

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-Second Session
March 15, 2023**

The Committee on Commerce and Labor was called to order by Chair Elaine Marzola at 1:33 p.m. on Wednesday, March 15, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Elaine Marzola, Chair
Assemblywoman Sandra Jauregui, Vice Chair
Assemblywoman Shea Backus
Assemblyman Max Carter
Assemblywoman Bea Duran
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Daniele Monroe-Moreno
Assemblyman P.K. O'Neill
Assemblywoman Selena Torres
Assemblyman Steve Yeager
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Marjorie Paslov-Thomas, Committee Policy Analyst
Cyndi Latour, Committee Manager
Julie Axelson, Committee Secretary
Elizabeth Lepe, Committee Secretary



Spencer Wines, Committee Secretary
Garrett Kingen, Committee Assistant

OTHERS PRESENT:

None

Chair Marzola:

[Roll was called and Committee rules and protocols explained.] Today, we will conduct a work session to take action on measures the Committee has heard in previous meetings. It is not customary for the Committee to take testimony or otherwise rehear the bills during a work session. However, I may invite a witness to come forward for clarification or questions during our consideration of a measure. We will now begin the work session, and I will turn over the meeting to our policy analyst, Ms. Paslov-Thomas, to go over Assembly Bill 21.

Assembly Bill 21: Revises provisions related to persons engaged in the transmission of money and certain related activities. (BDR 55-273)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, [Exhibit C](#).] Assembly Bill 21 revises provisions related to persons engaged in the transmission of money and certain related activities. It was sponsored by the Committee on behalf of the Division of Financial Institutions of the Department of Business and Industry, and it was heard on February 15, 2023.

Assembly Bill 21 makes various changes related to persons engaged in the transmission of money. Among other things, the bill:

- Revises the powers and duties of the Commissioner of Financial Institutions with respect to the licensure and regulation of persons engaged in the business of money transmissions;
- Exempts certain persons from the provisions governing money transmission;
- Imposes certain requirements and restrictions on applicants for a license, licensees, authorized delegates, key individuals, and persons seeking to acquire control of a licensee;
- Sets forth certain requirements for transactions involving money transmission;
- Revises provisions relating to the suspension, revocation, or denial of renewal of a license; and
- Provides for certain penalties for violations of the provisions governing money transmission.

Sandy O'Laughlin, Commissioner, Division of Financial Institutions, Department of Business and Industry, proposes the following amendments:

1. Amend subsection 2 of section 36 of the bill to delete lines 29 through 32, which removes the ability of the Commissioner of Financial Institutions to impose additional fees.
2. Delete subsection 2(b) of section 50 of the bill, which removes the requirement for a person or group of persons acting in concert seeking to acquire control of a licensee to submit a nonrefundable fee to the Commissioner of Financial Institutions.
3. Amend lines 30 through 31, page 32, subsection 1 of section 66 of the bill to retain "or any subsidiary thereof."
4. Revise the requirements set forth in subsections 1 and 2 of section 74 relating to the amount of the surety bond that a licensee is required to maintain to provide that a licensee that maintains a bond in a principal sum of \$500,000 or more is not required to calculate the average daily money transmission liability in this state for the purposes of the provisions governing the required bond amount.
5. Delete section 76 of the bill and repeal *Nevada Revised Statutes* (NRS) 671.140, which requires the posting of a schedule of rates.
6. Delete section 77 of the bill and repeal NRS 671.150, which sets forth certain requirements for the remittance of money or credits to a licensee.
7. Delete subsection 2 of section 80 of the bill, which authorizes the Commissioner of Financial Institutions to impose certain additional administrative fines.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 21.

ASSEMBLYWOMAN TORRES MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 21.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Torres:

I want to thank the sponsor for taking the time to meet with me so we could discuss legislation, and I definitely support the policy.

Assemblyman O'Neill:

I will be voting yes, but I will be reserving my right. I want to look into this bill a little more on the two-thirds requirement. I did not see it initially, so I want to see it move, but I will hold my right to reserve because of that one issue.

Chair Marzola:

I appreciate your letting us know.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Yurek. Next, we will move on to Assembly Bill 78. I will turn it over to Ms. Paslov-Thomas.

Assembly Bill 78: Exempts certain providers of jobs and day training services from licensure as nurses. (BDR 54-12)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, Exhibit D.] Assembly Bill 78 exempts a certified provider of jobs and day training services, or an employee or independent contractor of such a certified provider, from the requirement to be licensed by the State Board of Nursing to engage in activities that constitute the practice of nursing. It was sponsored by Assemblywoman Brown-May and heard on February 20, 2023. There are no proposed amendments.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to do pass on Assembly Bill 78.

ASSEMBLYWOMAN JAUREGUI MOVED TO DO PASS
ASSEMBLY BILL 78.

ASSEMBLYMAN YUREK SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Brown-May. Next, we will move to Assembly Bill 107.

Assembly Bill 107: Revises provisions governing certain pharmacies located outside this State. (BDR 54-109)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, [Exhibit E](#).] Assembly Bill 107 requires a pharmacist who is employed by an off-site pharmaceutical service provider to provide remote chart order processing services to a hospital or correctional institution in this state to be registered to practice in Nevada.

The measure requires a pharmacy located outside of this state that dispenses prescriptions to patients in Nevada, as part of its application for the issuance or renewal of a license, to provide to the State Board of Pharmacy the name of at least one pharmacist registered in this state who practices at the pharmacy and who is responsible for any prescription dispensed to a patient and any act or omission of pharmacy personnel who are not registered with the Board. It is sponsored by the Assembly Committee on Commerce and Labor. It was heard on February 22, 2023, and there are no proposed amendments.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to do pass Assembly Bill 107.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO DO PASS
ASSEMBLY BILL 107.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

Assemblywoman Jauregui, I will assign you the floor statement. Next, we will move to Assembly Bill 110.

Assembly Bill 110: Makes revisions governing the dispensing and delivery of certain dialysate drugs and devices used to perform dialysis. (BDR 54-616)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, [Exhibit F](#).] Assembly Bill 110 authorizes a manufacturer or wholesaler to dispense dialysate drugs and deliver devices necessary to administer dialysis at a residence after satisfying certain requirements to a patient with irreversible renal disease, or his or her designee, health care provider, or hospital or facility for the treatment of irreversible renal disease. A prescription provided to a manufacturer or a wholesaler for such purposes must comply with requirements concerning format, contents, and recordkeeping that apply to prescriptions generally. In addition, a manufacturer or wholesaler may use a third-party logistics provider to deliver the dialysate drug or device

necessary to administer the dialysis at home. A manufacturer or wholesaler that dispenses dialysate drugs must maintain certain records relating to dangerous drugs in the same manner as a pharmacy, hospital, or practitioner that furnishes dangerous drugs. It was sponsored by the Assembly Committee on Commerce and Labor and was heard on March 1, 2023.

Susan L. Fisher, Senior Vice President, Government Affairs and Advocacy, McDonald Carano, representing Nevada Society of Health-System Pharmacists, proposes the following amendment:

1. Revise the definition of "dialysate drug" set forth subsection 6(a) of section 1 of the bill to mean a drug solely composed of fluids, electrolytes, and sugars used for dialysis.

Chair Marzola:

Are there any questions. [There were none.] I will entertain a motion to amend and do pass Assembly Bill 110.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND DO PASS ASSEMBLY BILL 110.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will take the floor statement. We will now move to Assembly Bill 124.

Assembly Bill 124: Revises provisions governing the renewal of a license as an osteopathic physician or physician assistant. (BDR 54-525)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, [Exhibit G](#).] Assembly Bill 124 removes the requirement that the State Board of Osteopathic Medicine annually request submission of verified evidence of the completion of the required number of continuing medical education hours from not fewer than one-third of the applicants for a license renewal. Instead, the measure requires the Board to annually request the submission of such evidence from a percentage of applicants determined by the Board. It is sponsored by Assemblywoman Hardy and was heard by the Committee on February 20, 2023. There are no proposed amendments.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to do pass Assembly Bill 124.

ASSEMBLYWOMAN JAUREGUI MOVED TO DO PASS
ASSEMBLY BILL 124.

ASSEMBLYWOMAN DURAN SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Hardy. Our second-to-last bill is Assembly Bill 146.

Assembly Bill 146: Revises provisions governing video service. (BDR 58-669)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, [Exhibit H.](#)] Assembly Bill 146 revises the definition of video service to mean the provision of certain multichannel video programming provided by a video service provider, excluding certain video content accessed via the Internet, including streaming video content and direct-to-home satellite service, and any wireless multichannel programming provided by a commercial mobile service provider. It is sponsored by Assemblywoman Marzola and was heard by the Committee on February 22, 2023.

Hamlin Wade, Associate Vice President, State External Affairs, DIRECTV, proposes the following amendment:

1. Amend the bill to: (1) specify that the term "cable service," as defined in *Nevada Revised Statutes* (NRS) 711.025, does not include certain video content; and (2) make certain additional changes to the definition of "video service" set forth in NRS 711.141.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 146.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 146.

ASSEMBLYWOMAN HARDY SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will take that floor statement as well. Now, our last bill for the work session is Assembly Bill 163.

Assembly Bill 163: Revises provisions governing employment. (BDR 53-834)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, [Exhibit I](#).] Assembly Bill 163 requires an employer to provide a certain amount of paid or unpaid leave to an employee who has been employed by the employer for at least 90 days and who is a victim of sexual assault or whose family or household member is a victim of sexual assault. The leave must be used within one year of the date on which the assault occurred, may be used consecutively or intermittently, and must be deducted from leave permitted by the federal Family and Medical Leave Act of 1993, under certain circumstances. An employer must maintain a record of leave days used by each employee for a two-year period and make those records available for inspection by the Labor Commissioner upon request. The Labor Commissioner is required to prepare a bulletin setting forth the right to these benefits and require employers to post the bulletin in the workplace.

The measure prohibits the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation from disqualifying a person from receiving unemployment compensation benefits if: (1) the person left employment to protect himself or herself or his or her family or household member from a sexual assault; and (2) the person is actively engaged in an effort to preserve employment. The Administrator may request the person furnish evidence to support his or her claim for benefits.

The measure requires an employer to provide reasonable accommodations for an employee who is a victim of sexual assault or whose family or household member is a victim of sexual assault and prohibits an employer from denying employment to, or taking certain employment actions against an employee, because he or she requested such an accommodation or because of certain other circumstances related to the employee or a family or household member of the employee being a victim of sexual assault. It is sponsored by Assemblywoman González and was heard on February 20, 2023. There are no proposed amendments.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to do pass Assembly Bill 163.

ASSEMBLYWOMAN JAUREGUI MOVED TO DO PASS
ASSEMBLY BILL 163.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman González. This concludes our work session today.

I will now open up for public comment. Is there anyone wishing to give public comment? [There was no one.] Committee members, are there any questions or comments? [There were none.] This concludes our meeting today. Our next meeting will be Friday, March 17, 2023, at 1:30 p.m. This meeting is adjourned [at 1:45 p.m.].

RESPECTFULLY SUBMITTED:

Julie Axelson
Committee Secretary

APPROVED BY:

Assemblywoman Elaine Marzola, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Assembly Bill 21](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 78](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 107](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 110](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Assembly Bill 124](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 146](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Assembly Bill 163](#), presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.