

REVISED (10/28/2020)
MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Thursday, October 29, 2020
1:30 p.m.

Place of Meeting: Pursuant to Sections 2 to 9, inclusive, of chapter 2, Statutes of Nevada 2020, 32nd Special Session, at pages 9-11, 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 1:00 p.m. on Thursday, October 29, 2020:

Dial: (669) 900-6833

When prompted to provide your Meeting ID, please enter: 972 8828 3349 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 Meetings Held on August 25, 2020 and September 18, 2020

*For
Possible
Action*

IV. Legislative Commission Policy

A. Review of Administrative Regulations Submitted Pursuant to NRS 233B.067
Bryan J. Fernley, Legislative Counsel

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_Oct29.pdf

(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)

B. Review of Emergency Regulation Submitted by the Department of Employment, Training and Rehabilitation Pursuant to Section 3 of Senate Bill No. 3 of the 32nd Special Session of the Nevada Legislature

Access Text Electronically at:

http://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMtg_List_2020_Oct29_E009-20P.pdf

C. Review of Nevada Cannabis Compliance Board Regulation Submitted Pursuant to NRS 678A.460

Access Text Electronically at:

http://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMtg_List_2020_Oct29_CannabisBoardRegulation.pdf

D. Request for Approval for Session Hires for the 2021 Legislative Session
Brenda J. Erdoes, Director

E. Appointments of Members to Committees and Similar Entities
Brenda J. Erdoes, Director

*For
Possible
Action*

V. Litigation

Report Regarding Litigation
Kevin C. Powers, General Counsel

A. *Morency v. State of Nevada*, Case No. 81281, Nevada Supreme Court

B. *Settmeyer v. State of Nevada*, Case No. 19-OC-00127-1B, First Judicial District Court, Carson City

C. *Legislature of the State of Nevada v. Settmeyer, et al.*, Case No. 81924, Nevada Supreme Court

D. *Nevada Policy Research Institute v. Cannizzaro, et al.*, Case No. A-20-817757-C, Eighth Judicial District Court, Clark County

E. *Lander County v. State of Nevada*, Case No. 20-OC-00116-1B, First Judicial District Court, Carson City

F. *Charleston v. State of Nevada*, Case No. 19-17423, United States Ninth Circuit Court of Appeals

*For
Possible
Action*

VI. Legislative Audit

A. Summary of Audit Reports Presented to the Legislative Commission's Audit Subcommittee (NRS 218G.240)
Daniel L. Crossman, Legislative Auditor

*For
Possible
Action*

VII. Review of Recommendations of the Sunset Subcommittee of the Legislative Commission (NRS 252B.250)
Senator Pat Spearman, Chair

VIII. Public Comment

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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 Thursday, October 29, 2020:

Dial: (669) 900-6833

When prompted to provide your Meeting ID, please enter: 972 8828 3349 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.

IX. 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**

October 29, 2020

REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067:		
LCB NO.	NAC	AGENCY/ SUBJECT
2019 REGULATIONS		
R047-19	385B	<p>NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION</p> <p>A REGULATION amending provisions to allow a pupil to compete in a sport, other than football, at two levels in the same day</p> <p>CONTACT Paul Anderson (775) 827-2000x139 panderson@mclawfirm.com</p>
R053-19	640B	<p>BOARD OF ATHLETIC TRAINERS</p> <p>A REGULATION establishing provisions relating to the care, training and education qualifications for delivery of dry needling skilled intervention</p> <p>CONTACT Michelle Cothrun (775) 787-2636 atrainer@nsbat.nv.gov</p>
R100-19	701	<p>DIRECTOR OF THE OFFICE OF ENERGY WITHIN THE OFFICE OF THE GOVERNOR</p> <p>A REGULATION establishing provisions governing general service lamps</p> <p>CONTACT Robin Yochum (775) 687-1850 x 7324 ryochum@energy.nv.gov</p>
R103-19	502	<p>BOARD OF WILDLIFE COMMISSIONERS</p> <p>A REGULATION revising provisions relating to tags and bonus points</p> <p>CONTACT Kailey Taylor (775) 688-1510 kntaylor@ndow.org</p>
R111-19	427A	<p>AGING AND DISABILITY SERVICES DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES</p> <p>A REGULATION revising provisions relating to advocates for residents of facilities for long-term care</p> <p>CONTACT Jennifer Frischmann (775) 687-0528 JFrischmann@adsd.nv.gov</p>

R112-19	289	<p>PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION</p> <p>A REGULATION revising provisions relating to basic and reserve basic certificates</p> <p>CONTACT Kathy Floyd (775) 687-3335 kfloyd@post.state.nv.us</p>
2020 REGULATIONS		
R002-20	354	<p>COMMITTEE ON LOCAL GOVERNMENT FINANCE</p> <p>A REGULATION revising provisions relating to amount of budgeted ending fund balance not subject to negotiations</p> <p>CONTACT Jeffrey Mitchell (775) 684-2095 jmittchell@tax.state.nv.us</p>
R003-20	354	<p>COMMITTEE ON LOCAL GOVERNMENT FINANCE</p> <p>A REGULATION establishing provisions setting forth certain requirements relating to entities placed on fiscal watch</p> <p>CONTACT Jeffrey Mitchell (775) 684-2095 jmittchell@tax.state.nv.us</p>
R008-20	639	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION establishing provisions relating to treatment of partners for shared communicable disease</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R010-20	373	<p>DEPARTMENT OF MOTOR VEHICLES</p> <p>A REGULATION revising provisions to allow rural counties to impose an option tax on diesel</p> <p>CONTACT Daria Costa (775) 684-4563 dcosta@dmv.nv.gov</p>
R016-20	449	<p>STATE BOARD OF HEALTH</p> <p>A REGULATION establishing provisions governing cultural competency training courses or programs</p> <p>CONTACT Leticia Metherell (775) 684-1045 lmetherell@health.nv.gov</p>
R020-20	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA</p> <p>A REGULATION revising provisions relating to rates charged for supplying electricity and marginal (incremental) costs</p> <p>CONTACT Jared Aranda (775) 684-6174 jaranda@puc.nv.gov</p>

R025-20	289	<p>PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION</p> <p>A REGULATION revising provisions governing basic and reserve certificates</p> <p>CONTACT Kathy Floyd (775) 687-3335 kfloyd@post.state.nv.us</p>
R035-20	503	<p>BOARD OF WILDLIFE COMMISSIONERS</p> <p>A REGULATION establishing provisions relating to the use of night vision in scouting for hunting</p> <p>CONTACT Kailey Taylor (775) 688-1510 kntaylor@ndow.org</p>
R058-20	502	<p>BOARD OF WILDLIFE COMMISSIONERS</p> <p>A REGULATION revising provisions relating to notification of computerized drawings</p> <p>CONTACT Kailey Taylor (775) 688-1510 kntaylor@ndow.org</p>
R065-20	213	<p>STATE BOARD OF PAROLE COMMISSIONERS</p> <p>A REGULATION establishing provisions requiring the reimbursement for cost of participation in a program</p> <p>CONTACT Kathi Baker (775) 687-6566 kjbaker@parole.nv.gov</p>
R066-20	213	<p>STATE BOARD OF PAROLE COMMISSIONERS</p> <p>A REGULATION establishing provisions governing geriatric parole</p> <p>CONTACT Kathi Baker (775) 687-6566 kjbaker@parole.nv.gov</p>
R070-20	213	<p>STATE BOARD OF PAROLE COMMISSIONERS</p> <p>A REGULATION revising provisions relating to the adoption, filing, amending or repealing of regulations</p> <p>CONTACT Kathi Baker (775) 687-6566 kjbaker@parole.nv.gov</p>
R084-20	453	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION adding certain substances to the controlled substances listed in Schedule II</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R150-20	483	<p>DEPARTMENT OF MOTOR VEHICLES</p> <p>A REGULATION revising provisions relating to the use of alternate services transactions in the renewal of licenses *</p> <p>CONTACT Thomas Martin (775) 684-4371 TMartin01@dmv.nv.gov</p>

**REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067
AND DEFERRED AT A PREVIOUS MEETING**

LCB NO.	NAC	AGENCY/ SUBJECT
2019 REGULATIONS		
R014-19	624	STATE CONTRACTORS' BOARD A REGULATION amending provisions related to disciplinary action and practice before the Board CONTACT Nancy Mathias (775) 688-1141x7862 nmathias@nscb.state.nv.us

* Text of this regulation will be available at a later date