

:

**MINUTES OF THE
LEGISLATIVE COMMISSION'S
SUBCOMMITTEE TO REVIEW REGULATIONS**

November 1, 2012

The meeting of the Legislative Commission's Subcommittee to Review Regulations was called to order by Senator Mo Denis, Chair, at 9:13 a.m. on November 1, 2012, at the Grant Sawyer State Office Building, Room 4401, 555 East Washington Avenue, Las Vegas, Nevada, and via simultaneous videoconference at the Legislative Building, Room 3137, 401 South Carson Street, Carson City, Nevada. The Agenda is included as [Exhibit A](#) and the Attendance Roster is included as [Exhibit B](#).

COMMITTEE MEMBERS PRESENT (LAS VEGAS):

Senator Mo Denis, Chair, Senate District No. 2
Senator David R. Parks, Senate District No. 7
Senator Michael Roberson, Senate District No. 5
Assemblywomen Marilyn Kirkpatrick, Assembly District No. 1
Assemblyman Lynn Stewart, Assembly District No. 22

COMMITTEE MEMBERS PRESENT (CARSON CITY):

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27

STAFF MEMBERS PRESENT:

Brenda Erdoes, Legislative Counsel
Risa Lang, Chief Deputy Legislative Counsel
Angela Hartzler, Deputy Administrator, Legal Division, Legislative Counsel Bureau
Olivia Lodato, Secretary, Legal Division, Legislative Counsel Bureau

OTHERS PRESENT:

Stacey Crowley, Director, Nevada State Office of Energy
Brent Kiele, McDonald, Carrano, Wilson, etal
Jeanette Belz, Property Casualty Insurers Association
Troy Dillard, Department of Motor Vehicles

Adam Plain, Division of Insurance
Terri Carter, Department of Motor Vehicles
Debby Wilson, Department of Motor Vehicles
Carol Mason, Department of Education
Mike Raponi, Director, Office of Career, Technical and Adult Education, Department of
Education
Lisa Reimers, Department of Education
Rob Buonamici, Chief Game Warden, Department of Wildlife

Chair Denis opened the meeting of the Legislative Commission's Subcommittee to Review Regulations at 9:13 a.m. on November 1, 2012. He requested a roll call of members present at the meeting.

Mrs. Hartzler called roll and a quorum was present.

Chair Denis said the Subcommittee met when regulations needed approval. He would take public comment first, and then follow the Agenda. He said he would take additional public comment when each regulation was discussed. There was no public comment at this time. He asked for approval of the minutes of the March 8, 2012.

MS. KIRKPATRICK MOVED TO APPROVE THE MINUTES OF THE
MARCH 8, 2012 MEETING.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis opened Agenda Item IV. He requested the regulations to be held for discussion at this time.

Mr. Stewart requested R125-11, R045-12, R055-12, R083-12, R085-12, and R087-12 be held for discussion by the Subcommittee.

Ms. Kirkpatrick requested R141-12 be held for discussion.

Senator Parks requested R065-12, and R062-12 be held for discussion.

Chair Denis requested R169-12 be held for further discussion.

MS. KIRKPATRICK MOVED TO APPROVE R026-10, R152-10, R035-12, R043-12, R054-12, R076-12, R082-12, R102-12, R110-12, R142-12, R143-12, R004-12, R048-12, AND R049-12.

MR. STEWART SECONDED THE MOTION.

THE MOTIONED CARRIED.

Chair Denis opened discussion on R125-11, a regulation relating to energy related tax incentives.

Ms. Kirkpatrick said she had numerous questions concerning the regulation.

Stacey Crowley, Director, Nevada State Office of Energy, was present to answer questions for the Subcommittee.

Ms. Kirkpatrick said she had specific questions on specific sections of R125-11. She said she wanted a review at the end of the discussion. Her concerns started with Section 13. She was concerned about changing the definition of full-time employee. She said during the Legislative process it was a contentious bill. She said they were giving 30 year abatements to people. They needed to get the most money possible from the construction side because the State did not receive much after that time. She said in Section 13 the definition was changed from 40 hours to 35 hours. They also gave the ability for the Director to do less than 80 percent if the employer submitted a request stating reasonable grounds for the exemption. She wanted to understand about the leased vehicles also. She said the whole idea of 30 year abatements was to make sure they generated dollars back into the economy. She said that was why they wanted them to buy things as opposed to just leasing them for short times. Another section dealing with health care was to not require an employee to work on the construction of a facility throughout the entire second quarter of the construction in order to be counted as a full-time employee. She said that appeared to contradict the legislative intention. She said it was a struggle to move forward with this bill. She asked for discussion on Section 13.

Ms. Crowley said Section 13, 2A, was a definition of a full-time employee. She said they worked with DETR to arrive at the 35 hours. There was discussion about different shift cycles. She said in some cases a full-time employee was considered someone who worked between 35 hours and more than 40 hours. She said DETR agreed 35 hours was a threshold that was part of a precedent set by the U.S. Bureau of Labor Statistics. She said varying work hours occurred in construction. Section 13, 5G, was a discussion about the Director approving a minimum contribution of less than 80 percent if the employer submitted a written request. She said it was not an exemption, it was an exception. It

allowed some flexibility. Section 15 referenced prior Section 26, G2 concerning leased equipment. She said it was a long discussion regarding how equipment was used on projects. Purchased goods and leased goods under tax law were considered the same in terms of paying sales and use taxes. She said it would only be attributed to equipment leased for the construction of a facility and only for the time during the construction. She said it was a clarification.

Ms. Kirkpatrick said a discussion with DETR meant a 40 hour work week. She asked what the other identifying documentation was approved by the Director instead of a Nevada Driver's license or a valid ID. She said it was a concern making sure it was people who lived here receiving the jobs.

Ms. Crowley said it was to broaden other types of identification considered valid, such as passports and others. The annual compliance reports check all the files and copies of driver's licenses to receive all the information.

Ms. Kirkpatrick said most of the other changes were changing the word Commissioner to Director. She said she could not support it. She said the crux of the discussion was to force them to get a Nevada Driver's license to get the \$20 from the driver's license fees. She could not get past changing it to 35 hours without a guarantee they would get health insurance or be considered a full-time employee. She was concerned about the section concerning the managerial parts. She said they wanted to insure the average wage of 150 percent.

Mr. Stewart agreed with Ms. Kirkpatrick. He was concerned about rebates and help and then ending up with a plant with very few employees. He asked if there was a survey to see if it was all worthwhile and if the State received any benefit.

Ms. Crowley said they developed a spread sheet tracking the projects with tax abatements. She said if the capital investments were included as well as the taxes the projects paid throughout their 20 year tax abatement, it was approximately a 10 to 1 benefit the State received in terms of capital investment. She said in terms of dollars and wages in salaries versus the abatement that was the benefit they saw. There were indirect benefits as well for suppliers and vendors. She said it was true, typically solar facilities once they were operational, took very few people to run. She said geothermal plants needed more people and wind energy was in between the two others.

Mr. Stewart asked for a brief report of facilities established here and a summary of the companies coming to Nevada. He asked for an estimate of the number of employees and how they were doing.

Ms. Crowley said it was a spread sheet she would send to LCB staff.

Ms. Kirkpatrick asked where the definition of managerial came from because it did not seem to be consistent with the work from the past. She said someone could be a manager and be the only person on the job.

Ms. Crowley recalled the lengthy workshop. She said it came from a source discussed in the hearings. She said she would look up the notes from the previous meetings.

Ms. Kirkpatrick said she did not agree with the regulation. She suggested the whole legislative commission look at the regulation. She said the regulation was different than everything discussed earlier. She was concerned about the definition of managerial.

Chair Denis said they should defer the decision to the next legislative meeting.

Ms. Crowley asked if she could submit things ahead of time to the Subcommittee before they had another workshop. She wanted to be sure of all the questions.

Chair Denis asked Ms. Kirkpatrick if she had addressed all of her issues so when they returned to another workshop all the issues were addressed.

Ms. Kirkpatrick said all of Section 13 was a concern; Section 15 needed an explanation as to why leased vehicles were an issue. She was also concerned about a time frame. She said they shortened a time frame for themselves as to when the application was submitted and given a number. She said in the past they gave 10 days and now it was much shorter.

Ms. Crowley said leased vehicles were things they did not buy, but they leased it. They pay sales and use tax on leased products. The leased equipment was subject to the tax abatement while it was used for the specific project. The time frames had to do with the transfer between the Energy Commissioner and the Energy Director and some things were passed back and forth between them. She said now they could save some time because they did not have to hand things to another energy office to process the application. The pre-application process was removed. It did not help their office prepare in anyway to have the information ahead of time. She said the application process and information they asked for was still the same. They tried to consolidate the process.

Ms. Kirkpatrick said in the past they did not receive the tax abatement on the leased vehicles and now the abatement was given. She said it was not considered in the past and now an additional abatement was added to the process. She asked for clarification.

Ms. Crowley said Brent Kiele would explain the process.

Mr. Brent Kiele said he was a tax attorney. He offered a background on how leases were taxed in Nevada. He said it was not an additional abatement. The abatement allowed the abatement of sales and use taxes charged on the facility for items used for the facility. He

believed with the lease structure they were already abated. He said with the lease structures when a company leased equipment and that was their business, they had two options when they originally purchased the equipment. The first was they paid all the sales and use tax on it when they purchase the equipment. The other option was they elected to pay sales and use tax on the lease income streams they made from the leasing of the equipment to other companies. He said if a developer leased equipment from a company who paid the sales and use tax upfront, then there was no sales and use tax incurred on those lease streams in Nevada. He said if the leasing company did not elect to pay the sales and use tax upfront, but rather made it on the income stream based on the lease payments, then there was sales and use tax incurred on the income stream. He said the regulation attempted to clarify this was a sales and use tax incurred on an item used only for the construction of the facility. He said they believed it was a clarification of the existing law.

Ms. Kirkpatrick said the discussion had occurred earlier. She said they abated almost everything for them. She had a problem with leasing because the discussion had already occurred. She asked for a specific example that would drive the change in regulation.

Mr. Kiele said there was no specific project. He said it was one of the issues about which they had questions. He said if they were leasing large scale construction equipment and if they were charged sales and use tax on them, was it abated. He said their interpretation was it was already abated. He said they were clearing up the regulations and the purpose behind the regulation was to make certain the law was clear and there was no confusion.

Ms. Kirkpatrick offered to explain to Mr. Kiele the earlier discussions. She said the whole purpose was to capture something for Nevada because everything was coming from out-of-state. She said she would provide the minutes to anybody wishing to read them. She worried that leasing would set a precedence where people would lease their vehicles and bring them from out-of-state. She said his statement helped her and she hoped Ms. Crowley would go back and readjust it.

Chair Denis asked if there were further questions. He asked if Ms. Crowley had any more questions or concerns.

Ms. Crowley said she did not have any, but she would contact Ms. Kirkpatrick if she did have further questions.

Chair Denis deferred the regulation to the next meeting of the Legislative Commission or the Subcommittee to Review Regulations. Chair Denis opened discussion on R045-12, Department of Motor Vehicles. He said the regulation revised provisions relating to notification to DMV concerning the issuance, amendment, or termination of motor vehicle liability policy. He requested comment on the regulation.

Mr. Stewart referenced a letter the Subcommittee received from Mark Sektnan of Property Casualty Insurers, [Exhibit C](#). He said there were three major concerns mentioned in the letter. He asked someone from the Department of Motor Vehicles to address the concerns in the letter. Mr. Stewart read parts of the letter [Exhibit C](#), to the Subcommittee members. He asked for clarification on the first concern in the letter.

Chair Denis asked if there was anyone wishing to give public comment on the item. He asked them to identify themselves for the record.

Jeanette Belz said she represented the Property Casualty Insurers Association, (PCI). She would review the points of the letter if they wanted her to do so.

Chair Denis asked her to concisely review the points of the letter.

Ms. Belz said the first point had to do with the insurers being concerned about having to go to the DMV website to look for changes in specifications. She said they testified at various workshops on the issue. They received verbal communication that they would give a ninety day notice for any changes, but the members of PCI were still concerned it was not put in writing. They requested at least two months notice of any changes and it was incorporated as part of the regulation. The second point in the letter related to the continuing opposition of the PCI regarding periodic data recording requirements. She said a web based system allowed insurers to not have to constantly provide updated information. They wished to exclude from the requirement carriers that offered something called unknown carrier broadcast functionality. She said if they were excluded PCI would be satisfied. The third point of [Exhibit C](#) related to using standard guidelines established by the Insurance Industry Committee of Motor Vehicle Administration's Insurance Data Transfer Guide.

Mr. Stewart asked the people from the DMV to respond to the points in the letter.

Troy Dillard, Deputy Director, Department of Motor Vehicles, said Bernadette Nieto and Frank Maiden were also present. He addressed each of the concerns PCI brought up in their letter, [Exhibit C](#). He said four years ago Nevada changed the way insurance verification for motor vehicles was conducted. The State went to an online system. He said the person notified the DMV who their insurance carrier was and then the Department validated with the carrier on a random basis. The problem was the adopted regulation put the burden on each individual that insured a motor vehicle. He said that meant over 2 million individuals had to continue to tell the DMV every time their insurance changed, or changed companies or policy numbers. He said the volume of unnecessary mail generated was serious. Nevada was the only state in the nation to go to a solely online system. He said all other states received some form of information from the insurance industry, and that was the DMV's request. He said they were asking them to submit books of business and it removed the burden from the individual citizen for

each of the policies. He said regulation was designed to fix a very broad hole that was discovered after the adoption of the initial regulation.

Mr. Dillard said when the document was published on the web site, the insurer did not have to check on the website to find out if something had changed. He said the DMV would notify them if there was a change to the requirements. They used the standards of the Insurance Industry Committee on Motor Vehicle Administration, (IICMVA). He said they were adopting the industry standard. The second issue was their request for an exemption for participating in the unknown carrier query process from having to provide books of business. He said the unknown carrier query process had not produced good results for the DMV. It was not subject to specific standards or guidelines. He said each insurance company that decided to participate in the process set their own standards as to how they wanted to look at the insurance. He said it was a single check for participant and it was not a highly productive system. If the insurance industry came together with a clearing house where a query went to a centralized location, it would be very efficient and the DMV would appreciate it because it would be functional. The current system was not functional. The book of business is functional because every company has one and they know what it means.

Mr. Dillard said the final clarification on the last question was that the industry was requesting to be able to send their full book of business and not parse the data down to just the changes. He said the way the specification was written they could submit a full book of business or just the changes if they wished.

Mr. Stewart said he wanted Ms. Belz to respond or clarify any issues she had.

Ms. Belz said the Property Casualty Insurers Association appreciated the clarification on the last point concerning the insurers submitting a full book or just the changes. She said the DMV providing 90 day advanced notice of any changes was helpful. She did not understand why it was not included in the regulation. She said they were generally satisfied and the DMV had reasons for going forward with the changes.

Ms. Kirkpatrick said the DMV was the one agency every Nevada resident had to deal with. She said everybody needed an ID Card or a driver's license. She asked why it was made difficult for the constituent.

Mr. Dillard said as far as the constituents were concerned, that was the point of the regulation. The motoring public did not have to go and take an additional action every time they made a change to their insurance. He said the purpose of the regulation was to stop and get the information to come from the insurance company as to what the policy numbers were and what vehicles were covered. He said putting time frames into the regulation was acceptable if necessary to get the regulation accepted. The guideline

would be in writing. He said Nevada used to require its own standard of what it wanted from the insurance industry. He said they used industry standard now.

MR. STEWART MOVED TO APPROVE R045-12.

SENATOR ROBERSON SECONDED THE MOTION.

Ms. Kirkpatrick said time frames were helpful for everybody else who did not work for the DMV. She said they needed to do a better job. Money was spent to have workshops to include both. She said all she had was their word that it was going to be on the website.

Chair Denis asked the people from the DMV when they changed their website would it require a large budget and will it be delayed.

Mr. Dillard said no, the actual standard would be published after the regulation was adopted and filed with the Secretary of State's office. The document had the information in it. It was internally driven and did not require outside people. It will go up very quickly.

Mr. Stewart asked Mr. Dillard to notify the Subcommittee by email when it occurred.

Mr. Dillard asked if he wanted notification of when the standard was published.

Mr. Stewart said when the change was on the website.

Mr. Dillard said he would notify them.

Senator Roberson said he was convinced the regulation would ease the burden on the consumers. He said he did not want to overly burden the insurance industry. He asked if Ms. Belz attended the workshops. He asked if the objections were being heard today for the first time.

Ms. Belz replied they submitted the requests and were part of the workshop hearings.

Senator Roberson asked what discussions had taken place between her and the DMV. He asked why it was still unresolved and if any communication or progress was made on the regulation.

Ms. Belz said there had been on-going conversations about this regulation, and public testimony was provided at various points. She called Mr. Dillard yesterday and provided the letter to him.

Senator Roberson said he was open to further discussion outside of the hearing between Ms. Belz, her client, and the DMV. He asked if there was further improvement to the regulation Mr. Dillard could foresee with further discussion on the issue.

Mr. Dillard said in addition to discussion with Ms. Belz he spoke at the National Conference for IICMVA with regard to this issue. He said it was a multitude of companies making up the insurance industry. Nevada was the only state that adopted the suggestion to go completely on line. He said they soon learned it was a failed program. It caused an issue with the consumers and a lot of unnecessary costs. He said the regulation being put forward was the best option at this time.

Chair Denis asked if there was further discussion on the motion. There was none.

THE MOTION CARRIED.

Senator Parks said he requested a BDR for the next session concerning this issue.

Chair Denis opened discussion on R055-12.

Mr. Stewart was concerned there was going to be a test without a minimum score to pass. He asked for an explanation.

Adam Plain, Insurance Regulation Liaison, Division of Insurance, said the regulation repealed a minimum test score requirement for a test that had not existed since 1997. The regulation was adopted in 1984, at which time there was a test. He said sometime between 1984 and 1997 the test was taken away but the minimum score requirement remained. He said that score was being proposed for removal today.

Chair Denis asked if that answered all the questions concerning the regulation. He asked if there were further comments or concerns.

MR. STEWART MOVED TO APPROVE R055-12.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis opened discussion on R065-12.

Senator Parks had a question concerning definition to program. He said on page 3 it said authorized inspection stations may renew registration of motor vehicles. He asked if it was something being expanded to allow authorized inspection stations to process registrations for motor vehicles.

Terri Carter, Administrator of Management Services and Programs Division, DMV, said Pete Olsen was also present. She said in the referenced section the DMV removed had the definition of program from NAC without changes. She said section 6 removed the definition of program from NAC 482.715, into NAC 482.700 without changes. She said NAC 482.715 was proposed to be repealed. The definition was not eliminated, they were simply moving it.

Senator Parks asked if they allowed an inspection station to process renewal registrations.

Ms. Carter said that was the current practice. She said it was particularly true of the emission stations when people had those inspections.

SENATOR PARKS MOVED TO ADOPT R065-12.

MS. KIRKPATRICK SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis asked if there was public comment on R141-12.

Ms. Kirkpatrick said she had a question on Section 4 of the regulation. She said she wanted to understand what they were trying to do. She wanted to know if it meant a horse trailer or a larger truck could weigh a little bit more. She asked if it meant a toy hauler and a large diesel truck. She said it was very confusing as to what a Class A license entailed.

Ms. Carter said Debbie Wilson would address her questions.

Ms. Wilson, Management Analyst, DMV, said with a Class A they were clarifying the weight rating. It did not change the weights from the initial regulations. It broke out a gross weight rating versus gross combination weight. It clarified for law enforcement, but did not change the weights for a Class A vehicle.

Ms. Kirkpatrick said she wanted to be able to explain the regulation to her constituents in layman's terms. She said if she did not understand it, she could not explain it. She was

concerned about people with farm equipment or people with toy haulers. She asked for an explanation in layman's terms.

Ms. Wilson said a standard dual axel truck towing a vehicle or a combination of vehicles over ten thousand pounds with a combined weight exceeding twenty six thousand pounds, had to upgrade to a Class A license. She said if it did not exceed the combination weight of the vehicles being towed a Class A was not required.

Ms. Kirkpatrick said that made sense and she wished regulation were written in that manner. She said it was complicated to explain.

Ms. Wilson said they took the federal classifications and weights and put it into a non-commercial system. She said it was what they had always done, but it was confusing.

MS. KIRKPATRICK MOVED TO APPROVE R141-12.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis opened discussion on R083-12, State Board of Education.

Mr. Stewart asked what the reasoning was to do two essays.

Carol Mason, Security Officer, State Proficiency Examination Program, said the general assessment for the writing essay exam previously required students to write one narrative essay and the other essay was either expository or persuasive. She said when they adopted the Common Core State Standards in 2010 the narrative was eliminated. Now the students produced one expository and one persuasive. The alternative assessment aligned the criteria to the general assessment which also aligned to the state standards.

Ms. Kirkpatrick asked if it took effect this high school year.

Ms. Mason said the students were required to do the expository and persuasive pieces since the adoption of the Common Core State Standards. She said they were trying to align the alternative assessment to meet the requirement. The students had been required to do this. It was cleanup language for NAC so the regulation was in compliance with state standards.

MR. STEWART MOVED TO APPROVE R083-12.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis opened discussion on R085-12.

Ms. Kirkpatrick asked who determined who could run for the State Board of Education as an officer of the board. She said a bill passed last session, but it seemed an odd question at this time.

Chair Denis said to be clear, this was their election for their board officers.

Mike Raponi, Director for the Office of Career, Technical, and Adult Education, Department of Education, said Superintendent Guthrie requested this regulation be postponed to a future Commission meeting.

Chair Denis said they would defer R087-12 to the next meeting of the Legislative Commission or the Subcommittee to Review Regulations. He asked Ms. Kirkpatrick to state her concerns for the record.

Ms. Kirkpatrick said her concern was it was that one section that seemed self-interested. She wanted to better understand the regulation.

Chair Denis said he understood the regulation to mean only those elected were eligible to serve in the positions.

Mr. Raponi said he agreed with Chair Denis. He said he was not versed in the background of the regulation.

Ms. Kirkpatrick said only four people were elected and there were only four places, so they received the seats.

Chair Denis said they would defer the regulation to the next meeting. He opened discussion on R087-12.

Mr. Stewart was concerned a rural community with a career requirement for agriculture would be affected and not be able to continue with that curriculum. He said it could limit what a rural school could do as far as career education.

Mr. Raponi said the changes to the regulations did not impact the ability of rural schools to offer technical and career education programs. He said they established a career and technical education course catalog with core sequences. They did not limit the smaller schools and they were able to continue to offer the programs they had now.

Chair Denis asked if there were further questions. He asked for a motion on the regulation.

MR. STEWART MOVED TO APPROVE R087-12.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis opened discussion on R169-12, a regulation revising content standards for a course of study in academic achievement, career exploration, and personal and social development. He said the items were important for students in their successes.

Mr. Raponi deferred the background of the regulation to Lisa Reimers. He said they were revised standards for comprehensive guidance and counseling in Nevada.

Lisa Reimers, Department of Education, said the original standards for school counseling were last passed in 2002. She said for the past two years a group of 20 members representing rural counties as well the large urban schools developed a new set of standards. They decided to adopt the national standards produced by the American School Counselors Association. She said they made sure the standards were applicable in Nevada. They added their own standards based on technology security.

MR. STEWART MOVED TO APPROVE R169-12.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION CARRIED.

Chair Denis next opened discussion on R062-12, Board of Wildlife Commissioners. He asked if there was any public comment.

Senator Parks said this had been a hotly discussed issue. He asked for any comments from the Board of Wildlife Commissioners or the Department of Wildlife on the issue. He was especially concerned about Clark County.

Rob Buonamici, Chief Game Warden, Department of Wildlife, gave a brief overview of the history of the regulation. He said it had been controversial and an intense process. The Board of Wildlife Commission established a trapping committee and the committee held two meetings in Reno and two meetings in Las Vegas. He said they received a

tremendous amount of public input on both sides of the issue. He said they arrived at the regulation after the meetings. He said no one group was satisfied totally with the regulation. Those in favor of trapping, and those not in favor of it, felt they could live with the regulation. He said it was not a unanimous decision.

Senator Parks said he was all right with the regulation.

SENATOR PARKS MOVED TO APPROVE R062-12.

SENATOR ROBERSON SECONDED THE MOTION.

THE MOTION CARRIED.

Ms. Kirkpatrick asked for some time to make some comments. She wanted everybody to think about giving authority away for agencies to write standards and have very broad authority. She said in her opinion they got regulations that circumvented the system. She said it was their own fault for giving away the ability to establish standards. They gave education and health care broad latitudes to make standards. She received disturbing emails from constituents where an agency told them they were not taking any more public comment. She said people were trying to address issues and they could not get to all the meetings. There had to be an opportunity for better dialogue. She was concerned constituents were being too limited in what they presented. She hoped as legislators they would quit giving away their ability to write standards.

Chair Denis said he saw where they limited the amount of time when there were a lot of people making the same comments. He was unaware of limiting a written document to one page because it did not take up time or slow down the process. He said they wanted people to have the opportunity for the input. He said the legislative concerns were not always addressed in the workshops. He asked if there were other comments from members or public comment.

Legislative Commission's Subcommittee
To Review Regulations
Date: November 1, 2012
Page: 16

Chair Denis adjourned the meeting at 10:54 a.m.

RESPECTFULLY SUBMITTED:

Olivia Lodato, Interim Secretary

APPROVED BY:

Senator Mo Denis, Chair
Legislative Commission's Subcommittee to Review Regulations

DATE: _____

EXHIBITS

Committee Name: **LEGISLATIVE COMMISSION’S SUBCOMMITTEE
TO REVIEW REGULATIONS**

Date: November 1, 2012

Time of Meeting: 9:00 a.m.

[illegible]