

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Monday, June 25, 2012
9:30 a.m.

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

Legislative Building, Room 3138
401 South Carson Street
Carson City, 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 "Live Meetings – Listen or View."

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.

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

Assemblywoman Irene Bustamante Adams, Chair

II. Public Comment

(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

*For
Possible
Action*

III. Work Session—Discussion and Possible Action on Recommendations Relating to:

- A. Credit Union Advisory Council (NRS 678.290)
- B. Committee on Anatomical Dissection (NRS 451.360)
- C. Board of the Public Employees' Benefits Program (NRS 287.041)
- D. Commission on Ethics (NRS 281A.200)
- E. State Board of Agriculture (NRS 561.045)
- F. Alfalfa Seed Advisory Board (NRS 587.135)
- G. Garlic and Onion Growers' Advisory Board (NRS 556.020)
- H. State Grazing Boards (NRS 568.040)
- I. Central Committee of Nevada State Grazing Boards (NRS 568.170)
- J. Nevada State Funeral Board (NRS 642.020)
- K. State Board of Oriental Medicine (NRS 634A.030)
- L. Pharmacy and Therapeutics Committee (NRS 422.4035)
- M. Committee on Co-Occurring Disorders (NRS 439.527)

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 2011-2012 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 Marjorie Paslov Thomas, Principal Research Analyst, Research Division, Legislative Counsel Bureau, at (775) 684-6825.

IV. Public Comment

(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

V. 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, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 North Stewart Street. Notice of this meeting was faxed and e-mailed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 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.

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

**WORK SESSION
DOCUMENT**



June 25, 2012

Prepared by the Research Division
Legislative Counsel Bureau



WORK SESSION DOCUMENT

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

June 25, 2012

The following “Work Session Document” has been prepared by the Chair and staff of the Sunset Subcommittee of the Legislative Commission (NRS 232B.210). 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 if 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 Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, at (775) 684-6825 or by e-mail at mpthomas@lcb.state.nv.us.

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

1. **Credit Union Advisory Council** (NRS 678.290)—The Advisory Council advises, consults with, and makes recommendations to the Commissioner of the Division of Financial Institutions, Department of Business and Industry, in matters pertaining to credit unions.

Should the Credit Union Advisory Council be terminated?

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

If the Subcommittee recommends that the Advisory Council should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Credit Union Advisory Council?*
- b. *Does the Subcommittee want to recommend any changes to the duties of the Credit Union Advisory Council?*

At the March 27, 2012, meeting, members of the Credit Union Advisory Council made the following recommendation:

Delete subsection 6 of NRS 678.290, which provides that Advisory Council members are entitled to receive a salary of \$60 for each day's attendance at a meeting of the Council.

2. **Committee on Anatomical Dissection** (NRS 451.360)—The Committee is required to record all dead human bodies received and distributed by it and the persons to whom the bodies may be distributed. The Committee must distribute the bodies proportionately and equitably, among schools, teaching hospitals in which there is a resident training program that requires cadaveric material for study, and such other person or entity that may be eligible to receive such bodies.

Should the Committee on Anatomical Dissection be terminated?

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 determines the Committee should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Committee on Anatomical Dissection?*
- b. *Does the Subcommittee want to recommend any changes to the duties concerning the Committee on Anatomical Dissection?*

3. **Board of the Public Employees' Benefits Program** (NRS 287.041)—The Board provides oversight to the Public Employees' Benefits Program, which is responsible for designing and managing a program of insurance and other flexible benefits for approximately 43,000 primary participants and their dependents.

Should the Board of the Public Employees' Benefits Program be terminated?

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

If the Subcommittee determines that the Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Board of the Public Employees' Benefits Program?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Board of the Public Employees' Benefits Program?*

4. **Commission on Ethics** (NRS 281A.200)—The Commission investigates alleged violations of Chapter 281A (“Ethics in Government”) of NRS by public officers and public employees, informs proper agencies of administrative or criminal noncompliance, recommends legislation to promote and maintain high ethical standards, and publishes a manual for the use of public officers and employees that contains guidance for all persons concerned with ethical standards in government.

Should the Commission on Ethics be terminated?

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

If the Subcommittee determines that the Commission should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Commission on Ethics?*
 - b. *Does the Subcommittee want to recommend any changes concerning the duties of the Commission on Ethics?*
5. **State Board of Agriculture** (NRS 561.045)—The Board must be informed on and interested in the entire field of legislation and administration charged to the State Department of Agriculture. The Board must establish the policy of the Department. Further, the Board must report to the Governor or the Legislature relating to the policies of the State concerning livestock and agriculture.

Should the State Board of Agriculture be terminated?

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

If the Subcommittee determines that the Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the State Board of Agriculture?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the State Board of Agriculture?*

6. **Alfalfa Seed Advisory Board** (NRS 587.135)—The purpose of the Board is to prepare and present to the State Board of Agriculture a program for research in the production, harvesting, processing, distribution, and market promotion of alfalfa seed. The program must contain a recommendation of a natural person or agency to conduct or manage each project, the time period for each project, and the budget allocation for the project.

Should the Alfalfa Seed Advisory Board be terminated?

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

If the Subcommittee determines that the Advisory Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Alfalfa Seed Advisory Board?*
 - b. *Does the Subcommittee want to recommend any changes concerning the duties of the Alfalfa Seed Advisory Board?*
7. **Garlic and Onion Growers' Advisory Board** (NRS 556.020)—The Board must prepare and present to the State Board of Agriculture a program for research in the production, harvesting, processing, distribution, and market promotion of garlic and onions. The program must contain a recommendation of a natural person or agency to conduct or manage each project, the time period for each project, and the budget allocation for the project.

Should the Garlic and Onion Growers' Advisory Board be terminated?

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

If the Subcommittee determines that the Advisory Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Garlic and Onion Growers' Advisory Board?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Garlic and Onion Growers' Advisory Board?*

8. **State Grazing Boards** (NRS 568.040)—The State grazing boards direct and guide the disposition of the range improvement fund of each grazing district concerned, in the manner most beneficial to the stock raising payers of the grazing fees from which the funds are derived and to the counties concerned.

Should the State grazing boards be terminated?

If the Subcommittee recommends terminating the boards, should they be consolidated with another entity or have their duties transferred to another entity?

If the Subcommittee determines that the boards should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the State grazing boards?*
 - b. *Does the Subcommittee want to recommend any changes concerning the duties of the State grazing boards?*
9. **Central Committee of Nevada State Grazing Boards** (NRS 568.170)—The Central Committee provides a means that the State grazing boards may act together in matters of common interest and of general rather than local concern. Additionally, the Central Committee is required to carry out the provisions of the Taylor Grazing Act of 1934.

Should the Central Committee of Nevada State Grazing Boards be terminated?

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

If the Subcommittee determines that the Central Committee should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Central Committee of Nevada State Grazing Boards?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Central Committee of Nevada State Grazing Boards?*

The Taylor Grazing Act provides for the cooperation of the Secretary of the Interior of the United States with state and other officials and associations, and for the payment to the State by the Secretary of the Treasury of the United States of certain moneys representing a percentage of: (1) grazing fees collected from stock raisers for grazing use of areas within the various grazing districts created under the provisions of the Taylor Grazing Act; and (2) lease charges collected from stock raisers leasing certain specific tracts lying outside any such grazing districts.

“Taylor Grazing Act” means the Act of Congress entitled “An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the livestock industry dependent upon the public range, and for other purposes,” approved June 28, 1934, being c. 865, 48 Stat. 1269, also designated as 43 U.S.C. §§ 315 to 315r, inclusive, any amendment thereto and any replacement therefor, including provisions of the Code of Federal Regulations adopted and promulgated pursuant to any such act, amendment or replacement, providing for grazing districts or for payment of a portion of the moneys derived from grazing fees or grazing leases to the State of Nevada.

10. **Nevada State Funeral Board** (NRS 642.020)—The Board regulates funeral homes and burial services. The Board investigates complaints and may take disciplinary action against a licensee.

Should the Nevada State Funeral Board be terminated?

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

If the Subcommittee determines that the Board should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Nevada State Funeral Board?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Nevada State Funeral Board?*

At the June 5, 2012, meeting, members discussed the Board’s records retention schedule. Based on this information, the following recommendation is proposed:

Send a letter to the Executive Director of the Board and the Office of the Attorney General requesting the Board review its records retention schedule to ensure compliance with the law.

11. **State Board of Oriental Medicine** (NRS 634A.030)—The Board protects the public from unqualified individuals and individuals practicing Oriental medicine without proper licensure.

Should the State Board of Oriental Medicine be terminated?

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

If the Subcommittee determines that the Board should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the State Board of Oriental Medicine?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the State Board of Oriental Medicine?*

At the June 5, 2012, meeting, representatives of the Board explained there has been a vacancy on the Board (nonmedical public member) for at least one year but less than three years. Based on this information, the following recommendation is proposed:

Draft a letter to the Governor of the State of Nevada urging him to appoint a public member to the State Board of Oriental Medicine as quickly as he is able in order to continue the Board's duties of protecting the public's safety and welfare and regulating the practice of Oriental medicine.

12. **Pharmacy and Therapeutics Committee** (NRS 422.4035)—The Committee identifies prescription drugs that should be included on the list of preferred prescriptions for the Medicaid program. The decisions are based upon evidence of clinical efficacy and safety without consideration of the cost by the Committee. The list is reviewed at least annually by the Committee.

Should the Pharmacy and Therapeutics Committee be terminated?

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 determines that the Committee should continue:

- a. *Does the Subcommittee want to recommend any changes concerning the Pharmacy and Therapeutics Committee?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Pharmacy and Therapeutics Committee?*

13. **Committee on Co-Occurring Disorders (NRS 439.527)**—The Committee is required to study and review issues related to persons with co-occurring disorders; develop a policy statement confirming the State’s commitment to the treatment of persons with co-occurring disorders; review and recommend strategies to improve the treatment of persons with co-occurring disorders; and develop recommendations concerning the licensing of treatment programs.

Should the Committee on Co-Occurring Disorders be terminated?

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 determines that the Committee should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Committee on Co-Occurring Disorders?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Committee on Co-Occurring Disorders?*

Lesley R. Dickson, M.D., Chair, stated in a letter dated July 23, 2011, to Governor Brian Sandoval that the Committee has fulfilled its duties and “no longer sees a need to continue meeting as the Co-Occurring Disorder Committee. The members propose disbanding the Committee.”