to protect the public, including identifying, evaluating, and prioritizing metrics, which contribute to regulatory success. He said the Federation develops policy and researches and identifies best practices in medical regulation. The Federation works with board members and tracks legislative and regulatory developments and trends. Mr. Crossman explained the Federation has an extensive research database and has developed a robust portfolio of reports, guidelines, and policies.

Continuing, Mr. Crossman said statute provides that if the Legislative Commission determines the Federation is able to conduct a fair and impartial performance audit of the Board, based on its proposal, the Commission may engage the Federation's services. He said if the Commission determines that the Federation does not have the ability or is unable to perform a fair and impartial audit of the Board, the Commission would direct the Audit Division to conduct the audit. Mr. Crossman advised, at the Commission's direction, that audits were conducted and issued by the Federation in 2004 and 2012.

Mr. Crossman said he is seeking the Commission's approval pursuant to NRS 630.127 to issue an RFP on behalf of the Legislative Commission to the Federation to conduct a performance audit of the Board of Medical Examiners. Once the proposal is received, it would be available for review during the next Legislative Commission meeting.

Senator Hardy noted the importance of conducting quality audits of Nevada's boards and commissions and asserted that audits performed by state entities are more exhaustive than those performed by outside organizations. He referenced Governor Steve Sisolak's recent comments regarding the need for more in-depth reviews of certain state boards. Senator Hardy said he will, at the appropriate time, request consideration of assigning the audit to an in-state agency, which will have the advantage of a more Nevada centric approach.

Assemblywoman Carlton acknowledged statute requires an RFP for a performance audit of the Board and requested specifics of prior audits. She asked how they have compared to in-state audits and the level of detail provided. Assemblywoman Carlton characterized the Federation's work as peer review and "desktop" style audits, which do not provide the necessary level of assessment. Assemblywoman Carlton requested a copy of the Federation's 2012 report for review and clarification of the requirements of the RFP.

Mr. Crossman explained the proposed RFP will include areas defined in statute, including the methodology and efficiency of the Board in a number of areas: (1) investigations of licensees who have been subject to malpractice claims or peer-reviewed actions at a medical facility; (2) preventative or progressive action to remedy or deter unprofessional conduct by a licensee; and (3) response to complaints filed by the public against licensees. The audit must also review the managerial and administrative efficiency of the Board in using the fees collected. In response to whether an in-state audit would be more exhaustive than one performed by the Federation, Mr. Crossman said an in-state audit would provide a risk-based approach, which would deliver a greater level of detail in certain areas while the Federation would have expertise not available to the Audit Division.

Vice Chair Ratti questioned whether an audit could be prepared utilizing both the Federation's and Audit Division's resources and expertise. For example, she said a report comparing data from other states with Nevada regarding information relating to turnaround times for board certification applications and complaint investigations would be useful and could be provided by the Federation. She suggested the Audit Division could build upon this information to complete a thorough and in-depth audit. She said that given concerns about the functioning of some of Nevada's boards, it might be beneficial to have both the Federation and the Audit Division involved in the review process. Vice Chair Ratti recognized this arrangement is not currently an option but expressed her support for the concept.

Assemblyman Wheeler noted audits completed by the LCB are comprehensive and exhaustive. He stated his understanding is that while statute requires the issuance of an RFP, neither the Commission nor the Legislature are under obligation to accept the proposal and can opt to refer a board's review to the Audit Division. Assemblyman Wheeler asked whether this information is correct.

Mr. Crossman affirmed Assemblyman Wheeler's assumption and said that following submission of a completed RFP, the Commission has the option of either engaging the Federation to perform the audit or assigning the task to the Audit Division.

Chair Cannizzaro drew the Commission's attention to the enabling statute, NRS 630.127, and said it requires a proposal go out to the Federation and that the Commission is authorized to review the proposal for fairness, impartiality, and the ability to conduct the audit. She noted that before the Commission considers a redirection of the audit, the action required during the current meeting as stated on the agenda is the approval to issue a request for proposal to the Federation. Chair Cannizzaro indicated agreement with Assemblywoman Carlton's request for previous audits of the Board conducted by the Federation, which would be useful in analyzing their effectiveness.

Chair Cannizzaro restated the purpose of a motion is to approve issuance of an RFP to the Federation for review by the Commission. She said the Commission will have an opportunity to evaluate prior audits as the process moves forward.

MOTION: Assemblywoman Carlton moved approval to issue a request for proposal to conduct a performance audit of the Board of Medical Examiners by the Federation of State Medical Boards of the United States, Inc. The motion was seconded by Senator Denis and passed unanimously.

AGENDA ITEM V—PROGRESS REPORT—LITIGATION CURRENTLY IN PROGRESS

Brenda J. Erdoes, previously identified, reported on the progress of a new case currently in litigation.

1. *Morency v. State of Nevada*, Case No.19-800267-C, Eighth Judicial District Court, Clark County

On August 15, 2019, the plaintiffs filled a complaint challenging the constitutionality of Assembly Bill 458 (2019). The bill revises provisions relating to tax credits for Nevada Educational Choice Scholarships. The plaintiffs believed that AB 458 should have had a two-thirds majority vote, which it did not. On October 9, 2019, the district court ruled on the Legislature's motion to intervene as a defendant; thereafter, the Legislature filed an answer to the plaintiffs' complaint. The parties are now in the process of filing and briefing the dispositive motions.

AGENDA ITEM VI—LEGISLATIVE COMMISSION POLICY–REVIEW OF ADMINISTRATIVE REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067

The list of regulations (Agenda Item VI A-1) can be accessed electronically at: Administrative Regulations_2019_Oct30.pdf.

The following regulations were identified by members to be held for discussion: R183-18; R005-19; R007-19; R011-19; R023-19; and R024-19.

MOTION: Senator Settelmeyer moved approval of R001-19, R002-19, R013-19, R021-19, R025-19, R026-19, R029-19, R030-19, R031-19, R034-19, R036-19, and R037-19. The motion was seconded by Assemblyman Frierson and passed unanimously.

Regulation 183-18

A REGULATION relating to child support; establishing the child support guidelines that will be used to calculate child support in this State upon the effective date of this regulation; and providing other matters properly relating thereto (Agenda Item VI A-2).

Elisa Cafferata, Deputy Administrator, Field Operations Support, DWSS, DHHS, discussed the proposed regulations to update guidelines for determining child support orders, which are developed to ensure that the interests of the parties are balanced and that the needs of Nevada's children are met. She said the regulations were needed because federal law requires a review and update to child support guidelines every four years. The law also requires that support orders are based on parents' earnings, income, and ability to pay. She explained, in 2017, the Legislature passed AB 278, which created the Committee to Review Child Support Guidelines and the process that ensured these federal requirements were met. The regulation expands existing guidelines and provides definitions to the terms *gross income, obligee*, and *obligor*.

Continuing, Ms. Cafferata said the proposed regulation requires the orders be based on federal requirements. The regulation also updates the formula used for calculating child support obligations. She said it sets out regulations for adjusting orders for incarcerated or involuntarily institutionalized obligors, and it addresses changes to or termination of child support orders.

Ms. Cafferata referenced a study by Jane Venohr, Ph.D., an economist, who completed an in-depth analysis of Nevada's child support cases and of laws in other states. Dr. Venohr's report was reviewed by the Committee, which held 21 meetings and received public input. She stated the DWSS held two public workshops and a public hearing on August 20, 2019, at which time the regulations were adopted.

Ms. Cafferata noted the provisions of the regulation will go into effect the first day of the month following 90 days after the date the regulation is submitted to the Secretary of State. She said the reason for the 90-day delay is to allow time for staff training and updates to DWSS manuals and procedures. The Committee will have an opportunity to provide outreach and education so the public can understand the changes. She said the goal is also to ensure updates to orders are administered on a consistent basis throughout the state.

Addressing questions raised during public testimony, Ms. Cafferata explained when child support orders are updated, judges rely on existing guidelines and statute. Following the effective date of R183-18, which will be in approximately 90 days, all updated orders will be based on the revised regulation.

Kimberly M. Surratt, Chair, Committee to Review Child Support Guidelines, DWSS, DHHS, addressed concerns expressed during public comment. She said during the drafting process, the Committee heard proposals to modify all current child support orders in the state upon the adoption of R183-18. However, following 21 public meetings, the Committee voted not to include this provision in the regulation. She noted only two members of the Committee, who are private attorneys, supported the proposal.

Ms. Surratt discussed the Committee's membership, which includes chief presiding family court judges from Clark County, Washoe County, and rural counties; district attorneys from across the state; a Supreme Court appointee; two Assembly Members; two Senators; representatives from DWSS; and an economics expert. She noted these members concluded the fiscal impact of an immediate review of all outstanding orders in the state would overwhelm the child support system.

Addressing a request expressed during the public comment portion of its workshop, Ms. Surratt noted speakers suggested the Committee proactively inform judges that when a child support order is modified that the updated regulations must be applied. She said this is not a practical statutory construct and asserted judges are aware of statutory and regulatory changes and can be relied upon to adjust their decisions accordingly.

Ms. Surratt described another concern discussed during public comment—the Nevada Supreme Court ruling in *Miller V. Miller*, which addressed a "split parenting" case. The Committee is continuing to consider these custody situations as well as others, including shared custody and serial parenting, which are cases involving more than two custodial parents. She said deciding child support orders in these situations is challenging and noted that statute does not address the issues.

Ms. Surratt explained split parenting is when a parent has primary custody for one child but shares custody for a second child. The *Miller v. Miller* case was based on regulations that would be replaced by R183-18. The Committee did consider *Miller v. Miller* and its impact, but in the opinion of the Committee members, an amicus brief filed by the State Bar of Nevada Family Law Section was far simpler and easier to apply. The Committee prioritized providing the ability for the general public to understand and read child support guidelines

and know how they apply to families' situations. She said the Committee did not ignore *Miller v. Miller* but instead relied on a different approach, which is reflected in R183-18.

Regarding subsection 1(h) of Section 4, Assemblyman Daly asked for clarification relating to the calculation of gross income, which under R183-18 includes voluntary contributions to deferred compensation plans and employee benefit or profit-sharing plans. He questioned whether the provision also applies to mandatory employee contributions, which are not accessible until retirement. Assemblyman Daly expressed concern the regulation may include these mandatory pension contributions in gross income.

Ms. Surratt said the word *voluntary* was intentionally included in the proposed regulation to address situations when a parent increases voluntary contributions to benefit plans in an effort to reduce their take-home pay and their child support obligation.

Assemblyman Daly asked for information relating to Section 14, which addresses the obligation to provide medical support to children. He questioned the method used to determine parental responsibility.

Ms. Surratt explained much of the language concerning medical support was drawn from NRS. The proposed regulation expands statutory concepts of deviation factors, which *may* be considered and, instead, requires courts to consider medical support and costs in every case with every child. The division of obligations will be determined by ability to pay and the value of each party's medical support among other factors. She said the goal is to require courts to consider all relevant factors.

Continuing, Ms. Surratt stated the language in Section 14 is precise and specific based on federal preemption issues. As an example, she drew the Commission's attention to Section 14, subsection 2(b)(1)(II), which provides the cost of adding a dependent child to any existing coverage for health care or the difference between individual and family coverage, whichever is less, is not more than 5 percent of the monthly gross income of the party. Ms. Surratt said the concept in developing R183-18 is to direct courts to consider individuals to allow for modification of support orders when circumstances significantly change.

Assemblyman Daly stated his appreciation for provisions allowing for significant changes in medical expenses and insurance costs. Referring to Section 19, Assemblyman Daly asked for clarification relating to child support obligations for children who reach 18 years of age while in high school. He questioned whether these obligations apply to all children until they reach 18 years of age whether or not they are enrolled in school.

Ms. Surratt said some details and modifications are outside the jurisdiction of the Committee's duty to develop regulations and fall under the purview of the Legislature. She agreed there is a need for significant changes and modifications, but parents are obligated to support their minor children whether or not they are in school. The only exception is when a child has been granted legal emancipation. Ms. Surratt clarified R183-18 provides that child support obligation terminates when a child reaches 18 years of age or, if the child is still in high school, when the child graduates from high school or reaches 19 years of age, whichever comes first. She said only under these circumstances would an obligor be required to provide support to a person who is 19 years of age.

Assemblyman Wheeler questioned the status of standing child custody orders in the event R183-18 is adopted. He noted family courts are overburdened and expressed concern that a change in regulation may result in an increased number of motion filings, particularly because individuals can file a motion to the court easily and without legal representation. Assemblyman Wheeler asked for an assessment of possible increased burdens on the court system.

Ms. Surratt explained that R183-18 will not be effective for at least 90 days, at which time, new cases and cases that have met NRS standards for modification will be considered based on the adopted regulations and updated calculations. She clarified modifications are allowed by statute every three years or in the event of a substantial change in circumstances. Ms. Surratt said, given these restrictions, R183-18 will not result in added burden to the courts.

Referring to public comments, Senator Hardy asked whether R183-18 addresses the stated concerns and challenges.

Ms. Surratt indicated the Committee declined the request to require proactive notification of all judges of regulatory changes and their obligation to comply. She said fair and consistent application of the law is a crucial issue, which should be addressed through training and other avenues. Referring to a second issue of concern, Ms. Surratt noted the Committee considered the ruling in the *Miller v. Miller* case and resolved not to apply the findings at this time. She stressed the Committee is an ongoing effort as required by AB 278 (2017) and appropriate changes and adjustments will be made as required.

Ms. Surratt reiterated three key areas requiring continued consideration: shared parenting, split custody cases, and serial parenting. She noted that to date there have been few suggestions or input for practical statutory resolutions to these issues. Ms. Surratt stated there have been no comprehensive changes to child support guidelines since the 1980s. She asserted R183-18 is a good first step and will serve as a guide for further improvements.

Senator Hardy asked whether the courts will have latitude and autonomy to resolve ambiguities in regulations.

Ms. Surratt stated the courts, under R183-18, have an increased level of discretion. She said the reason for the changes is a recognition that families in Nevada differ dramatically. Ms. Surratt emphasized courts have regulatory leeway but only when NRS provides authority for modifications.

Ms. Cafferata said, under R183-18, families can appear in court with a predetermined agreement, which judges can review and accept. There is a wide spectrum of circumstances and outcomes, and judges have a measure of options. She stated R183-18 provides specificity to complicated cases.

Ms. Surratt expressed enthusiasm for the provision in R183-18 allowing parents to present the court with negotiated agreements and allowing a judge to write child custody orders accordingly. She said this is a significant and impactful change to regulations.

MOTION: Assemblyman Frierson moved approval of R183-18. The motion was seconded by Senator Hardy.

Prior to voting, Vice Chair Ratti addressed remarks made during public comment. She noted the Legislative Commission's duty is to adopt, reject, or delay proposed regulations but is not authorized to make changes.

The previous motion made by Assemblyman Frierson and seconded by Senator Hardy passed unanimously.

Regulation 005-19

A REGULATION relating to pharmacy; authorizing the State Board of Pharmacy to require certain payments from applicants for a certificate, license or permit issued by the Board; and providing other matters properly relating thereto (Agenda Item VI A-3).

J. David Wuest, R.Ph., Executive Secretary, State Board of Pharmacy, informed the Commission that staff reviewed R005-19 and determined more detail is needed before proceeding. He said the intent is to reevaluate the proposed regulation and resubmit to the Board. Mr. Wuest requested the opportunity to return to the Commission with a revised version of R005-19.

Senator Settelmeyer expressed his agreement. He said he had concerns regarding the cost of inspections incurred by the Board, which should be based on actual costs reasonably associated with the direct investigation.

Assemblyman Daly said he is also concerned about the costs of inspections and voiced his support for deferring review of the proposed regulation.

Chair Cannizzaro deferred R005-19 to a future meeting of the Legislative Commission.

Regulation 007-19

A REGULATION relating to chiropractors; requiring chiropractic physicians to annually submit certain forms regarding their practices; providing for random audits to ensure compliance with continuing education requirements; establishing certain requirements and prohibitions relating to the provision of certain services to patients of a chiropractic physician; revising the requirements for the approval or endorsement of seminars for continuing education; revising provisions regarding the acts which will be interpreted by the Chiropractic Physicians' Board of Nevada as being included within unprofessional conduct for the purposes of imposing disciplinary action; eliminating certain requirements for the filing of certain complaints; and providing other matters properly relating thereto (Agenda Item VI A-4).

Louis Ling, General Counsel, Chiropractic Physicians' Board of Nevada, explained the objective of R007-19 is to require each chiropractic physician who is licensed by the Board to annually submit a self-inspection form containing certain information regarding the practice of the licensee. He stated information collected from the forms assist in assessment of licensees' practices and provides opportunities for the Board to assist chiropractors. The proposed regulation provides for the performance of random audits to ensure compliance with requirements for continuing education. Mr. Ling noted the number of licensees has significantly increased and audits of all practices are no longer practical.

Mr. Ling said Section 4 of R007-19 addresses consumer protection issues relating to multidisciplinary medical practices, which may provide services other than chiropractic. This informs consumers that chiropractors are responsible for acts of service providers who are

employed by the chiropractor. He noted consumers' complaints against independent contractors must be directed to the independent contractor.

Continuing, Mr. Ling stated Sections 5 and 6 conform regulatory language with changes to audits and continuing education; Section 7 addresses improving consumer complaint processes by providing a less burdensome complaint filing system as advised by the Sunset Subcommittee of the Legislative Commission (NRS 232B.210).

Assemblyman Daly questioned the process by which licensees submit self-inspection forms. He asked whether the system could be described as self-reporting.

Julie Strandberg, Executive Director, Chiropractic Physicians' Board of Nevada, explained the self-inspection reports have been voluntary. She said R007-19 requires mandatory reports.

Assemblyman Daly asked whether the regulation provides penalties for noncompliance or false reporting.

Ms. Strandberg indicated false reporting would be considered under unprofessional conduct standards and violators would be subject to disciplinary penalties.

Assemblyman Daly questioned the types of practices and services addressed in Section 4. He asked for examples of nonemployees in chiropractic offices who are not under direct supervision of licensees.

Ms. Strandberg said nonemployees and contractors would include massage therapists and physical therapists who hold independent licenses.

Senator Hardy requested clarification relating to the supervision of a physician contracted by a chiropractic practice.

Mr. Ling explained there is an increasing number of multidisciplinary practices owned by chiropractic physicians in which osteopathic or medical physicians practice as independent contractors. He clarified there would be no supervisory relationships between chiropractors and physicians. Mr. Ling said Section 4 makes clear to consumers that chiropractors are not responsible for the actions of contracted physicians.

Senator Hardy requested legal interpretation of defined supervisory roles and responsibilities of physicians who practice within a multidisciplinary practice.

Mr. Ling referred to paragraph (b), subsection (2) of Section 4, which states independent contractors' services are not provided under the direct supervision or control of the licensee. He reiterated any physician who works in a chiropractor's office is not under supervision of the chiropractor.

Senator Hardy requested input from LCB legal staff and questioned whether statute provides for supervisory separation between chiropractors and physicians who work within the same practice.

Brenda J. Erdoes, previously identified, said in this situation it really depends on the circumstances of the practice, how it is set up, and the way in which it operates. She said

she can analyze a specific set of facts for Senator Hardy if he would like, but she could not provide a general answer today about independent contractors and their practices.

Senator Hardy said he expects there are nuances, which are not addressed in R007-19.

Assemblywoman Carlton questioned Section 3, which addresses the monitoring of continuing education units (CEUs) of licensees. She noted one of the Board's responsibilities is to assure all licensees comply with CEU requirements. She said R007-19 represents a significant shift in the monitoring process, which provides that the Board will only be aware of violations if a complaint is filed and an audit is performed. Assemblywoman Carlton asked whether all licensees will be required to report CEUs to the Board and whether the Board will maintain records of licensees' continuing education.

Ms. Strandberg stated the Board will record results of random audits of 20 percent of licensees. She noted random audits of CEU requirements are standard practice among Nevada boards. Ms. Strandberg explained that 700 licensees and 300 chiropractic assistants are required to maintain continuing education on an ongoing basis; processing a large number of forms is a burdensome process for a staff of two employees.

Assemblywoman Carlton asked whether the regulation as proposed no longer requires monitoring CEU compliance of more than 700 licensees in the state.

Ms. Strandberg confirmed the random audits will apply to 20 percent of licensees as opposed to 100 percent. She clarified all licensees are required to verify their compliance with CEU requirements as part of the license renewal process.

Senator Hardy asked whether other boards, such as the Board of Medical Examiners, perform random audits and require self-reporting. He said the American Board of Family Medicine, Inc., involves online reporting of continuing medical units, including where courses were held and whether courses met state requirements.

Ms. Strandberg affirmed other boards in Nevada perform random audits similar to those proposed in R007-19.

MOTION: Assemblywoman Benitez-Thompson moved approval of R007-19. The motion was seconded by Vice Chair Ratti.

Prior to voting, Senator Hardy said he approves of the regulation in general but expressed concerns relating to supervisory relationships in multidisciplinary practices and distinctions between contracted employees, physicians, and chiropractors as described in Section 4. He conveyed his preference that the issue be more clearly addressed.

Assemblywoman Benitez-Thompson noted reporting requirements of CEUs and continuing medical units vary among Nevada's boards. She expressed her support for R007-19 and said random audits of 20 percent appear to be boards' standard practice.

The previous motion made by Assemblywoman Benitez-Thompson and seconded by Vice Chair Ratti passed. Senator Hardy and Assemblywoman Carlton voted no.

Regulation 011-19

A REGULATION relating to osteopathic medicine; revising the requirements for an application for a license to practice osteopathic medicine; reducing certain fees; repealing provisions governing licensing examinations administered by the State Board of Osteopathic Medicine; and providing other matters properly relating thereto (Agenda Item VI A-5).

Sandy Reed, Executive Director, State Board of Osteopathic Medicine, stated R011-19 was developed based on recommendations of the Sunset Subcommittee of the Legislative Commission following the Subcommittee's review of the Board. The Subcommittee suggested a review of the Board's fee structure. She said the review considered several options and subjects including issues of solvency and reserve policy. The Board decided on a reduction of $100 for licensing and renewal applications. Ms. Reed stated that during the Board's review, members and staff recognized a need to update regulations to reflect current practices; for example, the Board no longer conducts examinations or interviews of physicians.

Ms. Reed noted R011-19 allows physicians applying for licensure to provide documents or information, which are the equivalent of a physician information profile prepared by the Federation Credentials Verification Service of the Federation of State Medical Boards of the United States. She said this change will allow for more timely processing of applications.

Assemblywoman Carlton questioned the decision to lower fees and noted an increase in fees requires a two-thirds vote. She expressed concern related to reserve fund scarcities resulting from settlements in prior years. Assemblywoman Carlton noted the Board had been obliged to increase fees in order to replenish reserve funds. She requested details relating to current reserve funds and the ability to support the Board in the event of future court cases.

Ms. Reed assured the Commission the Osteopathic Board is prepared for situations requiring legal action involving licensees if necessary. She stated the issue was considered during discussions to revise the fee structure. The Osteopathic Board has established an 18-month reserve policy. Ms. Reed explained the proposed fee schedule will reduce income by $200,000, but the reserve fund stands at approximately $1 million and fee income increased last year by $200,000.

Assemblywoman Carlton asked whether the Board's proposed fees are near the fee cap.

Ms. Reed stated the Osteopathic Board's statutory fee cap is $800. She detailed the proposed fees: (1) annual license renewal for an osteopathic physician is $350; (2) initial osteopathic physician application fee is $500; and (3) a reduction of $100 to late payment and physician assistant application fees.

Assemblywoman Carlton expressed her appreciation and stated the information provided addressed all of her concerns.

Senator Hardy asked how the Osteopathic Board's fee structure compares to the Board of Medical Examiners, which collects fees on a biannual basis.

Ms. Reed explained the BME charges a registration fee, which the Osteopathic Board does not charge. She further noted the Osteopathic Board requires annual license renewals while the BME requires renewals biannually.

Senator Hardy asked how the Osteopathic Board's renewal fees compare with the Board of Medical Examiners if both are calculated as a biannual assessment.

Ms. Reed stated she does not have specific information relating to BME's fee structure but noted the required registration fee is a one-time charge, which contributes to the cost of licensing for medical physicians. Ms. Reed added the Osteopathic Board is confident the proposed fee structure in R011-19 is appropriate for maintaining a proper reserve fund balance and suggested the decreased fees may encourage more osteopathic physicians and physician assistants to apply for licensing.

Senator Hardy expressed appreciation for including physician assistants in the fee reduction proposal, and he noted assistants who are supervised by both osteopathic and medical physicians are required to be licensed by two boards, which can be costly.

Ms. Reed agreed and said R011-19 also reduces physician assistant late fees. She stated the Board has not received any negative feedback relating to the proposed regulation.

MOTION: Senator Settelmeyer moved approval of R011-19. The motion was seconded by Assemblywoman Carlton and passed unanimously.

Regulation 023-19

A REGULATION relating to contractors; revising and expanding the types of documents that an applicant for a contractors' license may submit as proof of qualifying work experience; defining the term "employee"; and providing other matters properly relating thereto (Agenda Item VI A-6).

Nancy Mathias, Licensing Administrator, State Contractors' Board (SCB), stated R023-19 expands the types of acceptable documentation supporting the experience of Board applicants. She stressed this does not change the experience requirement or the standard for licensure in Nevada, but it does expand the means by which applicants can demonstrate their experience. Ms. Mathias said the regulation also defines the employer/employee relationship as expressed in Chapter 624 of NRS. The language was added to ensure that qualified employees are in fact direct employees of a licensee and perform statutorily required duties.

Assemblyman Daly requested information regarding the definition of an *employee* in Section 3 and requirements for meeting professional standards.

Tim Geswein, Esq., General Counsel, SCB, explained in developing R023-19, the definition of *employee* was in substantive part borrowed from NRS 608.011. He said the term was modified to reflect usage consistent with SCB practices. He stated the term *independent contractor*, as it applies to SCB, is a challenging issue because while employees describe themselves as independent contractors, they may not hold a license as defined in Chapter 624 of NRS. He said that as a consequence, the SCB deems them unlicensed contractors. Mr. Geswein stated the purpose of subsection 2 of Section 3 is to make clear the requirement for builders to hold a license as defined in Chapter 624 of NRS.

Assemblyman Daly agreed and said the issue of defining independent contractors has wide-ranging implications and impact beyond the authority of the SCB. He indicated licensed contractors sometimes classify employees as independent contractors in order to avoid paying workmen's compensation, providing insurance, and reporting to tax authorities. Assemblyman Daly stressed the importance of providing a clear definition of the term

employee as it relates to licensing with the SCB, which does not conflict with the term as defined in other statutes, such as Chapter 338 of NRS. Assemblyman Daly wanted to ensure an independent contractor can meet the requirements of R023-19 and the standards of the SCB and be eligible to qualify as an employee.

Ms. Mathias assured Assemblyman Daly this is the intent of R023-19.

Assemblyman Daly requested confirmation that the proposed definition of *employee* in R023-19 applies only to one section of Chapter 624 of NRS and relates only to qualified employees.

Ms. Mathias confirmed Assemblyman Daly's understanding of the regulation.

MOTION: Assemblywoman Carlton moved approval of R023-19. The motion was seconded by Senator Denis and passed unanimously.

Regulation 024-19

A REGULATION relating to the greater sage-grouse; setting forth certain requirements related to the maintenance of sagebrush ecosystems and the conservation of the greater sage-grouse; and providing other matters properly relating thereto (Agenda Item VI A-7).

James R. Lawrence, Deputy Director, State Department of Conservation and Natural Resources (DCNR), stated the need for proposed regulation R024-19 is critical. He said the greater sage-grouse has been in decline for a number of years and has been considered for listing as an endangered species a number of times. The range in Nevada is millions of acres, mainly north of U.S. Route 50 and south to parts of Eureka, Lincoln, and White Pine Counties. He indicated Nevada has a significant interest in protecting the greater sage-grouse population and the ecosystem to avoid a federal endangered species listing.

Mr. Lawrence stated a sagebrush ecosystem program was establish by the Nevada Legislature in 2013, and Governor Brian Sandoval appointed the Sagebrush Ecosystem Council (SEC). He said the SEC has representatives from three federal agencies: (1) the U.S. Fish and Wildlife Service (USFWS), U.S. Department of the Interior; (2) the Bureau of Land Management (BLM), U.S. Department of the Interior; and (3) the U.S. Forest Service, U.S. Department of Agriculture, and three state departments: (1) the State Department of Agriculture; (2) the Department of Wildlife; and (3) DCNR. Additionally, Mr. Lawrence said membership includes stakeholders from mining, energy, ranching, local government, wildlife and environmental organizations, tribal nations, and the general public.

Mr. Lawrence stated the SEC has worked diligently to implement the state plan and in anticipation of and in an effort to avoid a federal listing, has implemented regulatory mechanisms in compliance with USFWS requirements. The mechanisms are designed to insure a slowdown of loss or degradation of habitat due to human disturbances. He said the SEC unanimously adopted a state plan and a mitigation program.

Mr. Lawrence indicated in 2015, the USFWS determined a listing was not warranted largely due to efforts by Nevada and other states' effective regulatory mechanisms. However, in 2018, an instructional memorandum from the U.S. Department of Interior stated the BLM cannot require mitigation unless there is a state requirement in place. Before the memo, the

SEC worked from a unanimous consensus regarding mitigation on mostly federal land. For this reason a regulation was not considered necessary.

Reacting to the memo, Mr. Lawrence said the SEC unanimously requested that Governor Sandoval issue an executive order requiring mitigation and adopt temporary regulations. The SEC held hearings, adopted temporary regulations, and began the process to propose permanent regulations as outlined in R024-19.

Mr. Lawrence said R024-19 will memorialize and place in *Nevada Administrative Code* the state's plan for protection of greater sage-grouse. With the adoption of these regulations, the BLM will be able to cite state requirements and include mitigation as part of its environmental document.

Assemblyman Daly asked whether the SEC currently is authorized by statute or executive order.

Mr. Lawrence said the SEC is authorized by NRS 232.162, which outlines membership and entities represented.

Assemblyman Daly requested information relating to the Nevada Conservation Credit System (CCS), its impact on proposed projects, and calculations used to determine mitigation requirements.

Mr. Lawrence said SEC members agreed from the beginning of the project that the practice of mitigation required significant improvements. He said industry representatives were concerned about the lack of scientific method, and environmental and wildlife interests recognized a lack of planning strategy. He said the CCS is a quantification tool that values, specifically, the habitat of the greater sage-grouse. It takes into account the landscape, existing surroundings, the value of the habitat that is being disturbed, and restoration activity. Mr. Lawrence explained disturbed habitat is quantified as a debit and restored habitat as a credit. He said the credit system provides a vehicle for recognition of private land owners who practice responsible landscape stewardship and support protection of greater sage-grouse populations. Private land owners can perform a sage-grouse habitat uplift, which is quantified through CCS and earn marketable credits for mitigation. Mr. Lawrence said the system is a scientific approach, which satisfies regulatory mechanisms required by the USFWS and rewards and encourages stewardship at the ground level where it is most important.

Assemblyman Daly requested specifics related to credits including: (1) methods for determining value; (2) volatility in their market value; and (3) whether and when they expire.

Mr. Lawrence explained the valuation is based on a habitat quantification model, which cannot be modified unless the SEC adopts changes. Mr. Lawrence described factors considered in the model and commented that the model is valuable because it is consistent and provides a level of certainty.

Mr. Lawrence addressed credit longevity and said financial assurances and agreements guarantee the length of the credits will equal in duration to the length of the disturbance to the landscape. For example, when a disturbance is estimated to last for 30 years, any credit applied must be valued at 30 years.

Mr. Lawrence explained the state is not responsible for providing monetary values for habitat credits. He said the role of the SEC is to verify credits, debits, and monitoring systems and that price negotiations would be a private transaction.

Assemblyman Daly stated his understanding of credit valuation and requested clarification relating to credit durability. He asked whether it is possible to determine how long a landowner could hold on to or "bank" credits.

Mr. Lawrence said the process begins when transaction papers are signed between private entities in mitigation. He said a team will work with landowners and verify that with this activity within the model, they are generated a specific number of credits. The credits will be valid as long as the habitat is maintained to standard. When a property owner enters into an agreement to apply his or her credits, the monitoring program is initiated to ensure the habitat uplift is maintained. Concluding, Mr. Lawrence stated credits will remain in the "bank" as long as the property owner maintains the values of that habitat.

MOTION: Assemblyman Daly moved approval of R024-19. The motion was seconded by Senator Settelmeyer and passed unanimously.

AGENDA ITEM VII—APPOINTMENTS OF MEMBERS TO COMMITTEE TO CONDUCT A STUDY CONCERNING WILDFIRES (ACR 4, 2019)

Rick Combs, previously identified, stated Assembly Concurrent Resolution 4 provides for the appointment of six legislators to the Committee to Conduct a Study Concerning Wildfires. He said the resolution also requires two nonlegislative members, one recommended by the Inter-Tribal Council of Nevada, Inc., and one recommended by the senior U.S. Senator for Nevada, Catherine Cortez Masto (Agenda Item VII). Mr. Combs said Senator Cortez Masto's staff indicated she has recommended Jon Raby, State Director, Nevada State Office of BLM. Mr. Combs shared that members of the Inter-Tribal Council of Nevada have not yet taken formal action to approve a nominee, but they are considering a resolution to recommend Jackie Conway, Tribal Emergency Preparedness Coordinator.

Mr. Combs stated that if the Commission concurs with the recommended nominees, the Inter-Tribal Council's nominee could be approved by the Commission subject to action by the Council during its November meeting. He noted that delaying a decision on an Inter-Tribal representative to the Wildfire Study Committee may result in lack of tribal representation during the Committee's initial meeting.

MOTION: Senator Hardy moved approval of the appointments of Jon Raby, recommended by Senator Cortez Masto, and Jackie Conway, contingent upon the approval of a resolution by the Inter-Tribal Council of Nevada, as members of the Committee to Conduct a Study Concerning Wildfires. The motion was seconded by Assemblyman Frierson and passed unanimously.

AGENDA ITEM VIII—INFORMATIONAL ITEMS

A. Summary of Quarterly Reports on Disciplinary Action From the Licensing Boards and State Agencies

B. Miscellaneous Reports or Correspondence From State Agencies and Others:

1. **Semiannual (January 2019 through June 2019) Report Regarding Sales Tax Revenue Statistics for Businesses Operating in Tourism Improvement Districts (TID) in Washoe County and Clark County (Star Bond Districts) Pursuant to NRS 271A.105(2)(a)**

Assemblyman Daly noted only some or certain businesses in the Department of Taxation's TID provide reports of sales to customers who do not reside in Nevada (Agenda Item VIII B-1) . He asked whether participation and reporting is required.

Terri Upton, Deputy Director, Department of Taxation, explained the Department is required to provide a form to taxpayers located within the tax increment area. She said the Department does not have enforcement authority for lack of reporting or noncompliance.

Assemblywoman Benitez-Thompson drew the Commission's attention to Chapter 271A of NRS and said some information required by statute has not been submitted. She has requested more detailed reports from the Department of Taxation and noted each municipality, which approved these sales tax revenue financing mechanisms, is required to submit reports to the Legislature.

Assemblywoman Benitez-Thompson stressed the importance of reports related to impacts on police and fire services. She noted the Interim Finance Committee considers grants to local safety services and addresses shortages in needed funding and resources. She said decisions in tax policy are made to assure police and fire services have needed support. Assemblywoman Benitez-Thompson emphasized the significance of revenue reports from local governments for the purpose of evaluating the tax plans' public value. She suggested the Legislature may consider requiring more detailed reporting from TIDs in order to justify their tax status and support their claims.

Assemblyman Daly requested information relating to the reported $15 million in sales tax revenue in TID and Star Bond Districts. He noted that of the collected taxes, the Department has received reports on only approximately $4 million. Assemblyman Daly pointed out the highest response rate from businesses reporting sales to non-Nevada residents was 31.9 percent in May 2019 and argued a more thorough evaluation may reveal a much smaller participation percentage. He asked whether the Department could provide expected responses as required by NRS 271A.105(2)(a).

Ms. Upton explained the information is exchanged among the governing bodies of municipalities and participants in designated tax districts.

Assemblyman Daly said it may be useful to request a presentation from these groups during a future meeting of the Commission. He suggested reports of sales tax revenue statistics for businesses operating in a TID or Star Bond District submitted by the Department provide information broken down into individual districts.

Ms. Upton explained some specific tax revenue data is confidential and, for this reason, is reported by the Department in the aggregate.

2. **Public Utilities Commission of Nevada—Notice of General Consumer Sessions Conducted in Clark County on August 19, 2019, in Washoe County on August 29, 2019, and in Elko County on September 26, 2019, Pursuant to NRS 704.069(2)**

3. Governor's Office of Economic Development, Annual Report Regarding Projects With Capital Investments of $3.5 Billion (Tesla Gigafactory) Pursuant to NRS 360.975

Assemblyman Daly requested information relating to capital investments made by the Tesla Gigafactory to date (Agenda Item VIII B-2).

Melanie Sheldon, Director of Business Development, Office of Economic Development, Office of the Governor (GOED), stated that as of June 30, 2019, Tesla has reported an estimated total combined investment of $4.9 billion. She offered to research and provide updated figures.

Assemblyman Daly noted the reported amount exceeds statutory requirements and requested details of the reported investments.

Ms. Sheldon explained investments necessary to support a determination by GOED that the project is a qualified project includes personal and real property.

Referring to the submitted report, Assemblyman Daly requested a definition of *qualified employee* and asked whether temporary employment agency workers are included in the report's calculations. He related conversations with workers employed by temporary agencies for assignments at the Tesla Gigafactory who report being laid off before qualifying for permanent employment status.

Ms. Sheldon noted only full-time permanent employees who are eligible for health benefits are reported as qualified employees (QEs). She explained QEs must be employed continuously for 90 days.

Assemblyman Daly asked for clarification relating to the report, which states "Total number of QEs of participants for the reporting period: 3,310." He requested a definition of *reporting period.* Assemblyman Daly said the report also indicates a total of 7,557 QEs.

Ms. Sheldon said 3,310 QEs are employed during Financial Year 2019 and the 7,557 figure reflects the number of QEs employed by the project to date.

Assemblyman Daly requested details relating to average hourly wage calculations.

Ms. Sheldon explained wage calculations are completed and reported by a third-party accounting firm, Eide Bailly, LLP, and as part of its audit, it formulates weighted average hourly wages of QEs.

Assemblyman Daly noted GOED's report states "Total wages paid: $748.6 million in wages were paid to 7,557 QEs to date which, adjusted for actual hours, equates to $29.28 per hour." He stated dividing $29.28 into $748.6 million results in about 25,566,000 hours of work. He observed that this figure divided by 7,557 workers results in an amount substantially lower than $29 per hour. Assemblyman Daly requested clarification and asked for a description of a *weighted formula*.

Ms. Sheldon offered to research and provide details.

Assemblyman Daly asked for details relating to the number of employees who are classified as highly compensated. He observed that wage data expressed in terms of averages can be

misleading when a company offers a wide range of pay rates. Assemblyman Daly noted one measure of tax abatement awards is the provision of an agreed upon wage scale and accurate reporting.

Ms. Sheldon stated payroll information is not provided to GOED but would likely be part of the audit performed by the accounting firm Eide Bailly. She said she can make inquiries and provide further information.

Assemblyman Daly observed that a full-time employee who earns $29 per hour would realize approximately $61,000 per year. He expressed interest in an accounting of the number of Tesla workers who earn this amount. Assemblyman Daly said the provision of health insurance is a qualified project requirement and requested information.

Ms. Sheldon said her understanding is that Tesla pays 90 percent of employees' health care premiums but that health insurance information is addressed in the Eide Bailly audit. She stated she will research and provide details.

Assemblyman Daly stated it is a statutory requirement that health coverage provided to employees must comply with provisions of the Affordable Care Act. He asked whether the audit report includes health care plan specifics.

Ms. Sheldon explained Tesla is contractually and statutorily obliged to cover 65 percent of employees' health care premiums. She noted the company has exceeded this requirement and reiterated the company covers 90 percent of employees' health care premiums.

Assemblyman Daly stated his preference that employers such as Tesla, which have been afforded generous tax incentives, consistently abide by their statutory obligations and that the Legislature review and evaluate project reports on an ongoing basis.

4. **Quarterly Report (Q3, 2019) on Sales and Use Taxes Imposed to Recruit, Employ and Equip Public Safety Personnel Pursuant to Section 17.5 of the Nye County Sales and Use Tax Act of 2007**

AGENDA ITEM IX—PUBLIC COMMENT

Jenni Cartwright, previously identified, expressed appreciation for the approval of R183-18 and said the regulation will provide for fair child support awards for both mothers and fathers. She noted she is required to pay child support in an amount that exceeds state mandated minimum wage. She stated that she and her ex-husband share custody of their two children on a joint custody basis. Ms. Cartwright noted that her ex-husband has been living rent free with his mother for several years. Ms. Cartwright stated there is more work to do, and she will commit to provide continued assistance to the Committee to Review Child Support Guidelines. She noted there are many other parents in Nevada who need assistance and who will benefit from the updated regulations.

Concluding, Ms. Cartwright expressed disappointment that R183-18 effectively negates provisions of *Miller v. Miller*. She argued the case outlined support award calculations, which are not complicated and can easily be applied in shared and joint custody situations. Ms. Cartwright said she appreciates the opportunity to participate in the review and regulatory process.

Glen Baker, previously identified, expressed his concerns regarding child support issues. He stated while parents are frustrated and struggle to work within the system, children are those most affected. He related a story of a child who was so distressed about conflicts between his parents that he has considered suicide. Mr. Baker said if the goal is to protect and serve children, lawmakers need to be cognizant of the fact that private law firms profit from the child support system as it currently exists. He suggested that changes should be made to allow parents to work with the courts without requiring legal representation. Mr. Baker asserted that when parents' financial obligations are fair, parents will comply with award decisions without complaint. Concluding his remarks, Mr. Baker expressed gratitude for the Commission's approval of R183-18.

Rick Combs, previously identified, expressed his appreciation of Sylvia Weiss, Executive Assistant, LCB Director's Office, who will retire from her position within the next few weeks. He thanked her for many years of service to the LCB and the State of Nevada and for her invaluable support in planning and organizing Legislative Commission meetings.

AGENDA ITEM X—ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 11: 34 a.m.

Respectfully submitted,

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Jan Brase

Research Policy Assistant

APPROVED BY:

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Senator Nicole J. Cannizzaro, Chair

Legislative Commission

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item II	Glen Baker, Humboldt resident	Letter and court document
Agenda Item IV	Daniel L. Crossman, Legislative Auditor, Audit Division, Legislative Counsel Bureau (LCB)	Letter dated October 30, 2019, regarding request for proposal to conduct a performance audit of the Board of Medical Examiners
Agenda Item VI A-1	Legal Division, LCB	List of administrative regulations
Agenda Item VI A-2	Legal Division, LCB	Adopted Regulation of the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services, LCB File R183-18
Agenda Item VI A-3	Legal Division, LCB	Adopted Regulation of the State Board of Pharmacy, LCB File R005-19
Agenda Item VI A-4	Legal Division, LCB	Adopted Regulation of the Chiropractic Physicians' Board of Nevada, LCB File R007-19
Agenda Item VI A-5	Legal Division, LCB	Adopted Regulation of the State Board of Osteopathic Medicine, LCB File R011-19
Agenda Item VI A-6	Legal Division, LCB	Adopted Regulation of the State Contractors' Board, LCB File R023-19
Agenda Item VI A-7	Legal Division, LCB	Adopted Regulation of the Sagebrush Ecosystem Council, LCB File R024-19
Agenda Item VII	Rick Combs, Director, LCB	Appointments of members to Committee to Conduct a Study Concerning Wildfires (Assembly Concurrent Resolution 4, 2019)
Agenda Item VIII B-1	Terri Upton, Deputy Director, Department of Taxation	Report sales tax revenue statistics for businesses operating in tourism improvement districts and star bond districts

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item VIII B-2	Melanie Sheldon, Director of Business Development, Office of Economic Development, Office of the Governor	Annual report of projects with capital investments of $3.5 billion

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