

ASSEMBLY BILL NO. 21—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE GOVERNOR)

PREFILED DECEMBER 14, 2010

Referred to Committee on Government Affairs

SUMMARY—Makes certain occupational licensing boards and commissions subject to the same requirements as other agencies of the Executive Department of the State Government. (BDR 31-409)

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

~

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

AN ACT relating to state financial administration; requiring certain occupational licensing boards and commissions to comply with the same requirements as other agencies of the Executive Department of the State Government with respect to financial administration, including personnel, buildings and grounds, the state budget and internal controls; requiring such boards and commissions to deposit money in accordance with the laws that apply to other state agencies; removing the requirement for certain performance audits of the Board of Medical Examiners; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes a number of boards and commissions to regulate the practice of certain professions. (NRS 590.485, Chapters 623-625A, 628, 630-644, 648, 654 and 656 of NRS) These boards and commissions are exempt from many of the requirements that apply to other agencies in the Executive Department of the State Government. (NRS 284.013, 353.005, 353A.020, 353A.025, 353A.045)

This bill requires these licensing boards and commissions to comply with the same requirements as other agencies of the Executive Department with respect to financial administration, including personnel (chapters 281 and 284 of NRS), buildings and grounds (chapter 331 of NRS), the state budget (chapter 353 of NRS) and internal controls (chapter 353A of NRS). This bill further requires these boards and commissions to deposit money in accordance with the laws that apply to



* A B 2 1 *

12 other state agencies. (Chapter 356 of NRS) This bill also removes the requirement
13 that the Board of Medical Examiners be subject to certain performance audits.
14 (NRS 630.127)

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

1 **Section 1.** NRS 353A.020 is hereby amended to read as
2 follows:

3 353A.020 1. The Director, in consultation with the
4 Committee and Legislative Auditor, shall adopt a uniform system of
5 internal accounting and administrative control for agencies. The
6 elements of the system must include, without limitation:

7 (a) A plan of organization which provides for a segregation of
8 duties appropriate to safeguard the assets of the agency;

9 (b) A plan which limits access to assets of the agency to persons
10 who need the assets to perform their assigned duties;

11 (c) Procedures for authorizations and recordkeeping which
12 effectively control accounting of assets, liabilities, revenues and
13 expenses;

14 (d) A system of practices to be followed in the performance of
15 the duties and functions of each agency; and

16 (e) An effective system of internal review.

17 2. The Director, in consultation with the Committee and
18 Legislative Auditor, may modify the system whenever the Director
19 considers it necessary.

20 3. Each agency shall develop written procedures to carry out
21 the system of internal accounting and administrative control adopted
22 pursuant to this section.

23 4. For the purposes of this section, "agency" does not include:

24 (a) ~~IA board created by the provisions of NRS 590.485 and~~
25 ~~chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648,~~
26 ~~654 and 656 of NRS.~~

27 ~~(b)}~~ The Nevada System of Higher Education.

28 ~~{(e)}~~ (b) The Public Employees' Retirement System.

29 ~~{(d)}~~ (c) The Housing Division of the Department of Business
30 and Industry.

31 ~~{(e)}~~ (d) The Colorado River Commission of Nevada.

32 **Sec. 2.** NRS 353A.025 is hereby amended to read as follows:

33 353A.025 1. The head of each agency shall periodically
34 review the agency's system of internal accounting and
35 administrative control to determine whether it is in compliance with
36 the uniform system of internal accounting and administrative control
37 for agencies adopted pursuant to subsection 1 of NRS 353A.020.



2. On or before July 1 of each even-numbered year, the head of each agency shall report to the Director whether the agency's system of internal accounting and administrative control is in compliance with the uniform system adopted pursuant to subsection 1 of NRS 353A.020. The reports must be made available for inspection by the members of the Legislature.

3. For the purposes of this section, "agency" does not include:

(a) ~~IA board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS.~~

~~(b)~~ The Nevada System of Higher Education.

~~(c)~~ (b) The Public Employees' Retirement System.

~~(d)~~ (c) The Housing Division of the Department of Business and Industry.

~~(e)~~ (d) The Colorado River Commission of Nevada.

4. The Director shall, on or before the first Monday in February of each odd-numbered year, submit a report on the status of internal accounting and administrative controls in agencies to the:

(a) Director of the Legislative Counsel Bureau for transmittal to the:

(1) Senate Standing Committee on Finance; and

(2) Assembly Standing Committee on Ways and Means;

(b) Governor; and

(c) Legislative Auditor.

5. The report submitted by the Director pursuant to subsection 4 must include, without limitation:

(a) The identification of each agency that has not complied with the requirements of subsections 1 and 2;

(b) The identification of each agency that does not have an effective method for reviewing its system of internal accounting and administrative control; and

(c) The identification of each agency that has weaknesses in its system of internal accounting and administrative control, and the extent and types of such weaknesses.

Sec. 3. NRS 353A.045 is hereby amended to read as follows:

353A.045 The Chief shall:

1. Report to the Director.

2. Develop long-term and annual work plans to be based on the results of periodic documented risk assessments. The annual work plan must list the agencies to which the Division will provide training and assistance and be submitted to the Director for approval. Such agencies must not include:

(a) ~~IA board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS.~~



1 ~~(b)~~ The Nevada System of Higher Education.
2 ~~(c)~~ (b) The Public Employees' Retirement System.
3 ~~(d)~~ (c) The Housing Division of the Department of Business
4 and Industry.

5 ~~(e)~~ (d) The Colorado River Commission of Nevada.

6 3. Provide a copy of the approved annual work plan to the
7 Legislative Auditor.

8 4. In consultation with the Director, prepare a plan for auditing
9 executive branch agencies for each fiscal year and present the plan
10 to the Committee for its review and approval. Each plan for auditing
11 must:

12 (a) State the agencies which will be audited, the proposed scope
13 and assignment of those audits and the related resources which will
14 be used for those audits; and

15 (b) Ensure that the internal accounting, administrative controls
16 and financial management of each agency are reviewed periodically.

17 5. Perform the audits of the programs and activities of the
18 agencies in accordance with the plan approved pursuant to
19 subsection 5 of NRS 353A.038 and prepare audit reports of his or
20 her findings.

21 6. Review each agency that is audited pursuant to subsection 5
22 and advise those agencies concerning internal accounting,
23 administrative controls and financial management.

24 7. Submit to each agency that is audited pursuant to subsection
25 5 analyses, appraisals and recommendations concerning:

26 (a) The adequacy of the internal accounting and administrative
27 controls of the agency; and

28 (b) The efficiency and effectiveness of the management of the
29 agency.

30 8. Report any possible abuses, illegal actions, errors, omissions
31 and conflicts of interest of which the Division becomes aware
32 during the performance of an audit.

33 9. Adopt the standards of the Institute of Internal Auditors for
34 conducting and reporting on internal audits.

35 10. Consult with the Legislative Auditor concerning the plan
36 for auditing and the scope of audits to avoid duplication of effort
37 and undue disruption of the functions of agencies that are audited
38 pursuant to subsection 5.

39 11. Appoint a Manager of Internal Controls.

40 **Sec. 4.** NRS 284.013 is hereby amended to read as follows:

41 284.013 1. ~~Except as otherwise provided in subsection 4,~~
42 ~~this~~ **This** chapter does not apply to:

43 (a) Agencies, bureaus, commissions, officers or personnel in the
44 Legislative Department or the Judicial Department of State
45 Government, including the Commission on Judicial Discipline; **or**



(b) ~~Any person who is employed by a board, commission, committee or council created in chapters 590, 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 652, 654 and 656 of NRS; or~~

~~(c)~~ Officers or employees of any agency of the Executive Department of the State Government who are exempted by specific statute.

2. Except as otherwise provided in subsection 3, the terms and conditions of employment of all persons referred to in subsection 1, including salaries not prescribed by law and leaves of absence, including, without limitation, annual leave and sick and disability leave, must be fixed by the appointing or employing authority within the limits of legislative appropriations or authorizations.

3. Except as otherwise provided in this subsection, leaves of absence prescribed pursuant to subsection 2 must not be of lesser duration than those provided for other state officers and employees pursuant to the provisions of this chapter. The provisions of this subsection do not govern the Legislative Commission with respect to the personnel of the Legislative Counsel Bureau.

~~4. Any board, commission, committee or council created in chapters 590, 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 652, 654 and 656 of NRS which contracts for the services of a person, shall require the contract for those services to be in writing. The contract must be approved by the State Board of Examiners before those services may be provided.~~

Sec. 5. NRS 284.1729 is hereby amended to read as follows:

284.1729 1. Except as otherwise provided in this section, a department, division, **board, commission** or other agency of this State shall not employ, by contract or otherwise, a person to provide services as a consultant for the agency if:

(a) The person is a current employee of an agency of this State;

(b) The person is a former employee of an agency of this State and less than 1 year has expired since the termination of the person's employment with the State;

(c) Except as otherwise provided in paragraph (d), the term of the contract is for more than 2 years, or is amended or otherwise extended beyond 2 years; or

(d) The person is employed by the Department of Transportation for a transportation project that is federally funded and the term of the contract is for more than 4 years, or is amended or otherwise extended beyond 4 years,

↳ unless, before the person is employed by the agency, the Interim Finance Committee approves the employment of the person.

2. The provisions of paragraph (b) of subsection 1 apply to employment through a temporary employment service. A temporary



1 employment service providing employees for a state agency shall
2 provide the agency with the names of the employees to be provided
3 to the agency. The Interim Finance Committee shall not approve the
4 employment of a consultant pursuant to paragraph (b) of subsection
5 1 unless the Interim Finance Committee determines that one or more
6 of the following circumstances exist:

7 (a) The person provides services that are not provided by any
8 other employee of the agency or for which a critical labor shortage
9 exists; or

10 (b) A short-term need or unusual economic circumstance exists
11 for the agency to employ the person as a consultant.

12 3. A department, division, **board, commission** or other agency
13 of this State may employ a person pursuant to paragraph (a) or (b) of
14 subsection 1 without obtaining the approval of the Interim Finance
15 Committee if the term of employment is for less than 4 months and
16 the executive head of the department, division, **board, commission**
17 or agency determines that an emergency exists which necessitates
18 the employment. If a department, division, **board, commission** or
19 agency employs a person pursuant to this subsection, the
20 department, division, **board, commission** or agency shall include in
21 the report to the Interim Finance Committee pursuant to subsection
22 4 a description of the emergency.

23 4. Except as otherwise provided in subsection 7, a department,
24 division, **board, commission** or other agency of this State shall
25 report to the Interim Finance Committee whenever it employs, by
26 contract or otherwise, a person to provide services as a consultant
27 for the agency who is a former employee of a department, division
28 or, **board, commission** other agency of this State.

29 5. Except as otherwise provided in subsection 7, a department,
30 division, **board, commission** or other agency of this State shall not
31 contract with a temporary employment service unless the
32 contracting process is controlled by rules of open competitive
33 bidding.

34 6. Each ~~board or commission of this State, each~~ school
35 district in this State and each institution of the Nevada System of
36 Higher Education that employs a consultant shall, at least once
37 every 6 months, submit to the Interim Finance Committee a report
38 setting forth:

39 (a) The number of consultants employed by the ~~board,~~
40 ~~commission,~~ school district or institution;

41 (b) The purpose for which the ~~board, commission,~~ school
42 district or institution employs each consultant;

43 (c) The amount of money or other remuneration received by
44 each consultant from the ~~board, commission,~~ school district or
45 institution; and



(d) The length of time each consultant has been employed by the ~~board, commission,~~ school district or institution.

7. The provisions of subsections 1 to 5, inclusive, do not apply to the:

(a) Nevada System of Higher Education . ~~for a board or commission of this State.~~

(b) Employment of professional engineers by the Department of Transportation if those engineers are employed for a transportation project that is federally funded.

8. For the purposes of this section, "consultant" includes any person employed by a business or other entity that is providing consulting services if the person will be performing or producing the work for which the business or entity is employed.

Sec. 6. NRS 331.070 is hereby amended to read as follows:

331.070 1. The Chief shall have supervision over and control of all state buildings, grounds and properties not otherwise provided for by law . ~~except for any buildings, grounds or other properties owned or leased by boards that are exempt from the provisions of chapter 353 of NRS pursuant to NRS 353.005.~~

2. The Chief shall direct the making of all repairs and improvements on the buildings, grounds and properties over which the Chief has supervision and control pursuant to subsection 1.

3. All officers, departments, boards, commissions , *institutions* and agencies shall make requisition upon the Chief for any repairs or improvements necessary in buildings or parts thereof over which the Chief has supervision and control that are owned by or leased to the State and occupied by such officers, departments, boards, commissions , *institutions* or agencies.

Sec. 7. NRS 331.085 is hereby amended to read as follows:

331.085 The Chief may charge the various state departments, *boards, commissions,* agencies and institutions for the cost of labor and materials for extra services provided to their respective offices by the Buildings and Grounds Division. Extra services for which these charges may be made include, but are not limited to, office remodeling, furniture construction and moving. Money received by the Chief for this purpose must be deposited in the Buildings and Grounds Operating Fund in the State Treasury.

Sec. 8. NRS 331.090 is hereby amended to read as follows:

331.090 The Chief may accept rent money from various departments , *boards, commissions, institutions* and agencies that are occupying space in the various state-owned buildings. The rent money must be deposited in the Buildings and Grounds Operating Fund in the State Treasury.



Sec. 9. NRS 331.095 is hereby amended to read as follows:

331.095 1. The Chief shall establish a program to track the use of energy in buildings owned by the State and in other buildings which are occupied by a state agency , *board, commission or institution* and whose owners comply with the program pursuant to subsection 6.

2. The program established pursuant to this section must:

(a) Record utility bills for each building for each month and preserve those records indefinitely;

(b) Allow for the comparison of utility bills for a building from month to month and year to year;

(c) Allow for the comparison of utility bills between buildings, including comparisons between similar buildings or types of buildings;

(d) Allow for adjustments to the information based upon variations in weather conditions, the length of the billing period and other changes in relevant conditions;

(e) Facilitate identification of errors in utility bills and meter readings;

(f) Allow for the projection of costs for energy for a building; and

(g) Identify energy and cost savings associated with efforts to conserve energy.

3. The Chief may apply for any available grants and accept any gifts, grants or donations to assist in establishing and carrying out the program.

4. In accordance with, and out of any money received pursuant to, the American Recovery and Reinvestment Act of 2009, Public Law 111-5, the Interim Finance Committee may determine an amount of money to be used by the Chief to fulfill the requirements of subsection 1.

5. To the extent that there is not sufficient money available for the support of the program, each state agency , *board, commission or institution* that occupies a building in which the use of energy is tracked pursuant to the program shall reimburse the Buildings and Grounds Division for the agency's proportionate share of the unfunded portion of the cost of the program. The reimbursement must be based upon the energy consumption of the respective state agencies , *boards, commissions or institutions* that occupy buildings in which the use of energy is tracked.

6. Notwithstanding any other provision of law, an owner of a building who enters into a contract with a state agency , *board, commission or institution* for occupancy in the building:

(a) If the contract is entered into before May 28, 2009, may comply with the program; and



(b) If the contract is entered into on or after May 28, 2009, shall, to the extent practicable as determined by the Chief, comply with the program.

➤ If an owner chooses not to comply with the program pursuant to paragraph (a), a state or local agency , **board, commission or institution** shall not, after May 28, 2009, enter into a contract for occupancy of a building owned by the owner, except that the Chief may authorize a state or local agency , **board, commission or institution** to enter into a contract for the occupancy of a building owned by an owner who does not comply with the program if the Chief determines that it is impracticable for the owner to comply with the program.

Sec. 10. NRS 331.102 is hereby amended to read as follows:

331.102 1. The Chief shall:

(a) Maintain accurate records reflecting the costs of administering the provisions of NRS 331.010 to 331.145, inclusive.

(b) Between July 1 and August 1 of each even-numbered year, determine, on the basis of experience during the 2 preceding fiscal years, the estimated cost per square foot of rentable area of carrying out the functions of the Buildings and Grounds Division for the 2 succeeding fiscal years, and inform each department, agency , **board, commission** and institution operating under the provisions of NRS 331.010 to 331.145, inclusive, of the cost.

2. Each department, agency , **board, commission** and institution occupying space in state-owned buildings maintained by the Buildings and Grounds Division, shall include in its budget for each of the 2 succeeding fiscal years an amount of money equal to the cost per budgeted square foot of rentable area, as determined by the Chief, multiplied by the number of rentable square feet occupied by each department, agency , **board, commission** or institution.

3. Except as otherwise provided in subsection 4, on July 1 of each year each department, agency , **board, commission** or institution shall pay to the Chief for deposit in the Buildings and Grounds Operating Fund the amount of money appropriated to or authorized for the department, agency , **board, commission** or institution for building space rental costs pursuant to its budget.

4. Any state department, agency , **board, commission** or institution may pay building space rental costs required pursuant to subsection 3 on a date or dates other than July 1, if compliance with federal law or regulation so requires.

Sec. 11. NRS 331.104 is hereby amended to read as follows:

331.104 1. All revenue resulting from:

(a) Postage sold to state officers, departments , **boards, commissions** and agencies; and

(b) Charges for proportionate costs of mail service operation,



1 ➡ must be deposited in the State Treasury for credit to the
2 Department of Administration's Communications Fund.

3 2. The formula for spreading costs of operation must be
4 adjusted from time to time to preserve the Fund at not less than its
5 initial level.

6 **Sec. 12.** NRS 331.105 is hereby amended to read as follows:

7 331.105 1. The Chief shall establish and conduct a Central
8 Mailing Room for all state officers, departments , **boards,**
9 **commissions** and agencies located at Carson City, Nevada.

10 2. Any state officer, department , **board, commission** or agency
11 may use the Central Mailing Room facilities if the state officer,
12 department , **board, commission** or agency pays the cost of their use
13 as determined by the Chief.

14 3. The staff of the Central Mailing Room shall deliver
15 incoming mail and pick up and process outgoing mail, except
16 outgoing parcel post from the Legal Division of the Legislative
17 Counsel Bureau, other than interoffice mail, of all state officers,
18 departments , **boards, commissions** and agencies using the central
19 mailing room facilities.

20 **Sec. 13.** NRS 331.110 is hereby amended to read as follows:

21 331.110 ~~{1. Except as otherwise provided in subsection 2,~~
22 ~~the}~~ **The** Chief may lease and equip office rooms outside of state
23 buildings for the use of state officers and employees, whenever
24 sufficient space for the officers and employees cannot be provided
25 within state buildings, but no such lease may extend beyond the
26 term of 1 year unless it is reviewed and approved by a majority of
27 the members of the State Board of Examiners. The Attorney General
28 shall approve each lease entered into pursuant to this subsection as
29 to form and compliance with law.

30 ~~{2. The provisions of subsection 1 do not apply to state officers~~
31 ~~and employees of boards that are exempt from the provisions of~~
32 ~~chapter 353 of NRS pursuant to NRS 353.005.}~~

33 **Sec. 14.** NRS 331.120 is hereby amended to read as follows:

34 331.120 1. Except as otherwise provided in NRS 331.130
35 and 331.135, the Chief shall assign the rooms in the Capitol
36 Building, and rooms elsewhere used by the State, and shall
37 determine the occupancy thereof in such manner as the public
38 service may require.

39 2. The executive and administrative officers, departments,
40 boards, commissions and agencies of the State must be provided
41 with suitable quarters which must, so far as is expedient, be in
42 Carson City. ~~{As used in this subsection, "boards" does not include~~
43 ~~boards that are exempt from the provisions of chapter 353 of NRS~~
44 ~~pursuant to NRS 353.005.}~~



3. The Chief shall provide suitable office space for the use of the Governor-Elect and expend money for incidental expenses connected therewith. The provisions of this subsection do not apply if the incumbent Governor is elected to succeed himself or herself.

4. The Chief may provide suitable space in the Capitol Building for the permanent use of accredited members of the press and for the installation of communication equipment.

Sec. 15. NRS 331.184 is hereby amended to read as follows:

331.184 The State Risk Manager shall:

1. Direct and supervise all administrative and technical activities of the Risk Management Division.

2. Determine the nature and extent of requirements for insurance, other than group life, accident or health insurance, on risks of an insurable nature of the State and any of its agencies, **departments, boards and commissions**, the premiums for which are payable in whole or in part from public money.

3. Negotiate for, procure, purchase and have placed, through a licensed insurance agent or broker residing or domiciled in Nevada, or continued in effect all insurance coverages, other than employee group life, accident or health insurance, which may be reasonably obtainable, whether from insurers authorized to transact business in this state or under the surplus lines provisions of chapter 685A of NRS.

4. Conduct periodic inspections of premises, property and risks to determine insurability, risk and premium rate, and submit a written report of each inspection and appraisal, together with any recommendations that appear appropriate, to the administrator of the agency, **department, board or commission** most responsible for the premises, property or risk, and to the Director of the Department of Administration.

5. Provide for self-insurance if the potential loss is relatively insignificant or if the risk is highly predictable and the probability of loss is so slight that the cost of insuring the risk is not a prudent expenditure of public funds, or if insurance is unavailable or unavailable at a reasonable cost.

6. Select reasonable deductibles when it appears economically advantageous to the State to do so.

7. Select comprehensive and blanket coverages insuring the property of two or more state agencies, **departments, boards and commissions** when that appears economically advisable.

8. Investigate and determine the reliability and financial condition of insurers, and the services they provide.

9. Minimize risks by adopting and promoting programs to control losses and encourage safety.



10. Perform any of the services described in subsections 2, 3 and 4 for any political subdivision of the State at the request of its managing officer or governing body.

11. Perform any other function of risk management as directed by the Director of the Department of Administration.

Sec. 16. NRS 331.186 is hereby amended to read as follows:

331.186 In determining the need for, form and amount of insurance coverages, the State Risk Manager shall consider:

1. Omission of insurance coverage on property and risks for which insurance and claim adjustment costs would be disproportionately high in relation to the amount of risk.

2. Economies possible through the use of reasonable deductibles.

3. Use of comprehensive coverages and blanket coverages insuring property of two or more state agencies ~~H~~, *departments, boards or commissions.*

4. Reliability and financial condition of insurers, and the services which they provide.

5. Means whereby risks may be improved through reduction in insurance losses and costs.

Sec. 17. NRS 331.187 is hereby amended to read as follows:

331.187 1. There is created in the State Treasury the Fund for Insurance Premiums as an internal service fund to be maintained for use by the Risk Management Division of the Department of Administration and the Attorney General.

2. Each state agency, *department, board and commission* shall deposit in the Fund:

(a) An amount equal to its insurance premium and other charges for potential liability, self-insured claims, other than self-insured tort claims, and administrative expenses, as determined by the Risk Management Division; and

(b) An amount for self-insured tort claims and expenses related to those claims, as determined by the Attorney General.

3. Each county shall deposit in the Fund an assessment for the employees of the district court of that county, excluding district judges, unless the county enters into a written agreement with Attorney General to:

(a) Hold the State of Nevada harmless and assume liability and costs of defense for the employees of the district court;

(b) Reimburse the State of Nevada for any liability and costs of defense that the State of Nevada incurs for the employees of the district court; or

(c) Include the employees of the district court under the county's own insurance or other coverage.



4. Expenditures from the Fund must be made by the Risk Management Division or the Attorney General to an insurer for premiums of state agencies , *departments, boards and commissions* as they become due or for deductibles, self-insured property and tort claims or claims pursuant to NRS 41.0349. If the money in the Fund is insufficient to pay a tort claim, it must be paid from the Reserve for Statutory Contingency Account.

5. As used in this section, "assessment" means an amount determined by the Risk Management Division and the Attorney General to be equal to the share of a county for:

- (a) Applicable insurance premiums;
- (b) Other charges for potential liability and tort claims; and
- (c) Expenses related to tort claims.

Sec. 18. NRS 590.485 is hereby amended to read as follows:

590.485 1. The Board for the Regulation of Liquefied Petroleum Gas, consisting of six members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) One member who is a volunteer firefighter in a rural area of this State.

(b) One member who is a firefighter employed by the fire department of a city in this State.

(c) Two members who:

(1) Are or have been engaged in the sale or distribution of liquefied petroleum gas in this State; and

(2) Have a working knowledge of and actual experience in the daily operation of a business classified pursuant to the provisions of subsection 1 of NRS 590.575.

➡ Each member appointed pursuant to this paragraph may be appointed from a separate list of three nominees for appointment if such a list of nominees is provided to the Governor by the Nevada Propane Dealers Association.

(d) Two members who are representatives of the general public.

3. After the initial terms, the members of the Board must be appointed to terms of 4 years.

4. Any appointed member may, for cause, inefficiency or neglect of duties, be removed from office by the Governor.

5. Each member of the Board is entitled to receive a salary of not more than \$80 per day, as fixed by the Board, while engaged in the business of the Board.

6. While engaged in the business of the Board, each member and employee of the Board is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.



7. Except as otherwise provided by NRS 590.547 and 590.605, the salaries, per diem allowances and travel expenses of the members and employees of the Board must be paid *in accordance with chapters 281, 284 and 353 of NRS* out of the money of the Board, after approval by a majority of the Board.

Sec. 19. NRS 590.505 is hereby amended to read as follows:

590.505 1. The Board may adopt a seal for its own use which must have imprinted thereon the words "Board for the Regulation of Liquefied Petroleum Gas." The care and custody of the seal is the responsibility of the Secretary-Treasurer of the Board.

2. The Board may appoint an Executive Secretary and may employ or, pursuant to NRS 333.700, contract with such other technical, clerical or investigative personnel as it deems necessary. The Board shall fix the compensation of the Executive Secretary and all other employees and independent contractors ~~H~~ *in accordance with chapters 281, 284 and 353 of NRS*. Such compensation must be paid out of the money of the Board. The Board may require the Executive Secretary and any other employees and independent contractors to give a bond to the Board for the faithful performance of their duties, the premiums on the bond being paid out of the money of the Board.

3. In carrying out the provisions of NRS 590.465 to 590.645, inclusive, and holding its regular or special meetings, the Board:

(a) Shall adopt written policies setting forth procedures and methods of operation for the Board.

(b) May adopt such regulations as it deems necessary.

4. The Board shall submit to the Legislature and the Governor a biennial report before September 1 of each even-numbered year, covering the biennium ending June 30 of that year, of its transactions during the preceding biennium, including a complete statement of the receipts and expenditures of the Board during the period and any complaints received by the Board.

5. The Board shall keep accurate records, minutes and audio recordings or transcripts of all meetings and, except as otherwise provided in NRS 241.035, the records, minutes, audio recordings and transcripts so kept must be open to public inspection at all reasonable times. The Board shall also keep a record of all applications for licenses and licenses issued by it. The record of applications and licenses is a public record.

Sec. 20. NRS 590.509 is hereby amended to read as follows:

590.509 1. The Board shall *, in accordance with chapter 331 of NRS,* maintain ~~[in such locations as it deems necessary]~~ an office open to the public during business hours on weekdays, with a telephone number available 24 hours a day for persons who use liquefied petroleum gas to obtain assistance in an emergency.



2. The office must be supervised by an employee of the Board qualified to deal with the complaints of persons who use liquefied petroleum gas and with other matters relating to the business of the Board.

3. Persons licensed by the Board pursuant to NRS 590.575 in Class 1 and Class 2 or their qualified employees must be made available 24 hours a day to offer assistance upon the request of the Board or a fire department or other fire protection agency in whose district any emergency involving liquefied petroleum gas occurs.

Sec. 21. NRS 590.605 is hereby amended to read as follows:

590.605 1. Whenever the Board has reasonable grounds to believe that any applicant or licensee under NRS 590.465 to 590.645, inclusive, is violating any of the provisions of NRS 590.465 to 590.645, inclusive, or regulations or specifications adopted hereunder, or is violating or failing to comply with any of the health and safety laws or regulations in force in this State, or is acting or conducting operations in any other manner which the Board deems to be inimical and not ~~to~~ in the best interests of the health, safety or welfare of the people of this State, the Board may, after a hearing, suspend or revoke any or all licenses previously issued under the provisions of NRS 590.465 to 590.645, inclusive, or take such intermediate actions, including the imposition of fines, as it deems appropriate under the circumstances. If the Board has reasonable grounds to believe that a licensee is delivering a lesser quantity of gas than the licensee bills the customer for with the intent to defraud, that fact must be reported to the State Sealer of Weights and Measures.

2. The Board shall cite the licensee, upon notice, stating reasons and given not less than 10 days before the date set for the hearing, to appear and show cause, if any, why the license should not be revoked or suspended or other disciplinary action should not be taken.

3. The Board may conduct investigations, summon and compel the attendance of witnesses, require the production of any records or documents and provide for the taking of depositions under the Nevada Rules of Civil Procedure in connection with such hearings.

4. If, upon hearing, the Board is satisfied that the violation charged is true, or if the licensee fails to appear and show cause, the Board may revoke or suspend the license summarily or take such intermediate action, including the imposition of a fine, as it deems appropriate. In addition to any penalties imposed pursuant to this subsection, the licensee shall pay to the Board any costs incurred by the Board in conducting the investigation and hearing, including:

(a) Costs to employ an attorney or other consultant; and

(b) Per diem allowances and travel expenses.



1 ➡ Money received by the Board from the imposition of fines must
2 be paid to the State Treasurer for credit to the State General Fund.
3 The Board may retain the money paid to reimburse it for the costs of
4 conducting an investigation and hearing. *Any money retained by the*
5 *Board must be deposited in accordance with chapter 356 of NRS.*

6 5. The findings of the Board pursuant to this section, the
7 judgment and the order must be reduced to writing and filed in the
8 permanent public records of the Board. Copies must be furnished to
9 the licensee and the complaining customer, if any. A licensee is
10 entitled to judicial review of the order in the manner provided by
11 chapter 233B of NRS. Enforcement of the Board's order must be
12 stayed until judicial review is completed.

13 6. In any case where the Board refuses to issue a license, or
14 suspends or revokes a license, the applicant or accused may submit
15 another application for the consideration of the Board.

16 **Sec. 22.** NRS 622.200 is hereby amended to read as follows:

17 622.200 As soon as practicable after a person is first appointed
18 to serve as a member of a regulatory body, the person must be
19 provided with:

20 1. A written summary of the duties and responsibilities of a
21 member of the regulatory body; and

22 2. Training on those duties and responsibilities by the Attorney
23 General. ~~[The training must include, without limitation, instruction~~
24 ~~related to the audit that is required by NRS 218G.400, except that a~~
25 ~~person who is a member of the Nevada State Board of Accountancy~~
26 ~~is not required to be provided with instruction related to that audit.]~~

27 **Sec. 23.** NRS 623.070 is hereby amended to read as follows:

28 623.070 1. Each member of the Board is entitled to receive
29 from the money of the Board:

30 (a) A salary of not more than \$150 per day, as fixed by the
31 Board, while engaged in the business of the Board; and

32 (b) A per diem allowance and travel expenses at a rate fixed by
33 the Board, while engaged in the business of the Board. The rate
34 must not exceed the rate provided for state officers and employees
35 generally.

36 2. While engaged in the business of the Board, each employee
37 of the Board is entitled to receive a per diem allowance and travel
38 expenses at a rate fixed by the Board. The rate must not exceed the
39 rate provided for state officers and employees generally.

40 3. The Secretary and Treasurer of the Board is entitled to be
41 paid a salary out of the money of the Board in an amount to be
42 determined by the Board ~~[I]~~ *in accordance with chapters 281, 284*
43 *and 353 of NRS.*



1 **Sec. 24.** NRS 623.090 is hereby amended to read as follows:
2 623.090 ~~{1. The Board may provide its own quarters, in~~
3 ~~which case it shall bear the expenses incident to their maintenance.~~

4 ~~—2.} The Board {may} shall maintain offices in {as many~~
5 ~~localities in the State as it finds necessary to carry out the provisions~~
6 ~~of this chapter.} **accordance with chapter 331 of NRS.**~~

7 **Sec. 25.** NRS 623.135 is hereby amended to read as follows:

8 623.135 The Board may employ an Executive Director, legal
9 counsel, investigators, professional consultants and other employees
10 necessary to the discharge of its duties, and may fix the
11 compensation therefor ~~{}~~ **in accordance with chapters 281, 284**
12 **and 353 of NRS.**

13 **Sec. 26.** NRS 623.160 is hereby amended to read as follows:

14 623.160 Except as otherwise provided in NRS 623.190, all fees
15 provided for by the provisions of this chapter must be paid to and
16 receipted for by the Secretary of the Board, who shall deposit the
17 fees in ~~{banks or credit unions in the State of Nevada or institutions~~
18 ~~in this State whose business is the making of investments.}~~
19 **accordance with chapter 356 of NRS.** Fees so deposited may be
20 drawn against only for the purposes of this chapter.

21 **Sec. 27.** NRS 623A.090 is hereby amended to read as follows:

22 623A.090 1. Members of the Board are entitled to receive:

23 (a) A salary of not more than \$150 per day, as fixed by the
24 Board, while engaged in the business of the Board; and

25 (b) A per diem allowance and travel expenses, at a rate fixed by
26 the Board, while engaged in the business of the Board. The rate
27 must not exceed the rate provided for state officers and employees
28 generally.

29 2. While engaged in the business of the Board, each employee
30 of the Board is entitled to receive a per diem allowance and travel
31 expenses at a rate fixed by the Board. The rate must not exceed the
32 rate provided for state officers and employees generally.

33 3. Any salary, per diem allowance or travel expenses paid
34 pursuant to the provisions of this section must be paid **in**
35 **accordance with chapters 281, 284 and 353 of NRS** from money
36 kept or deposited by the Board in accordance with the provisions of
37 NRS 623A.150.

38 **Sec. 28.** NRS 623A.100 is hereby amended to read as follows:

39 623A.100 1. At each annual meeting of the Board, the
40 members shall:

41 (a) Elect a President and a Secretary; and

42 (b) Appoint an Executive Director.

43 2. The President and the Secretary of the Board serve without
44 additional compensation.



3. The Executive Director must not be a member of the Board and is entitled to a salary fixed by the Board ~~§~~ *in accordance with chapters 281, 284 and 353 of NRS.*

4. The Executive Director shall:

(a) Keep an accurate record of all proceedings of the Board;

(b) Maintain custody of the official seal;

(c) Maintain a file containing the names and addresses of all holders of certificates of registration and certificates to practice as a landscape architect intern;

(d) Submit to the Board each application for a certificate of registration or certificate to practice as a landscape architect intern that is filed with the Board;

(e) If a holder of a certificate of registration or certificate to practice as a landscape architect intern has violated any provision of this chapter, file a complaint with the Attorney General; and

(f) Perform any other duties assigned by the Board.

Sec. 29. NRS 623A.120 is hereby amended to read as follows:

623A.120 The Board may:

1. Employ and fix the compensation *in accordance with chapters 281, 284 and 353 of NRS* for legal counsel, inspectors, special agents, investigators and clerical personnel necessary to the discharge of its duties; and

2. Reimburse an employee specified in subsection 1 for any actual expenses incurred by the employee while acting on behalf of the Board.

Sec. 30. NRS 623A.150 is hereby amended to read as follows:

623A.150 1. All money coming into the possession of the Board must be kept or deposited by the Executive Director in an account in ~~§ a bank, credit union or savings and loan association in this State. §~~ *accordance with chapter 356 of NRS.*

2. Except as otherwise provided in subsection 6, all money collected by the Board must be used to pay the expenses of:

(a) Examinations and the issuance of certificates of registration and certificates to practice as a landscape architect intern; and

(b) Conducting the business of the Board.

3. The expenses, including the per diem allowances and travel expenses of the members and employees of the Board while engaged in the business of the Board and the expenses to conduct examinations, must be paid from the current receipts ~~§~~ *in accordance with chapters 281, 284 and 353 of NRS.* No portion thereof may be paid from the State Treasury.

4. Any balance remaining in excess of the expenses incurred may be retained by the Board and used to defray the future expenses of the Board.



5. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to the provisions of this chapter, impose and collect fines and penalties therefor and deposit the money therefrom in an account maintained by the Board ~~in a bank, credit union or savings and loan association specified in~~ pursuant to subsection 1.

6. If a hearing officer or panel is not authorized to take disciplinary action pursuant to the provisions of subsection 5 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 31. NRS 624.110 is hereby amended to read as follows:

624.110 1. The Board ~~may~~ shall maintain offices in ~~as many localities in the State as it finds necessary to carry out the provisions of this chapter, but it~~ accordance with chapter 331 of NRS and shall maintain one office in which there must be at all times open to public inspection a complete record of applications, licenses issued, licenses renewed and all revocations, cancellations and suspensions of licenses.

2. Except as otherwise required in NRS 239.0115 and 624.327, credit reports, references, financial information and data pertaining to a licensee's net worth are confidential and not open to public inspection.

Sec. 32. NRS 624.115 is hereby amended to read as follows:

624.115 1. The Board may employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties. *Such persons are entitled to receive such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.*

2. The Board may require criminal investigators who are employed by the Board pursuant to NRS 624.112 to:

(a) Conduct a background investigation of:

(1) A licensee or an applicant for a contractor's license; or

(2) An applicant for employment with the Board;

(b) Locate and identify persons who:

(1) Engage in the business or act in the capacity of a contractor within this State in violation of the provisions of this chapter;

(2) Submit bids on jobs situated within this State in violation of the provisions of this chapter; or

(3) Otherwise violate the provisions of this chapter or the regulations adopted pursuant to this chapter;



(c) Investigate any alleged occurrence of constructional fraud;
and

(d) Issue a misdemeanor citation prepared manually or electronically pursuant to NRS 171.1773 to a person who violates a provision of this chapter that is punishable as a misdemeanor. A criminal investigator may request any constable, sheriff or other peace officer to assist in the issuance of such a citation.

3. The Board may require compliance investigators who are employed by the Board pursuant to NRS 624.112 to locate and identify persons who:

(a) Engage in the business or act in the capacity of a contractor within this State in violation of the provisions of this chapter;

(b) Submit bids on jobs situated within this State in violation of the provisions of this chapter; or

(c) Otherwise violate the provisions of this chapter or the regulations adopted pursuant thereto.

Sec. 33. NRS 624.140 is hereby amended to read as follows:

624.140 1. Except as otherwise provided in subsection 3, if money becomes available from the operations of this chapter and payments made for licenses, the Board may pay from that money:

(a) The expenses of the operations of this chapter, including the maintenance of offices.

(b) The salary of the Executive Officer who must be named by the Board.

(c) A salary to each member of the Board of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board.

(d) A per diem allowance and travel expenses for each member and employee of the Board, at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

Such payments must be made in accordance with chapters 281, 284 and 353 of NRS.

2. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in ~~[banks, credit unions or savings and loan associations in this State.]~~ *accordance with chapter 356 of NRS.*

3. Except as otherwise provided in NRS 624.520, if a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2, the Board shall deposit any money collected from the imposition of fines with the State Treasurer for credit to the Construction Education Account created pursuant to NRS 624.580.



1 **Sec. 34.** NRS 624.150 is hereby amended to read as follows:
2 624.150 1. The Board shall elect one of its members as
3 Treasurer.

4 2. All money received by the Board shall be turned over to the
5 Treasurer who shall keep books of account and who is authorized to
6 deposit the money in ~~{banks, credit unions or savings and loan~~
7 ~~associations in the State of Nevada,}~~ **accordance with chapter 356**
8 **of NRS,** and to expend money necessary for the operation of the
9 Board under the terms of this chapter **and chapters 281, 284 and**
10 **353 of NRS** when the expenses have been approved by the Board.

11 3. All balances at any time in the possession of the Treasurer
12 ~~{shall be}~~ **are** subject to legislative disposition.

13 **Sec. 35.** NRS 625.110 is hereby amended to read as follows:

14 625.110 1. The Board shall elect officers from its members
15 and, by regulation, establish the:

- 16 (a) Offices to which members may be elected;
17 (b) Title and term for each office; and
18 (c) Procedure for electing members to each office.

19 2. At any meeting, five members constitute a quorum.

20 3. Each member is entitled to receive:

21 (a) A salary of not more than \$150 per day, as fixed by the
22 Board, while engaged in the business of the Board; and

23 (b) A per diem allowance and travel expenses, at a rate fixed by
24 the Board, while engaged in the business of the Board. The rate
25 must not exceed the rate provided for state officers and employees
26 generally.

27 4. While engaged in the business of the Board, each employee
28 of the Board is entitled to receive a per diem allowance and travel
29 expenses at a rate fixed by the Board. The rate must not exceed the
30 rate provided for state officers and employees generally.

31 5. The salaries of members of the Board and employees of the
32 Board must be paid **in accordance with chapters 281, 284 and 353**
33 **of NRS** from the fees received by the Board pursuant to the
34 provisions of this chapter, and no part of those salaries may be paid
35 out of the State General Fund.

36 6. The Board shall appoint an Executive Director who serves at
37 the pleasure of the Board and is entitled to receive such
38 compensation as may be fixed by the Board ~~{}~~ **in accordance with**
39 **chapters 281, 284 and 353 of NRS.**

40 **Sec. 36.** NRS 625.120 is hereby amended to read as follows:

41 625.120 The Board ~~{may}~~ **shall** maintain offices in ~~{as many~~
42 ~~localities in the State as it finds necessary to carry out the provisions~~
43 ~~of this chapter.}~~ **accordance with chapter 331 of NRS.**



1 **Sec. 37.** NRS 625.135 is hereby amended to read as follows:

2 625.135 The Board may employ and fix *in accordance with*
3 *chapters 281, 284 and 353 of NRS* the compensation to be paid to
4 attorneys, investigators and other professional consultants and
5 clerical personnel necessary to the discharge of its duties and may
6 reimburse such employees for actual expenses they incur while
7 acting on behalf of the Board.

8 **Sec. 38.** NRS 625.150 is hereby amended to read as follows:

9 625.150 1. The Board shall deposit in ~~banks, credit unions~~
10 ~~and savings and loan associations in the State of Nevada~~ *in accordance with chapter 356 of NRS* all money collected by it.

11 2. Except as otherwise provided in subsection 6, all money
12 collected by the Board must be used to meet the expenses of
13 conducting examinations, issuing licenses and conducting the office
14 of the Board.

15 3. The expenses of the Board, including the per diem
16 allowances and travel expenses of the members and employees of
17 the Board while engaged in the business of the Board and the
18 expenses of conducting examinations, must be paid from the current
19 receipts ~~H~~ *in accordance with chapters 281, 284 and 353 of NRS.*
20 No portion thereof may be paid from the State Treasury.

21 4. Any balance remaining in excess of the expenses incurred
22 may be retained by the Board and used in defraying the future
23 expenses thereof.

24 5. The Board may delegate to a hearing officer or panel its
25 authority to take any disciplinary action pursuant to this chapter,
26 impose and collect fines and penalties therefor and deposit the
27 money therefrom in ~~banks, credit unions or savings and loan~~
28 ~~associations in this State.~~ *in accordance with chapter 356 of NRS.*

29 6. If a hearing officer or panel is not authorized to take
30 disciplinary action pursuant to subsection 5 and the Board deposits
31 the money collected from the imposition of fines with the State
32 Treasurer for credit to the State General Fund, it may present a
33 claim to the State Board of Examiners for recommendation to the
34 Interim Finance Committee if money is needed to pay attorney's
35 fees or the costs of an investigation, or both.

36 7. The Board shall consider and take appropriate action
37 concerning a written notification received by the Board pursuant to
38 NRS 278.587 or 338.176.

39 **Sec. 39.** NRS 625A.050 is hereby amended to read as follows:

40 625A.050 1. The Secretary of the Board is entitled to receive:

41 (a) A salary in an amount fixed by the Board ~~H~~ *in accordance*
42 *with chapters 281, 284 and 353 of NRS;* and

43 (b) A per diem allowance and travel expenses at a rate fixed by
44 the Board, while engaged in the business of the Board. The rate
45



1 must not exceed the rate provided for state officers and employees
2 generally.

3 2. All other members of the Board are entitled to receive:

4 (a) A salary of not more than \$150 per day, as fixed by the
5 Board, while engaged in the business of the Board; and

6 (b) A per diem allowance and travel expenses at a rate fixed by
7 the Board, while engaged in the business of the Board. The rate
8 must not exceed the rate provided for state officers and employees
9 generally.

10 3. While engaged in the business of the Board, each employee
11 of the Board is entitled to receive a per diem allowance and travel
12 expenses at a rate fixed by the Board. The rate must not exceed the
13 rate provided for state officers and employees generally.

14 **Sec. 40.** NRS 625A.055 is hereby amended to read as follows:

15 625A.055 The Board may employ and fix the compensation to
16 be paid to attorneys, investigators and other professional consultants
17 and clerical personnel necessary to the discharge of its duties *in*
18 *accordance with chapters 281, 284 and 353 of NRS* and may
19 reimburse those employees for any actual expenses they incur while
20 acting on behalf of the Board. ~~{Any reimbursement paid pursuant to~~
21 ~~this section is in addition to any per diem allowance or travel~~
22 ~~expenses paid to those employees pursuant to NRS 625A.050.}~~

23 **Sec. 41.** NRS 625A.060 is hereby amended to read as follows:

24 625A.060 1. The Secretary of the Board shall receive and
25 account for all money paid to the Board and deposit it in ~~{banks,~~
26 ~~credit unions and savings and loan associations in this state.}~~
27 *accordance with chapter 356 of NRS.*

28 2. The compensation and expenses of the members and
29 employees of the Board and the expenses of administering the
30 provisions of this chapter must be paid *in accordance with chapters*
31 *281, 284 and 353 of NRS* from the fees received by the Board upon
32 approval by the Board.

33 **Sec. 42.** NRS 628.090 is hereby amended to read as follows:

34 628.090 1. Annually the Board shall elect a President and a
35 Secretary-Treasurer from among its members.

36 2. The Board may employ such personnel, including attorneys,
37 investigators and other professional consultants, and arrange for
38 such assistance as the Board may require for the performance of its
39 duties. *Such persons are entitled to receive such compensation as*
40 *may be fixed by the Board in accordance with chapters 281, 284*
41 *and 353 of NRS.*

42 **Sec. 43.** NRS 628.105 is hereby amended to read as follows:

43 628.105 The Board ~~{may}~~ *shall* maintain offices in ~~{as many~~
44 ~~localities in the State as it finds necessary to carry out the provisions~~
45 ~~of this chapter.}~~ *accordance with chapter 331 of NRS.*



Sec. 44. NRS 628.140 is hereby amended to read as follows:

628.140 1. Except as otherwise provided in subsection 3, all fees and other money received by the Board pursuant to the provisions of this chapter must be deposited in ~~{banks, credit unions or savings and loan associations in the State of Nevada}~~ **accordance with chapter 356 of NRS** and expended solely for the purposes of this chapter. The money so deposited does not revert to the State General Fund. The compensation provided for by this chapter and all expenses incurred under this chapter must be paid from this money ~~{ }~~ **in accordance with chapters 281, 284 and 353 of NRS.** No compensation or expenses incurred under this chapter may be charged against the State General Fund.

2. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect civil penalties, court costs and attorney's fees therefor and deposit the money therefrom in ~~{banks, credit unions or savings and loan associations in this State.}~~ **accordance with chapter 356 of NRS.**

3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of civil penalties, court costs and attorney's fees with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 45. NRS 630.090 is hereby amended to read as follows:

630.090 1. The Board shall elect from its members a President, a Vice President and a Secretary-Treasurer. The officers of the Board ~~{shall}~~ hold their respective offices during its pleasure.

2. The Secretary-Treasurer shall receive a salary, the amount of which ~~{shall}~~ **must** be determined by the Board ~~{ }~~ **in accordance with chapters 281, 284 and 353 of NRS.**

Sec. 46. NRS 630.103 is hereby amended to read as follows:

630.103 1. The Board shall employ a person as the Executive Director of the Board.

2. The Executive Director serves as the chief administrative officer of the Board at a level of compensation set by the Board ~~{ }~~ **in accordance with chapters 281, 284 and 353 of NRS.**

3. The Executive Director is an at-will employee who serves at the pleasure of the Board.

Sec. 47. NRS 630.106 is hereby amended to read as follows:

630.106 1. The Board may employ hearing officers, experts, administrators, attorneys, investigators, consultants and clerical personnel necessary to the discharge of its duties. **Such persons are**



1 *entitled to receive such compensation as may be fixed by the*
2 *Board in accordance with chapters 281, 284 and 353 of NRS.*

3 2. Each employee of the Board is an at-will employee who
4 serves at the pleasure of the Board. The Board may discharge an
5 employee of the Board for any reason that does not violate public
6 policy, including, without limitation, making a false representation
7 to the Board.

8 3. A hearing officer employed by the Board shall not act in any
9 other capacity for the Board or occupy any other position of
10 employment with the Board, and the Board shall not assign the
11 hearing officer any duties which are unrelated to the duties of a
12 hearing officer.

13 4. If a person resigns his or her position as a hearing officer or
14 the Board terminates the person from his or her position as a hearing
15 officer, the Board may not rehire the person in any position of
16 employment with the Board for a period of 2 years following the
17 date of the resignation or termination. The provisions of this
18 subsection do not give a person any right to be rehired by the Board
19 and do not permit the Board to rehire a person who is prohibited
20 from being employed by the Board pursuant to any other provision
21 of law.

22 **Sec. 48.** NRS 630.110 is hereby amended to read as follows:

23 630.110 1. Out of the money coming into the possession of
24 the Board, each member and advisory member of the Board is
25 entitled to receive:

26 (a) A salary of not more than \$150 per day, as fixed by the
27 Board, while engaged in the business of the Board; and

28 (b) A per diem allowance and travel expenses at a rate fixed by
29 the Board, while engaged in the business of the Board. The rate
30 must not exceed the rate provided for state officers and employees
31 generally.

32 2. While engaged in the business of the Board, each employee
33 of the Board is entitled to receive a per diem allowance and travel
34 expenses at a rate fixed by the Board. The rate must not exceed the
35 rate provided for state officers and employees generally.

36 3. Expenses of the Board and the expenses and salaries of its
37 members and employees must be paid *in accordance with chapters*
38 *281, 284 and 353 of NRS* from the fees received by the Board
39 pursuant to the provisions of this chapter, and no part of the salaries
40 or expenses of the Board may be paid out of the State General Fund
41 or from the penalties imposed by the Board pursuant to this chapter.

42 4. All money received by the Board from:

43 (a) Fees must be deposited in ~~financial institutions in this State~~
44 ~~that are federally insured or insured by a private insurer pursuant to~~
45 ~~NRS 678.755, invested in treasury bills or notes of the United~~



~~States, deposited in institutions in this State whose business is the making of investments, or invested as authorized by NRS 355.140.]~~
accordance with chapter 356 of NRS.

(b) Penalties must be deposited with the State Treasurer for credit to the State General Fund.

Sec. 49. NRS 630.123 is hereby amended to read as follows:

630.123 The Board shall operate on the basis of a fiscal year commencing on ~~{January}~~ **July** 1 and terminating on ~~{December 31.}~~ **June 30.**

Sec. 50. NRS 630.125 is hereby amended to read as follows:

630.125 The Board ~~{may}~~ **shall** maintain offices in ~~{as many localities in the State as it finds necessary to carry out the provisions of this chapter.}~~ **accordance with chapter 331 of NRS.**

Sec. 51. NRS 630A.140 is hereby amended to read as follows:

630A.140 1. The Board shall elect from its members a President, a Vice President and a Secretary-Treasurer. The officers of the Board hold their respective offices during its pleasure.

2. The Board shall receive through its Secretary-Treasurer applications for the certificates issued under this chapter.

3. The Secretary-Treasurer is entitled to receive a salary, ~~{in addition to the salary paid pursuant to NRS 630A.160,}~~ the amount of which must be determined by the Board ~~{}~~ **in accordance with chapters 281, 284 and 353 of NRS.**

Sec. 52. NRS 630A.160 is hereby amended to read as follows:

630A.160 1. Out of the money coming into the possession of the Board, each member of the Board is entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

3. Expenses of the Board and the expenses and salaries of the members and employees of the Board must be paid **in accordance with chapters 281, 284 and 353 of NRS** from the fees received by the Board pursuant to the provisions of this chapter. Except as otherwise provided in subsection 6, no part of the salaries or expenses of the members of the Board may be paid out of the State General Fund.

4. All money received by the Board must be deposited in ~~{financial institutions in this State that are federally insured or~~



~~insured by a private insurer approved pursuant to NRS 678.755.]~~
~~accordance with chapter 356 of NRS.~~

5. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect administrative fines, court costs and attorney's fees therefor and deposit the money therefrom in ~~financial institutions in this State that are federally insured or insured by a private insurer approved pursuant to NRS 678.755.]~~ **accordance with chapter 356 of NRS.**

6. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 5, the Board shall deposit the money collected from the imposition of administrative fines, court costs and attorney's fees with the State Treasurer for credit to the State General Fund. The Board may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 53. NRS 630A.190 is hereby amended to read as follows:

630A.190 The Board : ~~may:~~

1. ~~[Maintain]~~ **Shall maintain** offices in ~~[as many localities in the State as it finds necessary to carry out the provisions of this chapter.~~

~~2. Employ]~~ **accordance with chapter 331 of NRS.**

2. May employ attorneys, investigators, hearing officers, experts, administrators, consultants and clerical personnel necessary to the discharge of its duties. **Such persons are entitled to receive such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.**

Sec. 54. NRS 631.160 is hereby amended to read as follows:

631.160 1. At the first regular meeting of each year, the Board shall elect from its membership one of its members as President and one of its members as Secretary-Treasurer, each of whom shall hold office for 1 year and until a successor is elected and qualified.

2. The Board shall define the duties of the President, the Secretary-Treasurer and the Executive Director.

3. The Executive Director shall receive such compensation as determined by the Board **[H] in accordance with chapters 281, 284 and 353 of NRS**, and the Board shall fix the amount of the bond to be furnished by the Secretary-Treasurer and the Executive Director.

Sec. 55. NRS 631.180 is hereby amended to read as follows:

631.180 1. Each member of the Board is entitled to receive:

(a) A salary of not more than \$150 per day as fixed by the Board, while engaged in the business of the Board; and



(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

3. The Board shall deposit ~~[in banks, credit unions or savings and loan associations in this State]~~ all fees which it receives ~~[]~~ *in accordance with chapter 356 of NRS.*

4. All expenses of the Board must be paid *in accordance with chapters 281, 284 and 353 of NRS* from the fees received by the Board, and no part thereof may be paid from the State General Fund.

Sec. 56. NRS 631.190 is hereby amended to read as follows:

631.190 In addition to the powers and duties provided in this chapter, the Board shall:

1. Adopt rules and regulations necessary to carry out the provisions of this chapter.

2. Appoint such committees, examiners, officers, employees, agents, attorneys, investigators and other professional consultants and define their duties and incur such expense as it may deem proper or necessary to carry out the provisions of this chapter, the expense to be paid as provided in this chapter. Notwithstanding the provisions of this subsection, the Attorney General in his or her sole discretion may, but is not required to, serve as legal counsel for the Board at any time and in any and all matters.

3. Fix the time and place for and conduct examinations for the granting of licenses to practice dentistry and dental hygiene.

4. Examine applicants for licenses to practice dentistry and dental hygiene.

5. Collect and apply fees as provided in this chapter.

6. Keep a register of all dentists and dental hygienists licensed in this State, together with their addresses, license numbers and renewal certificate numbers.

7. Have and use a common seal.

8. Keep such records as may be necessary to report the acts and proceedings of the Board. Except as otherwise provided in NRS 631.368, the records must be open to public inspection.

9. Maintain offices in ~~[as many localities in the State as it finds necessary to carry out the provisions of this chapter.]~~ *accordance with chapter 331 of NRS.*

10. Have discretion to examine work authorizations in dental offices or dental laboratories.



Sec. 57. NRS 631.350 is hereby amended to read as follows:

631.350 1. Except as otherwise provided in NRS 631.271, 631.2715 and 631.347, the Board may:

(a) Refuse to issue a license to any person;
(b) Revoke or suspend the license or renewal certificate issued by it to any person;

(c) Fine a person it has licensed;

(d) Place a person on probation for a specified period on any conditions the Board may order;

(e) Issue a public reprimand to a person;

(f) Limit a person's practice to certain branches of dentistry;

(g) Require a person to participate in a program to correct alcohol or drug abuse or any other impairment;

(h) Require that a person's practice be supervised;

(i) Require a person to perform community service without compensation;

(j) Require a person to take a physical or mental examination or an examination of his or her competence;

(k) Require a person to fulfill certain training or educational requirements;

(l) Require a person to reimburse a patient; or

(m) ~~{Any}~~ **Implement any** combination thereof,

➔ upon submission of substantial evidence to the Board that the person has engaged in any of the activities listed in subsection 2.

2. The following activities may be punished as provided in subsection 1:

(a) Engaging in the illegal practice of dentistry or dental hygiene;

(b) Engaging in unprofessional conduct; or

(c) Violating any regulations adopted by the Board or the provisions of this chapter.

3. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in ~~{banks, credit unions or savings and loan associations in this State.}~~ **accordance with chapter 356 of NRS.**

4. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 3 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

5. The Board shall not administer a private reprimand.



6. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

Sec. 58. NRS 632.060 is hereby amended to read as follows:

632.060 1. Each year at a meeting of the Board, to be held in accordance with NRS 632.070, the Board shall elect from its members a President, a Vice President and a Secretary.

2. The Board may appoint an Executive Director who need not be a member of the Board. The Executive Director appointed by the Board must be a professional nurse licensed to practice nursing in the State of Nevada. The Executive Director shall perform such duties as the Board may direct and is entitled to receive compensation as set by the Board ~~+~~ *in accordance with chapters 281, 284 and 353 of NRS*. The Executive Director is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

Sec. 59. NRS 632.065 is hereby amended to read as follows:

632.065 The Board : ~~{may-}~~

1. ~~{Maintain}~~ *Shall maintain* offices in ~~{as many localities in the State as it finds necessary to carry out the provisions of this chapter-}~~

~~—2. Employ}~~ *accordance with chapter 331 of NRS*

2. *May employ* attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties. *Such persons are entitled to receive such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.*

Sec. 60. NRS 632.073 is hereby amended to read as follows:

632.073 1. In addition to the Advisory Committee on Nursing Assistants created by NRS 632.072, the Board may appoint such other advisory committees as it deems appropriate.

2. The members of any advisory committee appointed pursuant to subsection 1 are not entitled to be paid a salary or to receive per diem allowances for conducting the business of the advisory committee, but the Board may authorize reimbursement for the actual expenses incurred by a member for traveling to and from a meeting of the advisory committee ~~+~~ *in accordance with chapters 281, 284 and 353 of NRS.*

Sec. 61. NRS 632.080 is hereby amended to read as follows:

632.080 1. The compensation of the members of the Board must be fixed by the Board, but may not exceed \$150 for each day spent by each member in the discharge of his or her official duties.

2. While engaged in the discharge of his or her official duties, each member and employee of the Board is entitled to receive a per



1 diem allowance and travel expenses at a rate fixed by the Board.
2 The rate must not exceed the rate provided for state officers and
3 employees generally.

4 3. All compensation, per diem allowances and travel expenses
5 of the members and employees of the Board must be paid out of the
6 money of the Board ~~[-]~~ *in accordance with chapters 281, 284 and*
7 *353 of NRS.*

8 **Sec. 62.** NRS 632.090 is hereby amended to read as follows:

9 632.090 1. Except as otherwise provided in subsection 3, all
10 money received by the Board under the provisions of this chapter
11 must be paid to the Executive Director of the Board, who shall
12 deposit the money in ~~{banks, credit unions or savings and loan~~
13 ~~associations in the State of Nevada.}~~ *accordance with chapter 356*
14 *of NRS.* The money may be drawn on by the Board for payment of
15 all expenses incurred in the administration of the provisions of this
16 chapter ~~[-]~~ *in accordance with chapters 281, 284 and 353 of NRS.*

17 2. The Board may delegate to a hearing officer or panel its
18 authority to take any disciplinary action pursuant to this chapter,
19 impose and collect fines and penalties therefor and deposit the
20 money therefrom in ~~{banks, credit unions or savings and loan~~
21 ~~associations in this State.}~~ *accordance with chapter 356 of NRS.*

22 3. If a hearing officer or panel is not authorized to take
23 disciplinary action pursuant to subsection 2 and the Board deposits
24 the money collected from the imposition of fines with the State
25 Treasurer for credit to the State General Fund, it may present a
26 claim to the State Board of Examiners for recommendation to the
27 Interim Finance Committee if money is needed to pay attorney's
28 fees or the costs of an investigation, or both.

29 **Sec. 63.** NRS 633.221 is hereby amended to read as follows:

30 633.221 1. The Board shall elect from its members a
31 President, a Vice President and a Secretary-Treasurer, who shall
32 hold their respective offices at its pleasure.

33 2. The Board may fix and pay a salary to the Secretary-
34 Treasurer ~~[-]~~ *in accordance with chapters 281, 284 and 353 of*
35 *NRS.*

36 **Sec. 64.** NRS 633.261 is hereby amended to read as follows:

37 633.261 1. All reasonable expenses incurred by the Board in
38 carrying out the provisions of this chapter ~~{shall}~~ *must* be paid *in*
39 *accordance with chapters 281, 284 and 353 of NRS* from the fees
40 which it receives, and no part of the salaries or expenses of the
41 Board may be paid out of the *State* General Fund of the State
42 Treasury.

43 2. All money received by the Board ~~{shall}~~ *must* be deposited
44 in ~~{banks, credit unions or savings and loan associations in this State~~
45 ~~and shall be}~~ *accordance with chapter 356 of NRS and* paid out on



its order for its expenses ~~{}~~ *in accordance with chapters 281, 284 and 353 of NRS.*

Sec. 65. NRS 633.271 is hereby amended to read as follows:

633.271 The Board : ~~{may:}~~

1. *May:*

(a) Appoint an Executive Director who is entitled to such compensation as is determined by the Board ~~{}~~ *in accordance with chapters 281, 284 and 353 of NRS.*

~~{2.—Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.~~

~~—3.}~~ (b) Employ attorneys, hearing officers, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties. *Such persons are entitled to such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.*

2. *Shall maintain offices in accordance with chapter 331 of NRS.*

Sec. 66. NRS 634.043 is hereby amended to read as follows:

634.043 1. The Board shall ~~{appoint}~~ :

(a) *Appoint* an Executive Director who serves at the pleasure of the Board and is entitled to receive such compensation as may be fixed by the Board ~~{}~~ *in accordance with chapters 281, 284 and 353 of NRS.*

(b) *Maintain offices in accordance with chapter 331 of NRS.*

2. The Board may:

(a) ~~{Maintain offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter.~~

~~—(b)}~~ Employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties.

~~{(e)}~~ *Such persons are entitled to such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.*

(b) Enter and inspect any chiropractic office in this State in order to enforce the provisions of this chapter.

Sec. 67. NRS 634.050 is hereby amended to read as follows:

634.050 1. Except as otherwise provided in subsection 3, all money collected by the Board must be deposited in ~~{banks, credit unions or savings and loan associations in the State of Nevada,}~~ *accordance with chapter 356 of NRS* and must be used by the Board to defray its legitimate expenses ~~{}~~ *in accordance with chapters 281, 284 and 353 of NRS.*

2. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom



1 in ~~{banks, credit unions or savings and loan associations in this~~
2 ~~State.}~~ *accordance with chapter 356 of NRS.*

3 3. If a hearing officer or panel is not authorized to take
4 disciplinary action pursuant to subsection 2 and the Board deposits
5 the money collected from the imposition of fines with the State
6 Treasurer for credit to the State General Fund, it may present a
7 claim to the State Board of Examiners for recommendation to the
8 Interim Finance Committee if money is needed to pay attorney's
9 fees or the costs of an investigation, or both.

10 **Sec. 68.** NRS 634A.060 is hereby amended to read as follows:

11 634A.060 The Board shall annually elect from its members a
12 President, Vice President and Secretary-Treasurer, and may fix and
13 pay a salary to the Secretary-Treasurer ~~{}~~ *in accordance with*
14 *chapters 281, 284 and 353 of NRS.*

15 **Sec. 69.** NRS 634A.070 is hereby amended to read as follows:

16 634A.070 1. The Board may:

17 ~~{1.}~~ (a) Employ attorneys, investigators and other professional
18 consultants and clerical personnel necessary to discharge its duties.
19 *Such persons are entitled to receive such compensation as may be*
20 *fixed by the Board in accordance with chapters 281, 284 and 353*
21 *of NRS.* To conduct its examinations, the Board may call to its aid
22 persons of established reputation and known ability in Oriental
23 medicine.

24 ~~{2. Maintain offices in as many localities in the State as it finds~~
25 ~~necessary to carry out the provisions of this chapter.~~

26 ~~—3.}~~ (b) Adopt regulations not inconsistent with the provisions of
27 this chapter. The regulations may include a code of ethics regulating
28 the professional conduct of licensees.

29 ~~{4.}~~ (c) Compel the attendance of witnesses and the production
30 of evidence by subpoena.

31 *2. The Board shall maintain offices in accordance with*
32 *chapter 331 of NRS.*

33 **Sec. 70.** NRS 635.035 is hereby amended to read as follows:

34 635.035 The Board : ~~{may.}~~

35 1. ~~{Maintain}~~ *Shall maintain* offices in ~~{as many localities in~~
36 ~~the State as it finds necessary to carry out the provisions of this~~
37 ~~chapter.~~

38 ~~—2. Employ}~~ *accordance with chapter 331 of NRS.*

39 *2. May employ* attorneys, investigators and other professional
40 consultants and clerical personnel necessary to the discharge of its
41 duties. *Such persons are entitled to receive such compensation as*
42 *may be fixed by the Board in accordance with chapters 281, 284*
43 *and 353 of NRS.*



Sec. 71. NRS 635.040 is hereby amended to read as follows:

635.040 1. All fees provided for in this chapter must be paid to the Treasurer of the Board, who shall deposit the fees in ~~{banks, credit unions or savings and loan associations in this State.}~~ *in accordance with chapter 356 of NRS.* All of the salaries and expenses for the operation of the Board must be paid *in accordance with chapters 281, 284 and 353 of NRS* from the fees.

2. The Board shall deposit the money collected from the imposition of civil penalties with the State Treasurer for credit to the State General Fund, and may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorneys' fees or the costs of an investigation, or both.

Sec. 72. NRS 636.075 is hereby amended to read as follows:

636.075 1. Each member of the Board is entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

3. Compensation and expenses of the members and employees of the Board are payable *in accordance with chapters 281, 284 and 353 of NRS* out of the money derived from fees paid or transmitted to the Board pursuant to the provisions of this chapter and no part thereof may be paid out of the State Treasury.

Sec. 73. NRS 636.080 is hereby amended to read as follows:

636.080 1. Within a reasonable time after the appointment of a new member, the Board shall meet and organize by electing from its membership a President who shall hold office for 1 year and until the election and qualification of his or her successor.

2. The Board shall appoint an Executive Director who serves at the pleasure of the Board and is entitled to receive compensation as set by the Board ~~{}~~ *in accordance with chapters 281, 284 and 353 of NRS.* The Executive Director must not be a member of the Board. If a vacancy occurs in the position of Executive Director, the Board may appoint one of its members to perform the duties of the Executive Director until the position is filled. A member of the Board who is appointed to perform the duties of the Executive Director is not entitled to receive any additional compensation for performing those duties.



Sec. 74. NRS 636.090 is hereby amended to read as follows:
636.090 1. The Board may employ:

(a) Agents and inspectors to secure evidence of, and report on, violations of this chapter.

(b) Attorneys, investigators and other professional consultants and clerical personnel necessary to administer this chapter.

Such persons are entitled to receive such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.

2. The Attorney General may act as counsel for the Board.

Sec. 75. NRS 636.100 is hereby amended to read as follows:
636.100 The Board : ~~may:~~

1. ~~{Establish and}~~ **Shall** maintain offices in ~~{as many localities in the State as it deems necessary to carry out the provisions of this chapter,}~~ *accordance with chapter 331 of NRS*, one of which must be located in the office of the Executive Director.

2. ~~{Adopt}~~ **May adopt** and use an official seal.

Sec. 76. NRS 636.110 is hereby amended to read as follows:

636.110 1. Except as otherwise provided in subsection 3, all money coming into possession of the Board must be deposited by the Executive Director in a special fund to be expended for payment of compensation and expenses of members of the Board and for other necessary or proper purposes in the administration of this chapter. The Executive Director shall deposit the money in ~~{banks, credit unions or savings and loan associations in this State,}~~ *accordance with chapter 356 of NRS.*

2. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect administrative fines and penalties therefor and forward the money therefrom to the Executive Director for deposit in ~~{banks, credit unions or savings and loan associations in this State,}~~ *accordance with chapter 356 of NRS.*

3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of administrative fines and penalties with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 77. NRS 637.050 is hereby amended to read as follows:

637.050 1. The principal office of the Board is the place of business or employment of the Secretary of the Board, but it ~~{may}~~ **shall** maintain offices in ~~{as many localities in the State as it finds necessary to carry out the provisions of this chapter,}~~ *accordance*



1 *with chapter 331 of NRS* and may meet or conduct any of its
2 business at any place in the State.

3 2. The Board shall meet at least once in the fall of each year on
4 a date determined by the Board, at which time candidates applying
5 for licensing must be examined and their qualifications determined.

6 3. In addition to the meeting required by subsection 2, the
7 Board may hold such other meetings as it may deem advisable. The
8 time and place of all such meetings must be determined by the
9 Board.

10 **Sec. 78.** NRS 637.060 is hereby amended to read as follows:

11 637.060 1. Except as otherwise provided in subsection 3, all
12 money received by the Board under the provisions of this chapter
13 must be deposited in ~~{banks, credit unions or savings and loan~~
14 ~~associations in the State of Nevada.}~~ *accordance with chapter 356*
15 *of NRS.* The money may be drawn on by the Board for payment of
16 all expenses incurred in the administration of the provisions of this
17 chapter ~~{.}~~ *in accordance with chapters 281, 284 and 353 of NRS.*

18 2. In a manner consistent with the provisions of chapter 622A
19 of NRS, the Board may delegate to a hearing officer or panel its
20 authority to take any disciplinary action pursuant to this chapter,
21 impose and collect administrative fines therefor and deposit the
22 money therefrom in ~~{banks, credit unions or savings and loan~~
23 ~~associations in this State.}~~ *accordance with chapter 356 of NRS.*

24 3. If a hearing officer or panel is not authorized to take
25 disciplinary action pursuant to subsection 2 and the Board deposits
26 the money collected from the imposition of administrative fines with
27 the State Treasurer for credit to the State General Fund, it may
28 present a claim to the State Board of Examiners for recommendation
29 to the Interim Finance Committee if money is needed to pay
30 attorney's fees or the costs of an investigation, or both.

31 **Sec. 79.** NRS 637.070 is hereby amended to read as follows:

32 637.070 1. The Board may adopt such rules and regulations
33 as it may deem necessary to carry out the provisions of this chapter.

34 2. The Board shall have a common seal of which all courts of
35 this State shall take judicial notice.

36 3. The Board may empower any member to conduct any
37 proceeding, hearing or investigation necessary to its purposes.

38 4. The Board may employ and *, in accordance with chapters*
39 *281, 284 and 353 of NRS,* fix the compensation of attorneys,
40 investigators and other professional consultants and such other
41 employees and assistants as it may deem necessary to carry out the
42 provisions of this chapter.

43 **Sec. 80.** NRS 637A.080 is hereby amended to read as follows:

44 637A.080 1. All fees provided for in this chapter must be
45 paid to the Board.



2. Except as otherwise provided in subsection 4, all money coming into the possession of the Board must be kept or deposited by the Secretary in ~~{banks, credit unions, savings and loan associations or other financial institutions in this State}~~ **accordance with chapter 356 of NRS** to be expended for the payment of the salaries and expenses of the members and employees of the Board and for other necessary or proper purposes in the administration of this chapter **{ in accordance with chapters 281, 284 and 353 of NRS.**

3. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect penalties therefor and deposit the money therefrom in ~~{banks, credit unions, savings and loan associations or other financial institutions in this State.}~~ **accordance with chapter 356 of NRS.**

4. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 3 and the Board deposits the money collected from the imposition of penalties with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 81. NRS 637B.110 is hereby amended to read as follows:

637B.110 1. The Board shall elect from its members a President, a Vice President and a Secretary-Treasurer. The officers of the Board hold their respective offices at its pleasure.

2. The Board shall receive through its Secretary-Treasurer applications for the licenses to be issued pursuant to this chapter.

3. The Secretary-Treasurer is entitled to receive a salary. The Board shall determine the amount of the salary **{ in accordance with chapters 281, 284 and 353 of NRS.**

Sec. 82. NRS 637B.240 is hereby amended to read as follows:

637B.240 1. All fees collected under the provisions of this chapter must be paid to the Secretary-Treasurer of the Board to be used **in accordance with chapters 281, 284 and 353 of NRS** to defray the necessary expenses of the Board. The Secretary-Treasurer shall deposit the fees in ~~{qualified banks, credit unions or savings and loan associations in this State.}~~ **accordance with chapter 356 of NRS.**

2. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect civil penalties therefor and deposit the money



therefrom in ~~{banks, credit unions or savings and loan associations in this State.}~~ *accordance with chapter 356 of NRS.*

3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of civil penalties with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 83. NRS 638.070 is hereby amended to read as follows:

638.070 1. The Board shall adopt regulations providing an administrative fine in an amount not to exceed \$500 if an applicant for a license or the renewal of a license:

(a) Intentionally or knowingly makes a false or misleading statement on an application;

(b) Knowingly fails to submit a notarized application; or

(c) Fails to inform the Board of any change of information which was contained in an application.

2. The Board may adopt regulations:

(a) Necessary to carry out the provisions of this chapter;

(b) Concerning the rights and responsibilities of veterinary interns and externs and graduates of schools of veterinary medicine located outside the United States or Canada;

(c) Concerning the rights and responsibilities of a veterinarian's employees who are not licensed nor working towards obtaining a license pursuant to this chapter and whose duties require them to spend a substantial portion of their time in direct contact with animals;

(d) Concerning requirements for continuing education;

(e) Establishing procedures to approve schools which confer the degree of veterinary technician or its equivalent;

(f) Concerning the disposition of animals which are abandoned or left unclaimed at the office of a veterinarian;

(g) Establishing sanitary requirements for facilities in which veterinary medicine is practiced, including, but not limited to, precautions to be taken to prevent the creation or spread of any infectious or contagious disease; and

(h) Concerning alternative veterinary medicine, including, but not limited to, acupuncture, chiropractic procedures, dentistry, cosmetic surgery, holistic medicine, and the provision of such services by a licensed provider of health care under the direction of a licensed veterinarian.

3. The Board : ~~{may:}~~

(a) ~~{Employ}~~ *May employ* attorneys, investigators, hearing officers for disciplinary hearings, and other professional consultants



1 and clerical personnel necessary to the discharge of its duties . ~~{ }~~
2 *Such persons are entitled to receive such compensation as may be*
3 *fixed by the Board in accordance with chapters 281, 284 and 353*
4 *of NRS.*

5 (b) ~~{Conduct}~~ *May conduct* investigations and take and record
6 evidence as to any matter cognizable by it . ~~{ }~~

7 (c) ~~{Maintain}~~ *Shall maintain* offices in ~~{as many localities in~~
8 ~~the State as it considers necessary to carry out the provisions of this~~
9 ~~chapter; and}~~ *accordance with chapter 331 of NRS.*

10 (d) ~~{Purchase}~~ *May purchase* or rent any ~~{office space,}~~
11 equipment and supplies that it considers necessary to carry out the
12 provisions of this chapter ~~{ }~~ *in accordance with chapter 353 of*
13 *NRS.*

14 **Sec. 84.** NRS 638.080 is hereby amended to read as follows:

15 638.080 1. The Executive Director is the custodian of all the
16 records and money of the Board, and shall deposit all money
17 received by the Board pursuant to the provisions of this chapter,
18 except fines imposed by the Board, in ~~{banks or savings and loan~~
19 ~~associations in the State of Nevada.}~~ *accordance with chapter 356*
20 *of NRS.* The money must be used to meet the expenses of the Board
21 ~~{ }~~ *in accordance with chapters 281, 284 and 353 of NRS.*

22 2. Payment of money must be made upon the written order of
23 the President of the Board countersigned by the Executive Director.

24 **Sec. 85.** NRS 638.1473 is hereby amended to read as follows:

25 638.1473 1. Except as otherwise provided in subsection 4, all
26 reasonable expenses incurred by the Board in carrying out the
27 provisions of this chapter must be paid *in accordance with chapters*
28 *281, 284 and 353 of NRS* from the money which it receives. No
29 part of the salaries or expenses of the Board may be paid out of the
30 State General Fund.

31 2. Except as otherwise provided in this section, all money
32 collected by the Board from the imposition of fines must be
33 deposited with the State Treasurer for credit to the State General
34 Fund. All other money received by the Board must be deposited in
35 ~~{qualified banks, credit unions or savings and loan associations in~~
36 ~~this State}~~ *accordance with chapter 356 of NRS* and paid out on its
37 order for its expenses ~~{ }~~ *in accordance with chapters 281, 284 and*
38 *353 of NRS.*

39 3. In a manner consistent with the provisions of chapter 622A
40 of NRS, the Board may delegate to a hearing officer or panel its
41 authority to take any disciplinary action pursuant to this chapter,
42 impose and collect fines therefor and deposit the money therefrom
43 in ~~{banks, credit unions or savings and loan associations in this~~
44 ~~State.}~~ *accordance with chapter 356 of NRS.*



4. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 3 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 86. NRS 639.040 is hereby amended to read as follows:

639.040 1. The Board shall elect a President and a Treasurer from among its members.

2. The Board shall employ an Executive Secretary, who is not a member of the Board. The Executive Secretary must have experience as a licensed pharmacist in this State or in another state with comparable licensing requirements. The Executive Secretary shall keep a complete record of all proceedings of the Board and of all certificates issued, and shall perform such other duties as the Board may require, for which services the Executive Secretary is entitled to receive a salary to be determined by the Board ~~in~~ **in accordance with chapters 281, 284 and 353 of NRS.**

Sec. 87. NRS 639.070 is hereby amended to read as follows:

639.070 1. The Board : ~~may:~~

(a) ~~Adopt~~ **May adopt** such regulations, not inconsistent with the laws of this State, as are necessary for the protection of the public, appertaining to the practice of pharmacy and the lawful performance of its duties.

(b) ~~Adopt~~ **May adopt** regulations requiring that prices charged by retail pharmacies for drugs and medicines which are obtained by prescription be posted in the pharmacies and be given on the telephone to persons requesting such information.

(c) ~~Adopt~~ **May adopt** regulations, not inconsistent with the laws of this State, authorizing the Executive Secretary of the Board to issue certificates, licenses and permits required by this chapter and chapters 453 and 454 of NRS.

(d) ~~Adopt~~ **May adopt** regulations governing the dispensing of poisons, drugs, chemicals and medicines.

(e) ~~Regulate~~ **May regulate** the practice of pharmacy.

(f) ~~Regulate~~ **May regulate** the sale and dispensing of poisons, drugs, chemicals and medicines.

(g) ~~Regulate~~ **May regulate** the means of recordkeeping and storage, handling, sanitation and security of drugs, poisons, medicines, chemicals and devices, including, but not limited to, requirements relating to:

(1) Pharmacies, institutional pharmacies and pharmacies in correctional institutions;

(2) Drugs stored in hospitals; and



1 (3) Drugs stored for the purpose of wholesale distribution.

2 (h) ~~{Examine}~~ *May examine* and register, upon application,
3 pharmacists and other persons who dispense or distribute
4 medications whom it deems qualified.

5 (i) ~~{Charge}~~ *May charge* and collect necessary and reasonable
6 fees for the expedited processing of a request or for any other
7 incidental service the Board provides, other than those specifically
8 set forth in this chapter.

9 (j) ~~{Maintain}~~ *Shall maintain* offices in ~~{as many localities in~~
10 ~~the State as it finds necessary to carry out the provisions of this~~
11 ~~chapter.}~~ *accordance with chapter 331 of NRS.*

12 (k) ~~{Employ}~~ *May employ* an attorney, inspectors, investigators
13 and other professional consultants and clerical personnel necessary
14 to the discharge of its duties. *Such persons are entitled to receive*
15 *such compensation as may be fixed by the Board in accordance*
16 *with chapters 281, 284 and 353 of NRS.*

17 (l) ~~{Enforce}~~ *May enforce* the provisions of NRS 453.011 to
18 453.552, inclusive, and enforce the provisions of this chapter and
19 chapter 454 of NRS.

20 (m) ~~{Adopt}~~ *May adopt* regulations concerning the information
21 required to be submitted in connection with an application for any
22 license, certificate or permit required by this chapter or chapter 453
23 or 454 of NRS.

24 (n) ~~{Adopt}~~ *May adopt* regulations concerning the education,
25 experience and background of a person who is employed by the
26 holder of a license or permit issued pursuant to this chapter and who
27 has access to drugs and devices.

28 (o) ~~{Adopt}~~ *May adopt* regulations concerning the use of
29 computerized mechanical equipment for the filling of prescriptions.

30 (p) ~~{Participate}~~ *May participate* in and expend money for
31 programs that enhance the practice of pharmacy.

32 2. This section does not authorize the Board to prohibit open-
33 market competition in the advertising and sale of prescription drugs
34 and pharmaceutical services.

35 **Sec. 88.** NRS 639.081 is hereby amended to read as follows:

36 639.081 1. Except as otherwise provided in subsection 3, all
37 money coming into the possession of the Board must be kept or
38 deposited by the Executive Secretary of the Board in ~~{banks, credit~~
39 ~~unions or savings and loan associations in the State of Nevada, or~~
40 ~~invested in United States treasury bills or notes.}~~ *accordance with*
41 *chapter 356 of NRS*, to be expended for payment of compensation
42 and expenses of members of the Board and for other necessary or
43 proper purposes in the administration of this chapter ~~{}~~ *in*
44 *accordance with chapters 281, 284 and 353 of NRS.*



2. The Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in ~~[banks, credit unions or savings and loan associations in this State.]~~ **accordance with chapter 356 of NRS.**

3. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 2 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 89. NRS 640.050 is hereby amended to read as follows:

640.050 1. The Board shall examine and license qualified physical therapists and qualified physical therapist's assistants.

2. The Board may adopt reasonable regulations to carry this chapter into effect, including, but not limited to, regulations concerning the:

(a) Issuance and display of licenses.

(b) Supervision of physical therapist's assistants and physical therapist's technicians.

(c) Treatments and other regulated procedures which may be performed by physical therapist's technicians.

3. The Board shall keep a record of its proceedings and a register of all persons licensed under the provisions of this chapter. The register must show:

(a) The name of every living licensee.

(b) The last known place of business and residence of each licensee.

(c) The date and number of each license issued as a physical therapist or physical therapist's assistant.

4. During September of every year in which renewal of a license is required, the Board shall compile a list of licensed physical therapists authorized to practice physical therapy and physical therapist's assistants licensed to assist in the practice of physical therapy in this State. Any interested person in the State may obtain a copy of the list upon application to the Board and the payment of such amount as may be fixed by the Board, which amount must not exceed the cost of the list so furnished.

5. The Board : ~~[may:]~~

(a) ~~[Maintain]~~ **Shall maintain** offices in ~~[as many localities in the State as it finds necessary to carry out the provisions of this chapter.]~~ **accordance with chapter 331 of NRS.**

(b) ~~[Employ]~~ **May employ** attorneys, investigators and other professional consultants and clerical personnel necessary to the



1 discharge of its duties. *Such persons are entitled to receive such*
2 *compensation as may be fixed by the Board in accordance with*
3 *chapters 281, 284 and 353 of NRS.*

4 (c) ~~[Adopt]~~ *May adopt* a seal of which a court may take judicial
5 notice.

6 6. Any member or agent of the Board may enter an office,
7 clinic or hospital where physical therapy is practiced and inspect it
8 to determine if the physical therapists are licensed.

9 7. Any member of the Board may administer an oath to a
10 person testifying in a matter that relates to the duties of the Board.

11 **Sec. 90.** NRS 640.070 is hereby amended to read as follows:

12 640.070 1. All fees collected under this chapter must be
13 deposited by the Board in ~~{banks, credit unions or savings and loan~~
14 ~~associations in the State of Nevada.}~~ *accordance with chapter 356*
15 *of NRS.*

16 2. All expenses incident to the operation of this chapter must
17 be paid from the revenue derived therefrom ~~{}~~ *in accordance with*
18 *chapters 281, 284 and 353 of NRS.*

19 3. In a manner consistent with the provisions of chapter 622A
20 of NRS, the Board may delegate to a hearing officer or panel its
21 authority to take any disciplinary action pursuant to this chapter and
22 impose and collect administrative fines therefor. If the Board so
23 delegates its authority, the Board may deposit the money from the
24 fines in ~~{banks, credit unions or savings and loan associations in this~~
25 ~~State}~~ *accordance with chapter 356 of NRS* for the support of the
26 Board. In addition, the hearing officer or panel may assess a licensee
27 against whom disciplinary action is taken any costs and fees
28 incurred by the Board as a result of the hearing. The money from the
29 reimbursed costs and fees may also be deposited *in accordance with*
30 *chapter 356 of NRS* for use by the Board.

31 4. If a hearing officer or panel is not authorized to take
32 disciplinary action pursuant to subsection 3, the Board shall deposit
33 the money collected from the imposition of administrative fines with
34 the State Treasurer for credit to the State General Fund. The Board
35 may present a claim to the State Board of Examiners for
36 recommendation to the Interim Finance Committee if money is
37 needed to pay attorney's fees or the costs of an investigation, or
38 both.

39 **Sec. 91.** NRS 640A.100 is hereby amended to read as follows:

40 640A.100 1. The members of the Board serve without
41 compensation, except that while engaged in the business of the
42 Board, each member is entitled to the per diem allowance and travel
43 expenses provided for state officers and employees generally.

44 2. The Board may employ an Executive Secretary and any
45 other employees it deems necessary, establish their duties and fix



1 their salaries ~~in accordance with chapters 281, 284 and 353 of~~
2 **NRS.**

3 3. The expenses of the Board and members of the Board, and
4 the salaries of its employees, must be paid **in accordance with**
5 **chapters 281, 284 and 353 of NRS** from the fees received by the
6 Board pursuant to this chapter, and no part of those expenses and
7 salaries may be paid out of the State General Fund.

8 **Sec. 92.** NRS 640B.200 is hereby amended to read as follows:

9 640B.200 1. The Board may employ an Executive Secretary
10 and any other persons necessary to carry out its duties ~~in~~ **in**
11 **accordance with chapters 281, 284 and 353 of NRS.**

12 2. The members of the Board are not entitled to receive a
13 salary.

14 3. While engaged in the business of the Board, each member
15 and employee of the Board is entitled to receive a per diem
16 allowance and travel expenses at a rate fixed by the Board. The rate
17 must not exceed the rate provided for officers and employees of this
18 State generally.

19 **Sec. 93.** NRS 640B.220 is hereby amended to read as follows:

20 640B.220 1. Except as otherwise provided in subsection 4,
21 all reasonable expenses incurred by the Board in carrying out the
22 provisions of this chapter must be paid **in accordance with chapters**
23 **281, 284 and 353 of NRS** from the money that it receives. No part
24 of the expenses of the Board may be paid from the State General
25 Fund.

26 2. All money received by the Board must be deposited in ~~a~~
27 ~~bank or other financial institution in this State~~ **accordance with**
28 **chapter 356 of NRS** and paid out on its order for its expenses ~~in~~ **in**
29 **accordance with chapters 281, 284 and 353 of NRS.**

30 3. In a manner consistent with the provisions of chapter 622A
31 of NRS, the Board may delegate to a hearing officer or panel its
32 authority to take any disciplinary action pursuant to this chapter,
33 impose and collect fines and penalties related to that disciplinary
34 action and deposit the money from the fines and penalties in ~~a bank~~
35 ~~or other financial institution in this State.~~ **accordance with chapter**
36 **356 of NRS.**

37 4. If a hearing officer or panel is not authorized to take
38 disciplinary action pursuant to subsection 3, the Board shall deposit
39 all money collected from the imposition of fines and penalties with
40 the State Treasurer for credit to the State General Fund. If money
41 has been deposited in the State General Fund pursuant to this
42 subsection, the Board may present a claim to the State Board of
43 Examiners for recommendation to the Interim Finance Committee if
44 money is needed to pay attorney's fees or the costs of an
45 investigation, or both.



1 **Sec. 94.** NRS 640C.190 is hereby amended to read as follows:
2 640C.190 1. The Attorney General and his or her deputies
3 are hereby designated as the attorneys for the Board.

4 2. The provisions of this section do not prevent the Board from
5 employing or retaining other attorneys as it may deem necessary to
6 carry out the provisions of this chapter. *Such persons are entitled to*
7 *receive such compensation as may be fixed by the Board in*
8 *accordance with chapters 281, 284 and 353 of NRS.*

9 **Sec. 95.** NRS 640C.200 is hereby amended to read as follows:
10 640C.200 1. The Board shall employ a person as the
11 Executive Director of the Board.

12 2. The Executive Director serves as the chief administrative
13 officer of the Board at a level of compensation set by the Board ~~H~~
14 *in accordance with chapters 281, 284 and 353 of NRS.*

15 3. The Executive Director is an at-will employee who serves at
16 the pleasure of the Board.

17 **Sec. 96.** NRS 640C.210 is hereby amended to read as follows:
18 640C.210 1. The Board may employ or contract with
19 inspectors, investigators, advisers, examiners and clerks and any
20 other persons required to carry out its duties and secure the services
21 of attorneys and other professional consultants as it may deem
22 necessary to carry out the provisions of this chapter. *Such persons*
23 *are entitled to receive such compensation as may be fixed by the*
24 *Board in accordance with chapters 281, 284 and 353 of NRS.*

25 2. Each employee of the Board is an at-will employee who
26 serves at the pleasure of the Board. The Board may discharge an
27 employee of the Board for any reason that does not violate public
28 policy, including, without limitation, making a false representation
29 to the Board.

30 **Sec. 97.** NRS 640C.240 is hereby amended to read as follows:
31 640C.240 1. Except as otherwise provided in subsection 5,
32 all reasonable expenses incurred by the Board in carrying out the
33 provisions of this chapter must be paid *in accordance with chapters*
34 *281, 284 and 353 of NRS* from the money that it receives. No part
35 of any expenses of the Board may be paid from the State General
36 Fund.

37 2. The Board may accept gifts, grants, donations and
38 contributions from any source to assist in carrying out the provisions
39 of this chapter.

40 3. All money received by the Board must be deposited in ~~a~~
41 ~~bank or other financial institution in this State and paid out upon the~~
42 ~~Board's order for its expenses.~~ *accordance with chapter 356 of*
43 *NRS.*

44 4. The Board may delegate to a hearing officer or panel its
45 authority to take any disciplinary action pursuant to this chapter,



1 impose and collect fines and penalties therefor, and deposit the
2 money therefrom in ~~{a bank or other financial institution in this~~
3 ~~State.}~~ *accordance with chapter 356 of NRS.*

4 5. If a hearing officer or panel is not authorized to take
5 disciplinary action pursuant to subsection 4 and the Board deposits
6 the money collected from the imposition of fines with the State
7 Treasurer for credit to the State General Fund, it may present a
8 claim to the State Board of Examiners for recommendation to the
9 Interim Finance Committee if money is required to pay attorney's
10 fees or the costs of an investigation, or both.

11 **Sec. 98.** NRS 641.115 is hereby amended to read as follows:

12 641.115 1. The Board : ~~{may:}~~

13 (a) ~~{Maintain}~~ *Shall maintain* offices in ~~{as many localities in~~
14 ~~the State as it considers necessary to carry out the provisions of this~~
15 ~~chapter.}~~ *accordance with chapter 331 of NRS.*

16 (b) ~~{Employ}~~ *May employ* attorneys, investigators, consultants,
17 hearings officers and employees necessary to the discharge of its
18 duties. *Such persons are entitled to receive such compensation as*
19 *may be fixed by the Board in accordance with chapters 281, 284*
20 *and 353 of NRS.*

21 2. Any expense incurred by the Board may not be paid out of
22 the State General Fund.

23 **Sec. 99.** NRS 641.140 is hereby amended to read as follows:

24 641.140 1. Each member of the Board is entitled to receive:

25 (a) A salary of not more than \$150 per day, as fixed by the
26 Board, while engaged in the business of the Board; and

27 (b) A per diem allowance and travel expenses at a rate fixed by
28 the Board, while engaged in the business of the Board. The rate
29 must not exceed the rate provided for state officers and employees
30 generally.

31 2. While engaged in the business of the Board, each employee
32 of the Board is entitled to receive a per diem allowance and travel
33 expenses at a rate fixed by the Board. The rate must not exceed the
34 rate provided for state officers and employees generally.

35 3. Compensation and expenses of the members and employees
36 of the Board are payable *in accordance with chapters 281, 284 and*
37 *353 of NRS* out of the money derived from fees paid or transmitted
38 to the Board pursuant to the provisions of this chapter, and no part
39 thereof may be paid out of the State Treasury.

40 **Sec. 100.** NRS 641.380 is hereby amended to read as follows:

41 641.380 All money coming into possession of the Board must
42 be kept or deposited by the Secretary-Treasurer in ~~{banks, credit~~
43 ~~unions or savings and loan associations in the State of Nevada}~~
44 *accordance with chapter 356 of NRS* to be expended *in accordance*
45 *with chapters 281, 284 and 353 of NRS* for payment of



1 compensation and expenses of board members and for other
2 necessary or proper purposes in the administration of this chapter.

3 **Sec. 101.** NRS 641A.200 is hereby amended to read as
4 follows:

5 641A.200 1. A member of the Board is entitled to receive:

6 (a) A salary of not more than \$150 per day, as fixed by the
7 Board, while engaged in the business of the Board; and

8 (b) A per diem allowance and travel expenses at a rate fixed by
9 the Board, while engaged in the business of the Board. The rate
10 must not exceed the rate provided for state officers and employees
11 generally.

12 2. While engaged in the business of the Board, each employee
13 of the Board is entitled to receive a per diem allowance and travel
14 expenses at a rate fixed by the Board. The rate must not exceed the
15 rate provided for state officers and employees generally.

16 3. Compensation and expenses of the members and employees
17 of the Board are payable *in accordance with chapters 281, 284 and*
18 *353 of NRS* out of the money derived from fees and penalties paid
19 or transmitted to the Board pursuant to the provisions of this
20 chapter, and no part thereof may be paid out of the State Treasury.

21 **Sec. 102.** NRS 641A.300 is hereby amended to read as
22 follows:

23 641A.300 All money coming into possession of the Board
24 must be kept or deposited by the Secretary-Treasurer in ~~banks,~~
25 ~~credit unions or savings and loan associations in the State of~~
26 ~~Nevada~~ *accordance with chapter 356 of NRS* to be expended *in*
27 *accordance with chapters 281, 284 and 353 of NRS* for payment of
28 compensation and expenses of Board members and for other
29 necessary or proper purposes in the administration of this chapter.

30 **Sec. 103.** NRS 641B.150 is hereby amended to read as
31 follows:

32 641B.150 1. Except as otherwise provided in subsection 4,
33 all reasonable expenses incurred by the Board in carrying out the
34 provisions of this chapter must be paid *in accordance with chapters*
35 *281, 284 and 353 of NRS* from the money which it receives. No
36 part of the salaries or expenses of the Board may be paid out of the
37 State General Fund.

38 2. All money received by the Board must be deposited in
39 ~~qualified banks, credit unions or savings and loan associations in~~
40 ~~this State~~ *accordance with chapter 356 of NRS* and paid out on its
41 order for its expenses ~~[-]~~ *in accordance with chapters 281, 284 and*
42 *353 of NRS.*

43 3. In a manner consistent with the provisions of chapter 622A
44 of NRS, the Board may delegate to a hearing officer or panel its
45 authority to take any disciplinary action pursuant to this chapter,



1 impose and collect fines and penalties therefor and deposit the
2 money therefrom in ~~{banks, credit unions or savings and loan~~
3 ~~associations in this State.}~~ *accordance with chapter 356 of NRS.*

4 4. If a hearing officer or panel is not authorized to take
5 disciplinary action pursuant to subsection 3 and the Board deposits
6 the money collected from the imposition of fines with the State
7 Treasurer for credit to the State General Fund, it may present a
8 claim to the State Board of Examiners for recommendation to the
9 Interim Finance Committee if money is needed to pay attorney's
10 fees or the costs of an investigation, or both.

11 **Sec. 104.** NRS 641C.180 is hereby amended to read as
12 follows:

13 641C.180 The Board : ~~{may:}~~

14 1. ~~{Maintain}~~ *Shall maintain* offices in ~~{as many locations in~~
15 ~~this State as it considers necessary to carry out the provisions of this~~
16 ~~chapter.}~~ *accordance with chapter 331 of NRS.*

17 2. ~~{Employ}~~ *May employ* attorneys, investigators and other
18 persons necessary to carry out its duties. *Such persons are entitled*
19 *to receive such compensation as may be fixed by the Board in*
20 *accordance with chapters 281, 284 and 353 of NRS.*

21 **Sec. 105.** NRS 641C.190 is hereby amended to read as
22 follows:

23 641C.190 1. Except as otherwise provided in subsection 4,
24 all expenses incurred by the Board in carrying out the provisions of
25 this chapter must be paid *in accordance with chapters 281, 284 and*
26 *353 of NRS* from the money which it receives. No part of the
27 salaries or expenses of the Board may be paid out of the State
28 General Fund.

29 2. All money received by the Board must be deposited in ~~{a~~
30 ~~bank, credit union or other financial institution in this State}~~
31 *accordance with chapter 356 of NRS* and paid out on its order for
32 its expenses ~~{}~~ *in accordance with chapters 281, 284 and 353 of*
33 *NRS.*

34 3. In a manner consistent with the provisions of chapter 622A
35 of NRS, the Board may delegate to a hearing officer or panel its
36 authority to take any disciplinary action pursuant to this chapter,
37 impose and collect fines and penalties therefor and deposit the
38 money therefrom in ~~{a bank, credit union or other financial~~
39 ~~institution in this State.}~~ *accordance with chapter 356 of NRS.*

40 4. If a hearing officer or panel is not authorized to take
41 disciplinary action pursuant to subsection 3, the Board shall deposit
42 the money collected from the imposition of fines with the State
43 Treasurer for credit to the State General Fund. If money is so
44 deposited, the Board may present a claim to the State Board of
45 Examiners for recommendation to the Interim Finance Committee if



1 money is needed to pay attorney's fees or the costs of an
2 investigation, or both.

3 **Sec. 106.** NRS 642.055 is hereby amended to read as follows:

4 642.055 The Board : ~~{may:}~~

5 1. ~~{Maintain}~~ **Shall maintain** offices in ~~{as many localities in~~
6 ~~the State as it finds necessary to carry out the provisions of this~~
7 ~~chapter and chapters 451 and 452 of NRS.}~~ **accordance with**
8 **chapter 331 of NRS.**

9 2. ~~{Employ}~~ **May employ** attorneys, investigators and other
10 professional consultants and clerical personnel necessary to the
11 discharge of its duties. **Such persons are entitled to receive such**
12 **compensation as may be fixed by the Board in accordance with**
13 **chapters 281, 284 and 353 of NRS.**

14 **Sec. 107.** NRS 642.070 is hereby amended to read as follows:

15 642.070 All fees collected under the provisions of this chapter
16 and chapters 451 and 452 of NRS must be paid to the Treasurer of
17 the Board to be used to defray the necessary expenses of the Board.
18 The Treasurer shall deposit the fees in ~~{banks, credit unions or~~
19 ~~savings and loan associations in the State of Nevada.}~~ **accordance**
20 **with chapter 356 of NRS.**

21 **Sec. 108.** NRS 642.075 is hereby amended to read as follows:

22 642.075 1. Except as otherwise provided in subsection 4, all
23 reasonable expenses incurred by the Board in carrying out the
24 provisions of this chapter and chapters 451 and 452 of NRS must be
25 paid **in accordance with chapters 281, 284 and 353 of NRS** from
26 the money which it receives. No part of the salaries or expenses of
27 the Board may be paid out of the State General Fund.

28 2. Except as otherwise provided in this section, all money
29 collected by the Board from the imposition of fines must be
30 deposited with the State Treasurer for credit to the State General
31 Fund. All other money received by the Board must be deposited in
32 ~~{qualified banks, credit unions or savings and loan associations in~~
33 ~~this State}~~ **accordance with chapter 356 of NRS** and paid out on its
34 order for its expenses ~~{}~~ **in accordance with chapters 281, 284 and**
35 **353 of NRS.**

36 3. In a manner consistent with the provisions of chapter 622A
37 of NRS, the Board may delegate to a hearing officer or panel its
38 authority to take any disciplinary action pursuant to this chapter or
39 chapter 451 and 452 of NRS, to impose and collect fines therefor
40 and to deposit the money therefrom in ~~{banks, credit unions or~~
41 ~~savings and loan associations in this State.}~~ **accordance with**
42 **chapter 356 of NRS.**

43 4. If a hearing officer or panel is not authorized to take
44 disciplinary action pursuant to subsection 3 and the Board deposits
45 the money collected from the imposition of fines with the State



1 Treasurer for credit to the State General Fund, it may present a
2 claim to the State Board of Examiners for recommendation to the
3 Interim Finance Committee if money is needed to pay attorney's
4 fees or the costs of an investigation, or both.

5 **Sec. 109.** NRS 643.030 is hereby amended to read as follows:

6 643.030 1. The Board shall elect a President. No person may
7 serve as President for more than 4 consecutive years.

8 2. The Board shall elect a Vice President.

9 3. The Board shall elect a Secretary-Treasurer, who may or
10 may not be a member of the Board. The Board shall fix the salary of
11 the Secretary-Treasurer ~~to~~ **in accordance with chapters 281, 284**
12 **and 353 of NRS**, which must not exceed the sum of \$3,600 per year.

13 4. Each officer and member of the Board is entitled to receive:

14 (a) A salary of not more than \$150 per day, as fixed by the
15 Board, while engaged in the business of the Board; and

16 (b) A per diem allowance and travel expenses at a rate fixed by
17 the Board, while engaged in the business of the Board. The rate
18 must not exceed the rate provided for state officers and employees
19 generally.

20 5. While engaged in the business of the Board, each employee
21 of the Board is entitled to receive a per diem allowance and travel
22 expenses at a rate fixed by the Board. The rate must not exceed the
23 rate provided for state officers and employees generally.

24 6. The Secretary-Treasurer shall:

25 (a) Keep a record of all proceedings of the Board.

26 (b) Give to this State a bond in the sum of \$3,000, with
27 sufficient sureties, for the faithful performance of his or her duties.
28 The bond must be approved by the Board.

29 **Sec. 110.** NRS 643.050 is hereby amended to read as follows:

30 643.050 1. The Board : ~~may:~~

31 (a) ~~[Maintain]~~ **Shall maintain** offices in ~~{as many locations in~~
32 ~~this State as it finds necessary to carry out the provisions of this~~
33 ~~chapter.}~~ **accordance with chapter 331 of NRS.**

34 (b) ~~[Employ]~~ **May employ** attorneys, investigators and other
35 professional consultants and clerical personnel necessary to the
36 discharge of its duties. **Such persons are entitled to receive such**
37 **compensation as may be fixed by the Board in accordance with**
38 **chapters 281, 284 and 353 of NRS.**

39 (c) ~~[Adopt]~~ **May adopt** regulations necessary to carry out the
40 provisions of this chapter.

41 2. The Board shall prescribe, by regulation, sanitary
42 requirements for barbershops and barber schools.

43 3. Any member of the Board or its agents or assistants may
44 enter and inspect any barbershop or barber school at any time during



1 business hours or at any time when the practice of barbering or
2 instruction in that practice is being carried on.

3 4. The Board shall keep a record of its proceedings relating to
4 the issuance, refusal, renewal, suspension and revocation of
5 licenses. The record must contain the name, place of business and
6 residence of each licensed barber, licensed apprentice and instructor,
7 and the date and number of the license. The record must be open to
8 public inspection at all reasonable times.

9 5. The Board may approve and, by official order, establish the
10 days and hours when barbershops may remain open for business
11 whenever agreements fixing such opening and closing hours have
12 been signed and submitted to the Board by any organized and
13 representative group of licensed barbers of at least 70 percent of the
14 licensed barbers of any county. The Board may investigate the
15 reasonableness and propriety of the hours fixed by such an
16 agreement, as is conferred by the provisions of this chapter, and the
17 Board may fix hours for any portion of a county.

18 6. The Board may adopt regulations governing the conduct of
19 barber schools and the course of study of barber schools.

20 **Sec. 111.** NRS 643.060 is hereby amended to read as follows:

21 643.060 1. Except as otherwise provided in subsection 3,
22 money received by the Board under this chapter must be paid to the
23 Secretary-Treasurer of the Board, who shall deposit the money in
24 ~~banks, credit unions or savings and loan associations in the State of~~
25 ~~Nevada~~ **in accordance with chapter 356 of NRS** and give a receipt for
26 it.

27 2. The money must be expended in accordance with the
28 provisions of this chapter for all necessary and proper expenses in
29 carrying out the provisions of this chapter and upon proper claims
30 approved by the Board **in accordance with chapters 281, 284**
31 **and 353 of NRS.**

32 3. The Board shall deposit the money collected from the
33 imposition of fines with the State Treasurer for credit to the State
34 General Fund, and may present a claim to the State Board of
35 Examiners for recommendation to the Interim Finance Committee if
36 money is needed to pay an attorney's fees or the costs of an
37 investigation, or both.

38 **Sec. 112.** NRS 644.070 is hereby amended to read as follows:

39 644.070 1. The Board shall hold meetings at least four times
40 a year for the examination of applicants for registration and for the
41 transaction of such other business as pertains to its duties.

42 2. The Board may hold such other meetings for the
43 examination of applicants for registration or for the transaction of
44 necessary business at such times and places as it determines.

45 3. The members of the Board are entitled to receive:



(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

4. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

5. All such compensation and expenses must be paid by the Board *in accordance with chapters 281, 284 and 353 of NRS* out of the fees and receipts received by it, and no part thereof may be paid by the State.

Sec. 113. NRS 644.080 is hereby amended to read as follows:
644.080 The Board:

1. Shall prescribe the duties of its officers, examiners and employees, and fix the compensation of those employees ~~in~~ *in accordance with chapters 281, 284 and 353 of NRS.*

2. ~~May~~ *Shall* establish offices in ~~as many localities in the State as it finds necessary to carry out the provisions of this chapter.~~ *accordance with chapter 331 of NRS.* All records and files of the Board must be kept at the main office of the Board and, except as otherwise provided in NRS 644.446, be open to public inspection at all reasonable hours.

3. May adopt a seal.

4. May issue subpoenas to compel the attendance of witnesses and the production of books and papers.

Sec. 114. NRS 644.150 is hereby amended to read as follows:

644.150 The Board may employ inspectors, investigators, advisers, examiners and clerks and secure the services of attorneys and other professional consultants. ~~in~~ *Such persons are entitled to receive such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS,* but no part of the compensation of those persons or reasonable expenses incurred by the Board may be paid by the State.

Sec. 115. NRS 644.170 is hereby amended to read as follows:

644.170 1. All fees collected on behalf of the Board and all receipts of every kind and nature must be reported at the beginning of each month, for the month preceding, to the Board. At the same time, the entire amount of collections, except as otherwise provided in subsection 5, must be paid to the Treasurer of the Board, who shall deposit them in ~~banks, credit unions or savings and loan associations in the State of Nevada.~~ *accordance with chapter 356 of NRS.*



2. The receipts must be for the uses of the Board and out of them must be paid, *in accordance with chapters 281, 284 and 353 of NRS*, all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this chapter.

3. All orders for payment of money must be drawn on the Treasurer of the Board and countersigned by the President and the Secretary of the Board.

4. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in ~~banks, credit unions or savings and loan associations in this State.~~ *accordance with chapter 356 of NRS.*

5. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 4 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 116. NRS 648.025 is hereby amended to read as follows:

648.025 1. The Board may:

(a) Employ an Executive Director who:

(1) Is the chief administrative officer of the Board;

(2) Serves at the pleasure of the Board; and

(3) Shall perform such duties as the Board may prescribe;

and

(b) Employ investigators and clerical personnel necessary to carry out the provisions of this chapter.

Such persons are entitled to receive such compensation as may be fixed by the Board in accordance with chapters 281, 284 and 353 of NRS.

2. The Board shall establish the compensation of the Executive Director.

Sec. 117. NRS 648.040 is hereby amended to read as follows:

648.040 1. There is hereby created in the State General Fund the Fund for the Private Investigator's Licensing Board, to be administered by the Board ~~in~~ *in accordance with chapters 281, 284 and 353 of NRS.*

2. Except as otherwise provided in subsection 7, all money received pursuant to the provisions of this chapter must be deposited in the State Treasury for credit to the Fund for the Private Investigator's Licensing Board and must be used by the Board *in accordance with chapters 281, 284 and 353 of NRS* for the



1 administration of this chapter and to pay the expenses and salary of
2 members, agents and employees of the Board.

3 3. All claims against the Fund must be paid as other claims
4 against the State are paid. Any amount remaining in the Fund at the
5 end of a fiscal year must be carried forward into the next fiscal year.

6 4. The Board through majority vote controls exclusively the
7 expenditures from the Fund. The Board may not make expenditures
8 or incur liabilities in a total amount greater than the amount of
9 money actually available in the Fund.

10 5. Except as otherwise provided in subsection 7, the money in
11 this Fund may be used to:

12 (a) Pay the expenses of the Board in connection with the
13 investigation of the background of an applicant;

14 (b) Finance a substantive investigation of a licensee or of
15 unlicensed activity; and

16 (c) Pay the operational and administrative expenses of the Board
17 and its Secretary,

18 ➤ and for such other expenses as the Board deems appropriate to
19 regulate the persons subject to its supervision.

20 6. In a manner consistent with the provisions of chapter 622A
21 of NRS, the Board may delegate to a hearing officer or panel its
22 authority to take any disciplinary action pursuant to this chapter,
23 impose and collect fines therefor and deposit the money therefrom
24 in the State Treasury for credit to the Fund for the Private
25 Investigator's Licensing Board.

26 7. If a hearing officer or panel is not authorized to take
27 disciplinary action pursuant to subsection 6, the Board shall deposit
28 the money collected from the imposition of fines with the State
29 Treasurer for credit to the State General Fund. In such a case, the
30 Board may present a claim to the State Board of Examiners for
31 recommendation to the Interim Finance Committee if money is
32 needed to pay attorney's fees or the costs of an investigation, or
33 both.

34 **Sec. 118.** NRS 654.120 is hereby amended to read as follows:

35 654.120 1. The Secretary of the Board shall receive and
36 account for all money paid to the Board pursuant to this chapter.
37 The Secretary of the Board shall deposit the money in ~~banks, credit~~
38 ~~unions or savings and loan associations in the State of Nevada.]~~
39 *accordance with chapter 356 of NRS.*

40 2. Except as otherwise provided in subsection 5, all money
41 received by the Board pursuant to this chapter must be used *in*
42 *accordance with chapters 281, 284 and 353 of NRS* to:

43 (a) Pay the per diem and travel expenses of the members of the
44 Board.



(b) Pay the salaries and per diem and travel expenses of the employees of the Board.

(c) Administer the provisions of this chapter.

3. Any money which remains at the end of the fiscal year must be retained by the Board for future disbursement for the purposes enumerated in subsection 2.

4. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines and penalties therefor and deposit the money therefrom in ~~{banks, credit unions or savings and loan associations in this State.}~~ *in accordance with chapter 356 of NRS.*

5. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 4 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 119. NRS 656.070 is hereby amended to read as follows:

656.070 1. Each member of the Board is entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and

(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.

2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.

3. The expenses of the members and employees of the Board and the expenses of the Board must be paid *in accordance with chapters 281, 284 and 353 of NRS* from the fees collected pursuant to the provisions of this chapter, and the expenses must not exceed the amount so collected.

Sec. 120. NRS 656.110 is hereby amended to read as follows:

656.110 1. The Board shall administer the provisions of this chapter.

2. The Board may appoint such committees as it considers necessary or proper, and may employ, prescribe the duties of and fix the salary of an Executive Secretary who may be employed on a part-time or full-time basis, and may also employ such other persons as may be necessary ~~H~~, *in accordance with chapters 281, 284 and 353 of NRS.*



3. All expenditures described in this section must be paid from the fees collected under this chapter ~~+~~ *in accordance with chapters 281, 284 and 353 of NRS.*

Sec. 121. NRS 656.230 is hereby amended to read as follows:

656.230 All money coming into the possession of the Board must be kept or deposited by the Executive Secretary of the Board in ~~{banks, credit unions or savings and loan institutions in the State of Nevada}~~ *accordance with chapter 356 of NRS* to be expended for payment of compensation and expenses of Board members and for other necessary or proper purposes in the administration of this chapter ~~+~~ *in accordance with chapters 281, 284 and 353 of NRS.*

Sec. 122. NRS 218G.400, 353.005 and 630.127 are hereby repealed.

Sec. 123. 1. Each board shall, on or before July 1, 2011, ensure that all money under its control has been deposited in accordance with chapter 356 of NRS.

2. The Director of the Department of Personnel shall, on or before July 1, 2012, determine which officers and employees of each board should be in the classified and unclassified service of the State of Nevada and include positions determined to be in the classified service in the classification plan established pursuant to NRS 284.160. Each board or commission shall use the determinations of the Director of the Department of Personnel pursuant to this subsection for all purposes in complying with the requirements of NRS 353.150 to 353.246, inclusive.

3. The Chief of the Buildings and Grounds Division of the Department of Administration shall, on or before July 1, 2013, provide appropriate office space for each board. The Chief may allow a board to continue to use any or all office space that a board was using before that date.

4. Each board shall submit a proposed budget for Fiscal Years 2013-2014 and 2014-2015 in accordance with NRS 353.150 to 353.246, inclusive.

5. Each board and its officers and employees shall assist and cooperate with the Director of the Department of Personnel, the Chief of the Buildings and Grounds Division of the Department of Administration, the Chief of the Budget Division of the Department of Administration and all other state officers and employees in carrying out the provisions of this act.

6. As used in this section, "board" means a board or commission created by the provisions of NRS 590.485 or chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 or 656 of NRS.

Sec. 124. 1. This section and section 123 of this act become effective upon passage and approval.



- 1 2. Sections 1 to 122, inclusive, of this act, become effective:
2 (a) Upon passage and approval for the purpose of taking any
3 action necessary to prepare to carry out the requirements of this act
4 on the effective dates specified in this section.
5 (b) On July 1, 2011, for the purpose of requiring boards to
6 deposit money in accordance with chapter 356 of NRS.
7 (c) On January 1, 2012, for the purpose of requiring boards to
8 submit proposed budgets for Fiscal Years 2013-2014 and 2014-2015
9 in accordance with NRS 353.150 to 353.246, inclusive.
10 (d) On July 1, 2013, for all other purposes.
11 3. As used in this section, "board" means a board or
12 commission created by the provisions of NRS 590.485 or chapters
13 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 or 656
14 of NRS.

TEXT OF REPEALED SECTIONS

218G.400 Certain regulatory boards required to prepare balance sheets or have professional audit conducted; payment of cost of audit; audits by Legislative Auditor; remedies and penalties for violations.

1. Except as otherwise provided in subsection 2, each board created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS shall:

(a) If the revenue of the board from all sources is less than \$50,000 for any fiscal year, prepare a balance sheet for that fiscal year on the form provided by the Legislative Auditor and file the balance sheet with the Legislative Auditor and the Chief of the Budget Division of the Department of Administration on or before December 1 following the end of that fiscal year. The Legislative Auditor shall prepare and make available a form that must be used by a board to prepare such a balance sheet.

(b) If the revenue of the board from all sources is \$50,000 or more for any fiscal year, engage the services of a certified public accountant or public accountant, or firm of either of such accountants, to audit all its fiscal records for that fiscal year and file a report of the audit with the Legislative Auditor and the Chief of the Budget Division of the Department of Administration on or before December 1 following the end of that fiscal year.

2. In lieu of preparing a balance sheet or having an audit conducted for a single fiscal year, a board may engage the services



of a certified public accountant or public accountant, or firm of either of such accountants, to audit all its fiscal records for a period covering two successive fiscal years. If such an audit is conducted, the board shall file the report of the audit with the Legislative Auditor and the Chief of the Budget Division of the Department of Administration on or before December 1 following the end of the second fiscal year.

3. The cost of each audit conducted pursuant to subsection 1 or 2 must be paid by the board that is audited. Each such audit must be conducted in accordance with generally accepted auditing standards, and all financial statements must be prepared in accordance with generally accepted principles of accounting for special revenue funds.

4. Whether or not a board is required to have its fiscal records audited pursuant to subsection 1 or 2, the Legislative Auditor shall audit the fiscal records of any such board whenever directed to do so by the Legislative Commission. When the Legislative Commission directs such an audit, the Legislative Commission shall also determine who is to pay the cost of the audit.

5. A person who is a state officer or employee of a board is guilty of nonfeasance if the person:

(a) Is responsible for preparing a balance sheet or having an audit conducted pursuant to this section or is responsible for preparing or maintaining the fiscal records that are necessary to prepare a balance sheet or have an audit conducted pursuant to this section; and

(b) Knowingly fails to prepare the balance sheet or have the audit conducted pursuant to this section or knowingly fails to prepare or maintain the fiscal records that are necessary to prepare a balance sheet or have an audit conducted pursuant to this section.

6. In addition to any other remedy or penalty, a person who is guilty of nonfeasance pursuant to this section forfeits the person's state office or employment and may not be appointed to a state office or position of state employment for a period of 2 years following the forfeiture. The provisions of this subsection do not apply to a state officer who may be removed from office only by impeachment pursuant to Article 7 of the Nevada Constitution.

353.005 Inapplicability of chapter to certain boards. The provisions of this chapter do not apply to boards created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS and the officers and employees of those boards.

630.127 Performance audits of Board.

1. In addition to any other audits required of the Board by law, the Legislative Commission shall issue to the Federation of State



* A B 2 1 *

Medical Boards of the United States, Inc., a request for proposal to conduct regular performance audits of the Board. After considering the response to the request for proposal, if the Legislative Commission finds that the Federation of State Medical Boards of the United States, Inc., has the ability to conduct fair and impartial performance audits of the Board, the Legislative Commission shall engage the services of the Federation of State Medical Boards of the United States, Inc., to conduct regular performance audits of the Board. If the Legislative Commission finds that the Federation of State Medical Boards of the United States, Inc., does not have the ability to conduct fair and impartial performance audits of the Board or is otherwise unable to conduct such performance audits, the Legislative Commission shall direct the Audit Division of the Legislative Counsel Bureau to conduct regular performance audits of the Board.

2. The initial performance audit of the Board must be commenced before October 1, 2003. After the initial performance audit is completed, additional performance audits must be conducted:

(a) Once every 8 years, for the preceding 8-year period; or

(b) Whenever ordered by the Legislative Commission, for the period since the last performance audit was conducted pursuant to this section.

3. A written report of the results of the initial performance audit must be submitted to the Secretary of the Legislative Commission not later than 60 days after the date that the initial performance audit is commenced. A written report of the results of each subsequent performance audit must be submitted to the Secretary of the Legislative Commission as soon as practicable after the date that the performance audit is commenced.

4. Upon receipt of the written report of the results of each performance audit, the Secretary of the Legislative Commission shall:

(a) Distribute the report to the members of the Legislative Commission and to any other Legislator who requests a copy of the report; and

(b) Not later than 30 days after receipt of the report, make the report available to the public.

5. The Board shall pay all costs related to each performance audit conducted pursuant to this section.

6. Any person who conducts a performance audit pursuant to this section:

(a) Is directly responsible to the Legislative Commission;

(b) Must be sufficiently qualified to conduct the performance audit; and



(c) Must never have conducted an audit of the Board pursuant to NRS 218G.400 or have been affiliated, in any way, with a person who has conducted an audit of the Board pursuant to NRS 218G.400.

7. Each performance audit conducted pursuant to this section must include, without limitation, a comprehensive review and evaluation of:

(a) The methodology and efficiency of the Board in responding to complaints filed by the public against a licensee;

(b) The methodology and efficiency of the Board in responding to complaints filed by a licensee against another licensee;

(c) The methodology and efficiency of the Board in conducting investigations of licensees who have had two or more malpractice claims filed against them within a period of 12 months;

(d) The methodology and efficiency of the Board in conducting investigations of licensees who have been subject to one or more peer review actions at a medical facility that resulted in the licensee losing professional privileges at the medical facility for more than 30 days within a period of 12 months;

(e) The methodology and efficiency of the Board in taking preventative steps or progressive actions to remedy or deter any unprofessional conduct by a licensee before such conduct results in a violation under this chapter that warrants disciplinary action; and

(f) The managerial and administrative efficiency of the Board in using the fees that it collects pursuant to this chapter.

