

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-Second Session
April 26, 2023**

The Committee on Commerce and Labor was called to order by Chair Elaine Marzola at 2:17 p.m. on Wednesday, April 26, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Elaine Marzola, Chair
Assemblywoman Sandra Jauregui, Vice Chair
Assemblyman Max Carter
Assemblywoman Bea Duran
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Daniele Monroe-Moreno
Assemblyman P.K. O'Neill
Assemblywoman Selena Torres
Assemblyman Steve Yeager
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

Assemblywoman Shea Backus (excused)

GUEST LEGISLATORS PRESENT:

Senator Pat Spearman, Senate District No. 1

STAFF MEMBERS PRESENT:

Marjorie Paslov-Thomas, Committee Policy Analyst
Joe Steigmeyer, Committee Counsel
Cyndi Latour, Committee Manager
Julie Axelson, Committee Secretary
Garrett Kingen, Committee Assistant

Minutes ID: 965



OTHERS PRESENT:

None

Chair Marzola:

[Roll was called and Committee rules and protocol explained.] We will be hearing one bill, Senate Bill 210, and also do a work session. We will move to our work session. Our work session is to take action on measures the Committee has heard in previous meetings. It is not customary for the Committee to take testimony or otherwise rehear any bills. However, I may invite a witness to come forward for clarification or questions during our consideration of this measure. With that, we will start our work session on Senate Bill 132.

Senate Bill 132: Revises provisions relating to insurance coverage for living organ donors. (BDR 57-551)

Marjorie Paslov-Thomas, Committee Policy Analyst:

[Read from work session document, Exhibit C.] Senate Bill 132 revises provisions relating to insurance coverage for living organ donors. It was sponsored by Senator Pazina and was heard in Committee on April 17, 2023. There are no proposed amendments.

Chair Marzola:

Are there any questions? [There were none.] I will entertain a motion to do pass Assembly Bill 132.

ASSEMBLYWOMAN JAUREGUI MADE A MOTION TO DO PASS
SENATE BILL 132.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Jauregui:

I want to acknowledge this is so fitting and thank you for work sessioning the bill this week. For those of you who do not know, April is National Donate Life Month and it was fitting to get to work session this bill before National Donate Life Month ended.

Chair Marzola:

Is there any other discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN BACKUS WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Jauregui. I will now open the hearing on Senate Bill 210, which revises provisions governing state boards and commissions.

**Senate Bill 210: Revises provisions governing state boards and commissions.
(BDR 18-899)**

Senator Pat Spearman, Senate District No. 1:

It is good to see some familiar faces from the interim committee. I am here as the vice chair of the Sunset Subcommittee of the Legislative Commission for the 2021 to 2022 Interim to present Senate Bill 210, which revises various provisions related to boards and commissions.

Here is some background information. It is my understanding that this Committee has received several presentations on the work of the Sunset Committee, so I will not take up your time discussing the duties of the Subcommittee. I would like to note the recommendation included in S.B. 210 addresses broader concerns identified during the interim. These recommendations address the problem of member vacancies. The diversity makeup of individuals appointed to boards and commissions reports to the Legislative Commission concerning the review of occupational licensing applicants, criminal history, and the appointment of the chair and vice chair of the Subcommittee.

Chair, with your permission, I would like to walk you through the bill. Section 2 declares as "public policy of the State of Nevada that, except as otherwise required by law, a person appointed by the Governor" to certain public bodies must, ". . . to the extent practicable, reflect the diversity of this State, including, without limitation the age, gender, gender identity or expression, sexual orientation, ethnic, and geographic diversity of this State." In the spirit of Senate Concurrent Resolution 1 of the 32nd Special Session, it declared systemic racism and structures of racial discrimination a public health crisis. The Subcommittee voted to recommend a legislative change to further promote education and outreach to encourage the recruitment of Black, Indigenous, and people of color to reflect the diversity of the state on Nevada's boards, commissions, and other similar entities.

Section 3 requires Nevada's boards, commissions, and similar entities whose members are appointed by the Governor to submit to the Governor a list of all persons qualified for membership within 60 days after a position on the board, commission, or other similar entity becomes vacant.

Let me pause right here. One of the things we always hear when we are trying to make things look like the state or the country in regard to diversity, equity, and inclusion, Well, does that mean you are going to accept somebody who is less qualified? The qualifications are what comes first. You do not choose them because of their ethnicity or sexual orientation; you choose them in spite of that if they are qualified. I want to put that out there right now.

Many of the entities reviewed this interim have not met for some time due to member vacancies. The recommendation requires certain boards and commissions to play an active role in recruiting members to fill their ranks. Section 4 requires the chair of the Legislative Commission to appoint the chair and vice chair of the Subcommittee, each representing a different house of the Legislature. Currently, *Nevada Revised Statutes* (NRS) 232B.210

sets forth requirements for a quorum of the Sunset Subcommittee and provides for the composition of the Subcommittee members and requires the voting members of the Subcommittee to elect a chair from one house of the Legislature and a vice chair from the other house. Authorizing the chair of the Legislative Commission to appoint the chair and vice chair will allow the Subcommittee's chair to establish a work plan for the Subcommittee before its first meeting.

Section 5 requires the Subcommittee, each legislative interim, to review not less than three professional or occupational licensing boards and regulatory bodies that are required to establish a method for reviewing the criminal history of applicants. In addition, section 6 removes the requirement for certain professional or occupational licensing boards and regulatory bodies to submit a quarterly report to the Legislature, concerning petitions for the review of the criminal history of potential applicants for an occupation or professional license.

To provide a bit of background for sections 5 and 6, in 2019 we enacted Assembly Bill 319 of the 80th Session to authorize the right of professionals to petition a regulatory body to find out whether a person's criminal history disqualifies her or him from obtaining a certificate, license, permit, qualification, or registration. I believe the intent of this measure was to give those with past criminal convictions the opportunity to explore and establish a suitable career to make a better life for themselves and their families. This is particularly useful for formerly incarcerated women.

Among other provisions, the bill requires the Subcommittee to review certain regulatory bodies to determine whether the restrictions of an applicant's criminal history are appropriate. In addition, a variety of regulatory bodies are required to maintain statistics related to the criminal history and reviews and reports those statistics on a quarterly basis to the Legislature.

Interestingly, the information requested by the Subcommittee is substantively the same as the information required to be submitted on a quarterly basis. However, according to the records held by the Legislative Counsel Bureau, only a few other required regulatory bodies such as the Southern Nevada Health District, the Department of Agriculture, the Nevada State Board of Accountancy, and the Board of Medical Examiners have submitted these reports to the Legislature since 2019. I will tell you that was a continual source of frustration in the last interim and the interim before that and asking people, Will you comply with what the law says and submit these reports? They basically told the Sunset Subcommittee to go pound sand, in essence.

Therefore, to remove the redundancies from statute and instead being dependent on the regulatory bodies to submit their information, the Subcommittee recommended removing the requirements for these regulatory bodies to submit quarterly reports and requiring the Subcommittee to review not less than three regulatory bodies for restrictions on criminal histories of applicants each legislative interim.

I believe the Subcommittee is in a better position to request the information and can hold regulatory bodies accountable for not submitting these required reports. Madam Chair, one of the reports we should be getting and have gotten very few times is a report indicating how many veterans, how many veterans' spouses, and how many people who are differently-abled they have hired. Those are statistics we asked for and require. To this point, I think we have only received maybe three or four reports back during the last interim. I think the interim before that we only received three.

These recommendations are a result of the considerable work done by the Sunset Subcommittee during the 2021 to 2022 Interim. I am happy to answer any questions.

Assemblyman Yurek:

My question is in regard to section 3. It looks as if we are looking for immediate replacement of vacancies that occur and within 60 days getting a list of names to the Governor for appointment. Would you be satisfied with a list of one name? Are you looking for more than one name to be submitted to the Governor? If so, even though it is plural, if that is your intent, would you want to include that to make sure there is more than one submitted? Or, say not less than two or something like that?

Senator Spearman:

It is not me per se but what we are recommending bodies do is—you have heard the term build a bench. Various people on the committee should be looking at people who could possibly either replace them or replace someone else whose term is ending. There was a recommendation, and I cannot remember the bill number now, but we abolished several committees because they were having a problem filling the vacancies and therefore did not have a quorum. When these vacancies come up, if you already have names you can submit to the Governor, that is usually a better thing. I know that some people who say, Well, I do not know anybody with a diverse background. There are other civic and community organizations that can probably help with that. You can ask someone in a religious organization. You can ask someone if you are in a particular community organization, or if you are a member of a sorority or fraternity. There are a number of ways you can find that information. My dad used to say, "Those who want to do will find a way. Those who do not will find an excuse."

Chair Marzola:

Are there any additional questions? [There were none.] We will move to testimony in support of S.B. 210. Is there anyone wishing to testify in support? [There was no one.] We will move to testimony in opposition S.B. 210. Is there anyone wishing to testify in opposition? [There was no one.] We will move to testimony in neutral on S.B. 210. Is there anyone wishing to testify in neutral? [There was no one.] Senator Spearman, would you like to give any final remarks?

Senator Spearman:

I appreciate the opportunity to bring this to your attention. We worked hard to try to figure out how to overcome some of the barriers and obstacles and to make sure the committees and boards look like Nevada. That hard work brought you S.B. 210. Thank you for your favorable consideration.

[A proposed amendment, [Exhibit D](#), and letters in support, [Exhibit E](#) and [Exhibit F](#), were submitted but not discussed and will become part of the record.]

Chair Marzola:

Thank you for being here today. I will now close the hearing on S.B. 210 and open up for public comment. Is there anyone wishing to give public comment? [There was no one.] That concludes our meeting for today. Our next meeting will be Friday, April 28, 2023, at 1:30 p.m. This meeting is adjourned [at 2:33 p.m.].

RESPECTFULLY SUBMITTED:

Julie Axelson
Committee Secretary

APPROVED BY:

Assemblywoman Elaine Marzola, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 132, presented by Marjorie Paslov-Thomas, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is a proposed amendment to Senate Bill 210, submitted by Steven Cohen, Private Citizen, Las Vegas, Nevada.

[Exhibit E](#) is a letter dated April 26, 2023, submitted by Deanna Hua Tran, Coordinator, Nevada Immigrant Coalition, in support of Senate Bill 210.

[Exhibit F](#) is a letter dated April 26, 2023, submitted by Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada, in support of Senate Bill 210.