



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

SUMMARY MINUTES AND ACTION REPORT

The sixth meeting and work session of the Nevada Legislature's Sunset Subcommittee of the Legislative Commission was held on June 25, 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; 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
Assemblyman Richard McArthur
David Goldwater

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator James A. Settelmeyer
Frank Partlow

COMMITTEE MEMBER ABSENT:

Barbara Smith Campbell

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Marjorie Paslov Thomas, Principal Research Analyst, Research Division
Scott Young, Managing Principal Policy Analyst, Research Division
Sara L. Partida, Principal Deputy Legislative Counsel, Legal Division
Rick Combs, Fiscal Analyst, Fiscal Analysis Division
Janet Coons, Secretary, Research Division

OPENING REMARKS

- Chair Bustamante Adams called the meeting to order and welcomed members and the public to the sixth meeting and work session of the Sunset Subcommittee of the Legislative Commission.

PUBLIC COMMENT

- Brad Beal, President, One Nevada Credit Union, testified in favor of retaining the Credit Union Advisory Council. He suggested the nominations for the Council not be limited to only those named by the Nevada Credit Union League, per subsection 2 of NRS 678.290, since all credit unions are not League members. Mr. Beal recommended the Governor have the option of appointing other qualified individuals.
- Bruce A. Rodela, President and Chief Executive Officer, Frontier Financial Credit Union, submitted a letter encouraging the Subcommittee to keep the existing statutes pertaining to the Credit Union Advisory Council. (Please see [Exhibit B.](#))
- Paul Lamboley, Vice Chair, Commission on Ethics, reported the Commission is undergoing important restructuring and re-evaluations of staff and resources, as well as the enforcement of the public policy.
- Tyson Smith, licensed funeral director, embalmer, and funeral home owner, Boulder City Family Mortuary, Boulder City, Nevada, voiced his support of the current structure of the Nevada State Funeral Board. (Please see [Exhibit C.](#))
- Candy Grey, licensed funeral director and embalmer, testified in favor of the Nevada State Funeral Board. He proposed having doctors, nurses, and funeral directors fall under one umbrella of regulation, if Board changes have to be made.
- Chris McDermott, owner, McDermott Funeral Home, Las Vegas, Nevada, endorsed the current structure of the Nevada State Funeral Board. He recommended giving the Board more authority to administer rules and regulations. Mr. McDermott expressed his willingness to pay more for inspections.
- David Walters, owner, Desert Memorial Cremation & Burial, Sunrise Cremation & Burial, Henderson, Nevada, supported the Funeral Board. He opined the statutes governing the Board are old, and its duties and regulations should be expanded. Mr. Walters does not oppose an increase in fees.

There was discussion between Mr. Goldwater and Mr. Walters regarding the responsibilities of the Funeral Board. Mr. Walters declared the statutes do not provide the Board with the investigative tools necessary for enforcement. He also stressed the importance of an independent Board since the majority of funeral homes are contracted for business with State counties.

- Ryan Bowen, licensed funeral director, owner, La Paloma Cremation & Funeral Services, Las Vegas, Nevada, identified some inefficiencies of the Board: (1) the licensing renewal process is inconsistent; (2) the website has not been updated since 2001; and (3) there is no enforcement of doctor usage of the Electronic Death Registry System provided by the Department of Health and Human Services. Mr. Bowen favors consolidating the Board with another department in order to protect the public and improve the funeral industry.
- A letter was submitted from Aleda Nelson, Chair, Nevada State Funeral Board, in support of the Board. (Please see [Exhibit D.](#))
- Rebecca Motlagh provided a statement which shared her positive experience with the Nevada State Funeral Board. (Please see [Exhibit E.](#))

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

- *Credit Union Advisory Council (NRS 678.290)*
- *Committee on Anatomical Dissection (NRS 451.360)*
- *Board of the Public Employees' Benefits Program (NRS 287.041)*
- *Commission on Ethics (NRS 281A.200)*
- *State Board of Agriculture (NRS 561.045)*
- *Alfalfa Seed Advisory Board (NRS 587.135)*
- *Garlic and Onion Growers' Advisory Board (NRS 556.020)*
- *State Grazing Boards (NRS 568.040)*
- *Central Committee of Nevada State Grazing Boards (NRS 568.170)*
- *Nevada State Funeral Board (NRS 642.020)*
- *State Board of Oriental Medicine (NRS 634A.030)*
- *Pharmacy and Therapeutics Committee (NRS 422.4035)*
- *Committee on Co-Occurring Disorders (NRS 439.527)*

“WORK SESSION DOCUMENT”

The following “Work Session Document” ([Exhibit F](#)) has been prepared by Chair Bustamante Adams and staff of the Sunset Subcommittee 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.

RECOMMENDATIONS RELATING TO TERMINATING, CONTINUING, MODIFYING, OR CONSOLIDATING BOARDS AND COMMISSIONS
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1. **Credit Union Advisory Council** (NRS 678.290)—The Advisory Council advises, consults with, and makes recommendations to the Commissioner of the Division of Financial Institutions, Department of Business and Industry, in matters pertaining to credit unions.

Should the Credit Union Advisory Council 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 recommends that the Advisory Council should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Credit Union Advisory Council?*
- b. *Does the Subcommittee want to recommend any changes to the duties of the Credit Union Advisory Council?*

At the March 27, 2012, meeting, members of the Credit Union Advisory Council made the following recommendation:

Delete subsection 6 of NRS 678.290, which provides that Advisory Council members are entitled to receive a salary of \$60 for each day's attendance at a meeting of the Council.

- Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, pointed out that Terry Johnson, Director, Department of Business and Industry, submitted a letter with recommendations. (Please see [Exhibit G.](#))
- Chair Bustamante Adams informed the Subcommittee that her conversation with Director Johnson indicated consensus between the Department of Business and Industry and the Credit Union Advisory Council on the four points mentioned in Mr. Johnson's letter. (Please see [Exhibit G.](#))
- SENATOR LEE MOVED TO CONTINUE THE CREDIT UNION ADVISORY COUNCIL AND RECOMMENDED STATUTORY CHANGES TO THE RELATIONSHIP OF THE CREDIT UNION ADVISORY COUNCIL WITH THE DIVISION OF FINANCIAL INSTITUTIONS. HE FURTHER RECOMMENDED THE RETENTION OF THE MEETING SCHEDULE AND MEMBERS' SALARIES. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN CARLTON.

Discussion ensued between Chair Bustamante Adams and Assemblyman McArthur regarding the \$60 salary. Chair Bustamante Adams explained that the Council testified it would give up the salary, if necessary, in order to keep the Advisory Council.

- Mr. Goldwater opined that advisory councils are a compromise to a full regulatory board and existed in an era prior to open communication. He was also of the opinion that the costs of advisory councils are cumbersome and serve only as a political function.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

THE MOTION AS STATED BY SENATOR LEE AND SECONDED BY ASSEMBLYWOMAN CARLTON PASSED. SENATOR SETTELMAYER, MR. PARTLOW, AND MR. GOLDWATER VOTED NO.

2. **Committee on Anatomical Dissection** (NRS 451.360)—The Committee is required to record all dead human bodies received and distributed by it and the persons to whom the bodies may be distributed. The Committee must distribute the bodies proportionately and equitably, among schools, teaching hospitals in which there is a resident training program that requires cadaveric material for study, and such other person or entity that may be eligible to receive such bodies.

Should the Committee on Anatomical Dissection be terminated?

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

If the Subcommittee determines the Committee should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Committee on Anatomical Dissection?*
- b. *Does the Subcommittee want to recommend any changes to the duties concerning the Committee on Anatomical Dissection?*

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

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE COMMITTEE ON ANATOMICAL DISSECTION AND RECOMMENDED THE NEVADA SYSTEM OF HIGHER EDUCATION CLARIFY AND IMPROVE THE SCOPE OF THE COMMITTEE AS IT PERTAINS TO DONATED BODIES. THE MOTION WAS SECONDED BY SENATOR LEE AND PASSED.

3. **Board of the Public Employees' Benefits Program** (NRS 287.041)—The Board provides oversight to the Public Employees' Benefits Program, which is responsible for designing and managing a program of insurance and other flexible benefits for approximately 43,000 primary participants and their dependents.

Should the Board of the Public Employees' Benefits Program 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 the Public Employees' Benefits Program?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Board of the Public Employees' Benefits Program?*

- MR. GOLDWATER MOVED TO CONTINUE THE BOARD OF THE PUBLIC EMPLOYEES' BENEFITS PROGRAM WITH NO FURTHER RECOMMENDATIONS. THE MOTION WAS SECONDED BY SENATOR LEE.
- Assemblywoman Carlton expressed difficulty locating Board minutes and opined there should be built-in oversight of the Board since it manages millions of dollars for State employees. She added that she will address these issues during the 2013 Legislative Session.
- Chair Bustamante Adams asked legal counsel to clarify Section 12, subsection 2, of Senate Bill 251 (Chapter 480, *Statutes of Nevada 2011*). (Please see [Exhibit H.](#))
- Sara L. Partida, Principal Deputy Legislative Counsel, Legal Division, LCB, verified that subsection 2 of NRS 232B.250 states, "If the Sunset Subcommittee determines to recommend the consolidation, modification, or continuation of a board or commission, its recommendation must include suggestions for appropriate direct legislative action, if any, which would make the operation of the board or commission or its successor more efficient or effective." She added if there are no suggestions at the time of the motion, the Subcommittee is not required to include suggestions as part of its motion.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

THE MOTION AS STATED BY MR. GOLDWATER AND SECONDED BY SENATOR LEE PASSED. ASSEMBLYWOMAN CARLTON VOTED NO.

4. **Commission on Ethics** (NRS 281A.200)—The Commission investigates alleged violations of Chapter 281A ("Ethics in Government") of NRS by public officers and public employees, informs proper agencies of administrative or criminal noncompliance, recommends legislation to promote and maintain high ethical standards, and publishes a manual for the use of public officers and employees that contains guidance for all persons concerned with ethical standards in government.

Should the Commission on Ethics 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 Commission on Ethics?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Commission on Ethics?*

- SENATOR LEE MOVED TO CONTINUE THE COMMISSION ON ETHICS AND RECOMMENDED THE COMMISSION CONSULT THE GOVERNOR'S OFFICE OR AN INDIVIDUAL LEGISLATOR FOR SUBMISSION OF A BILL DRAFT REQUEST FOR RECOMMENDED POLICY CHANGES BY THE COMMISSION. THE MOTION WAS SECONDED BY SENATOR KIHUEN.
- Paul Lamboley, Vice Chair, Commission on Ethics, responded to Assemblyman McArthur's question of how agencies are notified by stating the Commission has two types of proceedings. He explained that requests for opinions from public officers and public employees, known as first- and second-party requests, are advisory in nature regarding past, present, and anticipated conduct. Mr. Lamboley identified public complaints regarding conduct of a public officer or public employee as third-party requests for opinion.

Continuing, Mr. Lamboley discussed the process for making the Commission's opinion regarding first- and second-party requests public. He further explained the procedure for determining credible evidence and the hearing process for third-party requests.

Responding to Assemblyman McArthur's question if there is any legal ramification for someone found guilty of an ethics violation, Mr. Lamboley verified that third-party requests for opinions include not only monetary sanctions, but possible removal from office after multiple, willful violations. Summarizing, he stated the statutory framework for the Commission on Ethics involves, encompasses, and anticipates consequences for ethics violations. Mr. Lamboley emphasized that the Commission has a duty to educate public officers, public employees, and the general public.

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

THE MOTION AS STATED BY SENATOR LEE AND SECONDED BY SENATOR KIHUEN PASSED. MR. PARTLOW AND MR. GOLDWATER VOTED NO.

5. **State Board of Agriculture** (NRS 561.045)—The Board must be informed on and interested in the entire field of legislation and administration charged to the State Department of Agriculture. The Board must establish the policy of the Department. Further, the Board must report to the Governor or the Legislature relating to the policies of the State concerning livestock and agriculture.

Should the State Board of Agriculture 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 State Board of Agriculture?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the State Board of Agriculture?*

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

SENATOR SETTELMAYER MOVED TO CONTINUE THE STATE BOARD OF AGRICULTURE WITH NO FURTHER RECOMMENDATIONS. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN CARLTON AND PASSED.

6. **Alfalfa Seed Advisory Board** (NRS 587.135)—The purpose of the Board is to prepare and present to the State Board of Agriculture a program for research in the production, harvesting, processing, distribution, and market promotion of alfalfa seed. The program must contain a recommendation of a natural person or agency to conduct or manage each project, the time period for each project, and the budget allocation for the project.

Should the Alfalfa Seed Advisory Board be terminated?

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

If the Subcommittee determines that the Advisory Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Alfalfa Seed Advisory Board?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Alfalfa Seed Advisory Board?*

- ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE ALFALFA SEED ADVISORY BOARD WITH NO FURTHER RECOMMENDATIONS. THE MOTION WAS SECONDED BY SENATOR SETTELMAYER.

Discussion ensued among members regarding the necessity of keeping the Board. Chair Bustamante Adams remarked the Board was self-supporting and its main function was research. Senator Settelmeyer acknowledged that keeping the Board advisory in nature is wise. He added that as market conditions and diseases change, the Board may be called upon to combat disease or other industry-related problems. Assemblywoman Carlton supported the idea of the Board functioning as an advisory committee.

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

THE MOTION AS STATED BY ASSEMBLYWOMAN CARLTON
AND SECONDED BY SENATOR SETTELMAYER PASSED.

7. **Garlic and Onion Growers' Advisory Board** (NRS 556.020)—The Board must prepare and present to the State Board of Agriculture a program for research in the production, harvesting, processing, distribution, and market promotion of garlic and onions. The program must contain a recommendation of a natural person or agency to conduct or manage each project, the time period for each project, and the budget allocation for the project.

Should the Garlic and Onion Growers' Advisory Board be terminated?

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

If the Subcommittee determines that the Advisory Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Garlic and Onion Growers' Advisory Board?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Garlic and Onion Growers' Advisory Board?*

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

SENATOR LEE MOVED TO CONTINUE THE GARLIC AND ONION
GROWERS' ADVISORY BOARD WITH NO FURTHER
RECOMMENDATIONS. THE MOTION WAS SECONDED BY
ASSEMBLYWOMAN CARLTON AND PASSED.

8. **State Grazing Boards** (NRS 568.040)—The State grazing boards direct and guide the disposition of the range improvement fund of each grazing district concerned, in the manner most beneficial to the stock raising payers of the grazing fees from which the funds are derived and to the counties concerned.

Should the State grazing boards be terminated?

If the Subcommittee recommends terminating the boards, should they be consolidated with another entity or have their duties transferred to another entity?

If the Subcommittee determines that the boards should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the State grazing boards?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the State grazing boards?*

- MR. PARTLOW MOVED TO CONTINUE THE STATE GRAZING BOARDS AND RECOMMENDED THE BOARDS BE COMBINED.
- Chair Bustamante Adams consulted the legal staff for an opinion on Mr. Partlow's motion.
- Sara L. Partida, previously identified, stated she was not certain if the State had the authority to combine the entities since the State grazing boards and the Central Committee of the Nevada State Grazing Boards fall under the Taylor Grazing Act.
- Mr. Partlow announced he will vote against any motion not including a recommendation to combine the State grazing boards and the Central Committee into one board. He withdrew his motion.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE STATE GRAZING BOARDS AND RECOMMENDED A LETTER BE SENT DURING THE 2013 LEGISLATIVE SESSION TO THE COMMITTEE OF JURISDICTION TO INVESTIGATE THE DISTRICTING OF THE STATE GRAZING BOARDS AND ADVANTAGES GAINED BY FUTURE CHANGES TO THE BOARDS. THE MOTION WAS SECONDED BY MR. PARTLOW AND PASSED.

9. **Central Committee of Nevada State Grazing Boards** (NRS 568.170)—The Central Committee provides a means that the State grazing boards may act together in matters of common interest and of general rather than local concern. Additionally, the Central Committee is required to carry out the provisions of the Taylor Grazing Act of 1934.

Should the Central Committee of Nevada State Grazing Boards be terminated?

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

If the Subcommittee determines that the Central Committee should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Central Committee of Nevada State Grazing Boards?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Central Committee of Nevada State Grazing Boards?*

The Taylor Grazing Act provides for the cooperation of the Secretary of the Interior of the United States with state and other officials and associations, and for the payment to the State by the Secretary of the Treasury of the United States of certain moneys representing a percentage of: (1) grazing fees collected from stock raisers for grazing use of areas within the various grazing districts created under the provisions of the Taylor Grazing Act; and (2) lease charges collected from stock raisers leasing certain specific tracts lying outside any such grazing districts.

“Taylor Grazing Act” means the Act of Congress entitled “An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the livestock industry dependent upon the public range, and for other purposes,” approved June 28, 1934, being c. 865, 48 Stat. 1269, also designated as 43 U.S.C. §§ 315 to 315r, inclusive, any amendment thereto and any replacement therefor, including provisions of the Code of Federal Regulations adopted and promulgated pursuant to any such act, amendment or replacement, providing for grazing districts or for payment of a portion of the moneys derived from grazing fees or grazing leases to the State of Nevada.

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

SENATOR LEE MOVED TO CONTINUE THE CENTRAL COMMITTEE OF NEVADA STATE GRAZING BOARDS WITH NO FURTHER RECOMMENDATIONS. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN CARLTON AND PASSED.

10. **Nevada State Funeral Board** (NRS 642.020)—The Board regulates funeral homes and burial services. The Board investigates complaints and may take disciplinary action against a licensee.

Should the Nevada State Funeral Board 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 Funeral Board?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Nevada State Funeral Board?*

At the June 5, 2012, meeting, members discussed the Board's records retention schedule. Based on this information, the following recommendation is proposed:

Send a letter to the Executive Director of the Board and the Office of the Attorney General requesting the Board review its records retention schedule to ensure compliance with the law.

- ASSEMBLYWOMAN CARLTON MOVED TO TERMINATE THE NEVADA STATE FUNERAL BOARD AND RECOMMENDED THE BOARD BE TRANSFORMED INTO AN ADVISORY BOARD AND ITS DUTIES TRANSFERRED TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.
- Assemblywoman Carlton voiced discomfort with the information received from the Funeral Board and opined the Board should evolve into an advisory capacity. She also expressed concern about using the word "terminate" in the motion.
- THE MOTION BY ASSEMBLYWOMAN CARLTON WAS SECONDED BY MR. GOLDWATER.

There was discussion concerning the termination of the Board. Assemblyman McArthur echoed Assemblywoman Carlton's concerns regarding usage of the word "terminate." Chair Bustamante Adams explained the Subcommittee has no choice due to the way the bill was written.

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

THE MOTION AS STATED BY ASSEMBLYWOMAN CARLTON AND SECONDED BY MR. GOLDWATER PASSED.

- Marjorie Paslov Thomas, previously identified, reminded the Subcommittee that a recommendation was made at the June 5, 2012, meeting requesting the Funeral Board to review its records retention schedule to ensure compliance with the law. (Please see [Exhibit I.](#))

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

ASSEMBLYWOMAN CARLTON MOVED THAT A LETTER BE SENT TO THE EXECUTIVE DIRECTOR OF THE NEVADA STATE FUNERAL BOARD AND THE OFFICE OF THE ATTORNEY GENERAL REQUESTING THAT THE FUNERAL BOARD REVIEW ITS RECORDS RETENTION SCHEDULE TO ENSURE COMPLIANCE WITH THE LAW. THE MOTION WAS SECONDED BY SENATOR LEE AND PASSED.

11. **State Board of Oriental Medicine** (NRS 634A.030)—The Board protects the public from unqualified individuals and individuals practicing Oriental medicine without proper licensure.

Should the State Board of Oriental Medicine 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 State Board of Oriental Medicine?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the State Board of Oriental Medicine?*

At the June 5, 2012, meeting, representatives of the Board explained there has been a vacancy on the Board (nonmedical public member) for at least one year but less than three years. Based on this information, the following recommendation is proposed:

Draft a letter to the Governor of the State of Nevada urging him to appoint a public member to the State Board of Oriental Medicine as quickly as he is able in order to continue the Board's duties of protecting the public's safety and welfare and regulating the practice of Oriental medicine.

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

ASSEMBLYWOMAN CARLTON MOVED TO CONTINUE THE STATE BOARD OF ORIENTAL MEDICINE AND RECOMMENDED A LETTER BE SENT TO THE GOVERNOR REQUESTING THE APPOINTMENT OF A PUBLIC MEMBER TO THE BOARD. THE MOTION WAS SECONDED BY MR. PARTLOW AND PASSED. SENATOR KIHUEN WAS ABSENT FOR THE VOTE.

12. **Pharmacy and Therapeutics Committee** (NRS 422.4035)—The Committee identifies prescription drugs that should be included on the list of preferred prescriptions for the Medicaid program. The decisions are based upon evidence of clinical efficacy and safety without consideration of the cost by the Committee. The list is reviewed at least annually by the Committee.

Should the Pharmacy and Therapeutics Committee be terminated?

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

If the Subcommittee determines that the Committee should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Pharmacy and Therapeutics Committee?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Pharmacy and Therapeutics Committee?*

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

SENATOR SETTELMAYER MOVED TO CONTINUE THE PHARMACY AND THERAPEUTICS COMMITTEE WITH NO FURTHER RECOMMENDATIONS. THE MOTION WAS SECONDED BY ASSEMBLYMAN MCARTHUR AND PASSED. SENATOR KIHUEN WAS ABSENT FOR THE VOTE.

13. **Committee on Co-Occurring Disorders** (NRS 439.527)—The Committee is required to study and review issues related to persons with co-occurring disorders; develop a policy statement confirming the State’s commitment to the treatment of persons with co-occurring disorders; review and recommend strategies to improve the treatment of persons with co-occurring disorders; and develop recommendations concerning the licensing of treatment programs.

Should the Committee on Co-Occurring Disorders be terminated?

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

If the Subcommittee determines that the Committee should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Committee on Co-Occurring Disorders?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Committee on Co-Occurring Disorders?*

Lesley R. Dickson, M.D., Chair, stated in a letter dated July 23, 2011, to Governor Brian Sandoval that the Committee has fulfilled its duties and “no longer sees a need to continue meeting as the Co-Occurring Disorder Committee.” The members proposed disbanding the Committee. (Please see [Exhibit J.](#))

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

MR. GOLDWATER MOVED TO TERMINATE THE COMMITTEE ON CO-OCCURRING DISORDERS WITH NO FURTHER RECOMMENDATIONS. THE MOTION WAS SECONDED BY SENATOR SETTELMAYER AND PASSED. SENATOR KIHUEN WAS ABSENT FOR THE VOTE.

PUBLIC COMMENT

- Michelle Kozlowski, Douglas County resident, member of the Subcommittee on Traumatic Brain Injury, supported continuing the Committee on Co-Occurring Disorders.
- Carl Seivert, Chair, Committee on Anatomical Dissection, commented on the recommendation to continue the Committee and place it under the supervision of the Nevada System of Higher Education (NSHE). He stated the Chancellor's Office of NSHE and Thomas L. Schwenk, Dean, School of Medicine, University of Nevada, Reno, are not interested in managing the Committee. Dr. Seivert added that the Committee currently has no power, money, or personnel to enforce legislation. He mentioned that at least four entities with their own anatomical donor programs exist in Las Vegas, over which the Committee has no jurisdiction.
- Joyce King, Administrator, Anatomical Donation Program, School of Medicine, University of Nevada, Reno, who assists Chair Seivert with the Committee on Anatomical Dissection, concurred with his description of the scope and structure of the Committee.
- Terry Johnson, Director, Department of Business and Industry, offered clarification of the matter concerning the Credit Union Advisory Council. He reiterated that if the Subcommittee wanted to retain the Advisory Council, he would offer recommendations. Mr. Johnson verified consensus between his office and the Credit Union League on the first two points in his letter regarding NRS 678.250 and NRS 678.270. He stated the second two points represent his counter offer to the Credit Union League's proposal. (Please see [Exhibit G](#).)
- James L. Mullikin, managing partner, Bunkers Mortuaries, Cemeteries & Crematory, Las Vegas, Treasurer, Nevada State Funeral Board, recommended that all correspondence regarding the Nevada State Funeral Board be sent to the Executive Director, the Chair, and himself to ensure a consistent and timely flow of information.

In response to Mr. Partlow's question regarding the next meeting of the Subcommittee, Chair Bustamante Adams replied that the Subcommittee met its requirement to review not less than 20 boards and commissions this year. She noted that additional meetings will be at her call.

- Senator Settelmeyer stressed the importance of presenting the actual cost of the Subcommittee compared to its savings to the Legislative Commission and the public. He suggested the Subcommittee's final report include an assessment of its accomplishments and savings incurred. Senator Settelmeyer also recommended the Subcommittee request the total evaluation process costs incurred from each entity reviewed.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 11:15 a.m.

Respectfully submitted,

Janet Coons
Senior Research Secretary

Marjorie Paslov Thomas
Principal Research Analyst

APPROVED BY:

Assemblywoman Irene Bustamante Adams, Chair

Date: _____

LIST OF EXHIBITS

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

[Exhibit B](#) is a letter dated June 19, 2012, to Frank Partlow, Member, Nevada Legislature Sunset Subcommittee of the Legislative Commission, from Bruce A. Rodela, President, CEO, Frontier Financial Credit Union, Reno, Nevada, supporting the Credit Union Advisory Council.

[Exhibit C](#) is a statement from Tyson Smith, Boulder City Family Mortuary, Boulder City, Nevada, regarding the Nevada State Funeral Board.

[Exhibit D](#) is a letter submitted via e-mail dated June 22, 2012, to Assemblywoman Irene Bustamante Adams and Members of the Sunset Subcommittee of the Legislative Commission, from Aleda Nelson, Chair, Nevada State Funeral Board, supporting the Nevada State Funeral Board Review.

[Exhibit E](#) is a statement from Rebecca Motlagh, Las Vegas, Nevada, supporting the Nevada State Funeral Board.

[Exhibit F](#) is the Work Session Document dated June 25, 2012, provided by Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB.

[Exhibit G](#) is a letter dated June 20, 2012, to Assemblywoman Irene Bustamante Adams, Chairwoman, Sunset Subcommittee of the Legislative Commission, from Terry Johnson, Director, Department of Business and Industry, regarding the Credit Union Advisory Council.

[Exhibit H](#) is a copy of Senate Bill No. 251 (Chapter 480, *Statutes of Nevada 2011*), relating to the duties of the Sunset Subcommittee of the Legislative Commission.

[Exhibit I](#) is a document titled “State Board of Funeral Directors, Embalmers and Operators of Cemeteries & Crematories,” dated May 17, 2000, regarding the Records Retention and Disposition Schedule of the Nevada State Funeral Board, provided by the Nevada State Library and Archives Records Management Program.

[Exhibit J](#) is a letter dated July 23, 2011, to the Honorable Governor Brian Sandoval, from Lesley R. Dickson, MD, Chair, Governor’s Committee on Co-Occurring Disorders, regarding the Governor’s Committee on Co-Occurring Disorders.

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