



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

**SUMMARY MINUTES AND ACTION REPORT**

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The fourth meeting and work session of the Nevada Legislature's Sunset Subcommittee of the Legislative Commission was held on April 27, 2012, at 9:30 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/76th2011/committee/>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Assemblywoman Irene Bustamante Adams, Chair  
Senator Ruben J. Kihuen, Vice Chair  
Senator John J. Lee  
Assemblywoman Maggie Carlton  
David Goldwater

**COMMITTEE MEMBERS PRESENT IN CARSON CITY:**

Barbara Smith Campbell  
Frank Partlow

**COMMITTEE MEMBERS ABSENT:**

Senator James A. Settelmeyer  
Assemblyman Richard McArthur

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Marjorie Paslov Thomas, Principal Research Analyst, Research Division  
Scott Young, Principal Policy and Special Projects Analyst, Research Division  
Sara L. Partida, Principal Deputy Legislative Counsel, Legal Division  
Rick Combs, Fiscal Analyst, Fiscal Analysis Division  
Susan M. Young, Assistant Supervisor of Secretarial Services, Research Division  
Janet Coons, Secretary, Research Division

## **OPENING REMARKS**

- Chair Bustamante Adams called the meeting to order, had the secretary call the roll, and welcomed members, presenters, and the public to the fourth meeting of the Sunset Subcommittee of the Legislative Commission.

## **PUBLIC COMMENT**

The Chair called for public comment; however, no one came forward to testify.

## **APPROVAL OF MINUTES OF THE MEETING HELD ON MARCH 27, 2012, IN LAS VEGAS, NEVADA**

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

MR. GOLDWATER MOVED TO APPROVE THE “SUMMARY MINUTES AND ACTION REPORT” OF THE MARCH 27, 2012, MEETING HELD IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY SENATOR LEE AND PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

## **PUBLIC HEARING CONCERNING TERMINATION, MODIFICATION, CONSOLIDATION, OR CONTINUED OPERATION OF CERTAIN ENTITIES PURSUANT TO NRS 232B.240**

### ***Commission on Ethics (NRS 281A.200)***

- Caren Jenkins, Executive Director, Commission on Ethics, introduced Erik Beyer, Chair, Commission on Ethics. She noted the caseload of the Commission on Ethics has grown exponentially over the last four years. Ms. Jenkins explained the appointment process of members to the Commission. She noted the budget of the Commission falls within the Executive Branch, and it has jurisdiction over every appointed and elected public officer, public employee, as well as every county, city, town, and district in the State. (Please see [Exhibit B.](#))

Continuing her testimony, Ms. Jenkins pointed out the main emphasis of the Commission is to enhance and maintain the public’s trust in government, which includes: (1) serving the public and enhancing public trust by investigating requests for opinion about the conduct of a public officer or public employee; (2) advising individuals who volunteer for public office, such as a legislator, of the appropriate line of conduct; and (3) educating and informing the public about the obligations of public officers and public employees who serve them.

Concluding her testimony, Ms. Jenkins discussed the formation of the five-member staff, the travel budget for investigators as related to witness credibility, and noted there were 55 total cases for opinion in 2007 to 2008 and 114 requests for opinion in fiscal year 2011.

- Erik Beyer, previously identified, endorsed the report presented to the Subcommittee. (Please see [Exhibit B.](#)) He indicated the main reason for the increase in the Commission's caseload has been the result of Ms. Jenkins touring the State providing workshops for local entities, cities, and counties, advising them of the provisions of NRS 281A and its implication on public officers and employees.
- Mr. Partlow raised the question of whether or not the rise in the number of ethics issues is because more people are aware or because we are losing people in these positions who are worthy of public trust.
- Ms. Jenkins responded to Mr. Partlow's question by stating the increased awareness of the law has to do with the caseload. She disagreed with the Center for Public Integrity's recent report giving a D- grade to Nevada.
- Ms. Jenkins responded to Ms. Smith Campbell's inquiry about the rejected cases being a third of the workload by providing two reasons: (1) the case is not within the Commission's jurisdiction; and (2) there is a minimal level of credible evidence.
- Mr. Goldwater stated he had asked for the review of the Commission on Ethics to contemplate its original mission and to give the Commission the attention it needs. He inquired if the Commission can or should be changed to accommodate: (1) its weaknesses in the separation of powers; (2) the power to appropriately fine or punish true ethics violations; and (3) to make it less political.
- Ms. Jenkins responded that it is difficult to address ethics through statute. Referencing the separation of powers, Ms. Jenkins referred to Warren Hardy's decision held by the Nevada Supreme Court that the Commission on Ethics has no jurisdiction over legislators when performing core legislative functions. The Senate and Assembly adopted rules to regulate its body's own ethics. Ms. Jenkins recognized that the public may be suspect of the validity, objectivity and implementation of those ethics committees.

Continuing her testimony, Ms. Jenkins stressed it is not the Commission's role to determine if the mission of the Commission on Ethics is still valid.

A discussion ensued between Mr. Goldwater and Ms. Jenkins concerning issues of statutory drafting and what can be done to make improvements. Ms. Jenkins introduced four specific categories in the current law requiring disclosure known as a commitment in a private capacity to the interests of others: (1) someone in your household; (2) someone in your family; (3) your employer; and (4) someone with whom you have a substantial and continuing business interest. A fifth category called, "and other similar relationships," is a statutory construction drafting issue that can be addressed as soon there is a decision by the Nevada Supreme Court.

- Ms. Jenkins addressed Mr. Goldwater's point about the right of the Commission to sanction or punish wrongdoers. She articulated punishment is not the role of the

Commission, but it can impose a fine of up to \$5,000 for the first willful violation, \$10,000 for the second, and \$25,000 for the third willful violation of statute.

Responding to Mr. Goldwater's question as to who enforces the fines, Ms. Jenkins affirmed it is her responsibility to follow up on the imposition of a sanction on behalf of the Commission.

- Mr. Goldwater queried if the Commission on Ethics has changed over the years due to Supreme Court decisions and whether it has become a vehicle for political opponents.

Ms. Jenkins responded there are two safeguards in place, statutorily and procedurally, to minimize the use of the Commission's request for opinion process for political gain or political purposes, or to enhance one's standing and demean another's.

- Mr. Beyer, previously identified, stated he has never served on a board that has less political intentions than the Commission on Ethics. He was of the opinion that the Commissioners are careful to disclose or abstain if they have a remote interest or relationship with any of the parties who come before the Commission.

Senator Lee and Ms. Jenkins entered into a discussion concerning whether or not frivolous complaints are recorded or dismissed. Ms. Jenkins stated the Commission does not record the number of requests for opinion by the name of the public officer; however, every request for opinion received is logged. She noted if a complaint is dismissed for having no basis and no credible evidence, the request for opinion never becomes public.

- Ms. Jenkins responded to a question from Senator Lee regarding jurisdiction of the Commission if someone resigns or retires during an ethics inquiry. She stated if the conduct occurred while in office, the Commission is entitled to accept the request for opinion two years after the conduct and even longer if the conduct was hidden or was unable to be found.

In response to Senator Lee's question as to where the collected fines are deposited, Ms. Jenkins stated that 100 percent of the sanctions imposed are deposited into the State's General Fund.

- Chair Bustamante Adams requested Ms. Jenkins provide a status report regarding issues brought up in future meetings of the Commission.
- Assemblywoman Carlton asked Ms. Jenkins to elaborate on the "D-" grade Nevada received from the evaluation by the Center for Public Integrity.
- Ms. Jenkins explained that the Center for Public Integrity is a nationwide agency located in Washington D.C. and is funded by various foundations. National Public Radio, one of the agencies that funds the Center, completed a review of the 50 states and their provisions relating to ethics, campaign finance, reporting, transparency, open meeting laws, and so forth. The State of Nevada received a grade of "D-"; no

state received more than a B grade. Ms. Jenkins maintained she worked closely with the surveyor, and most of the deficiencies cited dealt with financial disclosure statements.

- Assemblywoman Carlton was of the opinion that one of the biggest components in Nevada's grade was due to a number of the conflicts that arose because Nevada has a citizens' legislature. She disagreed with the comment Ms. Jenkins made that the Legislature abandoned the Commission on Ethics. Assemblywoman Carlton stated as an example the Sunset Subcommittee of the Legislative Commission spent one hour during today's meeting to hear testimony regarding the Commission.
- Chair Bustamante Adams called for public comment on Agenda Item No. IV. A.; however, no testimony was presented.

***Board of the Public Employees' Benefits Program (NRS 287.041)***

- James R. Wells, Executive Officer, Board of the Public Employee's Benefits Program (PEBP), introduced Roger Rahming, Chief Financial Officer, Board of the Public Employee's Benefits Program. Mr. Wells shared a Microsoft Power Point presentation which highlighted:
  - an overview of PEBP;
  - governance;
  - why the PEBP Board exists;
  - overlap with other boards and commissions; and
  - tasks of the Board. (Please see [Exhibit C](#) and [Exhibit D](#).)
- Mr. Wells explained that PEBP provides health insurance benefits to state employees, non-state employees, state retirees, and non-state retirees who were enrolled as of November 30, 2008, except from any "participating" entity.
- Mr. Wells identified two plans of medical coverage, including prescription drugs, that are currently provided to employees and retirees: (1) a self-funded Preferred Provider Organization High Deductible Health Plan Option (PPO); and (2) a Health Maintenance Organization Option (HMO).

Continuing his testimony, Mr. Wells stated the Governmental Accounting Standards Board (GASB) requires organizations to list in their financial statements the cost of the Other Post-Employment Benefits (OPEB) provided to the employees. Therefore, PEBP oversees the State's OPEB liability and the evaluations are done through the agency.

- Mr. Wells clarified the Board is comprised of nine members appointed by the Governor to four year terms, and it meets an average of every six weeks. He explained the qualifications of the board members according to the Microsoft PowerPoint presentation. (Please see [Exhibit D](#).)

- Mr. Wells further explained the 2011 Legislature created the Silver State Health Insurance Exchange to comply with the Federal Patient Protection and Affordable Care Act (PPACA). While the Exchange is not yet operational, Mr. Wells stated there could be potential synergy or overlap down the road.
- Assemblywoman Carlton mentioned her concerns over reserves, excess money, and the cost of some rates. She pointed out that those issues have been addressed and the Board has proposed a new rate structure.

Responding to Assemblywoman Carlton's request for an explanation of the oversight of the Board and who the Board must answer to other than the Governor, Mr. Wells emphasized the Board strives to be as transparent as possible, providing accurate information to participants.

Continuing his testimony, Mr. Wells added the Division of Insurance does have oversight over some of its contracts. Third-party administrators and other large contracts go through an approval process at the Division of Insurance, and PEBP responds to appeals and complaints that come through the Office of Consumer Health Assistance which is now housed within the Department of Health and Human Services.

Responding to Assemblywoman Carlton's request to address concerns with classified employees, Mr. Wells pointed out there are two PEBP members who are employees of the State and were appointed by the Governor. The members must consider any recommendations of organizations that represent State employees.

A discussion ensued between Assemblywoman Carlton and Mr. Wells concerning the number of staff member vacancies. Mr. Wells noted all vacancies have been filled, including a new internal training officer.

- In response to Assemblywoman Carlton's concerns regarding the relationship of PEBP with the Interim Retirement and Benefits Committee and the Request for Proposal (RFP) process, Mr. Wells noted that PEBP and the Committee have a positive relationship and will meet again in January 2013. He explained that the RFP process for auto insurance is voluntary and individually rated.
- Ms. Smith Campbell disclosed that she is the Chair of the Silver State Health Insurance Exchange Board. Ms. Smith Campbell stated the commonality between the two organizations is health insurance. She was of the opinion there would not be any overlap in enrollees unless PEBP, during its open enrollment, opened enrollment to the private sector for small businesses and individuals who do not have health insurance. She clarified the two organizations will not be competing with each other for enrollees.
- Mr. Wells responded by stating PEBP has been in discussion with the Silver State Health Insurance Exchange to conduct joint RFP's for actuarial services. He was of the opinion there would not be much overlap to the implementation of Federal Health

Care requirements. He mentioned there may be some long-term potential ramifications for the 400 percent of Medicare population, poverty calculation that determines who can be subsidized through the Silver State Health Insurance Exchange.

- Mr. Partlow called attention to the size of the issues that PEBP must oversee. It is Mr. Partlow's opinion that it is important for the Sunset Subcommittee of the Legislative Commission to consider how well State government employees are being treated and give due attention to the citizens of Nevada paying for these programs. (Please see [Exhibit D](#).)

In response to Mr. Partlow's comments, Mr. Wells pointed out that the OPEB valuation was a result of changes made during the 2011 Session. A key change identified was that PEBP's valuation dropped by 50 percent from 2010 to 2011 due to the changes made with the transition of the Medicare retirees to the private market and the change to the high deductible health plan.

- Chair Bustamante Adams called for public comment on Agenda Item No. IV. B.
- Peggy Lear Bowe, retired State employee, voiced concerns regarding the major changes in the medical care of State workers. She noted the RFP process neglected to include retirees. Ms. Bowe opined it is incumbent upon legislators to look at public testimony to review any concerns being raised by State employees.



## **WORK SESSION—DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS RELATING TO:**

**(As directed by Chair Bustamante Adams, this agenda item was taken out of order).**

- *Nevada State Board of Veterinary Medical Examiners (NRS 638.020)*
- *Advisory Council on the State Program for Fitness and Wellness (NRS 439.518)*
- *Nevada Athletic Commission (NRS 232.510 and 467.020)*
- *Board of Athletic Trainers (NRS 640B.170)*
- *Nevada Commission on Sports (NRS 233H.020)*
- *Advisory Council on Mortgage Investments and Mortgage Lending (NRS 645B.860)*
- *Nevada State Board on Geographic Names (NRS 327.110)*

### **“WORK SESSION DOCUMENT”**

The following “Work Session Document” ([Exhibit E](#)) has been prepared by the Chair and staff of the Sunset Committee of the Legislative Commission NRS 232B.210. It is designed to assist the Subcommittee members in determining whether to recommend a board or commission be terminated, modified, consolidated with another agency, or continued. The recommendations contained herein do not necessarily have the support or opposition of the Subcommittee. Rather, these possible actions are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. They are not preferentially ordered.

Each item in this document may be the subject of further discussion, refinement, or action. Any recommendations to terminate, modify, consolidate with another agency, or continue a board or commission will be forwarded to the Legislative Commission for its consideration. It should also be noted that some of the recommendations may contain an unknown fiscal impact. Subcommittee members should be advised that Legislative Counsel Bureau (LCB) staff will coordinate with the interested parties to obtain detailed fiscal estimates, if appropriate, for inclusion in the final report.

Finally, please note that specific details of recommendations approved by the Subcommittee may need to be clarified by Subcommittee staff prior to providing the recommendations to the Legislative Commission. Supporting documents for some recommendations may be obtained by contacting Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, at 775/684-6825 or by e-mail at [mpthomas@lcb.state.nv.us](mailto:mpthomas@lcb.state.nv.us).

<p style="text-align: center;"><b>RECOMMENDATIONS RELATING TO TERMINATING, CONTINUING, MODIFYING, OR CONSOLIDATING BOARDS AND COMMISSIONS</b></p>
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- Marji Paslov Thomas, previously identified, stated the format of the Work Session Document would be the same as the format for the March 27, 2012, meeting. (Please see [Exhibit E](#).)

1. **Nevada State Board of Veterinary Medical Examiners** (NRS 638.020)—The Board was created by the Nevada State Legislature for the protection of the public and their animals in an effective, fair, and accountable manner.

*Should the Nevada State Board of Veterinary Medical Examiners be terminated?*

*If the Subcommittee recommends terminating the Board, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee recommends that the Board should continue:*

- a. *Does the Subcommittee want to recommend any changes concerning the Nevada State Board of Veterinary Medical Examiners?*
- b. *Does the Subcommittee want to recommend any changes to the duties of the Nevada State Board of Veterinary Medical Examiners?*

At the March 27, 2012, meeting, staff of the Nevada State Board of Veterinary Medical Examiners made the following recommendations:

1. Amend NRS 638.020 to add one member to the Board who is a licensed veterinary technician.
  2. Amend the NRS to allow the Board to renew a license on a two-year renewal cycle rather than a yearly basis.
- Ms. Thomas explained to the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Nevada State Board of Veterinary Medical Examiners with another agency or entity.
  - The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS. THE MOTION WAS SECONDED BY MR. GOLDWATER, AND PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

2. **Advisory Council on the State Program for Fitness and Wellness** (NRS 439.518)—The Council is considered advisory in nature and makes recommendations to the Health Division,

Department of Health and Human Services. Within the limits of available money, the Health Division must establish the State Program for Fitness and Wellness to increase public knowledge and raise public awareness relating to physical fitness and wellness and to educate the residents of this State on matters relating to physical fitness and wellness including, without limitation: (1) programs for physical fitness; (2) nutrition; and (3) the prevention of obesity, chronic diseases, and other diseases.

*Should the Advisory Council on the State Program for Fitness and Wellness be terminated?*

*If the Subcommittee recommends terminating the Advisory Council, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee determines the Advisory Council should continue:*

*a. Does the Subcommittee want to recommend any changes concerning the Advisory Council on the State Program for Fitness and Wellness?*

*b. Does the Subcommittee want to recommend any changes to the duties concerning the Advisory Council on the State Program for Fitness and Wellness?*

- Ms. Thomas reminded the Subcommittee that the Advisory Council on the State Program for Fitness and Wellness is considered advisory in nature and makes recommendations to the Health Division and the Department of Health and Human Services. She explained to the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Advisory Council on the State Program for Fitness and Wellness with another agency or entity.

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

SENATOR LEE MOVED TO CONTINUE THE ADVISORY COUNCIL ON THE STATE PROGRAM FOR FITNESS AND WELLNESS FOR ANOTHER TWO-YEAR TERM. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN CARLTON.

- Mr. Partlow stated this Advisory Council presented the three basic issues that are important to him and his service on the Subcommittee: (1) the cost of the entity to the State; (2) the quantifiable benefits of that cost to the State; and (3) the alternatives.

THE MOTION PASSED UNANIMOUSLY BY THE SUBCOMMITTEE MEMBERS PRESENT.

3. **Nevada Athletic Commission** (NRS 467.020)—The Commission regulates all contests and exhibitions of unarmed combat, including licensure and supervision of promoters, boxers, mixed martial artists, kickboxers, seconds, ring officials, managers, and matchmakers. The

Commission has the authority to approve, deny, revoke, or suspend all licenses for unarmed combat.

*Should the Nevada Athletic Commission be terminated?*

*If the Subcommittee recommends terminating the Commission, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee determines that the Commission should continue:*

- a. Does the Subcommittee want to recommend any changes concerning the Nevada Athletic Commission?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Nevada Athletic Commission?*

At the February 27, 2012, meeting, members of the Subcommittee discussed changing the name of the Commission to better reflect what it regulates. Keith Kizer, Executive Director, Nevada Athletic Commission, stated that the Commission does not recommend a name change at this time.

- Ms. Thomas reminded the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Nevada Athletic Commission with another agency or entity.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

MR. GOLDWATER MOVED TO CONTINUE THE NEVADA ATHLETIC COMMISSION. THE MOTION WAS SECONDED BY SENATOR LEE AND PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

4. **Board of Athletic Trainers** (NRS 640B.170)—The Board licenses athletic trainers, and protects the public from the practice of athletic training by unqualified individuals and unprofessional conduct by licensed athletic trainers.

*Should the Board of Athletic Trainers be terminated?*

*If the Subcommittee recommends terminating the Board, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee determines that the Board should continue:*

- a. Does the Subcommittee want to recommend any changes concerning the Board of Athletic Trainers?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Board of Athletic Trainers?*

- Ms. Thomas reminded the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Board of Athletic Trainers with another agency or entity.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE BOARD OF ATHLETIC TRAINERS. THE MOTION WAS SECONDED BY SENATOR KIHUEN AND PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

5. **Nevada Commission on Sports** (NRS 233H.020)—The powers of the Commission include promoting the development of Olympic training centers, physical fitness and sports, and assisting with the Nevada Special Olympics and the Nevada Senior Games.

*Should the Nevada Commission on Sports be terminated?*

*If the Subcommittee recommends terminating the Commission, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee determines that the Commission should continue:*

- a. *Does the Subcommittee want to recommend any changes concerning the Nevada Commission on Sports?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Nevada Commission on Sports?*

At the March 27, 2012, meeting, staff indicated the Nevada Commission on Sports did not respond to their request for information nor to follow up telephone calls.

- Ms. Thomas reminded the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Nevada Commission on Sports with another agency or entity.

At the request of Chair Bustamante Adams, Ms. Thomas reminded the Subcommittee that the Nevada Commission on Sports did not make a presentation at the March 27, 2012, meeting as requested nor did staff receive any information from the Commission as requested.

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

SENATOR KIHUEN MOVED TO TERMINATE THE NEVADA COMMISSION ON SPORTS. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN CARLTON.

- Assemblywoman Carlton noted that since this recommendation does not terminate the Nevada Commission on Sports' existence today, there is time for the Commission to come back and convince the Subcommittee to change its mind.

THE MOTION PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

6. **Advisory Council on Mortgage Investments and Mortgage Lending** (NRS 645B.860)—The primary purpose of the Advisory Council is to serve in an advisory capacity to the Commissioner of Mortgage Lending and the Legislature on issues related to mortgage investments and mortgage lending.

*Should the Advisory Council on Mortgage Investments and Mortgage Lending be terminated?*

*If the Subcommittee recommends terminating the Advisory Council, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee determines that the Advisory Council should continue:*

- a. *Does the Subcommittee want to recommend any changes concerning the Advisory Council on Mortgage Investments and Mortgage Lending?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Advisory Council on Mortgage Investments and Mortgage Lending?*

During the March 27, 2012, meeting, members of the Advisory Council explained to the members of the Subcommittee that the Advisory Council is statutorily autonomous in the manner which it is authorized to accomplish its objectives. Additionally, the Advisory Council's value and effectiveness is dependent upon the initiative of its members. As a measure to guard against an inactive body, the Advisory Council recommends the following:

1. Amend NRS 645B.870(4) by inserting the following at the beginning of the subsection: "At the direction or request of the Commissioner, or on its own initiative, and for the sole purpose of gathering information necessary to serve in its advisory role to the Commissioner and the Legislature."
  2. Amend NRS 645B.870(7) by inserting the following at the beginning of the subsection: "At the direction or request, or on its own initiative and upon the approval of the Commissioner."
- Ms. Thomas reminded the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Advisory Council on Mortgage Investments and Mortgage Lending with another agency or entity.
  - The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE ADVISORY COUNCIL ON MORTGAGE INVESTMENTS AND MORTGAGE LENDING. THE MOTION WAS SECONDED BY SENATOR LEE.

- There was a discussion during the motion between Chair Bustamante Adams and Mr. Partlow regarding the Advisory Council and its need to meet in order to be effective and to follow open meeting laws.

THE MOTION PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

7. **Nevada State Board on Geographic Names** (NRS 327.110)—The Nevada State Board on Geographic Names was created to coordinate and approve geographical names within the State for official recommendation to the United States Board on Geographic Names.

*Should the Nevada State Board on Geographic Names be terminated?*

*If the Subcommittee recommends terminating the Board, should it be consolidated with another entity or have its duties transferred to another entity?*

*If the Subcommittee determines that the Board should continue:*

- a. Does the Subcommittee want to recommend any changes concerning the Nevada State Board on Geographic Names?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Nevada State Board on Geographic Names?*

According to testimony during the March 27, 2012, meeting, Linda Newman, Chair, Nevada State Board on Geographic Names recommended the following modification to the Board:

1. Amend NRS 327.120 to add a representative from the National Park Service to the membership of the Board.
  - Ms. Thomas reminded the Subcommittee that it can make a recommendation to terminate, continue, modify, or consolidate the Nevada State Board on Geographic Names with another agency or entity.
  - The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE STATE BOARD ON GEOGRAPHIC NAMES. THE MOTION WAS SECONDED BY SENATOR LEE.

- Assemblywoman Carlton stated there is a proposal for an amendment under NRS 327 to put a representative of the National Park Service on the Board.

She encouraged the Board to address this issue with a legislator or the appropriate Committee Chair.

THE MOTION PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

***Committee on Health Benefit Plans (NRS 689C.960)***

- Bob Bishop, Chair, Committee on Health Benefits Plans, gave a brief description of the plans developed by the Committee for the Health Insurance Portability and Accountability Act of 1997 (HIPAA), which provides policies for Nevada citizens who cannot extend Consolidated Omnibus Budget Reconciliation Act of 1984 (COBRA). He noted the basic plan is the only one the consumer can buy that is free of all State-mandated plans. Mr. Bishop further noted that the Committee was told last year by the Department of Health and Human Services (DHHS) that it now must comply with the new regulations of PPACA. (Please see [Exhibit F.](#))

Continuing his testimony, Mr. Bishop explained that the Health Benefits Plans are in force with 800 residents. The Committee will be dispensed with if PPACA continues to exist.

- Mr. Bishop responded to Assemblywoman Carlton's request for clarification of the policy for purchase by a consumer who no longer has the opportunity to buy COBRA, by describing two plans: (1) a basic plan; and (2) a standard plan. The basic plan is designed to give affordable basic coverage without pre-existing conditions.

Responding to a question from Chair Bustamante Adams regarding the number of current participants on the basic plan, Mr. Bishop stated that according to the Division of Insurance, there are about 800 participants; however, that number accounts for both plans. He further explained that every insurance carrier who issues an individual policy in Nevada must issue the standard and basic plan to the consumer.

- Assemblywoman Carlton wanted to clarify for the record that it was "some" and not "all" State mandates that can be excluded from the basic plan. She also commented that she noticed in the presentation that if PPACA moves forward, the Committee on Health Benefits Plans may not be necessary.
- Mr. Bishop confirmed Assemblywoman Carlton's statements concerning mandates.
- Chair Bustamante Adams called for public comment on Agenda Item No. IV. C.; however, no testimony was presented.

***Police and Firefighters' Retirement Fund Advisory Committee (NRS 286.227)***

- Dana K. Bilyeu, Executive Officer, Public Employees Retirement System (PERS), introduced Tina Leiss, Operations Officer, PERS, Chris Collins, former board



member of the Police and Firefighters' Retirement Fund Advisory Committee, and Brett Fields, current member of the Police and Firefighters' Retirement Fund Advisory Committee. (Please see [Exhibit G.](#)) Ms. Bilyeu presented a Microsoft PowerPoint presentation providing information on the Advisory Committee, which included: (1) a brief history of the creation and the (2) members of the Committee; (3) creation of the Police and Firefighters' Retirement Fund from Senate Bill 336 (Chapter 286.225, *Statutes of Nevada*, 1975) and related information; (4) police and fire early retirement study findings and conclusions; and (5) police and fire position approval process. (Please see [Exhibit H.](#))

Ms. Bilyeu continued her testimony by stressing that the Police and Firefighters' Retirement Fund Advisory Committee serves a very important role. As a new position is created at the local or State government level, the position has to be approved before it can be considered covered under the early retirement system. She stated the threshold criteria for a police officer or firefighter is that he or she must be in a position for a minimum of two years before he or she can be promoted away from front line coverage and continue coverage on what is called a promotional basis and remain in that fund. Positions are evaluated on a 100-point scale, and a position must receive a score of 75 points for the staff to recommend approved coverage for the position. Criteria is different for fire than it is for police.

Continuing, Ms. Bilyeu noted the recommended positions are brought to PERS for adoption of coverage in the early retirement fund. The main purpose of the Advisory Committee is to advise PERS on all areas related to the administration of the police and fire retirement fund.

- Responding to Ms. Smith Campbell's comment regarding a budget for the Police and Firefighters' Retirement Fund Advisory Committee, Ms. Leiss, stated the Advisory Committee does not have a budget separate from PERS as it is staffed completely by PERS employees. Ms. Leiss stated there are two line items in the PERS budget for the Police and Firefighters' Retirement Fund Advisory Committee: (1) out-of-state travel; and (2) in-state travel.

There was a discussion among Chair Bustamante Adams, Ms. Smith Campbell, Ms. Bilyeu, and Ms. Leiss, regarding salaries paid to Ms. Bilyeu and Ms. Leiss. Ms. Leiss stated their salaries are paid through the PERS budget. Ms. Bilyeu added that the PERS budget is a trust fund and is not appropriated through the General Fund. Chair Bustamante Adams and Ms. Smith Campbell both stated concerns over the importance of the PERS budget and requested that Ms. Bilyeu submit the requested information to the Subcommittee.

- Chair Bustamante Adams called for public comment on Agenda Item No. IV. D.; however, no testimony was presented.

#### ***Board for the Regulation of Liquefied Petroleum Gas (NRS 590.485)***

- Blair Poulsen, Board Chairman, Nevada Board for the Regulation of Liquefied Petroleum Gas, made a presentation to the Subcommittee which focused on:

(1) complaint mediation; (2) safety training and education specific to the properties of propane, propane appliances, and propane systems; and (3) storage facilities and dispensing equipment inspections.

- Mr. Poulsen explained that 80 percent of the cities and towns in Nevada use propane as their primary heat source. He also stated that propane will continue to be a viable energy source for many years to come since propane is considered a greener choice over gasoline and diesel. Mr. Poulsen noted that all services provided by the Board are solely supported through inspection and license fees. He urged the Subcommittee to consider the retention of the Nevada Board for the Regulation of Liquefied Petroleum Gas. (Please see [Exhibit I](#), [Exhibit J](#), [Exhibit K](#), and [Exhibit L](#).)

Responding to Senator Lee's question as to what the certification process is for an employee or company and the safety provided to the community through the process, Eric Smith, Chief Inspector, Nevada Board for the Regulation of Liquefied Petroleum Gas, stated the Board provides a certificate of competency examinations for people who want to work with propane. Depending on the type of job, there may be up to 12 tests that need to be completed. In lieu of testing, reciprocity through education and industry-recognized training may be used.

In response to a question from Assemblywoman Carlton regarding the ability of the Board to lower fees through *Nevada Administrative Code*, Mr. Poulsen explained that workshops and work committees were set up for the industry and public. New fee requests were submitted to the Legislature during the last session and were approved.

- Responding to Assemblywoman Carlton's inquiry as to why the Board of Petroleum is separated from the State Board of Agriculture, Mr. Smith, previously identified, clarified the State Board of Agriculture regulates measurement standards and the Board of Liquefied Petroleum regulates safety.

A discussion ensued among Chair Bustamante Adams, Mr. Poulsen, and Mr. Smith regarding the vacancy on the Board. Mr. Poulsen explained the Board submits any applicants with an interest in the public vacancy to the Governor's Office. Mr. Smith added that the position has been vacant for one year; the Board is waiting for the Governor to make an appointment.

- Ms. Smith Campbell queried as to why there has been a 17 percent increase projected for 2011 through 2012 if the cost of fees has dropped.
- Mr. Smith explained that as the Board has restructured the certification of competency examination, more people are entering into the system thus creating the projection increase.

In response to Ms. Smith Campbell's inquiry regarding "pushback" from licensees regarding potential overregulation, Mr. Poulsen replied the industry has been intimately involved and supports the changes the Board has made.

- Chair Bustamante Adams called for public comment on Agenda Item No. IV. E; however, no testimony was presented.

***State Barbers' Health and Sanitation Board (NRS 643.020)***

- Eloy Maestas, Secretary/Treasurer, State Barbers' Health and Sanitation Board, provided information on the State Barbers' Health and Sanitation Board regarding: (1) its establishment in 1929; (2) its self-sufficiency; (3) its operation with its own funds generated through licensure fees; and (4) its main purpose to enforce and oversee sanitation through education and regular inspections. Mr. Maestas emphasized that in order to keep the residents of Nevada safe from bacteria and disease, the presence of the Board is necessary to keep barbers properly trained and equipment properly sanitized. (Please see [Exhibit M.](#))
- Nathaniel LaShore, Member, State Barbers' Health and Sanitation Board, stated there has been no outbreak of disease in Nevada because of the regulations carried out by the Board. Mr. LaShore urged the Subcommittee to allow the continuation of the State Barbers' Health and Sanitation Board to function as its own entity.
- Mr. Maestas responded to a question from Senator Lee regarding reciprocity of barber licenses with other states. He noted that Nevada does not reciprocate with any other state; any barber coming from another state must be reexamined through the State Barbers' Health and Sanitation Board.

A discussion ensued between Senator Lee and Mr. Maestas concerning the license process. Mr. Maestas explained the Board tests four times a year. Once potential barbers apply for an application and the Board verifies their documents, the applicants must pass a written, oral, and practical examination. Sanitation is the main focus of the practical examination.

- Senator Lee queried as to what happens if a consumer contacts the Board if they have a problem with a barber.
- Mr. LaShore replied that the Board inspects complaints regarding unsanitary practices, but not complaints about a bad haircut.

In response to a question posed by Senator Lee concerning the merging of the State Barbers' Health and Sanitation Board with the Board of Cosmetology, Mr. LaShore emphasized the State Barbers' Health and Sanitation Board would be most effective by remaining autonomous.

A discussion ensued between Senator Kihuen and Mr. LaShore concerning the process for revocation of a license. Mr. LaShore stated there is a first offense, a second offense, and a third offense could be cause for revocation of a license. In the case of revocation, the Board does offer an opportunity for a hearing.

- Assemblywoman Carlton disclosed that Mr. Maestas is one of her constituents and she has worked with the State Barbers' Health and Sanitation Board since 1999 on a number of issues and has always found them to be professional.

Responding to a question from Ms. Smith Campbell regarding salaries paid to the three barbers by the Board, Mr. LaShore stated that the barbers are compensated for time spent away from their place of business.

- Mr. Partlow requested information on the number of licensed barbers in Nevada ten years ago compared to the projected number of licensed barbers ten years from now.
- Mr. Maestas replied that the numbers are increasing. He pointed out that Nevada has a barber college and there are 248 barbershops in the State.
- Mr. LaShore responded to Chair Bustamante Adams' inquiry about the appointment of the Board members consisting of a President, Vice President, a Treasurer, and a Health Officer, by explaining the members of the Board are appointed by the Governor.

A discussion ensued between Chair Bustamante Adams and Mr. Maestas concerning the process of complaints. Mr. Maestas stated the complaints are brought to him; an inspector is then sent out to the barbershop. If a barber has a complaint about a decision the Board has made, the Board will offer a hearing and their case can be presented. The Board will then make a decision as to whether a not a fine will be issued or a warning given.

- Chair Bustamante Adams expressed her concern that a process be in place for barbers to be heard and have resolution if they feel a decision by the Board has not been addressed appropriately.
- Assemblywoman Carlton opined there have been issues with some of the boards where the NRS had to be changed the next session because good information was presented to warrant the change. She stated the ultimate appeal process is the Legislative and Executive branches.
- Chair Bustamante Adams called for public comment on Agenda Item No. IV. F.
- Antinette Maestas, licensed master barber and barbershop owner, Las Vegas, and President, Nevada State Barbers Association, stated she represents over 1,000 barbers in Nevada who oppose the termination, modification or consolidation of the State Barbers' Health and Sanitation Board. She noted the barbers are in favor of the continuation of the State Barbers' Health and Sanitation Board. (Please see [Exhibit N.](#))
- Keith L. Minty, private citizen, Las Vegas, testified on behalf of the State Barbers' Health and Sanitation Board. He stated the Board is effective in completing its

assigned tasks, and it operates out of funds from licensure making it cost effective to the State.

- Marcus Allen, owner, Masterpiece Barbershop 1, 2 and 3, Las Vegas, stated he would not be able to maintain his three barbershops and 22 barbers without the Board because it keeps everything in check. He supported keeping the State Barbers' Health and Sanitation Board separate from the State Board of Cosmetology.
- Efren Guerra, president of Town and Country Barbershop, Las Vegas, and Vice President of the Nevada Barbers' Association, has barbered in Nevada for 17 years, with 37 years total experience. Mr. Guerra stated he has been able to hire skilled barbers in Nevada because of the testing provided by the Board. The State Barbers' Health and Sanitation Board has been in good standing and the barbers need the Board as its own entity.
- Mitchell Pace, barber at High Style Barbershop, Las Vegas, was licensed in Ohio in 1995 but had to go through a process to transfer his license in Nevada. He noted that Nevada is one of the few states where you can't transfer a license because of its strict regulations.
- Ann Gallegos, licensed barber and shop owner, Las Vegas, provided a written letter. She reiterated that the barber industry depends on the State Barbers' Health and Sanitation Board to maintain its high standards. The Nevada shops must employ barbers who have met the criteria set forth by the Board. Ms. Gallegos supported keeping the State Barbers' Health and Sanitation Board so that barbers in Nevada can continue to be well trained and sanitation can be controlled. (Please see [Exhibit O](#).)
- Angela Richards, master barber and owner of Executive Cuts Barber Shop, Las Vegas, testified in support of keeping the State Barbers' Health and Sanitation Board separate from the State Board of Cosmetology.

***State Board of Cosmetology (NRS 644.030)***

- Assemblywoman Bustamante Adams noted the Subcommittee had received the information from the State Board of Cosmetology ([Exhibit P](#)) and asked for a summary of the highlights of the presentation.
- Vincent D. Jimno, Executive Director, State Board of Cosmetology, summarized the intent of establishing the worth of the State Board of Cosmetology for retention ([Exhibit Q](#)). Mr. Jimno called attention to letters of support by licensees: one of whom is a current Board member ([Exhibit R](#)); a second letter of support by a licensed cosmetologist ([Exhibit S](#)); a handout which discusses destroying bacteria along with a case settlement comment concerning an infection outbreak and instructions on how to avoid such an outbreak from happening ([Exhibit T](#)). Mr. Jimno also spoke about how inspectors make certain each establishment has the latest information on how to protect their clients and themselves. (Please see [Exhibit U](#).)

Continuing his testimony, Mr. Jimno stated the importance of recognizing that the State Board of Cosmetology is more than just an occupational regulatory board; its responsibilities overlap with some of the health agencies in protecting the public. He noted the Board is prepared to answer any responsibility assigned by the Legislature.

- Mr. Jimno responded to Senator Lee's question regarding regulation by sharing the Board regulates all cosmetology salons, esthetic salons, and nail technology salons. He noted the Board licenses the instructors as well as the instructional facilities. The Board regulates three to four yearly inspections of each establishment across the State.

Responding to Senator Lee's inquiry if the State Board of Cosmetology mirrors the licensing and enforcement process of the State Barbers' Health and Sanitation Board, Mr. Jimno stated the State Board of Cosmetology is sophisticated in its approach. It has four field inspectors who investigate complaints from citizens and monitor every school for compliance. Investigations will determine if a complaint is serious enough to be brought before the Board, and citations may be issued if noncompliance is discovered. Mr. Jimno noted the Board works closely with the Attorney General's Office regarding its appeals process.

In response to Senator Lee's question about reciprocity, Mr. Jimno stated the Board accepts reciprocity from most states except in the case of those licensees who have not taken a national test or who are certified rather than licensed.

- Mr. Jimno responded to Chair Bustamante Adams' question concerning the individuals on the seven-member Board by stating the Board's Chair is an esthetician, the Vice Chair is a cosmetologist, the Secretary/Treasurer is a nail technologist, and the remainder of the Board includes a citizen member and cosmetologists.

There was a discussion between Mr. Partlow and Mr. Jimno regarding the suggestion to consider three or four smaller boards under one larger "umbrella" agency. Mr. Jimno explained he suggested this approach to help smaller agencies or boards be more productive and be able to afford an investigator.

- Assemblywoman Carlton stated she does not believe there is anything currently prohibiting boards from working together and sharing an executive director. She stated it is incumbent upon these boards independently to charge enough to complete their own investigations.

Responding to Assemblywoman Carlton's comments, Mr. Jimno stated that in 2006 he inquired with the Department of Administration if his board could share computers for licensing and processing records. He was advised to be careful about intermingling funds.

- Chair Bustamante Adams called for public comment on Agenda Item No. IV. G.

- Perry Nixdorf, salon owner, Carson City, Board Member for the State Board of Cosmetology, offered his opinion that the State Board of Cosmetology be sunset for the following reasons: (1) inspections could be administered by State and local health departments; (2) local control would be more efficient; and (3) sunseting regulatory laws would be the most effective manner to ensure change. (Please see [Exhibit V.](#))

#### **FURTHER CONSIDERATION OF BOARDS, COMMISSIONS, AND SIMILAR ENTITIES SELECTED FOR REVIEW AND REVISIONS TO LIST OR SCHEDULE**

- Marjorie Paslov Thomas, previously identified, directed the members of the Subcommittee to a chart of Nevada State Government Boards, Commissions, and Similar Entities. (Please see [Exhibit W](#) and [Exhibit X.](#)) She noted two additions have been brought to the attention of the Subcommittee by the DHHS. The first entity is the Committee on Co-Occurring Disorders and the second entity is the Nevada Academy of Health.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN CARLTON MOVED TO PLACE THE COMMITTEE ON CO-OCCURRING DISORDERS AND THE NEVADA ACADEMY OF HEALTH FOR REVIEW ON THE MAY CALENDAR. THE MOTION WAS SECONDED BY SENATOR KIHUEN. THE MOTION PASSED UNANIMOUSLY BY SUBCOMMITTEE MEMBERS PRESENT.

- A discussion ensued between Mr. Partlow and Assemblywoman Carlton regarding the amount of information in the meeting packets provided to the Subcommittee members. Mr. Partlow stated he would prefer the information be given in streamlined, condensed form. Assemblywoman Carlton agreed and noted she can review the applicable statutes online; however, she would prefer to receive copies of pertinent *Nevada Administrative Code*.

#### **PUBLIC COMMENT**

- Peggy Lear Bowe, previously identified, repeated her concern that the request for her health option did not go out to bid. She stated this program was proposed by PEBP in late 2010 and deep concerns were expressed during the hearings that this drastic new concept would require extensive information and education in order to be understood. She opined that people are dying as a result of this high deductible plan. Ms. Bowe required that the Subcommittee consider regulation to better prepare PEBP and its staff.

## ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:24 p.m.

Respectfully submitted,

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Janet Coons  
Senior Research Secretary

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Marjorie Paslov Thomas  
Principal Research Analyst

APPROVED BY:

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Assemblywoman Irene Bustamante Adams, Chair

Date: \_\_\_\_\_



## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” prepared by Marji Paslov Thomas, Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is a packet of information titled “Commission on Ethics, *Nevada Revised Statutes* 281A.200,” dated April 27, 2012, submitted by Caren Jenkins, Executive Director, Commission on Ethics.

[Exhibit C](#) is a packet of information titled “Board of the Public Employees’ Benefits Program, *Nevada Revised Statutes* 287.041,” dated April 27, 2012, submitted by James R. Wells, Executive Officer, Public Employees’ Benefits Program (PEBP).

[Exhibit D](#) is a Microsoft PowerPoint presentation titled “Public Employees’ Benefits Program (PEBP),” dated April 27, 2012, submitted by James R. Wells, Executive Officer, PEBP.

[Exhibit E](#) is the “Work Session Document,” dated April 27, 2012, provided by Marji Paslov Thomas, Principal Research Analyst, Research Division, LCB.

[Exhibit F](#) is a packet of information titled “Committee on Health Benefit Plans, *Nevada Revised Statutes* 689C.960,” dated April 27, 2012, submitted by Bob Bishop, Chair, Committee on Health Benefit Plans.

[Exhibit G](#) is a packet of information titled “Police and Firefighters’ Retirement Fund Advisory Committee, *Nevada Revised Statutes* 286.227,” dated April 27, 2012, submitted by Dana K. Bilyeu, Executive Officer, Police and Firefighters’ Retirement Fund Advisory Committee.

[Exhibit H](#) is a Microsoft Power Point presentation titled “Police and Firefighter’s Retirement Fund Advisory Committee,” submitted by Dana K. Bilyeu, Executive Officer, Police and Firefighters’ Retirement Fund Advisory Committee.

[Exhibit I](#) is a packet of information titled “Board for the Regulation of Liquefied Petroleum Gas, *Nevada Revised Statutes* 590.485,” dated April 27, 2012, submitted by Eric C. Smith, Chief Inspector, Board for the Regulation of Liquefied Petroleum Gas.

[Exhibit J](#) is written testimony of Blair Poulsen, Chair, Board for the Regulation of Liquefied Petroleum Gas.

[Exhibit K](#) is a letter dated April 25, 2012, to the Sunset Subcommittee of the Legislative Commission, Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, from Lisa M. Menante, Executive Director, Nevada Propane Dealers Association, regarding the Board for the Regulation of Liquefied Petroleum Gas.

[Exhibit L](#) is a letter dated April 23, 2012, to the Sunset Subcommittee of the Legislative Commission, Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, from Peter J. Mulvihill, P.E., Chief, Nevada State Fire Marshal Division, Department of Public Safety, regarding the Board for the Regulation of Liquefied Petroleum Gas.

[Exhibit M](#) is a packet of information titled “State Barbers’ Health and Sanitation Board, *Nevada Revised Statutes* 643.020,” dated April 27, 2012, submitted by Eloy Maestas, State Barbers’ Health and Sanitation Board.

[Exhibit N](#) is the written testimony of Antinette Maestas regarding the State Barbers’ Health and Sanitation Board.

[Exhibit O](#) is a packet of information regarding the State Barbers’ Health and Sanitation Board, submitted by Eloy Maestas, which includes:

- A letter dated April 20, 2012, from Ann Gallegos, Secretray/Treasurer, Nevada State Barber’s Association.
- A letter dated December 20, 2011, to Eloy Maestas, State Barbers’ Health and Sanitation Board, from David J. Barnicoat, Owner, Mojave Barber College.
- A letter dated February 29, 2012, to Jeanne Peyton, LCB, from Charles Kirkpatrick, Executive Officer, The National Association of Barber Boards of America.
- A letter to Jeanne Peyton, LCB, from Howard L. Warner, President, National Association of Barber Boards of America.
- An unsigned letter to Eloy Maestas, Nevada State Barbers’ Health and Sanitation Board.
- A memo dated April 26, 2012, from Juan Ramirez, barber, FINO for Men.
- A memo dated April 26, 2012, from James Hardenberg, Master Barber/Owner, FINO for MEN.
- A memo dated April 26, 2012, from Dwayne Washington, Master Barber/Owner, FINO for MEN.
- A letter dated April 25, 2012, from Alejandro Hormechea, Owner, FINO for MEN.
- E-mail correspondence dated April 25, 2012, from Beulah Burney.
- An unsigned letter to Lorne J. Malkiewich, Director, LCB.

[Exhibit P](#) is a packet of information titled “State Board of Cosmetology *Nevada Revised Statutes* 644.030, 644.040, and 640.050,” dated April 27, 2012, submitted by Vincent D. Jimno, Executive Director, State Board of Cosmetology.

- Volume 1 of 3
- Volume 2 of 3
- Volume 3 of 3

[Exhibit Q](#) is written testimony of Vincent D. Jimno, Executive Director, State Board of Cosmetology.

[Exhibit R](#) is a letter dated April 24, 2012, to the Sunset Subcommittee of the Legislative Commission from Jeannette Bonaldi, Board Member, State Board of Cosmetology.

[Exhibit S](#) is a letter dated April 25, 2012, to the Sunset Subcommittee of the Legislative Commission from Vanessa P. Warrick, Licensed Cosmetologist, Bella Salon & Spa, Carson City, Nevada.

[Exhibit T](#) is selected information from the *Los Angeles Times* and *The New York Times* concerning bacteria growth and safety instructions per NAC 644.325, submitted by Vincent D. Jimno, Executive Director, State Board of Cosmetology.

[Exhibit U](#) is a statement of Sanitation and Infection Control Updates from the State Board of Cosmetology, dated April 2012, offered by Vincent D. Jimno, Executive Director, State Board of Cosmetology.

[Exhibit V](#) is written testimony by Perry Nixdorf, salon owner in Carson City, Nevada, Board Member, State Board of Cosmetology.

[Exhibit W](#) is a chart dated April 23, 2012, titled “Nevada State Government Boards, Commissions, and Similar Entities,” prepared by Marji Paslov Thomas, Principal Research Analyst, Research Division, LCB.

[Exhibit X](#) is a chart dated April 23, 2012, titled “Nevada State Government Boards, Commissions, and Similar Entities for Review 2011-2012 Interim,” prepared by Marji Paslov Thomas, Principal Research Analyst, Research Division, LCB.

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