

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, June 5, 2012
9:30 a.m.

Place of Meeting: Grant Sawyer State Office Building, Room 4412
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 locations:

Legislative Building, Room 3138
401 South Carson Street
Carson City, Nevada

And

Great Basin College, Greenhaw Technical Arts Building, Room 124
1500 College Parkway
Elko, 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."

<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>
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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.)
- III. Approval of Minutes of the Meeting Held on April 27, 2012, in Las Vegas, Nevada

*For
Possible
Action*

*For
Possible
Action*

- IV. Work Session—Discussion and Possible Action on Recommendations Relating to:
- A. Board of Wildlife Commissioners (NRS 501.167)
 - B. Gaming Policy Committee (NRS 463.021)
 - C. Police and Firefighters’ Retirement Fund Advisory Committee (NRS 286.227)
 - D. Committee on Health Benefit Plans (NRS 689C.960)
 - E. Board for the Regulation of Liquefied Petroleum Gas (NRS 590.485)
 - F. State Barbers’ Health and Sanitation Board (NRS 643.020)
 - G. State Board of Cosmetology (NRS 644.030)

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.

*For
Possible
Action*

- V. Public Hearing Concerning Termination, Modification, Consolidation, or Continued Operation of Certain Entities Pursuant to NRS 232B.240
- A. State Grazing Boards (NRS 568.040)
 - B. Central Committee of Nevada State Grazing Boards (NRS 568.170)
 - C. State Board of Agriculture (NRS 561.045)
 - D. Garlic and Onion Growers’ Advisory Board (NRS 556.020)
 - E. Alfalfa Seed Advisory Board (NRS 587.135)
 - F. Committee on Co-Occurring Disorders (NRS 439.527)
 - G. Pharmacy and Therapeutics Committee (NRS 422.4035)
 - H. Nevada State Funeral Board (NRS 642.020)
 - I. State Board of Oriental Medicine (NRS 634A.030)

VI. 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.)

VII. 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 faxed and e-mailed for posting to the following Elko, Nevada, location: Great Basin College, 1500 College Parkway. 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 5, 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 5, 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. **Board of Wildlife Commissioners** (NRS 501.167)—The Commission is a separate entity from Nevada’s Department of Wildlife (NDOW). The Commission is responsible for establishing policy regarding wildlife, adopting regulations, and receiving input on wildlife and boating issues from the public and entities such as the 17 county advisory boards to manage wildlife. The Commission also guides NDOW in carrying out the policies and regulations of the Commission. The county advisory boards solicit and evaluate local opinion and advise the Commission on matters relating to the management of wildlife within their respective counties.

Should the Board of Wildlife Commissioners 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 recommends that the Commission should continue:

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

2. **Gaming Policy Committee** (NRS 463.021)—The purpose of the Committee is to discuss gaming policy. Any recommendations made by the Committee are advisory and not binding on the State Gaming Control Board or the Nevada Gaming Commission in the performance of their duties and functions.

Should the Gaming Policy 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 Gaming Policy Committee?*
- b. *Does the Subcommittee want to recommend any changes concerning the duties of the Gaming Policy Committee?*

Members stated during the work session held during the March 27, 2012, meeting that the Gaming Policy Committee was scheduled to hold a meeting on March 28, 2012. Members requested an update of the Committee's meeting prior to taking action. Attached are summaries of the March and May meetings of the Committee, which were provided by the Gaming Policy Committee.

(As background, at the February 27, 2012, meeting, members of the Subcommittee stated that if they recommend terminating the Gaming Policy Committee, the duties of the Review Panel of the Committee must be assigned to another entity or the existing statutes must be modified. Under the provisions of NRS 463.021(6) and NRS 463.3088, the Review Panel of the Committee has specific duties relating to gaming enterprise districts.)

3. **Police and Firefighters' Retirement Fund Advisory Committee (NRS 286.227)**— The Committee must make recommendations to the Public Employees' Retirement Board concerning the administration of and benefits payable to the Police and Firefighters' Retirement Fund, a fund within the Public Employees' Retirement System (PERS).

Should the Police and Firefighters' Retirement Fund Advisory 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 Police and Firefighters' Retirement Fund Advisory Committee?

b. Does the Subcommittee want to recommend any changes concerning the duties of the Police and Firefighters' Retirement Fund Advisory Committee?

At the April 27, 2012, meeting, representatives of PERS explained that the Police and Firefighters' Retirement Fund was established to pay retirement benefits for police officers and firefighters. Public employees in police officer and firefighter positions have different retirement benefits available, primarily earlier retirement, in order to further the State's objective of maintaining a youthful and vigorous front-line public safety workforce capable of protecting the public from physical harm. Further, representatives of PERS stated that the Advisory Committee's input is vital to the Retirement Board since the membership of the Advisory Committee is comprised of public safety personnel who are knowledgeable about the duties of these positions and qualifications to be covered within the Fund.

4. **Committee on Health Benefit Plans** (NRS 689C.960)—The Committee makes recommendations to the Board of Directors of the Program of Reinsurance concerning the form, levels of coverage, and design for basic and standard health benefit plans offered by certain small employers and individual carriers.

Should the Committee on Health Benefit Plans 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 Health Benefit Plans?

b. Does the Subcommittee want to recommend any changes concerning the duties of the Committee on Health Benefit Plans?

Bob Bishop, Chair, Committee on Health Benefits Plans, provided testimony at the April 27, 2012, meeting, that if the Patient Protection and Affordable Care Act is found to be constitutional and is not significantly altered by the United States Congress, the Committee will not be needed after the full implementation of the Act on January 1, 2014.

5. **Board for the Regulation of Liquefied Petroleum Gas** (NRS 590.485)—The Board was created for the protection of the public who utilizes or is exposed to LP-Gases (propane, propylene, butanes, either normal butane or isobutene, and butylene). The Board licenses and inspects all suppliers of LP-Gas and retailers who sell and dispense LP-Gas. Additionally, the Board regulates the removal of tanks from a consumer’s premise, responds to complaints, assists consumers in obtaining fuel in an emergency and facilitates the resolution of disputes between licensees and its customers.

Should the Board for the Regulation of Liquefied Petroleum Gas 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 for the Regulation of Liquefied Petroleum Gas?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the Board for the Regulation of Liquefied Petroleum Gas?*

6. **State Barbers’ Health and Sanitation Board** (NRS 643.020)—The Board licenses barbershops, barber schools, and individual barbers. The Board inspects barbershops and schools for compliance with proper sanitation and other requirements. Further, the Board investigates consumer complaints, taking effective measures to resolve issues, including levying fines, and suspending and revoking licenses.

Should the State Barbers’ Health and Sanitation 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 State Barbers’ Health and Sanitation Board?*
- b. Does the Subcommittee want to recommend any changes concerning the duties of the State Barbers’ Health and Sanitation Board?*

7. **State Board of Cosmetology** (NRS 644.030)—The Board protects the citizens using cosmetological services from disease, infection, injury, or malpractice of any type relating to the cosmetology industry. The Board regulates persons, establishments, and schools providing cosmetological services, including aesthetics, cosmetology, electrology, hair braiding, and nail technology. The Board investigates consumer complaints and may take disciplinary action against a licensee.

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

The State Board of Cosmetology recommends the following modifications:

1. Amend NRS 644.380 to allow the Board to approve new types of schools that can be licensed, determine appropriate requirements for those schools, and set the required minimum number of students at those schools.
2. Amend Chapter 644 (“Cosmetology”) of NRS to allow the Board to grant a temporary educational permit authorizing a current licensee within the scope of this license to conduct demonstrations and exhibitions, temporarily and primarily for education purposes.
3. Amend NRS 644.190(1) to allow classes to be taught in places other than licensed schools. The intent is to allow greater opportunity to garner education focused on enhancing licensees’ skills and knowledge.