MINUTES OF THE
LEGISLATIVE COMMISSION
NEVADA LEGISLATIVE COUNSEL BUREAU
October 3, 2013

The Legislative Commission, created pursuant to *Nevada Revised Statutes* (NRS) 218E.150, held its second meeting in calendar year 2013 on Thursday, October 3, 2013. The meeting began at 1:33 p.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and was videoconferenced to Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada.

COMMISSION MEMBERS PRESENT:

Assemblywoman Marilyn Kirkpatrick, Chair
Assemblywoman Irene Bustamante Adams for Assemblyman Jason M. Frierson, Vice Chair
Senator Kelvin D. Atkinson
Senator Moises (Mo) Denis
Senator Ben Kieckhefer
Senator Ruben J. Kihuen
Senator Michael Roberson
Senator James A. Settelmeyer
Assemblyman Richard (Skip) Daly
Assemblyman James Oscarson for Assemblyman Wesley K. Duncan
Assemblyman Ira Hansen
Assemblyman Peter Livermore for Assemblyman Lynn D. Stewart

OTHER LEGISLATORS IN ATTENDANCE:

Assemblyman Pat Hickey

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Rick Combs, Director, Legislative Counsel Bureau
Paul V. Townsend, Legislative Auditor, Audit Division
Mike Chapman, Fiscal Analyst, Fiscal Division
Alex Haartz, Fiscal Analyst, Fiscal Division
Brenda J. Erdoes, Legislative Counsel, Legal Division

Risa B. Lang, Chief Deputy Legislative Counsel, Legal Division
Donald O. Williams, Research Director, Research Division
Sally Trotter, Principal Administrative Assistant, Research Division
Tarron L. Collins, Senior Research Secretary, Research Division

Chair Kirkpatrick called the meeting to order. Exhibit A is the agenda; the attendance sign-in sheets are Exhibit B. All exhibits are filed in the Director's Office of the Legislative Counsel Bureau (LCB) and on the Legislative Commission's webpage at http://www.leg.state.nv.us/Interim/77th2013/Committee/Interim/LC/?ID=2. Agenda items taken out of order have been placed in proper agenda order in the minutes for purposes of continuity.

I. PUBLIC COMMENT
(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

Chair Kirkpatrick called for public comment.

An unidentified member of the public asked about the appointments to the University of Nevada Las Vegas (UNLV) Campus Improvement Authority.

Chair Kirkpatrick replied that the appointments had to be submitted to UNLV by October 1, 2013. She appointed Kim Sinatra, and Senator Denis appointed Kirk Hendrick.

The same unidentified member of the public also addressed Agenda Item IV, B, the resolution recognizing the founding of the Republic of China (Taiwan). (Please see Exhibit C.) He said that Sun Yat-Sen was the founder of the Republic of China and suggested removing Taiwan in order to have a proper resolution.

Chair Kirkpatrick announced that the appointments for the Committee to Conduct an Interim Study Concerning the Impact of Technology Upon the Regulation of Gaming and Upon the Distinction Between Restricted and Nonrestricted Gaming Licenses would be made at the next meeting of the Legislative Commission, scheduled for October 22, 2013. She also announced that appointments made by Legislative Leadership later next week would be posted on the Legislature's website, and Legislators will receive letters stating their committee appointments.

II. APPROVAL OF MINUTES OF THE JUNE 3, 2013, MEETING—
Assemblywoman Marilyn Kirkpatrick, Chair

SENATOR KIHUEN MOVED APPROVAL OF THE MINUTES OF THE JUNE 3, 2013, MEETING.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

III. PROGRESS REPORT—Litigation Currently in Progress—Brenda J. Erdoes, Legislative Counsel

Brenda J. Erdoes, Legislative Counsel, LCB, provided an update on six court cases currently in progress:

- RED ROCK CANYON CASE
  Gypsum Resources, LLC, v. Mastro, Nevada Supreme Court

Gypsum Resources challenged the constitutionality of Senate Bill 358 (Chapter 105, *Statutes of Nevada 2003*) and a related Clark County land use ordinance in both State and federal court. After almost eight years of litigation, the Nevada Supreme Court issued an opinion on January 31, 2013, stating that S.B. 358 is unconstitutional because it is a local law that regulates county business and that it is in violation of Article 4, Sections 20, 21, and 25 of the *Nevada Constitution*. Ms. Erdoes stated this case would have a tremendous impact on Nevada's Legislature in the future when enacting special and local legislation because there will be a different analysis based on this case and the Clean Water Coalition case.

- CARRIGAN v. COMMISSION ON ETHICS CASE
  Michael A. Carrigan, Fourth Ward City Council Member of the City of Sparks v. Commission on Ethics of the State of Nevada

This case involves Michael Carrigan, who was found by Nevada's Commission on Ethics to have violated NRS 281A.420, the "recusal statute." When Mr. Carrigan was a member of the Sparks City Council, he voted on granting a tentative approval for the Lazy 8 project, which his campaign manager represented at the time. Mr. Carrigan appealed the case to the District Court, which upheld the ruling. The Nevada Supreme Court then overturned the ruling, holding that that portion of NRS 281A.420 was unconstitutional. Nevada's Commission on Ethics appealed the case, and on June 13, 2011, the United States Supreme Court reversed and remanded the Nevada Supreme Court, which heard oral arguments on March 5, 2012. The Nevada Supreme Court has not yet rendered a decision regarding the constitutionality of the provision in NRS 281A.420.

- PEOPLE'S LEGISLATURE v. MILLER Case No. 1 (Federal Case)
  The People's Legislature, et al v. Ross Miller, United Sates District Court, District of Nevada

- PEOPLE'S LEGISLATURE v. MILLER Case No. 2 (State Case)
  The People's Legislature, et al v. Ross Miller, Clark County District Court and Nevada Supreme Court

Ms. Erdoes said the third and fourth cases were essentially the same; one brought in federal court and the other in State court.

In the federal court case, the plaintiff challenged the constitutionality of various aspects of the initiative process, including the statutory single-subject rule and the requirement to collect signatures from petition districts, under the First and Fourteenth Amendments of the *United States Constitution*. On October 18, 2012, the federal court approved a stipulation between the parties to stay this case until the resolution of the State case.

The constitutionality of Senate Bill 224 (Chapter 504, *Statutes of Nevada 2005*) and Assembly Bill 81 (Chapter 501, *Statutes of Nevada 2011*) is challenged by the State case, which says both bills affect the various aspects of the initiative process and violate the single-subject rule in the *Nevada Constitution*. On May 23, 2012, the Eighth Judicial District Court upheld the constitutionality of both bills, and the plaintiffs filed a notice of appeal in the Nevada Supreme Court on May 24, 2012. The briefing of this case was finished on September 9, 2013, and the State is waiting to hear whether the Supreme Court will schedule oral arguments or just hear the case.

- CONSOLIDATED TAX DISTRIBUTION (CTX) CASE
  City of Fernley v. State of Nevada ex rel. Department of Taxation et al, Carson City District Court

The City of Fernley is seeking money damages and declaratory injunctive relief against the State of Nevada on the basis that the distribution of tax revenue and the CTX system are unequal and unfair. The City of Fernley alleges that they violate the federal Equal Protection Clause and the federal Due Process Clause, in addition to the separation of powers clause and the special and local legislation clauses of the *Nevada Constitution*. On February 22, 2013, the District Court granted the State's motion to dismiss the federal constitutional claims. The parties must complete their discovery by January 20, 2014, before the court can hear this case.

- SANDPOINTE APARTMENTS, LLC v DISTRICT COURT and NIELSEN v DISTRICT COURT

These two cases regard Assembly Bill 273 (Chapter 311, *Statutes of Nevada 2011*). On May 29, 2012, the Nevada Supreme Court directed the LCB to file an amicus brief in these cases, which it did on June 25, 2012. The Nevada Supreme Court heard oral arguments on October 1, 2012, and the parties are still waiting for a decision.

IV. LEGISLATIVE COMMISSION POLICY:

A. Review of Administration Regulations—Brenda J. Erdoes, Legislative Counsel. (Copies of the permanent regulations are on file in the Director's Office of the LCB.)

Referencing the list of State Agency Regulations (Exhibit D), Chair Kirkpatrick asked Commission members to identify any regulations requiring discussion.

Assemblyman Daly asked to hold R115-11, R136-12, and R146-12 for discussion; Assemblyman Hansen requested discussion on R149-09, R181-09, R138-12, R003-13, R026-13, and R039-13; and Chair Kirkpatrick held R135-12 and R069-10.

SENATOR ATKINSON MOVED APPROVAL OF R069-12, R091-12, R092-12, R099-12, R133-12, R134-12, R139-12, R170-12, R018-13, AND R030-13.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Regulation 149-09

A REGULATION relating to industrial insurance; adopting criteria by which the Division of Industrial Relations of the Department of Business and Industry may refuse to recommend approval of certain applications for a certificate of registration as an administrator; adopting provisions relating to untimely payments to injured workers; establishing certain provisions relating to employee leasing companies; and providing other matters properly relating thereto.

Referencing No. 5 on page 12 and No. 7 on page 13 of the Informational Statement (Exhibit E), Assemblyman Hansen requested clarification of the number of businesses electronically notified and a specific explanation of the economic effect this regulation will have on small businesses.

Donald C. Smith, General Counsel, Division of Industrial Relations (DIR), Department of Business and Industry, stated that workshops for R149-09 began in 2007 and continued into 2009. He said the regulation affects insurance carriers, third-party administrators (TPAs), and self-insureds with minimal cost, and extends the ability of the DIR to oversee the actions and licensing of employee-leasing companies. Not knowing the general impact of R149-09 on small businesses, he explained that any individual or business could request notification on any matter from the DIR's website. Mr. Smith recalled that when he came to the agency one and a half years ago, the DIR sent approximately 1,200 e-mails to small businesses.

Responding to Assemblyman Hansen's question regarding why the Commission is just now hearing R149-09 if it began in 2007, Mr. Smith responded that some subjects addressed in subsequent legislation were removed in 2007; provisions were added to cover other areas; and changes occurred in personnel and general counsel. He also noted the moratorium on regulations by the Governor, from which the DIR was denied exemption.

Concerned that the Informational Statement does not identify a dollar amount, Assemblyman Hansen expressed hope that the Commission insist agencies be more specific by explaining numerically how the regulation(s) will affect small businesses.

Assemblyman Daly had three questions about R149-09:

1. He questioned the additional language in Section 1, subsection 1(c) on page 2. The authority of NRS 683A.08524 states six conditions under which the Division can refuse to issue a certificate of registration for workers' compensation. He cannot fit the new language into one of those six legislative categories, suggesting the subsection exceeds the authority of the agency;

2. Referring to Section 2, subsection 1(h) on page 3, he asked why a person receiving benefits would have to notify, in writing, the person paying the benefits that payments may be delayed if there are continuing negotiations; and

3. On page 9, he questioned the benefit penalties allowed over a three-year period. He noted that up to five violations of the law could occur with no penalty associated, depending on the number of claims and the size of the company. (Please see Exhibit E.)

Concerned that it falls outside legislative intent, Assemblyman Daly said he could not support R149-09.

Concurring with Assemblyman Daly that the language in Section 1, subsection 1(c) is not very specific, Mr. Smith explained the statement refers to potential behaviors or characteristics, such as serial bankruptcies, that might disqualify someone from certification as a TPA.

Referring to Section 2, subsection 1(h), a modification of Chapter 616D of the *Nevada Administrative Code* (NAC), Mr. Smith explained that there are occasions when negotiations may cause a delay in payment. The justification for this provision is to ensure the parties involved are dealing in a forthright manner.

Lastly, Mr. Smith explained that a new provision in section 10 of Senate Bill 195 (Chapter 500, *Statutes of Nevada 2009*) stated that the size of the insurer or TPA or the number of claims handled should determine the terms of benefit penalties. The penalties on page 9 are only one of four factors used to increase the amount of the benefit penalty. He said the concern that some carriers who had an unusually large size of the market and were accountable to a higher financial standard than statistically what had occurred prompted the legislation. Assuming the low-end of 4,000 claims with five violations over a three-year period, Mr. Smith calculated there would be a noncompliance rate of .125 percent, which also means 99.875 percent of the claims being handled by the insurers or TPAs did not violate the statute. He stressed that the benefit penalty still exists, even though there is no enhancement for five or less prior violations. Using the same analysis for the average number of claims handled in the past three years of less than 4,000 but more than 1,500, Mr. Smith calculated a noncompliance rate of .2 percent, which means that 99.8 percent of potential claims are compliant.

Referring to Section 1, subsection 1(c) (Exhibit E), Assemblyman Daly responded that even though the example Mr. Smith gave is in statute, the language in the regulation is not based on the law and exceeds the Division's authority; he still disagreed with the words used in the regulation despite Mr. Smith's explanation. He expressed satisfaction with Mr. Smith's clarification of Section 2, subsection 1(h), but not with the points assessed for prior violations for the average number of claims handled in the past three years of 4,000 or more found on page 9.

Chair Kirkpatrick questioned how changing the benefit penalties from zero to five would affect the DIR's collection of revenue. She suggested that the points and fines on page 10 (Exhibit E) differ from the intent of S.B. 195.

Robert A. Ostrovsky, The Ferraro Group, representing Employers Insurance Company (EIC), explained that after S.B. 195 passed out of the Senate, the Assembly added his proposed amendment regarding the size of an insurance company and the number of claims handled. At that time, EIC was handling about 50,000 claims and receiving benefit penalties for things such as late reimbursement of a pharmacy. The Legislature concurred that the benefit penalty statute needed some equitability, and the result was S.B. 195.

To explain the discretion of the Director when issuing licenses, Mr. Ostrosky recalled an actual scenario where a TPA closed under pressure from the DIR, went across the street, and opened up under another name. At that time, the only statutory choice

the Director had was to issue a new license. Regulation149-09 gives the Director more authority to eliminate such an instance.

Assemblyman Daly suggested that R149-09 needs additional work because it exceeds authority and misses legislative intent, and Assemblyman Hansen requested more detail be included regarding the economic impact on small businesses.

Mr. Smith requested the Commission defer R149-09 until its next meeting so that the DIR can amend the Informational Statement and clarify the other issues in question.

Chair Kirkpatrick confirmed the deferral of R149-09 until the Legislative Commission's next meeting.

Regulation R181-09

A REGULATION relating to medical and other related facilities; revising provisions relating to the policies of ambulatory surgical centers; revising provisions governing the provision of certain services and care at ambulatory surgical centers; and providing other matters properly relating thereto.

Assemblyman Hansen cited three concerns regarding R181-09:

1. Referencing the last sentence of Section 2 on page 1 of the regulation and the last line of the Adverse Effects section on page 5 of the Informational Statement, he wondered how many hours the review of an ambulatory surgical center would entail and why someone outside the center must conduct the review;

2. The addition of "podiatrist" to Section 16, subsection 5 on page 16; and

3. Referring to the Perianesthesia Nursing Standards and Practice Recommendations in Section 17, subsection 10 on page 18, he questioned if every nurse in Nevada must buy a copy of the standards, and if so, what is the reason for the requirement. (Please see Exhibit F.)

Marla McDade Williams, Deputy Administrator, Nevada Division of Public and Behavioral Health (DPBH), Department of Health and Human Services (DHHS), responded to question No. 1 by stating that the independent review of an infection control program is required for objectivity. The cost depends on the size of the facility and the number of procedures performed. The DHHS proposed a range rather than a cost for each facility type, and there was no opposition from the Ambulatory Surgery Center Association to this proposal.

Responding to Assemblyman Hansen's question regarding the Perianesthesia Nursing Standards and Practice Recommendations, Ms. Williams explained that the ambulatory surgical center, not individual staff, purchases the publication. She added that these

standards are currently the most acceptable; the centers must comply with standards, whether specified in regulation or not.

Answering a question by Assemblyman Hansen regarding the number of ambulatory services in Nevada, Ms. Williams replied there are approximately 55 to 60.

Addressing the Summary of Response on page 3 of the Informational Statement (Exhibit F), Assemblyman Hansen noted that out of 65 small business impact questionnaires distributed, only one came back—which was mainly negative—suggesting that R181-09 would more than likely have an impact on small businesses.

In response to Assemblyman Hansen's earlier question regarding the singling out of "podiatrists," Ms. Williams explained that podiatrists are not licensed as physicians.

Responding to Assemblyman Daly's request for clarification that Section 3 (Exhibit F) requires the local governing body to establish policies for the provision of services in addition to State requirements, Ms. Williams explained that the governing body referred to in the regulation is the governing body of the ambulatory surgical center, not local government. The entity responsible for the operations of the facility must establish policies and procedures that staff is obligated to follow.

A discussion ensued between Assemblyman Daly and Ms. Williams regarding the deletion of the items in Section 5 (Exhibit F) and the addition of the phrase "operative methods." Ms. Williams stated that "operative methods" is an inclusive term for the procedures previously identified.

Chair Kirkpatrick asked if R181-09 is a result of the Hepatitis C situation in Las Vegas, to which Ms. Williams replied that the State enacted emergency regulations at that time. Regulation 181-09 builds on those regulations related to infection prevention and control.

ASSEMBLYMAN HANSEN MOVED APPROVAL OF R181-09.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Regulation 115-11

A REGULATION relating to educational personnel; prescribing the requirements for certain institutions to be approved by the Commission on Professional Standards in Education as qualified providers to offer a program for the alternative route to licensure for teachers and administrators in this State; authorizing the Commission to revoke approval of a qualified provider who offers a program for an alternative route to licensure; expanding the types of experience which may be substituted for student teaching experience; revising provisions governing the issuance of certain

conditional licenses and endorsements; revising provisions governing the qualifications for a renewable license issued pursuant to a nontraditional training program; repealing certain provisions relating to conditional licenses and endorsements; and providing other matters properly relating thereto.

Referring to Section 6, subsection 1 on page 8 and Section 9, subsection 2(b) on page 18, Assemblyman Daly asked if persons seeking licensure by either the traditional path or the alternative route must complete the same provisions. (Please see Exhibit G.)

Melissa Burnham, Commissioner, Commission on Professional Standards in Education, faculty member of the University of Nevada, replied that R115-11 makes the alternative route to licensure (ARL) easier by eliminating certain requirements. The Commission on Professional Standards in Education wants to ensure that ARL candidates take the appropriate competency test(s) in their subject areas because they do not take the subject area courses taken by teachers following the traditional route of licensure.

Chair Kirkpatrick asked for clarification that ARL candidates currently do not have to take a final competency test in order to teach in a specific area, to which Ms. Burnham affirmed that is the case. Chair Kirkpatrick suggested that R151-11 improves the current system of alternative licensure.

According to Assemblyman Daly's interpretation of R151-11, a candidate following the traditional route under current statute or regulation must have a bachelor's degree and pass a competency test in basic reading, writing, and mathematics. Now—according to R151-11—the traditional route candidate must be accepted by a qualified provider for enrollment in a program for an ARL and comply with the instructional and training policies and procedures of the qualified provider. He questioned why a person following the traditional route to licensure now has to complete these additional requirements found in Section 6, subsection 1(a), (b), (c), and (d) as well as Section 9, subsection 1 (Exhibit G). Assemblyman Daly requested verification of his interpretation.

Ms. Burnham stated the intent of R151-11 is not to make it more difficult for a candidate to obtain a license via the traditional route, but to make it easier for the ARL candidate.

Discussion ensued when Chair Kirkpatrick suggested holding the regulation. Senator Kieckhefer said the regulation has already experienced several delays, and he would like to see it passed today. He asked if the Commission could hold R151-11 until the end of the meeting so that Assemblyman Daly could have his questions answered. Chair Kirkpatrick agreed to move R151-11 to the end of the agenda.

Regulation R135-12

A REGULATION relating to state personnel; adding a physician assistant to the list of providers of health care from whom medical documentation will be accepted regarding the medical condition of an employee or an employee's immediate family member; revising certain provisions relating to the federal Family and Medical Leave Act; and providing other matters properly relating thereto.

Chair Kirkpatrick requested clarification about the second medical opinion referenced in Section 3, subsection 2 of the regulation. (Please see Exhibit H.)

Shelley D. Blotter, Deputy Administrator, Division of Human Resource Management (DHRM), Department of Administration, explained that the employee chooses the physician for the first opinion. If there are questions about the recommendation or information received, she said the employee could go back to the physician for clarification. If concerns about the first opinion still exist, the employer then has the opportunity to select a physician, at the employer's expense, for a second opinion. If the second opinion conflicts with the first, there is opportunity for a third opinion, paid for by the employer, with both the employee and the employer agreeing upon the physician.

Chair Kirkpatrick read the regulation to mean that if a second opinion is required, the employee "shall" obtain the opinion from a health care provider designated by the appointing authority. To her, this means the employee "must" use a health care provider of the employer.

Ms. Blotter affirmed that the intent of R135-12 is for employers to choose physicians for second opinions. She repeated that if the employee does not agree with the second opinion, the employee has the right to seek a third opinion, paid for by the employer, and the employee and the employer must agree upon the physician.

Answering Chair Kirkpatrick's question if the original intent of R135-12 was to add the physician's assistant to the list of providers of health care and clean up the regulation regarding second opinions, Ms. Blotter replied that the clean-up language has nothing to do with the second medical opinion, but rather deals with the forms used to provide medical information. She stated that the Family and Medical Leave Act (FMLA) forms were easy to use but were not necessarily appropriate when dealing with a work-related injury, catastrophic leave, or the Americans with Disabilities Act. Ms. Blotter noted the Division is now using the appropriate form based on the condition and the situation.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF R135-12.

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Regulation 136-12

A REGULATION relating to state personnel; revising provisions relating to catastrophic leave; and providing other matters properly relating thereto.

Chair Kirkpatrick asked Ms. Blotter to explain the change in the regulation that no longer allows employees to volunteer vacation or sick time to someone experiencing a catastrophic situation. (Please see Exhibit I.)

Shelley D. Blotter, previously identified, stated that is not the intent of R136-12. She said the change in the regulation only becomes effective when an employee has exhausted all paid leave and donated time. At that point, the appointing authority will have the option of granting further leave without pay—if the agency can afford the employee's additional time off.

Assemblyman Daly described a scenario where an employee asks for 30 days off, which the appointing authority approves. At the time of approval, the employee only has ten days of sick leave, but other employees donate ten days of leave time. Under existing language, the employee can be off those additional ten days without leave. Now—according to the change in the regulation—when the 20 days of paid and donated time are exhausted, the agency will decide if it is going to give the employee the last ten days, which it initially approved. Assemblyman Daly questioned the need to change the language.

Ms. Blotter explained that to become eligible for catastrophic leave, an employee must exhaust all sick and annual leave; FMLA leave, if eligible; and any donated time from individuals or a bank of contributors. If the employee still needs time off, this change in the regulation affords choices and flexibility for small agencies that cannot handle an employee's absence for a long period; whereas, a larger organization has the ability to grant additional leave without pay and cover the time before the employee comes back to work.

Assemblyman Daly said that if an employee is out for six months on FMLA leave, the employer most hold his or her position and cannot replace the employee permanently, unless the FMLA leave exceeds the six months. He stated he was under the impression that an employee had to use personal time and sick time in conjunction with the six-month period of FMLA. If an employee goes beyond the six months under FMLA, he asked if R136-12 changes that condition. Unless the leave is FMLA, he does not

agree with taking away approved leave time from an employee who has exhausted all his or her annual leave and did not receive enough donated time from other employees.

Ms. Blotter affirmed that FMLA runs concurrently to any other paid leave in the State's system. There is a maximum of 12 weeks on a rolling 12-month period. She added the State must follow a process for terminating an employee. Prior to termination, there must be an assessment to determine if the employee qualified for medical retirement or if the State could have made some accommodation(s) under the Americans with Disabilities Act.

Chair Kirkpatrick asked for confirmation from Ms. Blotter that the State would not use R136-12 against employees with catastrophic situations. Ms. Blotter reiterated that the intent is not to use R136-12 against employees involved with catastrophic situations. Many State agencies have downsized, she said, and it has become difficult for smaller agencies to absorb extended lengths of time off for employees. The regulation simply allows flexibility for the smaller agencies.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF R136-12.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Daly voted no.)

Regulation 138-12

A REGULATION relating to state personnel; revising provisions relating to the use of alcohol or controlled substances by state employees; and providing other matters properly relating thereto.

Assemblyman Hansen expressed concern with lowering the standard that measures the concentration of alcohol in a State employee's blood or breath from .01 gram to .02 gram. (Please see Exhibit J.)

Shelley D. Blotter, previously identified, stated the primary reason for lowering the standard was to comply with the Federal Motor Carrier Safety Administration laws. She explained that Nevada contracts with laboratories to perform confirmatory tests, but because the State uses a different standard than what is customary, the labs were not performing the tests required for Nevada employees. If a State employee tested at .01, which is a positive test under Nevada's system, the lab would not confirm the result. Therefore, if the State wanted to discipline that employee, there was no confirmatory test on which to base the discipline.

Mr. Hansen wondered how the .02 standard compares to the .08 standard used for claiming legal intoxication. He suggested the State exercise caution when lowering its standards regarding alcohol consumption.

Responding to Senator Settelmeyer's question if R138-12 covers the ingestion of liquids, such as Nyquil or Robitussin, Ms. Blotter said that other substances, such as cold medicine, could influence a result when testing below the .02 level. She offered to provide documentation that supports the .02 level.

Assemblyman Hansen suggested a zero tolerance of alcohol for any State employee driving a State vehicle or working with machinery. He asked if any current regulations prohibit State employees from having alcohol in their possession while on the job.

Ms. Blotter suggested there are no regulations that prohibit a State employee from giving another State employee a bottle of wine for Christmas, for example, as long as the bottle is not open. However—if an employee exhibits symptoms of drinking while on the job, then there is reasonable suspicion to test the employee.

ASSEMBLYMAN HANSEN MOVED APPROVAL OF R138-12.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Bustamante Adams voted no.)

Chair Kirkpatrick asked Ms. Blotter to provide the minutes from the meeting at which R138-12 was adopted.

Regulation 146-12

A REGULATION relating to insurance; making various changes concerning statements of actuarial opinion submitted in connection with the annual statements of life insurers and providing other matters properly relating thereto.

Referencing Section 5, subsection 1(b) on page 4 of the regulation, Assemblyman Daly asked why the Commissioner of Insurance must approve an alternative statement. (Please see Exhibit K.)

Annette V. James, Lead Actuary, Division of Insurance (DOI), Department of Business and Industry, explained that R146-12 models the regulation of the National Association of Insurance Commissioners, which is required for accreditation so that other states will recognize Nevada's laws and regulations, though LCB may have tweaked the language a bit.

Chair Kirkpatrick commented that Nevada does not have to be like every other state. She said that model legislation adopted during the 2011 and 2013 Legislative Sessions had to be altered because it did not work for Nevada. Chair Kirkpatrick recalled that in 2011, legislation that helped with accreditation passed—at the mercy of the Commissioner of Insurance—only to have the DOI present a complicated, 100-page bill in 2013. She is concerned how R146-12 benefits Nevadans.

Ms. James understands that the State's laws and regulations need to be beneficial for all Nevadans. She did not mean to insinuate that Nevada must be like the other states.

Responding to Assemblyman Daly's earlier question, Ms. James said the intent of R146-12 is to have the alternative statement be as high a standard and no lower than the requirements of the previous language. The new language gives the Commissioner flexibility in cases where the required language does not work for a specific situation.

Assemblyman Daly suggested the words in the regulation be more specific to match the intent. Referencing Section 5, subsection 3 on page 4 (Exhibit K), he agreed with the Commissioner appointing an independent actuary in order to get needed answers, but he questioned the lack of a definition for an "independent actuary." He understands that a great deal of proprietary information is contained in actuarial reports, but he is not comfortable with information designated as confidential only by regulation. He asked for the underlying statutory authority that deems the information confidential in the regulation.

Ms. James replied that NRS 679B.230 to NRS 679B.300 appear to be the provisions that allow the Commissioner to keep certain information confidential. She takes to heart Assemblyman Daly's concern about the Commissioner's ability to accept any alternative statement that may not meet the intent. She pointed out that actuaries who complete the opinions must meet a professional standard set forth by the American Academy of Actuaries, which has the ability to discipline actuaries if they do not meet the standards. The idea of opinions meeting the standards set forth by the actuarial profession is implicit in this regulation.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF R146-12.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Daly voted no.)

Regulation 003-13

A REGULATION relating to wildlife; setting forth the manner in which a game tag may be used as a transportation permit; requiring certain signatures and information to be included on a tag or permit; and providing other matters properly relating thereto.

Mr. Hansen suggested the new process of recording the date and time of signature for a tag is burdensome. (Please see Exhibit L.) He asked if a person who signs a tag but forgets the date could be subject to criminal prosecution.

Rob Buonamici, Chief Game Warden, Law Enforcement Division, Nevada Department of Wildlife (NDOW), confirmed that a person could be subject to prosecution if he or she forgets to record the date or time a tag was signed.

A discussion ensued regarding possible criminal charges. Assemblyman Hansen said that R003-13 implies that a person can face a felony count of perjury if he or she does not properly complete all the information. Mr. Buonamici stated that is not correct because intent would be required for a felony charge. He explained that the penalty for improperly filling out a tag would be a three-point violation, at most, and 12 demerit points are required for a person to lose his or her license privileges.

Regarding the signature on the tag, Mr. Buonamici clarified that NRS 502.130 states, "In addition to the regular hunting license and trapping licenses provided for in this chapter, additional licenses, to be known as tags, are required to hunt any deer, elk, antelope, mountain sheep, or bear." He also noted that NRS 502.030 states:

> Licenses or permits … must include … a statement to be signed by the holder: "I, the signator holder in signing this license or permit, hereby state that I am entitled to this license or permit under the laws of the State of Nevada and that no false statement has been made by me to obtain this licenser or permit."

He noted this has been lacking on the tags for many years.

Assemblyman Hansen asked why NDOW needs the regulation if these things are already in place. Noting the excessive number of new steps in the regulation, he suggested keeping the same idea but cleaning up the onerous language.

Mr. Buonamici stated that the language NDOW submitted was much simpler, but the Legal Division changed it to meet their legal concerns. He agreed that reading the language is like "connecting the dots," but setting the language aside, the process is simpler when just looking at the tag.

Chair Kirkpatrick asked if R003-13 is effective now, to which Mr. Buonamici replied that Nevada is in the midst of hunting season. He said tags have been printed and issued, and a temporary regulation is in place. Even though it is complicated, Mr. Buonamici is comfortable with the language, but understands that the average hunter might be confused. He repeated that having a tag in one's hand simplifies the regulation.

Assemblyman Hansen and Mr. Buonamici discussed the effective date of the regulation. Mr. Buonamici stated that the extension on the temporary regulation runs out on November 1, 2013. If the Commission does not adopt R003-13 by then, the temporary regulation would expire, and NDOW and the hunters would be out of compliance because hunting seasons are going on now.

Further discussion ensued between Assemblyman Hansen and Mr. Buonamici regarding the number of transportation tickets or violations NDOW issues in a year, which is few or possibly none at all. Mr. Buonamici said the regulation facilitates the hunters' compliance with the law.

Discussion about the language of the regulation continued. Assemblyman Hansen said he would like to meet with NDOW and LCB to clear up the confusing language before the next Legislative Commission meeting on October 22, 2013. Mr. Buonamici expressed concern that if the language changes, there would have to be another workshop with a 15-day legal notice in addition to a 30-day notice in order for the Commission to act on the changes. He suggested consulting LCB's Legal Division.

Assemblyman Hansen discussed the process of amending the regulation with Chair Kirkpatrick. She stated that minor changes are allowable, as long as the intent of the regulation is not changed. Assemblyman Hansen said he would like to reduce the number of witnesses to one and eliminate the time requirement on the signature. He also noted concern with the penalty of perjury in Section 5.

Brenda J. Erdoes, previously identified, stated that the Legal Division is of the opinion that the 30-day notice is the first notice an agency gives concerning the subject of a regulation, not the specific wording of the regulation. The intent behind that statute was to give notice to anyone interested in a particular regulation. She said it is the opinion of the Legal Division that this kind of minor change, making a decision from one requirement to another, would not require another 30-day notice, but rather a 3-day notice. However, Ms. Erdoes cautioned that the Office of the Attorney General advises most of the State agencies. The Legal Division recommends that NDOW talk to its Deputy Attorney General (DAG) regarding this situation. She is of the opinion that NDOW accepted a 3-day notice interpretation on a trapping regulation in the past, and suggested a 3-day notice may be possible with this regulation.

Discussion ensued regarding the timeframe needed to make any changes. Assemblyman Hansen suggested that making the changes would take a minimal amount of time. Mr. Buoanamici stated that the Board of Wildlife Commissioners has a meeting scheduled for October 7, 2013. He expressed certainty that the 3-day notice is working days as opposed to calendar days. The Board's October meeting has already been agendized, and its next meeting is not until December 2013. Based on past discussions with NDOW's DAG, David Newton, Mr. Buonamici surmised that Mr. Newton would probably recommend going through the complete process of the workshop and the Commission meeting if the language is amended.

Explaining NDOW's logic behind the date and time on the tag, Mr. Buonamici said there are instances where individuals may shoot another person's deer, for example. If a hunter fills out a tag and gives it to someone else to fill for him or her, and the other person shoots a deer and fills out the transportation portion, there would be numbers

and dates in both places for a comparison. This allows the crime lab an opportunity to analyze handwriting.

Assemblyman Hansen said NDOW is giving out tickets for minor, technical violations such as dates, times, and signatures. He is simply looking out for the average hunter who may make a few minor mistakes while trying to comply with the law.

Responding to Senator Settelmeyer's question about the number of transportation violations issued last year, Mr. Buonamici estimated there were between zero and five violations.

ASSEMBLYMAN HANSEN MOVED APPROVAL OF R003-13.

SENATOR SETTELMEYER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Regulation R026-13

A REGULATION relating to motor vehicles; establishing fees to defray the cost of producing certain license plates; and providing other mattes properly relating thereto.

Assemblyman Hansen questioned if the total estimated annual revenue of $1 million per year from the new $3 license plate fee offsets the cost of production or generates income for the agency. (Please see Exhibit M.)

Sean P. McDonald, MBA, Administrator, Central Services and Records Division, Department of Motor Vehicles (DMV), explained that current revenue projections reflect that the fee is needed to pay back the $500,000 in start-up funds so that the agency can transition to a self-funded model from the highway fund. Additionally, the $3 fee will help pay for the construction of the new facility at the Northern Nevada Correctional Center in Carson City, which shall be paid back over five years. After completion of the facility, the DMV will revisit the $3 per plate fee for those affected plates.

Chair Kirkpatrick requested that the record reflect the $3 fee was part of the DMV's budget. She said the State originally proposed a $2 fee to pay for the license plates and the machinery needed, but then decided on the $3 fee in order to pay the money back more quickly. Mr. McDonald confirmed Chair Kirkpatrick's statement.

ASSEMBLYMAN HANSEN MOVED APPROVAL OF R026-13.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Regulation 039-13

A REGULATION relating to unemployment compensation; establishing requirements and procedures relating to special bond contributions imposed upon certain employers to pay for certain revenue bonds and other securities concerning unemployment compensation; and providing other matters properly relating thereto.

Assemblyman Hansen questioned rebuilding the solvency of the State's Unemployment Trust Fund in No. 6 of the Informational Statement. (Please see Exhibit N.) He also questioned how high the tax burden may go and its effect on the small contractors of the State.

Renee Olson, Administrator, Employment Security Division, Department of Employment, Training and Rehabilitation (DETR), stated that Nevada currently owes the federal government approximately $523 to $525 million. She introduced David Schmidt, Economist III, Research and Analysis Bureau, DETR, to answer the second part of Assemblyman Hansen's question.

Mr. Schmidt explained that employers currently with a 5.4 percent rate are looking at an increase of approximately $80 to $160. He perceives some cuts to federal taxes and the current interest assessment. By law, some employers must pay the 5.4 percent rate; therefore, some employers will remain at the 5.4 percent rate even after the State lowers the average unemployment tax rate.

A discussion ensued regarding the tax rate. Assemblyman Hansen asked if the rate was per employee, per month; Mr. Schmidt replied it was per employee, per year. He added that approximately 10 percent of Nevadans are currently at the 5.4 percent tax rate, and the average rate for Nevada employers was 2.25 percent.

Ms. Olsen commented that resetting the Federal Unemployment Tax Act rate back to the minimum would help employers of all ranks save on their federal employment taxes if the State can bond by the November 11, 2013, deadline. If the bond assessment is in place, the interest assessment currently charged because of Assembly Bill 482 (Chapter 367, *Statutes of Nevada 2013*), will go away.

Assemblyman Hansen noted concerns with the proportional share of the costs, especially in the construction industry.

ASSEMBLYMAN HANSEN MOVED APPROVAL OF R039-13.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Regulation 069-10

A REGULATION relating to food establishments; revising provisions relating to the safe and hygienic handling, preparation, serving and storage of food; revising certain definitions, phrases and procedures for consistency with the *Food Code* provided by the United States Food and Drug Administration and providing other matters properly relating thereto.

Chair Kirkpatrick stated that most of her concerns with R069-10 relate to the food industry in southern Nevada, which feeds approximately 44 million people a year. Even though she has found no proof that the federal government is requiring these regulations of the State, she suggested it is important to have consistent standards.

Assemblyman Hansen questioned the 270 pages of new regulations and their enforcement on existing food service businesses since the Food Code is not mandatory according to R069-10. (Please see Exhibit O.)

Joseph L. Pollock, Public Health Engineer, Program Manager, Environmental Health Services, Public Health and Clinical Services, DPBH, asked Assemblyman Hansen if he is referring to the Food Code of the Food and Drug Administration (FDA).

Assemblyman Hansen replied that he is referring to the Food Code mentioned in the digest for the fourth revised proposal of R069-10 (Exhibit O) which states, "The Food Code is not mandatory, but 'provides guidance on food safety … '." As a plumber, he must answer to a plumbing code; he asked if a person running a restaurant must answer to a mandatory food code.

Cindy L. Ulch, Supervisor, Environmental Health Services, Deputy Food and Drug Commissioner, DPBH, explained that the regulation's digest references the 2009 FDA model Food Code, which states are not required to adopt. The DPBH did not mean to insinuate that the Food Code was required. She said the food industry plays a huge part in compiling the document every two years at the Conference for Food Protection. Even though the Food Code is not a regulatory document, it is the model used by the nation. The FDA prints the document, but it is not the author. She repeated that no jurisdiction is required to adopt the Food Code, and Nevada has not done so.

Responding to Assemblyman Hansen's question regarding what codes are enforced if the Food Code is just a guideline, Ms. Ulch replied that Chapter 446 of the NAC is enforced, which is the content of R069-10.

Answering Assemblyman Hansen's question regarding the impact R069-10 would have on the average "mom and pop" restaurant, Chair Kirkpatrick stated that the regulation applies to the prison facilities and State agencies having food establishments. She said there have been instances in some State facilities where food processing was not up to code; R069-10 is merely a guideline to ensure food safety across Nevada. Clark and Washoe Counties have their own local codes that can be more stringent than the State's.

Mr. Pollock stated that R069-10 would apply to all State facilities permitted by the DPBH, but it would not apply to Clark County facilities permitted by the Southern Nevada Health District because they have adopted their own local ordinances and Food Code. He said Washoe County will be adopting a regulation similar to R069-10, and Carson City will be using this exact regulation. After Washoe County passes its ordinance, R069-10 will apply to everyone except Clark County. He noted that UNLV and the community colleges in Clark County, which the State regulates, would be subject to R069-10.

Assemblyman Hansen agreed that the State should clean up any inadequate existing codes and regulations, but he questioned the level and number of new regulations imposed on the business community when there is no evidence that people are getting sick and dying due to inadequacies in existing health codes.

Chair Kirkpatrick explained that Clark County adopted 165 pages of changes about three years ago, and it has taken almost one and a half years to implement those changes. She gave the DPBH 19 pages of changes so that the State regulations are consistent with those of Clark County, as much as possible.

To answer Assemblyman Hansen's question regarding why the State is creating this larger regulation if it is not experiencing problems in its food industry, Mr. Pollock stated that R069-10 is more consistent with the regulations passed in southern Nevada. It is more concise; food operators can read the sections that apply only to their business with little interpretation needed. He noted a major benefit for passing R069-10 would be having a nationally consistent code so that vendors operating in other states would not need a separate operating procedure if they opened a business in Nevada.

Assemblyman Hansen recalled earlier testimony that implied Nevadans do not like it when other states insist that they do everything like them. He noted there is some opposition from the seven counties he represents when they are forced to do everything the same way as Clark County. In the absence of a real problem, he is hesitant to make a massive change to existing codes that seem to be functioning fine.

After listening to the debate about the necessity and importance of these regulations, Assemblyman Livermore questioned if the regulation is simply bringing the language up to national standards.

Ms. Ulch explained that the old regulations, written in 1999, do not address current food technology practices. Fees increased in 2004, but no new regulatory language was included at that time. She stressed the importance of Nevada updating its regulations in order to stay current with its regulatory oversight of food establishment practices.

SENATOR ATKINSON MOVED APPROVAL OF R069-10.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Hansen voted no.)

Chair Kirkpatrick announced the Commission would return to R115-11. (Please see Exhibit G.)

Senator Kieckhefer stated that Assemblyman Daly's questions pertaining to conditional teaching licenses obtained through an alternative route to licensure have been satisfied.

SENATOR KIECKHEFER MOVED APPROVAL OF R115-11.

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

B. Approval of Resolution Recognizing 102nd Anniversary of the Founding of the Republic of China (Taiwan)—Rick Combs, Director

Rick Combs, Director, LCB, explained that each year, in order to honor the State's ongoing sister-state relationship with the Republic of China (Taiwan), the Commission adopts a resolution recognizing the anniversary of the founding of the Republic. The Legal Division drafted the resolution and submitted it to the Taipei Economic and Cultural Office in San Francisco for review prior to submission to the Commission for approval. (Please see Exhibit C.)

SENATOR ATKINSON MOVED APPROVAL OF THE RESOLUTION RECOGNIZING THE 102ND ANNIVERSARY OF THE FOUNDING OF THE REPUBLIC OF CHINA (TAIWAN).

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

V. APPOINTMENTS OF MEMBERS TO COMMITTEES AND APPROVAL OF BUDGETS—Rick Combs, Director

A. Appointments to Various Ongoing Statutory Committees:

Chair Kirkpatrick stated that she would ask representatives from each House for their nomination and she will take one motion at the end.

1. Commission on Special License Plates (NRS 482.367004)

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Richard Carillo and James Healey for the Assembly Democratic Caucus, and Assembly Member Peter Livermore for the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senator Mark A. Manendo.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senator Donald G. Gustavson.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE COMMISSION ON SPECIAL LICENSE PLATES.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

2. Committee to Consult with the Director (NRS 218E.225)

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Irene Bustamante Adams, Richard (Skip) Daly, Lucy Flores, and Tyrone Thompson for the Assembly Democratic Caucus, and Assembly Members Pat Hickey and Randy Kirner for the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senators Moises (Mo) Denis, David R. Parks, Tick Segerblom, and Debbie Smith.

A discussion took place regarding the number of members on the Committee. Chair Kirkpatrick considered 12 to be a reasonable number because the Committee will be reviewing the issue of annual sessions in addition to preparing for the 2015 Session. Senator Roberson asked how many Democrats and Republicans would be on the Committee. Chair Kirkpatrick stated that Assemblyman Hickey had two nominations and she had four.

Chair Kirkpatrick reviewed the nominations thus far: Senators Denis, Parks, Segerblom, and Smith, and Assembly Members Bustamante Adams, Daly, Flores, Hickey, Kirner, and Thompson.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senators Ben Kieckhefer, Michael Roberson, and James A. Settelmeyer.

> SENATOR ROBERSON MOVED APPROVAL OF THE NOMINATIONS TO THE COMMITTEE TO CONSULT WITH THE DIRECTOR.
>
> ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

Assemblyman Hansen asked that Assemblyman Paul D. Anderson be added to the list of nominations.

Chair Kirkpatrick amended the motion to include Assemblyman Paul D. Anderson, and Assemblywoman Bustamante Adams agreed to the amended motion.

> SENATOR ROBERSON MOVED APPROVAL OF THE NOMINATIONS OF SENATORS DENIS, KIECKHEFER, PARKS, ROBERSON, SEGERBLOM, SETTELMEYER, AND SMITH, AND ASSEMBLY MEMBERS P. ANDERSON, BUSTAMANTE ADAMS (CHAIR), DALY, FLORES, HICKEY, KIRNER, AND THOMPSON TO THE COMMITTEE TO CONSULT WITH THE DIRECTOR.
>
> ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.
>
> THE MOTION PASSED UNANIMOUSLY.

3. Subcommittee to Review Regulations (NRS 233B.067)

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Teresa Benitez-Thompson and Marilyn Kirkpatrick to represent the Assembly Democratic Caucus, and Assembly Members Ira Hansen and Lynn D. Stewart to represent the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senators Kelvin D. Atkinson and Moises (Mo) Denis.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senator James A. Settelmeyer.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE SUBCOMMITTEE TO REVIEW REGULATIONS.

SENATOR ATKINSON SECONDED THE MOTION.

Senator Roberson recalled that in past interim sessions when the Commission could not pass a regulation, it sent the regulation to the Subcommittee where it passed out on a partisan basis. He urged the Commission to develop a voting process for the Subcommittee so that this does not happen during the current interim.

Chair Kirkpatrick stated that she also had concerns regarding the composition of the Subcommittee during the last interim. She indicated that she had agreed to more equal representation of Democrats and Republicans on the Subcommittee, and she is committed that during this interim, controversial issues would come back to the full Legislative Commission for a vote.

There was discussion regarding a formal voting process for the Subcommittee. Senator Roberson appreciated Chair Kirkpatrick's comments, but before voting on the members, he requested the Commission decide on a voting process for the Subcommittee. Chair Kirkpatrick questioned the idea because it is not on the agenda. She stressed the value of her word, which Senator Roberson agreed with, but he reiterated that he is not prepared to vote on the members until a formal voting process for the Subcommittee is in place.

Chair Kirkpatrick suggested removing the appointments to the Subcommittee from the agenda, and that at the end of today's meeting, the Commission could request an agenda item regarding a formal voting process for the Subcommittee. She questioned if the statutes even address this issue.

Chair Kirkpatrick and Senator Roberson engaged in an energized discussion regarding their past conversations concerning the Subcommittee to Review Regulations.

Senator Atkinson stated he did not support deferring action on this item, and he would not withdraw his second of the motion.

Senator Roberson suggested appointing the Subcommittee today with an even number of Republicans and Democrats.
Chair Kirkpatrick asked Assemblywoman Bustamante Adams to withdraw her motion, but she did not want to because she was certain that the issue regarding the voting process could be resolved.

Agreeing that fairness is imperative and having confidence in Chair Kirkpatrick's word, Senator Denis stated his readiness to vote.

Senator Roberson commented that during the last interim, he witnessed deliberate, intentional end-around when a regulation went directly to the Subcommittee for review because it could not pass out of the Commission. He stressed this was not the intent or purpose for the creation of the Subcommittee.

Chair Kirkpatrick stated that of the 50 regulations that came before the Subcommittee last interim, only one was controversial. She agreed to put a voting process in place, but stated it cannot happen today because it was not on the agenda. She called for a vote on the appointments to the Subcommittee.

> THE PREVIOUS MOTION BY ASSEMBLYWOMAN BUSTAMANTE ADAMS TO APPROVE THE NOMINATIONS TO THE SUBCOMMITTEE TO REVIEW REGULATIONS AND SECONDED BY SENATOR ATKINSON FAILED.

4. Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Michael Sprinkle and Heidi Swank for the Assembly Democratic Caucus, and Assembly Member Peter Livermore for the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senator David R. Parks.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senators Ben Kieckhefer and James A. Settelmeyer.

> ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TAHOE REGIONAL PLANNING AGENCY AND THE MARLETTE LAKE WATER SYSTEM.
>
> SENATOR DENIS SECONDED THE MOTION.
>
> THE MOTION CARRIED UNANIMOUSLY.

5. Legislative Committee on Child Welfare and Juvenile Justice (NRS 218E.705)

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Jason M. Frierson (Chair) and James Ohrenschall for the Assembly Democratic Caucus, and Assembly Member John Hambrick for the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senators Ruben J. Kihuen and Tick Segerblom.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senator Scott T. Hammond.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

6. Legislative Committee on Health Care (NRS 439B.200)

Chair Kirkpatrick stated that the Commission would only appoint Committee members today; the Chair would be appointed at a later meeting.

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Teresa Benitez-Thompson and Marilyn Dondero Loop for the Assembly Democratic Caucus, and Assembly Member James Oscarson for the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senators Justin C. Jones and Joyce Woodhouse.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senator Joseph (Joe) P. Hardy, M.D.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE LEGISLATIVE COMMITTEE ON HEALTH CARE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

7. Legislative Committee on Public Lands (NRS 218E.510)

Assemblywoman Bustamante Adams, who represented the Assembly, nominated Assembly Members Paul Aizley and Maggie Carlton for the Assembly Democratic Caucus, and Assembly Members John C. Ellison and Ira Hansen for the Assembly Republican Caucus.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senators Aaron D. Ford and David R. Parks.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senators Pete Goicoechea and Donald G. Gustavson.

> ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE LEGISLATIVE COMMITTEE ON PUBLIC LANDS.
>
> SENATOR DENIS SECONDED THE MOTION.
>
> THE MOTION CARRIED UNANIMOUSLY.

Chair Kirkpatrick stated the Commission must also appoint an elected officer representing the governing body of a local political subdivision.

> SENATOR ROBERSON MOVED APPROVAL TO APPOINT TOM COLLINS, CLARK COUNTY COMMISSIONER, AS THE ELECTED OFFICER REPRESENTING THE GOVERNING BODY OF A LOCAL POLITICAL SUBDIVISION.
>
> SENATOR DENIS SECONDED THE MOTION.

Discussion ensued between Assemblyman Hansen and Chair Kirkpatrick regarding the appointment of Mr. Collins. Assemblyman Hansen stated he did not see Mr. Collins on the list of elected officers representing the governing body of local political subdivision (Exhibit P). Chair Kirkpatrick said she nominated Mr. Collins because she received many phone calls requesting the appointment of a representative from southern Nevada.

> THE PREVIOUS MOTION BY SENATOR ROBERSON TO APPOINT TOM COLLINS, CLARK COUNTY COMMISSIONER, AS ELECTED OFFICER REPRESENTING THE GOVERNING BODY OF LOCAL POLITICAL SUBDIVISION AND SECONDED BY SENATOR DENIS CARRIED. (Assemblyman Hansen voted no.)

B. Appointments to Interim Study—Committee to Conduct an Interim Study Concerning the Impact of Technology Upon the Regulation of Gaming and Upon the Distinction Between Restricted and Nonrestricted Gaming Licenses (Assembly Bill 360, 2013)

Chair Kirkpatrick announced that the appointments would not be made today.

C. Appointments to Nonlegislative Committees:

1. Advisory Council on Mortgage Investments and Mortgage Lending (NRS 645B.860)

Chair Kirkpatrick stated there are two vacancies to fill from a list of ten names. (Please see Exhibit Q.)

Senator Settelmeyer said that after talking to people in the Division of Mortgage Lending and others associated with the real estate industry in addition to reviewing the applications (Exhibit Q), he favors Darren K. Proulx from Sparks; Kyle Nagy from Henderson; and Louis Filippo, Jr. from Las Vegas.

Assemblywoman Bustamante Adams nominated Alicia Taylor, and Senator Roberson nominated Kyle Nagy.

Chair Kirkpatrick commented that since Alicia Taylor has applied several times, she would support her nomination.

> SENATOR ATKINSON MOVED APPROVAL OF THE NOMINATION OF ALICIA TAYLOR TO THE ADVISORY COUNCIL ON MORTGAGE INVESTMENTS AND MORTGAGE LENDING.
>
> ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.
>
> THE MOTION CARRIED UNANIMOUSLY.
>
> ASSEMBLYMAN HANSEN MOVED TO APPOINT DARREN K. PROULX TO THE ADVISORY COUNCIL ON MORTGAGE INVESTMENTS AND MORTGAGE LENDING.
>
> ASSEMBLYMAN LIVERMORE SECONDED THE MOTION.

Senator Roberson stated that previous discussions indicated there was a consensus on the Commission to support Kyle Nagy, and he will not support anyone other than Mr. Nagy to the next appointment.

Senator Settelmeyer said it is wise to have representation from both the northern and southern parts of the State because the mortgage lending issues vary in those areas. He asked for clarification of the current makeup of the Advisory Council, which would affect his decision on the next appointment.

Rick Combs, previously identified, commented that the letter from James Westrin Commissioner, Division of Mortgage Lending, indicates that the remaining three members are from the Las Vegas area. (Please see Exhibit Q.)

Discussion regarding the appointment followed. Senator Kieckhefer supported the appointment of someone from northern Nevada for such a significant issue having statewide differences. Senator Roberson commented that although Kyle Nagy is one of the most qualified people on the list, he agreed there should be representation from other parts of the State on the Advisory Council.

> THE PREVIOUS MOTION BY ASSEMBLYMAN HANSEN TO APPOINT DARREN K. PROULX TO THE ADVISORY COUNCIL ON MORTGAGE INVESTMENTS AND MORTGAGE LENDING AND SECONDED BY ASSEMBLYMAN LIVERMORE CARRIED UNANIMOUSLY.

Mr. Combs pointed out that the term of one of the two members who resigned expires on November 2, 2013. He suggested the Commission make a motion to approve one of the new members for a two-year term.

> ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO APPROVE THAT THE TERM OF ALICIA TAYLOR EXPIRE ON 11-2-15 AND THE TERM OF DARREN K. PROULX EXPIRE ON 11-2-14.
>
> SENATOR ATKINSON SECONDED THE MOTION.

Clarifying the motion per Senator Denis's request, Chair Kirkpatrick stated that Cindy Stephens resigned with one month left on her term and Michelle Johnson resigned with one year left on her term. The motion states that Ms. Taylor's term will expire in 2015 and Mr. Proulx's term will expire in 2014.

> THE PREVIOUS MOTION TO APPROVE THE TERM OF ALICIA TAYLOR EXPIRING ON 11-2-15 AND THE TERM OF DARREN K. PROULX EXPIRING ON 11-2-14 BY ASSEMBLYWOMAN BUSTAMANTE ADAMS AND SECONDED BY SENATOR ATKINSON CARRIED UNANIMOUSLY.

2. Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease (NRS 439.518)

Assemblywoman Bustamante Adams nominated Assemblyman Andy Eisen.

Senator Denis nominated Senator Joseph (Joe) P. Hardy, M.D.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE ADVISORY COUNCIL ON THE STATE PROGRAM FOR WELLNESS AND THE PREVENTION OF CHRONIC DISEASE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

3. Board of Directors for Corporation for Public Benefit for Nevada Youth Legislature (NRS 385.581)

Chair Kirkpatrick mentioned the letter from Senator Denis requesting his reinstatement to the Board of Directors for the Corporation for Public Benefit for Nevada Youth Legislature and the application submitted by Victoria Carreon. (Please see Exhibit R.)

SENATOR DENIS MOVED TO APPOINT VICTORIA CARREON TO THE BOARD OF DIRECTORS FOR CORPORATION FOR PUBLIC BENEFIT FOR NEVADA YOUTH LEGISLATURE.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

4. Commission on Ethics (NRS 281A.200)

Chair Kirkpatrick stated that former Assemblyman John C. Carpenter is interested in maintaining his position on the Commission on Ethics.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO REAPPOINT FORMER ASSEMBLYMAN JOHN C. CARPENTER TO THE COMMISSION ON ETHICS.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

5. National Conference of Commissioners on Uniform State Laws (NRS 219.020)

Assemblywoman Bustamante Adams, who represented the Assembly Democratic Caucus, nominated Assembly Members Lesley E. Cohen and James Ohrenschall.

Senator Denis, who represented the Senate Democratic Caucus, nominated Senator Aaron D. Ford.

Senator Roberson, who represented the Senate Republican Caucus, nominated Senator Greg Brower.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

6. Nevada AIDS Advisory Task Force

Assemblywoman Bustamante Adams nominated Assemblyman James Healey.

Senator Denis nominated Senator David R. Parks.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE NEVADA AIDS ADVISORY TASK FORCE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

7. Nevada Commission on Aging (NRS 427A.032)

Assemblywoman Bustamante Adams nominated Assemblywoman Ellen B. Spiegel.

Senator Denis nominated Senator Mark A. Manendo.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE NEVADA COMMISSION ON AGING.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

8. Nevada Commission on Minority Affairs (NRS 232.852)

Chair Kirkpatrick asked a representative to discuss the current makeup of the Nevada Commission on Minority Affairs.

Miriam Lira-Hickerson, Ombudsman, Consumer Affairs for Minorities, stated there are nine members on the Commission with four vacancies.

Ash Mirchandani, Deputy Director, Programs, Department of Business and Industry, introduced himself.

Wanting to ensure that the Nevada Commission on Minority Affairs represents all nationalities, Chair Kirkpatrick requested the current makeup of the Commission before appointing new members.

Ms. Lira-Hickerson stated that Chair Richard F. Boulware is African American; Angie de Braga is Hispanic; Tamar Hoapili is Native Hawaiian; Semilla Neal is African American; and Anna Siefert is Asian American.

Mr. Mirchandani recommended the first four candidates on the list (Exhibit S) for the Nevada Commission on Minority Affairs: Amarpreet Chadha, Sikh; Radha Chanderraj, Asian Indian; Evan Louie, Pacific Islander; and Meli Pulido, Hispanic.

Senator Denis complimented the diversity of the candidates. He explained that one of the interview questions focused on the applicant's commitment to attending meetings, which has been a problem in the past.

Senator Kihuen commended the Ombudsman and the Director for their work in identifying professionals with diverse backgrounds to serve on the Commission.

> SENATOR KIHUEN MOVED TO APPOINT AMARPREET CHADHA, RADHA CHANDERRAJ, EVAN LOUIE, AND MELI PULIDO TO THE NEVADA COMMISSION ON MINORITY AFFAIRS.
>
> ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.
>
> THE MOTION CARRIED UNANIMOUSLY.

9. State Council for the Coordination of the Interstate Compact on Educational Opportunity for Military Children (NRS 392C.020)

Senator Denis nominated Senator Patricia (Pat) Spearman.

SENATOR DENIS MOVED APPROVAL OF THE NOMINATION TO THE STATE COUNCIL FOR THE COORDINATION OF THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

10. Task Force on Alzheimer's Disease (A.B. 80, 2013)

Assemblywoman Bustamante Adams nominated Assemblyman Joseph (Joe) M. Hogan.

Senator Denis nominated Senator Joseph (Joe) P. Hardy, M.D.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS TO THE TASK FORCE ON ALZHEIMER'S DISEASE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

D. Appointment of Chair and Vice Chair for Certain Committees:

1. Committee on High-Level Radioactive Waste (NRS 459.0085)

Chair Kirkpatrick stated that only Chairs and Vice Chairs would be named at this time. The names of the committee members will be posted on the Legislature's website next week.

Assemblywoman Bustamante Adams nominated Assemblywoman Maggie Carlton for Chair of the Committee on High-Level Radioactive Waste.

Senator Denis nominated Senator David R. Parks for Vice Chair.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS FOR CHAIR AND VICE CHAIR OF THE COMMITTEE ON HIGH-LEVEL RADIOACTIVE WASTE.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

2. Legislative Committee on Education (NRS 218E.605)

Senator Denis nominated Senator Joyce Woodhouse for Chair of the Legislative Committee on Education.

Assemblywoman Bustamante Adams nominated Assemblyman Elliot T. Anderson for Vice Chair.

> SENATOR DENIS MOVED APPROVAL OF THE NOMINATIONS FOR CHAIR AND VICE CHAIR OF THE LEGISLATIVE COMMITTEE ON EDUCATION.
>
> ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

Assemblyman Hansen noted the Commission is to select a Chair and Vice Chair from a list of committee members, but he pointed out that the Commission did not receive the list.

Mr. Combs read the names of the members for the Legislative Committee on Education: Assembly Members E. Anderson, Dondero Loop, Munford, and Stewart, and Senators Denis, Ford, Hammond, and Woodhouse.

> THE PREVIOUS MOTION OF SENATOR DENIS TO APPROVE THE NOMINATIONS FOR CHAIR AND VICE CHAIR OF THE LEGISLATIVE COMMITTEE ON EDUCATION AND SECONDED BY ASSEMBLYWOMAN BUSTAMANTE ADAMS CARRIED UNANIMOUSLY.

3. Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs (NRS 218E.750)

For Chair of the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs, Assemblywoman Bustamante Adams nominated Assemblywoman Teresa Benitez-Thompson.

Senator Denis nominated Senator Patricia (Pat) Spearman for Vice Chair.

Mr. Combs read the names of the members for the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs: Senators Hutchison, Manendo, and Spearman, and Assembly Members Benitez-Thompson, Spiegel, and Wheeler.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED APPROVAL OF THE NOMINATIONS FOR CHAIR AND VICE CHAIR OF THE LEGISLATIVE COMMITTEE ON SENIOR CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

4. Legislative Committee on Energy (A.B. 428, 2013)

Senator Denis nominated Senator Kelvin D. Atkinson for Chair of the Legislative Committee on Energy.

Assemblywoman Bustamante Adams nominated Assemblywoman Marilyn Kirkpatrick for Vice Chair.

Mr. Combs read the names of the members of the Legislative Committee on Energy: Senators Atkinson, Ford, and Roberson, and Assembly Members Bobzien, Hardy, and Kirkpatrick

SENATOR DENIS MOVED APPROVAL OF THE NOMINATIONS FOR CHAIR AND VICE CHAIR OF THE LEGISLATIVE COMMITTEE ON ENERGY.

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

5. Committee to Conduct an Interim Study Concerning the Impact of Technology Upon the Regulation of Gaming and Upon the Distinction Between Restricted and Nonrestricted Gaming Licensees (A.B. 360, 2013)

Chair Kirkpatrick announced the Legislative Commission would hear this agenda item at its next meeting on October 22, 2013.

E. Approval of Budgets for Interim Studies and Statutory Committees

Mr. Combs referenced a list of proposed budgets for the interim committees for the upcoming biennium, developed from a comparison of the budgets for the last biennium. (Please see Exhibit T.) He said the budgets do not include sufficient money for all members to attend every meeting, but contemplates members attending via videoconference when possible. Mr. Combs pointed out that the Legislative Committee for the Review and Oversight of the TRPA and the Marlette

Lake Water System and the Legislative Committee on Public Lands have larger budgets because their meetings normally occur at an off-site location requiring travel. Because the Silver Haired Legislative Forum meets more often in even-numbered fiscal years than odd-numbered fiscal years, he suggested switching the dollar amount for Fiscal Year (FY) 2014 to FY 2015 and vice versa.

> SENATOR DENIS MOVED APPROVAL OF THE BUDGETS FOR THE 2013-2014 INTERIM STUDIES AND STATUTORY COMMITTEES WITH THE SUGGESTED CHANGE TO THE BUDGET OF THE SILVER HAIRED LEGISLATIVE FORUM.
>
> ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.
>
> THE MOTION CARRIED UNANIMOUSLY.

F. Approval for Certain Committees to Meet Before or After Statutory Period for Meetings of Interim Committees

Mr. Combs explained that the statutory committees meet between November 1 of odd-numbered years and August 31 of even-numbered years, while interim studies meet between January 1 and June 30 of even-numbered years. He stated that in the past, some committees have received approval to start early or end late. There are no such requests at this time, but this may change during the interim. Mr. Combs noted that the reference in the Meeting Packet to November 1, 2011, and August 31, 2012, for this item should read as November 1, 2013, and August 31, 2014, respectively. (Please see Exhibit U.)

VI. 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. Annual Report of City of Reno Tourism Improvement Districts (TIDs) Pursuant to NRS 271A.105
   2. City of Sparks Annual TID Report Pursuant to NRS 271A.105
   3. Department of Taxation's TID in Washoe County Semi-Annual Report Pursuant to NRS 271A.105
   4. Nevada Commission on Ethics Annual Report 2013 Pursuant to Nevada Administrative Code 281A.180(2)
   5. Public Works Construction Project Data Pursuant to NRS 338.0117
      a. Veterans Preference Report
      b. Clark County Department of Administrative Services, Purchasing and Contracts

c. City of Las Vegas
d. Las Vegas McCarran International Airport
e. Nevada Department of Transportation
f. Las Vegas Valley Water District

6. Governor's Office of Energy, Biannual Report on Energy Reduction in State-Owned Buildings Pursuant to NRS 701.215(3)(c)
7. Report Regarding Transportation of Person to Medical Facilities by Fire Departments and Ambulance Services in Clark County Pursuant to NRS 244.2962

Chair Kirkpatrick asked if any members had questions regarding the informational items.

Referring to Agenda Item VI, B, 5b, Assemblywoman Bustamante Adams asked for verification that the majority of awarded contractors are from Nevada. (Please see Exhibit V.)

Yolanda King, Assistant County Manager, Clark County, verified that a majority of the contractors are State and local contractors.

Chair Kirkpatrick requested that Director Combs reach out to the other entities to see if they have had any public workshops. She thanked the entities from southern Nevada for submitting the reports.

VII. Public Comment
(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

Chair Kirkpatrick called for public comment; however, no testimony was presented.

Chair Kirkpatrick announced the next meeting of the Legislative Commission would be on October 22, 2013, upon adjournment of the Interim Finance Committee.

There being no further business to come before the Commission, the meeting adjourned at 5:07 p.m.

Respectfully submitted,

Janet Coons, Secretary for Minutes
Legislative Commission

APPROVED BY:

Assemblywoman Marilyn Kirkpatrick, Chair
Legislative Commission

LIST OF EXHIBITS

Exhibit A is the "Meeting Notice and Agenda," dated October 3, 2013, provided by Sylvia Wiese, Secretary, Director's Office, Legislative Counsel Bureau (LCB).

Exhibit B is the attendance sign-in sheets dated October 3, 2013, from Carson City, Nevada, and Las Vegas, Nevada.

Exhibit C is the Approval of Resolution Recognizing the 102nd Anniversary of the Founding of the Republic of China (Taiwan), presented by Rick Combs, Director, LCB.

Exhibit D is the list of State Agency Regulations to be Reviewed by the Legislative Commission, submitted by Brenda J. Erdoes, Legislative Counsel, Legal Division, LCB.

Exhibit E is the Adopted Regulation of the Administrator of the Division of Industrial Relations of the Department of Business and Industry, LCB File No. R149-09, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit F is the Adopted Regulation of the State Board of Health, LCB File No. R181-09, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit G is the Adopted Regulation of the Commission on Professional Standards in Education, LCB File No. R115-11, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit H is the Adopted Regulation of the Personnel Commission, LCB File No. R135-12, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit I is the Adopted Regulation of the Personnel Commission, LCB File No. R136-12, effective October 4, 2014, submitted by the Legal Division, LCB.

Exhibit J is the Adopted Regulation of the Personnel Commission, LCB File No. R138-12, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit K is the Adopted Regulation of the Commissioner of Insurance, LCB File No. R146-12, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit L is the Adopted Regulation of the Board of Wildlife Commissioners, LCB File No. R003-13, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit M is the Adopted Regulation of the Department of Motor Vehicles, LCB File No. R026-13, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit N is the Adopted Regulation of the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation, LCB File No. R039-13, effective October 4, 2013, submitted by the Legal Division, LCB.

Exhibit O is the first two pages of the Fourth Revised Proposed Regulation of the State Board of Health, LCB File No. R069-10, effective September 25, 2013, submitted by the Legal Division, LCB.

Exhibit P is the Appointments to the Legislative Committee on Public Lands, presented by Rick Combs, Director, LCB.

Exhibit Q is a packet of information regarding the Appointments to the Advisory Council on Mortgage Investments and Mortgage Lending, submitted by Rick Combs, Director, LCB.

Exhibit R is a packet of information regarding the Appointments to the Board of Directors for Corporation for Public Benefit for Nevada Youth Legislature, presented by Rick Combs, Director, LCB.

Exhibit S is information regarding the Appointments to the Nevada Commission on Minority Affairs, submitted by Rick Combs, Director, LCB.

Exhibit T is the Interim Study Budgets 2013-14, presented by Rick Combs, Director, LCB.

Exhibit U is the Approval for Certain Committees to Meet Before or After Statutory Period for Meetings of Interim Committees, submitted by Rick Combs, Director, LCB.

Exhibit V is the Construction Contract Data, dated July 1, 2012, to June 30, 2013, submitted by Adleen B. Stidhum, Acting Purchasing Administrator, Purchasing and Contracts, Department of Administrative Services.

This set of "Minutes of the Legislative Commission" is an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits are on file in the Director's Office of the Legislative Counsel Bureau, Carson City, Nevada.