
ASSEMBLY BILL NO. 73—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DEPARTMENT OF BUSINESS AND
INDUSTRY, DIRECTOR’S OFFICE)

FEBRUARY 17, 2005

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning personnel that assist certain boards, commissions and authorities. (BDR 23-319)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the Department of Business and Industry; authorizing the Director of the Department to appoint and employ certain personnel to assist the Local Government Employee-Management Relations Board and the Taxicab Authority; providing that the Real Estate Division is subject to the administrative supervision of the Director for the purposes of the Uniform Common-Interest Community Act; authorizing the Director to appoint the Executive Director of the Nevada Athletic Commission; requiring the Director to appoint the Executive Director of the State Dairy Commission; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law authorizes the governing board of the Local Government
2 Employee-Management Relations Board and the Nevada Athletic Commission and
3 requires the State Dairy Commission to appoint or hire certain personnel. (NRS
4 288.090, 467.040, 584.043)
5 This bill transfers that authority to the Director of the Department of Business
6 and Industry.
7 Existing law provides that the Real Estate Division of the Department of
8 Business and Industry administers the provisions of Chapter 116 of NRS
9 concerning common-interest ownership, subject to the administrative control of the
10 Commission for Common-Interest Communities. (NRS 116.615)



11 This bill transfers the administrative control of the Commission to the Director
12 of the Department of Business and Industry.

13 Existing law authorizes the Director of the Department of Business and
14 Industry to appoint a Taxicab Administrator and other staff for the Taxicab
15 Authority. The Administrator serves at the pleasure of the Director, but the Taxicab
16 Authority may remove the Administrator for good cause shown. (NRS 706.882)

17 This bill removes the authority of the Taxicab Authority to remove the Taxicab
18 Administrator.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 288.034 is hereby amended to read as follows:
2 288.034 "Commissioner" means the Commissioner appointed
3 by the ~~[Board.]~~ *Director of the Department of Business and*
4 *Industry.*

5 **Sec. 2.** NRS 288.090 is hereby amended to read as follows:
6 288.090 1. The members of the Board shall annually elect
7 one of their number as Chairman and one as Vice Chairman. Any
8 two members of the Board constitute a quorum.

9 2. The ~~[Board]~~ *Director of the Department of Business and*
10 *Industry* may, within the limits of legislative appropriations:

11 (a) Appoint a Commissioner and a Secretary, who shall be in the
12 unclassified service of the State; and

13 (b) Employ such additional clerical personnel as may be
14 necessary, who shall be in the classified service of the State.

15 **Sec. 3.** NRS 116.615 is hereby amended to read as follows:
16 116.615 1. The *Division shall administer the* provisions of
17 this chapter, ~~[shall be administered by the Division.]~~ subject to the
18 administrative supervision of the ~~[Commission.]~~ *Director of the*
19 *Department of Business and Industry.*

20 2. The Commission and the Division may do all things
21 necessary and convenient to carry out the provisions of this chapter,
22 including, without limitation, prescribing such forms and adopting
23 such procedures as are necessary to carry out the provisions of this
24 chapter.

25 3. The Commission or the Administrator, with the approval of
26 the Commission, may adopt such regulations as are necessary to
27 carry out the provisions of this chapter.

28 4. The Commission may by regulation delegate any authority
29 conferred upon it by the provisions of this chapter to the
30 Administrator to be exercised pursuant to the regulations adopted by
31 the Commission.

32 5. When regulations are proposed by the Administrator, in
33 addition to other notices required by law, the Administrator shall
34 provide copies of the proposed regulations to the Commission not



1 later than 30 days before the next meeting of the Commission. The
2 Commission shall approve, amend or disapprove any proposed
3 regulations at that meeting.

4 6. All regulations adopted by the Commission, or adopted by
5 the Administrator with the approval of the Commission, must be
6 published by the Division and offered for sale at a reasonable fee.

7 7. The Division may publish or supply a reference manual or
8 study guide for community managers and may offer it for sale at a
9 reasonable fee.

10 **Sec. 4.** NRS 467.040 is hereby amended to read as follows:
11 467.040 1. The ~~{Commission may employ}~~ *Director of the*
12 *Department of Business and Industry may appoint* an Executive
13 Director, who must not be a member of the Commission.

14 2. Except as *otherwise* provided in NRS 467.080 and 467.135,
15 all money received by the Executive Director or the Commission
16 pursuant to the provisions of this chapter must be deposited with the
17 State Treasurer for credit to the State General Fund.

18 **Sec. 5.** NRS 584.043 is hereby amended to read as follows:
19 584.043 1. The ~~{Commission}~~ *Director of the Department of*
20 *Business and Industry* shall appoint an Executive Director, who
21 shall serve ex officio as ~~{its Secretary}~~ *the Secretary of the*
22 *Commission.*

23 2. The Executive Director may appoint such assistants,
24 deputies, agents, experts and other employees as are necessary for
25 the administration of the provisions of this chapter, prescribe their
26 duties and fix their salaries.

27 3. The Executive Director is in the unclassified service of the
28 State. All assistants, deputies, agents, experts and other employees
29 are in the classified service.

30 4. The Executive Director may be removed by the
31 ~~{Commission}~~ *Director of the Department of Business and*
32 *Industry.*

33 **Sec. 6.** NRS 706.176 is hereby amended to read as follows:
34 706.176 The ~~{Authority}~~ *Director of the Department of*
35 *Business and Industry* may:

36 1. Appoint a Deputy *to the Authority* who serves in the
37 unclassified service of the State.

38 2. Employ such other personnel as may be necessary.

39 **Sec. 7.** NRS 706.882 is hereby amended to read as follows:
40 706.882 1. The Director of the Department of Business and
41 Industry shall appoint a Taxicab Administrator from a list of three
42 names submitted to him by the Taxicab Authority. The
43 Administrator serves at the pleasure of the Director. The
44 Administrator is in the unclassified service of the State.



- 1 2. ~~{The Taxicab Authority may remove the Administrator for~~
2 ~~good cause shown.~~
3 ~~—3.1~~ Except as otherwise provided in NRS 284.143, the Taxicab
4 Administrator shall devote his entire time and attention to the
5 business of his office and shall not pursue any other business or
6 occupation or hold any other office of profit.
7 **Sec. 8.** This act becomes effective on July 1, 2005.

