

MEETING NOTICE AND AGENDA

Name of Organization: Legislative Commission (NRS 218E.150)

Date and Time of Meeting: Friday, June 5, 2020
1:00 p.m.

Place of Meeting: Pursuant to Governor Steve Sisolak's Emergency Directive 006, there will be no physical location for this meeting. The meeting can be listened to or viewed live over the Internet. The address for the Nevada Legislature's website is <http://www.leg.state.nv.us>. Click on the link "[Calendar of Meetings-View.](#)"

We are pleased to make reasonable accommodations for members of the public with a disability. If accommodations for the meeting are necessary, please notify Jordan Haas, Commission Secretary, at (775) 684-6830 or jordan.haas@lcb.state.nv.us, as soon as possible.

Please provide the meeting secretary by email (at jordan.haas@lcb.state.nv.us) or facsimile (at (775) 684-6761) or mail (401 S. Carson Street, Carson City, NV 89701) testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.

AGENDA

Note: Items on this agenda may be taken in a different order than listed. Two or more agenda items may be combined for consideration. An item may be removed from this agenda or discussion relating to an item on this agenda may be delayed at any time.

I. Opening Remarks

II. Public Comment

Public testimony under this item may be presented by phone or written comment. Because of time considerations, each caller offering testimony during this period for public comment will be limited to not more than 2 minutes. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted by email (at jordan.haas@lcb.state.nv.us) or facsimile (at (775) 684-6761) or mail (401 S. Carson Street, Carson City, NV 89701) before, during or after the meeting.

To dial in to provide testimony during this period of public comment in the meeting, any time after 12:30 p.m. on Friday, June 5, 2020:

Dial: (669) 900-6833

When prompted to provide your Meeting ID, please enter: 953 4735 8994 then press #

When prompted for a Participant ID, please enter #

To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-6990.

*For
Possible
Action*

III. Approval of the Minutes of the Meeting Held on February 26, 2020

*For
Possible
Action*

IV. Legislative Commission Policy

A. Approval of Language of Ballot Questions Pursuant to NRS 218D.810
Brenda Erdoes, Director

1. Ballot Question No. 1 - Assembly Joint Resolution No. 5 of the 79th Session (File No. 14, Statutes of Nevada 2017)
2. Ballot Question No. 2 - Assembly Joint Resolution No. 2 of the 79th Session (File No. 22, Statutes of Nevada 2017)
3. Ballot Question No. 3 - Senate Joint Resolution No. 1 of the 79th Session (File no. 29, Statutes of Nevada 2017)
4. Ballot Question No. 4 - Senate Joint Resolution No. 3 of the 79th Session (File no. 30, Statutes of Nevada 2017)

*For
Possible
Action*

IV. B. Review of Administrative Regulations
Risa Lang, Chief Deputy Legislative Counsel

(The text of the regulations included under this agenda item is hyperlinked to the electronic version of this agenda posted on the Nevada Legislature website. Please contact the Legal Division of the Legislative Counsel Bureau at (775) 684-6830 for a hard copy of the text of the regulations)

1. Review of Administrative Regulations Submitted Pursuant to NRS 233B.067

Please see attached list of regulations to be considered or access list electronically at:

http://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMtg_List_2020_June5.pdf

2. Early Review of Administrative Regulations Submitted Pursuant to NRS 233B.0681

(a) R047-20: Expanding authority to provide administrative leave with pay in certain emergency situations.

Access text of regulation electronically at:

http://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMtg_List_2020_June5_R047-20.pdf

(b) R054-20: Establishing provisions governing cost sharing, prescriptions and information relating to COVID-19.

Access text of regulation electronically at:

http://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMtg_List_2020_June5_R054-20.pdf

C. Approval of Appointments (NRS 218F.100, 218F.110)
Brenda Erdoes, Director

1. Approval of Appointment of General Counsel
2. Approval of Appointment of Legislative Counsel

D. Approval of Recommendations of the Committee to Conduct an Interim Study of the Requirements for Reapportionment and Redistricting in the State of Nevada (Senate Concurrent Resolution No. 9 of the 80th Session, File No. 33, Statutes of Nevada 2019)

E. Approval of Requests for Extension of Deadlines for Certain Interim and Statutory Committees
Brenda Erdoes, Director

1. Committee to Conduct an Interim Study of Issues Relating to Pretrial Release of Defendants in Criminal Cases (Senate Concurrent Resolution No. 11 of the 80th Session, File No. 50, Statutes of Nevada 2019)

2. Committee to Conduct an Interim Study Concerning the Costs of Prescription Drugs (Senate Bill No. 276, Chapter 324, Statutes of Nevada 2019)
 3. Committee to Conduct an Interim Study Concerning Wildfires (Assembly Concurrent Resolution No. 4 of the 80th Session, Statutes of Nevada 2019)
 4. Committee to Conduct an Interim Study of Issues Relating to Driving Under the Influence of Marijuana (Assembly Concurrent Resolution No. 7 of the 80th Session, File No. 48, Statutes of Nevada 2019)
 5. Committee to Conduct an Interim Study of Requirements for Reapportionment and Redistricting in the State of Nevada (Senate Concurrent Resolution No. 9 of the 80th Session, File No. 33, Statutes of Nevada 2019)
 6. Sunset Subcommittee of the Legislative Commission (NRS 233B.210)
- F. Approval of Bill Draft Request Concerning the Legislature and the Legislative Counsel Bureau
Brenda Erdoes, Director
- G. Appointment to the Nevada Silver Haired Legislative Forum (NRS 427A.330)
Brenda Erdoes, Director
- H. Appointment to the Washoe Regional Behavioral Health Policy Board (NRS 433.429(6))
Brenda Erdoes, Director
- I. Approval of Early Session Hires for the 2021 Legislative Session
Brenda Erdoes, Director

For Possible Action

- V. Legislative Audit
Daniel L. Crossman, Legislative Auditor
- A. Summary of Audit Reports Presented to the Legislative Commission’s Audit Subcommittee (NRS 218G.240)
 - B. Summary of 6-Month Status Reports on the Implementation of the Audit Recommendations by the Legislative Auditor as Submitted to the Legislative Commission’s Audit Subcommittee (NRS 218G.270)

For Possible Action

- VI. PROGRESS REPORT – Litigation Currently in Progress
Kevin Powers, Chief Litigation Counsel
- A. Charleston v. State of Nevada, Case No. 19-17423, United States Ninth Circuit Court of Appeals
 - B. Morency v. State of Nevada, Case No. A-19-800267-C, Eighth Judicial District Court, Clark County
 - C. Settelmeyer v. State of Nevada, Case No. 19-OC-00127-1B, First Judicial District Court, Carson City
 - D. State ex rel. Cannizzaro v. First Judicial District Court, Case No. 80313, Nevada Supreme Court
 - E. Killebrew v. State of Nevada, Case No. CV20-00506, Second Judicial District Court, Washoe County

VII. Public Comment

Public testimony under this item may be presented by phone or written comment. Because of time considerations, each caller offering testimony during this period for public comment will be limited to not more than 2 minutes. A person may also have comments added to the minutes of the meeting by submitting them in writing either in addition to testifying or in lieu of testifying. Written comments may be submitted by email (at jordan.haas@lcb.state.nv.us) or facsimile (at (775) 684-6761) or mail (401 S. Carson Street, Carson City, NV 89701) before, during or after the meeting.

To dial in to provide testimony during this period of public comment in the meeting, *any time after the Chair announces this second period of public comment* on Friday, June 5, 2020:

Dial: (669) 900-6833

When prompted to provide your Meeting ID, please enter: 953 4735 8994 then press #

When prompted for a Participant ID, please enter: #

To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-6990.

VIII. Adjournment

Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

Supporting public material provided to members of the Commission for this meeting may be requested from Jordan Haas of the Legal Division of the Legislative Counsel Bureau at (775) 684-6830 or by email at jordan.haas@lcb.state.nv.us. Any such material will be made available at the Nevada Legislature's website at www.leg.state.nv.us.

**STATE AGENCY REGULATIONS TO BE REVIEWED
BY THE LEGISLATIVE COMMISSION**

June 5, 2020

REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067:		
LCB NO.	NAC	AGENCY/ SUBJECT
2018 REGULATIONS		
R018-18	338	THE LABOR COMMISSIONER A REGULATION revising provisions related to public works projects CONTACT Shannon Chambers (775) 684-1891 shannonchambers@labor.nv.gov
R056-18	372	NEVADA TAX COMMISSION A REGULATION revising provisions governing the exemption from the sales and use tax for food for human consumption CONTACT George Hritz (775) 684-2059 ghritz@tax.state.nv.us
R090-18	652	STATE BOARD OF HEALTH A REGULATION establishing provisions governing applicants for laboratory personnel certification or laboratory directors CONTACT Leticia Metherell (775) 684-1045 lmetherell@health.nv.gov
R123-18	372	NEVADA TAX COMMISSION A REGULATION clarifying, for purposes of the sales tax, provisions concerning certain charges assessed against a person who rents or leases tangible personal property CONTACT George Hritz (775) 684-2059 ghritz@tax.state.nv.us
R176-18	645C	COMMISSION OF APPRAISERS OF REAL ESTATE A REGULATION revising various provisions CONTACT Teralyn Lewis (702) 486-4036 teralyn.lewis@red.nv.gov

2019 REGULATIONS		
R014-19	624	<p>STATE CONTRACTORS' BOARD</p> <p>A REGULATION Amending provisions related to disciplinary action and practice before the Board</p> <p>CONTACT Nancy Mathias (775) 688-1141x7862 nmathias@nscb.state.nv.us</p>
R018-19	284	<p>PERSONNEL COMMISSION</p> <p>A REGULATION relating to training for managers and supervisors</p> <p>CONTACT Michelle Garton (775) 684-0136 mgarton@admin.nv.gov</p>
R039-19	612	<p>EMPLOYMENT SECURITY DIVISION OF THE DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION</p> <p>A REGULATION Revising the maximum amount which the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation may reimburse to a nonprofit private entity for the costs of administering loans to assist certain start-up businesses</p> <p>CONTACT Stewart Terry (775) 684-3902 stewart.terry@nvdestr.org</p>
R063-19	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA</p> <p>A REGULATION amending inconsistencies between terms in the regulation and citations to the Code of Federal Regulations</p> <p>CONTACT Krishna Prasad (775) 684-6188 kprasad@puc.nv.gov</p>
R068-19	284	<p>PERSONNEL COMMISSION</p> <p>A REGULATION revising provisions relating to probationary and trial periods of employees that voluntarily transfer</p> <p>CONTACT Michelle Garton (775) 684-0136 mgarton@admin.nv.gov</p>
R069-19	284	<p>PERSONNEL COMMISSION</p> <p>A REGULATION revising provisions relating to requirements of a mandatory referral to the Employee Assistance Program</p> <p>CONTACT Michelle Garton (775) 684-0136 mgarton@admin.nv.gov</p>

R074-19	459	<p>STATE BOARD OF HEALTH</p> <p>A REGULATION revising various provisions relating to licensure</p> <p>CONTACT Karen Beckley (775) 684-5850 KBeckley@health.nv.gov</p>
R075-19	625A	<p>BOARD OF ENVIRONMENTAL HEALTH SPECIALISTS</p> <p>A REGULATION revising various provisions relating to environmental health specialists</p> <p>CONTACT Loretta Ponton (775) 746-9423 board@nvrehs.org</p>
R092-19	623	<p>STATE BOARD OF ARCHITECTURE, INTERIOR DESIGN AND RESIDENTIAL DESIGN</p> <p>A REGULATION revising provisions relating to fees and registration applications</p> <p>CONTACT Monica Harrison (702) 486-7300 mharrison@nsbaidrd.nv.gov</p>
R093-19	453	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION revising provisions relating to controlled substances listed in Schedule I</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R095-19	637B	<p>SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSING BOARD</p> <p>A REGULATION revising various provisions relating to licensure</p> <p>CONTACT Jennifer Pierce (775) 787-3421 execdirector@nvspeechhearing.org</p>
R106-19	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA</p> <p>A REGULATION establishing provisions governing energy storage plans</p> <p>CONTACT Donald Lomoljo (775) 684-6121 dlomoljo@puc.nv.gov</p>
R109-19	612	<p>EMPLOYMENT SECURITY DIVISION OF THE DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION</p> <p>A REGULATION establishing provisions governing the distribution of grant funds</p> <p>CONTACT Stewart Terry (775) 684-3902 stewart.terry@nvdestr.org</p>

R117-19	704	PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION establishing provisions governing renewable natural gas facilities CONTACT Jeanne Mortimer (775) 684-6819 jmortimer@puc.nv.gov
R124-19	284	PERSONNEL COMMISSION A REGULATION requiring the release of records for the purpose of conducting a sexual harassment or discrimination investigation CONTACT Michelle Garton (775) 684-0136 mgarton@admin.nv.gov
2020 REGULATIONS		
R007-20	628	NEVADA STATE BOARD OF ACCOUNTANCY A REGULATION revising various provisions relating to the State Board of Accountancy CONTACT Karen Peterson (775) 687-0202 kpeterson@allisonmackenzie.com
R019-20	385B	NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION A REGULATION amending provisions relating to the eligibility of certain international students to participate in a sanctioned sport CONTACT Paul Anderson (775) 827-2000 panderson@mcllawfirm.com

REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067 AND DEFERRED AT A PREVIOUS MEETING		
LCB NO.	NAC	AGENCY/ SUBJECT
2019 REGULATIONS		
R054-19	640	NEVADA PHYSICAL THERAPY BOARD A REGULATION establishing provisions relating to the care, training and education qualifications for delivery of dry needling skilled intervention CONTACT Charles Harvey (702) 876-5535 pted@govmail.state.nv.us
REGULATIONS SUBMITTED FOR EARLY REVIEW PURSUANT TO NRS 233B.0681:		
LCB NO.	NAC	AGENCY/ SUBJECT
2020 REGULATIONS		
R047-20P	284	PERSONNEL COMMISSION REGULATION expanding authority to provide administrative leave with pay in certain emergency situations CONTACT Michelle Garton (775) 684-0136 mgarton@admin.nv.gov
R054-20RP1	687B	COMMISSIONER OF INSURANCE A REGULATION establishing provisions governing cost sharing, prescriptions and information relating to COVID-19 CONTACT Sue Bell (775) 687-0704 suebell@doi.nv.gov