



**OFFICE OF THE
STATE CONTROLLER**

Minutes of the November 18, 2014 hearing to consider revisions to Adopted Regulation LCB File No. R060-14. The hearing was held at the Office of the Attorney General, Mock Courtroom, 100 N. Carson St., Carson City, NV 89701 with videoconferencing to the Office of the Attorney General, Grant Sawyer Bldg., 555 E. Washington Ave., Room 4500, Las Vegas, NV 89101.

- I. Call to Order.** Chief Deputy Controller, Deb Cook called the November 18, 2014, hearing to order at 10:00 AM.

Good morning, we would like to call this regulation hearing to order. My name is Deb Cook, I am the Chief Deputy Controller for the State of Nevada.

- II. Public Comment.** I would like to open the hearing to public comment.

There is no one in Carson City, is there anyone in Las Vegas that would like to make public comment? There is no one requesting to make public comment in either location, so we will now have a discussion on the proposed revisions to the adopted regulations in relation to recommendations by the Legislative Commission at its hearing held on October 24, 2014.

I will now turn the hearing over to Jennifer Chisel, Deputy Attorney General for the Controller's Office who will provide an overview of the regulations and proposed revisions.

- III. Discussion to consider revisions to the adopted regulation as recommended by the Legislative Commission.**

Good morning, I'm Jennifer Chisel and I represent the Controller's Office.

Today's hearing is about the regulation, R060-14, adopted by the Controller's Office to implement portions of Senate Bill 21 from the 2013 Legislative Session relating to professional and occupational licensees who may owe a debt to the State. The regulation was adopted by the Controller at the regulation adoption hearing held on August 4, 2014 and was submitted to the Legislature. At the Legislative Commission meeting on October 24, 2014, the regulation was considered and the Commission voted to defer the regulation based on some further recommendations. We are here today to consider revisions to the adopted regulation as recommended by the Legislative Commission.

For the record, I'll provide a brief overview of the regulation and then I'll discuss the specific revisions under consideration today. The regulation provides guidance to licensing agencies about notices and the licensee information to be provided to the Controller's Office. It also outlines the hearing process if a licensee requests a hearing and the role of the Controller's Office in determining the validity of the debt. The regulation discusses steps to take if the licensee fails to respond to a notice of debt sent by the Controller's Office or if the licensee agrees to satisfy the debt after notice has been sent to a licensing agency. The regulation also defines the scope of the hearing is for a licensee that owes a debt to the State.

The first revision under consideration is in section 14 of the regulation, found on page 5 of the regulation and the proposed language starts on page 6.

Section 14 establishes a procedure for the parties to participate in a prehearing conference in an effort to settle the matter without the need for a formal hearing. The Legislative Commission recommended that any settlement negotiations between the parties during a prehearing conference should be inadmissible at a hearing unless the parties agree to disclose that information. The Controller's Office agrees to this clarification and has revised subsection 4 of section 14 to reflect that addition in the underlined language.

The second revision is found in section 21 on page 8. The adopted language of section 21 provided that if the petitioner wanted a transcript of the hearing, the petitioner must provide the reporter, pay the cost and give a copy of the transcript to the Controller. The Legislative Commission recommended that the Controller's Office be responsible for keeping a record of the hearing in accordance with NRS Chapter 233B. As part of this revision, a party may obtain a copy of a transcript from the Controller upon request and paying the cost of the transcription. The Controller's Office agrees to this revision and has deleted the original language in section 21 and replaced it with the underlined language.

I'd be happy to entertain any comments or questions at this time on either of the revisions.

No questions.

This concludes my discussion of the revisions, so I will turn it back over to Deb.

We will now consider the hearing closed and we will move on to public comment.

IV. Public Comment.

Is there any public comment in Carson City? None.

Is there any public comment in Las Vegas? None.

Since we have no public comment, we will adopt the proposed revisions to the regulations and they will be resubmitted to the Legislature for final approval.

V. Adjournment.

This hearing is adjourned, thank you for coming.

