

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Tuesday, September 27, 2022
1:30 p.m.

Place of Meeting: Grant Sawyer State Office Building, Room 4401
555 East Washington Avenue
Las Vegas, Nevada

Note: Some members of the Commission may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location:

Legislative Building, Room 4100
401 South Carson Street
Carson City, Nevada

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.

Supporting materials for this meeting can be found at the Legislative Commission's website located at <https://www.leg.state.nv.us/App/InterimCommittee/REL/Interim2021/Committee/1896/Meetings>.

Materials will be uploaded as soon as feasibly possible after receipt. Copies of materials may be requested from Jordan Haas, Commission Secretary, by email (at jordan.haas@lcb.state.nv.us), phone (at (775) 684-6830) or mail (at 401 S. Carson Street, Carson City, NV 89701). If you wish to have written testimony or other documentation included as an exhibit in the minutes of the meeting with your comments, please provide a physical copy by mail or an electronic copy by email or fax (at (775) 684-6761) to the Commission Secretary.

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 in person or by phone or written comment. Because of time considerations, each person 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 Tuesday, September 27, 2022:

Dial: (669) 900-6833

When prompted to provide your Meeting ID, please enter: 880 2541 6738
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 June 10, 2022

*For
Possible
Action*

IV. Nevada Department of Motor Vehicles Technology Fee Refund Project Status Report
Sean Sever, Deputy Administrator, Nevada Department of Motor Vehicles

*For
Possible
Action*

V. Administrative Regulations

A. Request by the Director of the Department of Health and Human Services to Continue a Regulation Not Adopted Within 2 Years After Submission to the Legislative Counsel (NRS 233B.040)

R101-19: Establishes provisions governing out-of-network providers

Access text of regulation electronically at:

<https://www.leg.state.nv.us/Register/2019Register/R101-19RP1.pdf>

B. Request by the Commissioner of Mortgage Lending to Continue a Regulation Not Adopted Within 2 Years After Submission to the Legislative Counsel (NRS 233B.040)

R119-19: Revises provisions relating to the designation of mortgage brokers and mortgage bankers

Access text of regulation electronically at:

<https://www.leg.state.nv.us/Register/2019Register/R119-19P.pdf>

- C. Request by the Division of Child and Family Services of the Department of Health and Human Services to Continue a Regulation Not Adopted Within 2 Years After Submission to the Legislative Counsel (NRS 233B.040)

R024-20: Establishes provisions governing systems for collecting and analyzing information concerning juvenile justice

Access text of regulation electronically at:

<https://www.leg.state.nv.us/Register/2020Register/R024-20RP1.pdf>

- D. Review of Administrative Regulations (NRS 233B.067 and NRS 233B.0675)
Asher A. Killian, Chief Deputy Legislative Counsel, Legislative Counsel Bureau

Please see attached list of regulations to be considered or access list electronically at:
http://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMTg_List_2022_Sept27.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's 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.)

*For
Possible
Action*

- VI. Legislative Audit
Daniel L. Crossman, Legislative Auditor, Legislative Counsel Bureau
- A. Request for Approval to Continue Audits Currently in Progress Beyond the Beginning of the 2023 Legislative Session Pursuant to Subsection 4 of NRS 218E.205

B. Request for Approval of Basic Audit Program Pursuant to NRS 218G.120

*For
Possible
Action*

- VII. Presentation Relating to the Oral History Project (NRS 218A.350(7))
Nicolas C. Anthony, Director, Research Division, Legislative Counsel Bureau

*For
Possible
Action*

- VIII. Appointment of Members to the Commission on Minority Affairs (NRS 232.852)
Brenda J. Erdoes, Director, Legislative Counsel Bureau

A. Rescind Previous Appointment

B. Appointment of Additional Member

*For
Possible
Action*

- IX. Approval of Session Hires for the 2023 Legislative Session
Brenda J. Erdoes, Director, Legislative Counsel Bureau

- X. Status of Legislative Capital Improvement Projects
Brenda J. Erdoes, Director, Legislative Counsel Bureau

- XI. Approval of Resolution Celebrating the 111th Anniversary of the Establishment of Taiwan and Recognizing the 37th Anniversary of the Sister-State Relationship Between the State of Nevada and Taiwan
Brenda J. Erdoes, Director, Legislative Counsel Bureau

XII. Public Comment

Public testimony under this item may be presented in person or by phone or written comment. Because of time considerations, each person 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 Tuesday, September 27, 2022:

Dial: (669) 900-6833

When prompted to provide your Meeting ID, please enter 880 2541 6738 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

XIII. Adjournment

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Legal Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call the Legal Division Office at (775) 684-6830 as soon as possible.

Notice of this meeting was posted in the Legislative Building, 401 South Carson Street, Carson City, NV 89701.

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, Commission Secretary, by email (at jordan.haas@lcb.state.nv.us), phone (at (775) 684-6830) or mail (at 401 S. Carson Street, Carson City, NV 89701). Any such material will be made available at the Legislative Commission's website located at <https://www.leg.state.nv.us/App/InterimCommittee/REL/Interim2021/Committee/1896/Meetings>.

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

SEPTEMBER 27, 2022

REGULATIONS SUBMITTED PURSUANT TO NRS 233B.067:		
LCB NO.	NAC	AGENCY/ SUBJECT
2019 REGULATIONS		
R101-19	439B	DIRECTOR OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES A REGULATION establishing provisions governing out of network providers CONTACT Carrie Embree (775) 687-0517 clembree@adsd.nv.gov
2020 REGULATIONS		
R122-20	490	COMMISSION ON OFF-HIGHWAY VEHICLES A REGULATION revising provisions relating to grants CONTACT Nikhil Narkhede (775) 684-2794 nnarkhede@ohv.nv.gov
R128-20	640C	BOARD OF MASSAGE THERAPY A REGULATION revising various provisions relating to massage therapy CONTACT Sandra Anderson (775) 687-9951 sjanderson@lmt.nv.gov
R130-20	554	STATE QUARANTINE OFFICER A REGULATION establishing exterior firewood quarantines CONTACT Ashley Jeppson (775) 353-3729 ajeppson@agri.nv.gov
R134-20	616B/616C/617	ADMINISTRATOR OF THE DIVISION OF INDUSTRIAL RELATIONS OF THE DEPARTMENT OF BUSINESS AND INDUSTRY A REGULATION authorizing the purchase of an annuity to provide compensation for an industrial injury or occupational disease CONTACT Christopher Eccles (702) 486-9073 ceccles@dir.nv.gov

R175-20	641	BOARD OF PSYCHOLOGICAL EXAMINERS A REGULATION revising provisions relating to licensure of psychologists licensed in another state CONTACT Lisa Scurry (775) 688-1268 nbop@govmail.state.nv.us
2021 REGULATIONS		
R015-21	284	PERSONNEL COMMISSION A REGULATION aligning the State's Family and Medical Leave Act eligibility criteria to the U.S. Department of Labor's regulations CONTACT Mande Bowsmith (775) 684-0105 mbowsmith@admin.nv.gov
R016-21	284	PERSONNEL COMMISSION A REGULATION implementing provisions of SB 51 (2021) creating the Sex- and Gender-Based Harassment and Discrimination Investigation Unit and changing the term "sexual harassment" to "sex- and gender-based harassment" CONTACT Mande Bowsmith (775) 684-0105 mbowsmith@admin.nv.gov
R017-21	284	PERSONNEL COMMISSION A REGULATION establishing the process to appeal a determination to release confidential records related to sex- or gender-based harassment or discrimination CONTACT Mande Bowsmith (775) 684-0105 mbowsmith@admin.nv.gov
R027-21	590	STATE SEALER OF MEASUREMENT STANDARDS A REGULATION establishing a schedule of civil penalties for the commission of certain unlawful acts relating to weights and measure of petroleum products CONTACT William Striejewski (775) 353-3792 wstrijewski@agri.nv.gov
R029-21	368A	NEVADA GAMING COMMISSION A REGULATION repealing NRS 368A.460 relating to admission charges CONTACT Edward Magaw (702) 527-8601 emagaw@ag.nv.gov

R033-21	455C	<p>DIVISION OF INDUSTRIAL RELATIONS OF THE DEPARTMENT OF BUSINESS AND INDUSTRY A REGULATION implementing provisions of SB 205 (2021) relating to water heaters CONTACT Christopher Eccles (702) 486-9073 ceccles@dir.nv.gov</p>
R037-21	590	<p>STATE BOARD OF AGRICULTURE A REGULATION implementing provisions of AB 31 relating to diesel exhaust fluid, aviation fuel and petroleum heating products CONTACT William Striejewske (775) 353-3792 wstriejewske@agri.nv.gov</p>
R041-21	639	<p>STATE BOARD OF PHARMACY A REGULATION revising provisions governing requirements for application for and registration as a pharmaceutical technician and pharmaceutical technician in training CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R050-21	502	<p>BOARD OF WILDLIFE COMMISSIONERS A REGULATION revising provisions governing the transfer, return or deferral of a tag CONTACT Megan Manfredi (775) 688-1597 mmanfredi@ndow.org</p>
R052-21	482C	<p>NEVADA TAX COMMISSION A REGULATION implementing the provisions of SB 389 (2021) relating to peer-to-peer car sharing taxes CONTACT Sarah Glazner (775) 684-2074 sglazner@tax.state.nv.us</p>
R062-21	449	<p>STATE BOARD OF HEALTH A REGULATION implementing provisions of AB 287 (2021) relating to freestanding birthing centers CONTACT Leticia Metherell (775) 684-1045 lmetherell@health.nv.gov</p>
R071-21	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION revising provisions relating to transportation customers with contracts for special services CONTACT Jared Aranda (775) 684-6174 jaranda@puc.nv.gov</p>

R072-21	502	<p>BOARD OF WILDLIFE COMMISSIONERS A REGULATION establishing provisions for suspension for unfair advantages CONTACT Megan Manfredi (775) 688-1597 mmmanfredi@ndow.org</p>
R073-21	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION revising provisions relating to the type of work requiring license as a professional engineer CONTACT Sam Crano (775) 684-6151 scrano@puc.nv.gov</p>
R074-21	638	<p>NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS A REGULATION revising provisions relating to interns, externs and graduates awaiting licensure CONTACT Jennifer Pedigo (775) 688-1788 vetbdinfo@vetboard.nv.gov</p>
R078-21	289	<p>PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION A REGULATION revising provisions relating to evaluations CONTACT Kathy Floyd (775) 687-3335 kfloyd@post.state.nv.us</p>
R079-21	289	<p>PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION A REGULATION revising provisions relating to continuing education CONTACT Kathy Floyd (775) 687-3335 kfloyd@post.state.nv.us</p>
R114-21	213	<p>STATE BOARD OF PAROLE COMMISSIONERS A REGULATION revising provisions relating to initial assessments relating to the granting of parole CONTACT Kelly Mellinger (775) 687-6505 kmellinger@parole.nv.gov</p>
R115-21	213	<p>STATE BOARD OF PAROLE COMMISSIONERS A REGULATION revising provisions relating to aggravating and mitigating factors when determining whether to grant parole CONTACT Kelly Mellinger (775) 687-6505 kmellinger@parole.nv.gov</p>

R116-21	213	<p>STATE BOARD OF PAROLE COMMISSIONERS A REGULATION requiring the Board to consider NDOC risk assessments when considering parole for certain offenses CONTACT Kelly Mellinger (775) 687-6505 kmellinger@parole.nv.gov</p>
R120-21	639	<p>STATE BOARD OF PHARMACY A REGULATION revising provisions relating to continuing education requirements CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R121-21	641	<p>BOARD OF PSYCHOLOGICAL EXAMINERS A REGULATION implementing provisions of SB 44 (2021) relating to state examination fees for certain people CONTACT Lisa Scurry (775) 688-1268 nbop@govmail.state.nv.us</p>
R125-21	284	<p>PERSONNEL COMMISSION A REGULATION revising receipt dates based on USPS new service standard CONTACT Sarv Long (775) 684-0161 s.long@admin.nv.gov</p>
R126-21	652	<p>STATE BOARD OF HEALTH A REGULATION revising various provisions relating to medical laboratories CONTACT Brad Waples (775) 684-5850 bwaples@health.nv.gov</p>
R127-21	641	<p>BOARD OF PSYCHOLOGICAL EXAMINERS A REGULATION implementing provisions of AB 327 (2021) relating to cultural competency training CONTACT Lisa Scurry (775) 688-1268 nbop@govmail.state.nv.us</p>
R128-21	641	<p>BOARD OF PSYCHOLOGICAL EXAMINERS A REGULATION implementing provisions of AB 366 (2021) relating to records retentions CONTACT Lisa Scurry (775) 688-1268 nbop@govmail.state.nv.us</p>
2022 REGULATIONS		
R005-22	704	<p>PUBLIC UTILITIES COMMISSION OF NEVADA A REGULATION establishing provisions governing accelerated transportation electrification CONTACT Daniel Haggarty (775) 684-5152 dhaggarty@puc.nv.gov</p>

R008-22	628	<p>NEVADA STATE BOARD OF ACCOUNTANCY A REGULATION revising provisions relating to education and experience requirements CONTACT Karen Peterson (775) 687-0202 kpeterson@allisonmackenzie.com</p>
R016-22	656A	<p>AGING AND DISABILITY SERVICES DIVISION OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES A REGULATION revising provisions relating to sign language interpreters CONTACT Jennifer Montoya (775) 434-0237 JMontoya@adsd.nv.gov</p>
R024-22	552	<p>STATE DEPARTMENT OF AGRICULTURE A REGULATION revising provisions relating to the identification of apiaries CONTACT Ashley Jeppson (775) 353-3729 ajeppson@agri.nv.gov</p>
R025-22	232	<p>DIRECTOR OF THE STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES A REGULATION revising provisions relating to programs and grants CONTACT Brandon Bishop (775) 684-2707 brandon.bishop@dcnr.nv.gov</p>
R026-22	634A	<p>STATE BOARD OF ORIENTAL MEDICINE A REGULATION revising requirements for the issuance of a license to practice Oriental medicine CONTACT Merle Lok (702) 675-5326 omboardexecutivedirector@gmail.com</p>
R032-22	353B	<p>BOARD OF TRUSTEES OF THE COLLEGE SAVINGS PLANS OF NEVADA A REGULATION revising provisions relating to the Nevada College Kick Start Program CONTACT Kirsten Van Ry (775) 230-9917 KLvanry@nevadatreasurer.gov</p>
R033-22	459	<p>STATE ENVIRONMENTAL COMMISSION A REGULATION revising provisions relating to certification as an environmental manager CONTACT Jeff Collins (775) 687-9381 jrcollins@ndep.nv.gov</p>

R034-22	624	<p>STATE CONTRACTORS' BOARD</p> <p>A REGULATION establishing provisions relating to residential remodeling</p> <p>CONTACT Diana Wallace (775) 688-1141x7862 diwallace@nscb.state.nv.us</p>
R038-22	445B	<p>STATE ENVIRONMENTAL COMMISSION</p> <p>A REGULATION adopting by reference certain provisions of federal regulations relating to air quality</p> <p>CONTACT Danilo Dragoni (775) 687-9340 ddragoni@ndep.nv.gov</p>
R041-22	385B	<p>NEVADA INTERSCHOLASTIC ACTIVITIES ASSOCIATION</p> <p>A REGULATION revising provisions relating to amateur status of student athletes</p> <p>CONTACT Jennifer Salisbury (775) 827-2000x139 jsalisbury@mellawfirm.com</p>
R045-22	501	<p>BOARD OF WILDLIFE COMMISSIONERS</p> <p>A REGULATION revising provisions relating to petitions for regulations</p> <p>CONTACT Kailey Musso (775) 688-1597 knmusso@ndow.org</p>
R050-22	453	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION revising various provisions</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R051-22	639	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION establishing provisions relating to disclosures</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R052-22	289	<p>PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION</p> <p>A REGULATION revising the definition of an executive level position</p> <p>CONTACT Kathy Floyd (775) 687-3335 kfloyd@post.state.nv.us</p>
R057-22	641A	<p>BOARD OF EXAMINERS FOR MARRIAGE AND FAMILY THERAPISTS AND CLINICAL PROFESSIONAL COUNSELORS</p> <p>A REGULATION revising various provisions</p> <p>CONTACT Joelle McNutt (702) 486-7388 jmcnutt@mftbd.nv.gov</p>

R063-22	388G	<p>STATE BOARD OF EDUCATION</p> <p>A REGULATION establishing dispute resolution processes to address issues relating to a member of organizational team</p> <p>CONTACT Dylan Fuson (775) 687-9224 dylan.fuson@doe.nv.gov</p>
R064-22	388G	<p>STATE BOARD OF EDUCATION</p> <p>A REGULATION defining other staff who work under the direct supervision of the principal</p> <p>CONTACT Dylan Fuson (775) 687-9224 dylan.fuson@doe.nv.gov</p>
R065-22	388G	<p>STATE BOARD OF EDUCATION</p> <p>A REGULATION establishing provisions governing Non-Compliance notices relating to reorganization of large school districts and consequences</p> <p>CONTACT Dylan Fuson (775) 687-9224 dylan.fuson@doe.nv.gov</p>
R069-22	391	<p>STATE BOARD OF EDUCATION</p> <p>A REGULATION revising requirements for the examination to be employed as a paraprofessional in a Title I school</p> <p>CONTACT Dylan Fuson (775) 687-9224 dylan.fuson@doe.nv.gov</p>
R071-22	538	<p>COLORADO RIVER COMMISSION OF NEVADA</p> <p>A REGULATION revising provisions relating to administrative charges</p> <p>CONTACT David Newton (702) 486-3303, ext. 408 DWNewton@crc.nv.gov</p>
R080-22	482	<p>DEPARTMENT OF MOTOR VEHICLES</p> <p>A REGULATION revising fees relating to the defrayal of the cost of license plate production</p> <p>CONTACT Martin Hefner (775) 684-4773 mhefner@dmv.nv.gov</p>
R085-22	639	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION revising provisions relating to medical product wholesalers</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>
R170-22	453	<p>STATE BOARD OF PHARMACY</p> <p>A REGULATION adding daridorexant to the controlled substances listed in Schedule IV</p> <p>CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov</p>

**REGULATIONS SUBMITTED PURSUANT TO NRS 233B.0675
AND DEFERRED/OBJECTED TO AT A PREVIOUS MEETING**

LCB NO.	NAC	AGENCY/ SUBJECT
2020 REGULATIONS		
R088-20	442	STATE BOARD OF HEALTH A REGULATION establishing provisions relating to newborn screening CONTACT Vickie Ives (775) 684-5850 vives@health.nv.gov
2021 REGULATIONS		
R119-21	639	STATE BOARD OF PHARMACY A REGULATION implementing provisions of AB 177 (2021) relating to the labels on containers of prescribed drugs CONTACT Shirley Hunting (775) 850-1440 shunting@pharmacy.nv.gov