

MEETING NOTICE AND AGENDA

Name of Organization: Sunset Subcommittee of the Legislative Commission
(*Nevada Revised Statutes* [NRS] 232B.210)

Date and Time of Meeting: Tuesday, February 23, 2016
9 a.m.

Place of Meeting: Legislative Building, Room 3137
401 South Carson Street
Carson City, Nevada

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

Grant Sawyer State Office Building, Room 4401
555 East Washington Avenue
Las Vegas, Nevada

If you cannot attend the meeting, you can listen or view it live over the Internet. The address for the Nevada Legislature website is <http://www.leg.state.nv.us>. Click on the link "[Calendar of Meetings/View](#)."

<p>Note: Minutes of this meeting will be produced in summary format. Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.</p>

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
Senator James A. Settelmeyer, Chair

- II. Public Comment
(Because of time considerations, each speaker offering comments during the period for public comment will be limited to not more than 3 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 in person or by e-mail, facsimile, or mail before, during, or after the meeting.)

For Possible Action

- III. Approval of Minutes of the Meeting Held on February 9, 2016, in Carson City, Nevada

For Possible Action

- IV. Consideration of the Status of the Advisory Committee on Participatory Democracy (NRS 225.240), Previously Reviewed During the 2013–2014 Interim

For Possible Action

- V. Public Hearing Concerning the Termination, Modification, Consolidation, or Continued Operation of Certain Entities Pursuant to NRS 232B.240

- A. Commission for Common-Interest Communities and Condominium Hotels (NRS 116.600), Real Estate Division, Department of Business and Industry

- B. Advisory Committee on Housing (NRS 319.173), Housing Division, Department of Business and Industry

- C. Nevada Commission on Services for Persons with Disabilities (NRS 427A.1211), Aging and Disability Services Division (ADSD), Department of Health and Human Services (DHHS)

- D. Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities (NRS 426.731), ADSD, DHHS

- E. Interagency Panel (NRS 395.070), DHHS

For Possible Action

- VI. Work Session—Discussion and Possible Actions on Recommendations Relating to:

- A. Executive Branch Audit Committee (NRS 353A.038), Division of Internal Audits, Department of Administration

- B. New Energy Industry Task Force (NRS 701.500), Office of Energy, Office of the Governor

- C. Nevada Transportation Authority (NRS 232.510 and NRS 706.1511), Department of Business and Industry

The “Work Session Document” is attached below and contains recommendations proposed at this and other meetings of the Sunset Subcommittee of the Legislative Commission during the 2015–2016 Legislative Interim. The document is also available on the Subcommittee’s webpage ([Sunset Subcommittee of the Legislative Commission \[NRS 232B.210\]](#)) or a written copy may be obtained by contacting Carol M. Stonefield, Chief Principal Research Analyst, Research Division, LCB, at (775) 684-6825.

*For
Possible
Action*

VII. Discussion of Schedule and Scheduling Future Meetings

*For
Possible
Action*

VIII. Status Report on the Filling of Vacancies on the Sunset Subcommittee

IX. Public Comment

(Because of time considerations, each speaker offering comments during the period for public comment will be limited to not more than 3 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 in person or by e-mail, facsimile, or mail before, during, or after the meeting.)

X. 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 Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call the Research Division at (775) 684-6825 as soon as possible.

Notice of this meeting was posted in the following Carson City and Las Vegas, Nevada, locations: Blasdel Building, 209 East Musser Street; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Legislative Counsel Bureau, Las Vegas Office, Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was faxed, e-mailed, or hand delivered for posting to the following Carson City and Las Vegas, Nevada, locations: Capitol Press Corps, Basement, Capitol Building, 101 North Carson Street; Clark County Government Center, Administrative Services, 500 South Grand Central Parkway; and Capitol Police, Grant Sawyer State Office Building, 555 East Washington Avenue. 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 Committee members for this meeting may be requested from Janet Coons, Committee Secretary, Research Division of the Legislative Counsel Bureau at (775) 684-6825 and is/will be available at the following locations: Meeting locations and the Nevada Legislature’s website at www.leg.state.nv.us.

Sunset Subcommittee of the Legislative Commission
(*Nevada Revised Statutes 232B.210*)

**WORK SESSION
DOCUMENT**



February 23, 2016

Prepared by the Research Division
Legislative Counsel Bureau



WORK SESSION DOCUMENT

Sunset Subcommittee of the Legislative Commission
(*Nevada Revised Statutes* [NRS] 232B.210)

February 23, 2016

The following “Work Session Document” has been prepared by the Chair and staff of the Sunset Committee of the Legislative Commission. 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 whether 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 Carol Stonefield, Chief Principal Research Analyst, Research Division, LCB, at (775) 684-6825 or by e-mail at cstonefield@lcb.state.nv.us.

**RECOMMENDATIONS RELATING TO TERMINATING, CONTINUING,
MODIFYING, OR CONSOLIDATING BOARDS AND COMMISSIONS**

**1. Executive Branch Audit Committee (NRS 353A.038), Division of Internal Audits,
Department of Administration**

The Executive Branch Audit Committee (EBAC) was added to NRS in 1999 when the Legislature created the Division of Internal Audits. Its membership consists of the six constitutional officers and one public member knowledgeable in auditing. The Chair of the EBAC is the Governor.

The Committee adopts policies and procedures for the operation of the Division of Internal Audits; approves each annual plan for auditing agencies presented by the Administrator of the Division; and approves each annual report from the Administrator detailing training provided to agencies as well as activities and accomplishments.

At its meeting on February 9, 2016, the Subcommittee received a recommendation from the EBAC to revise NRS 353A.038 relating to the selection of agencies proposed for audit.

Should the Executive Branch Audit Committee be terminated or continued?

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 recommends that the Committee should continue:

- *Does the Subcommittee want to recommend any changes concerning the Committee?*
- *Does the Subcommittee want to recommend any changes to the duties of the Committee?*

If the Subcommittee wishes to recommend continuation, the members may wish to consider the following, as proposed by the EBAC:

- Amend NRS to revise existing provisions that require the EBAC to approve the annual plan for auditing agencies as well as any revisions to the plan proposed by the Administrator, by:
 - providing that the Chair of the EBAC is authorized to direct the Administrator to perform an audit without first obtaining the approval of the entire Committee; and further
 - providing that the final report of such an audit is submitted to the full Committee, pursuant to the provisions of NRS 353A (“Internal Accounting and Administrative Control”).

2. New Energy Industry Task Force (NRS 701.500), Office of Energy, Office of the Governor

The New Energy Industry Task Force was added to NRS in 2009 for the purpose of advising the Renewable Energy and Energy Efficiency Authority (REEEA), which was repealed in 2011. The Director of the Office of Energy is authorized to appoint Task Force members to include representatives of renewable energy industries, businesses relating to equipment manufacturing and installation, electric utilities, labor, contractors, and advocates for the environment or public lands. The Director may appoint additional members to represent State and local government agencies or private industry in the field of renewable energy and energy efficiency.

Subsequent to the repeal of the REEEA, the Governor issued Executive Order No. 2011-18, directing the Task Force to report on the production and transmission of renewable energy with recommendations for policy or regulatory changes. The Task Force last met in 2013.

At its meeting on February 9, 2016, the Subcommittee received a request from representatives of the Governor that the Task Force be recommended for continuation. The representatives further stated that no revisions to NRS would be necessary to reactivate the Task Force.

Should the New Energy Industry Task Force be terminated or continued?

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

If the Subcommittee recommends that the Task Force should continue:

- *Does the Subcommittee want to recommend any changes concerning the Task Force?*
- *Does the Subcommittee want to recommend any changes to the duties of the Task Force?*

If the Subcommittee wishes to recommend continuation, the Subcommittee may wish to consider urging the Governor and the Director to reactivate the Task Force. This could be accomplished by sending a letter:

1. To the Director recommending the appointment of new membership to the Task Force; and
2. To the Governor suggesting the assignment of new goals and directives.

If the Subcommittee recommends reactivation of the Task Force, it might also consider requesting a report of the status of the Task Force by February 1, 2017.

3. Nevada Transportation Authority (NRS 232.510 and NRS 706.1511), Department of Business and Industry

The Nevada Transportation Authority (NTA) regulates certain carriers, operators of tow cars, and brokers of regulated services. Its responsibilities include processing applications, enforcing regulations, and ensuring compliance. The NTA regulates all taxicabs outside of Clark County. In 2015, the Legislature authorized and empowered the NTA to regulate all transportation network companies and drivers who operate in Nevada.

The NTA enforces standards of safety for common and contract carriers subject to its authority; adopts regulations relating to fares, rates, and classifications; and reviews decisions of the Taxicab Authority on appeal. The NTA may make regulations to govern the administration of Chapter 706 of NRS (“Motor Carriers”), adopt by reference any appropriate rule or regulation of the United States Department of Transportation, require reports and maintenance of records as necessary, examine records of motor carriers doing business in Nevada, and temporarily waive requirements in emergencies. The NTA adopts rules and regulations relating to the storage of household goods.

The Subcommittee reviewed the NTA at its meeting on February 9, 2016. The Chair of the NTA noted three operational areas: applications, enforcement, and compliance. The Director of the Department of Business and Industry indicated the Administration is reviewing any policy proposals to consolidate the taxicab system operating in Clark County with the system overseen by the NTA.

The NTA had no recommendations for statutory changes.

Should the Nevada Transportation Authority be terminated or continued?

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

If the Subcommittee recommends that the Authority should continue:

- *Does the Subcommittee want to recommend any changes concerning the Authority?*
- *Does the Subcommittee want to recommend any changes to the duties of the Authority?*