

SENATE BILL NO. 354—SENATOR SCHNEIDER

MARCH 21, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Makes various changes to regulatory bodies of professions, occupations and businesses. (BDR 54-254)

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

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

AN ACT relating to professions; making changes to the number and duties of public members appointed to various boards and commissions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Governor to appoint members to various boards and commissions which license and regulate various professions, occupations and businesses. The majority of the members are licensed, registered or certified by the board or commission and working in the respective profession or occupation. The number of board or commission members who represent the general public varies. This bill directs the Governor to appoint two members who represent the general public to the majority of the boards and commissions, and one such member to certain smaller boards. This bill also authorizes the Governor to appoint a member to serve as Chair or President, as appropriate, of the designated board or commission. If the Governor does not appoint a member to serve as Chair or President, as appropriate, within 60 days after a vacancy in that office, the longest-serving member of the board or commission who is a representative of the general public shall be deemed to be the Chair or President. If that member refuses to serve as Chair or President, the members of the board or commission, as appropriate, are required to appoint a Chair or President from among the members of the board or commission. If a board is authorized to hire an Executive Director or other employees and consultants under existing law, this bill requires the Chair or President of the board to hire such employees after consultation with the other members of the board.

Section 105 of this bill clarifies that current members of the boards and commissions remain in office until the end of their term and that the membership changes created by this bill go into effect as the specified vacancies occur. Also, any contracts for employment or lease entered into before July 1, 2011, remain in effect.



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

1 **Section 1.** NRS 623.050 is hereby amended to read as follows:
2 623.050 1. The State Board of Architecture, Interior Design
3 and Residential Design, consisting of nine members appointed by
4 the Governor, is hereby created.

5 2. The Governor shall appoint:

6 (a) ~~Five~~ **Four** members who are registered architects and have
7 been in the active practice of architecture in the State of Nevada for
8 not less than 3 years preceding their appointment.

9 (b) One member who is a registered residential designer.

10 (c) Two members who are registered interior designers and who
11 are not registered architects or residential designers.

12 (d) ~~{One member who is a representative}~~ **Two members who**
13 **are representatives** of the general public. ~~{This member}~~ **These**
14 **members** must not be:

15 (1) A registered architect, a registered interior designer or a
16 registered residential designer; or

17 (2) The spouse or the parent or child, by blood, marriage or
18 adoption, of a registered architect, a registered interior designer or a
19 registered residential designer.

20 3. Members of the Board must have been residents of this State
21 for not less than 2 years preceding their appointment.

22 4. The Governor may, upon a bona fide complaint, and for
23 good cause shown, after 10 days' notice to any member against
24 whom charges may be filed, and after opportunity for hearing,
25 remove the member for inefficiency, neglect of duty or malfeasance
26 in office.

27 **Sec. 2.** 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 **Chair, after consultation with the other members of the** Board,
32 while engaged in the business of the Board; and

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

37 2. While engaged in the business of the Board, each employee
38 of the Board is entitled to receive a per diem allowance and travel
39 expenses at a rate fixed by the **Chair, after consultation with the**



1 *other members of the* Board. The rate must not exceed the rate
2 provided for state officers and employees generally.

3 3. The Secretary and Treasurer of the Board is entitled to be
4 paid a salary out of the money of the Board in an amount to be
5 determined by the *Chair, after consultation with the other*
6 *members of the* Board.

7 **Sec. 3.** NRS 623.100 is hereby amended to read as follows:

8 623.100 1. The *Governor may appoint one of the members*
9 *of the Board to serve as Chair of the Board. If, within 60 days*
10 *after a vacancy in the office of the Chair, the Governor does not*
11 *appoint one of the members of the Board as Chair, the longest-*
12 *serving member of the Board who is a representative of the*
13 *general public shall be deemed to be the Chair, except if that*
14 *member refuses to serve as Chair, the Board shall appoint one of*
15 *its members as the Chair. The Chair serves at the pleasure of the*
16 *Governor without additional compensation.*

17 2. The Board shall appoint one of its members as ~~{Chair, who~~
18 ~~shall serve without additional pay, and one of its members as}~~
19 Secretary and Treasurer. The ~~{Chair and}~~ Secretary shall ~~each~~
20 serve 1 year.

21 ~~{2}~~ 3. Five members of the Board constitute a quorum, but
22 action shall not be deemed to have been taken upon any question
23 unless there are at least 4 votes in accord.

24 **Sec. 4.** NRS 623.135 is hereby amended to read as follows:

25 623.135 The *Chair, after consultation with the other members*
26 *of the* Board , may employ an Executive Director, legal counsel,
27 investigators, professional consultants and other employees
28 necessary to the discharge of ~~{its}~~ the duties ~~{}~~ of the Board, and
29 may fix the compensation therefor.

30 **Sec. 5.** NRS 623A.080 is hereby amended to read as follows:

31 623A.080 1. The State Board of Landscape Architecture,
32 consisting of five members appointed by the Governor, is hereby
33 created.

34 2. The Governor shall appoint:

35 (a) ~~{Four}~~ *Three* members who, at the time of their appointment,
36 are not the subject of any disciplinary action by the Board and who,
37 for not less than 3 years immediately preceding their appointment,
38 have been:

39 (1) Engaged in the practice of landscape architecture; and

40 (2) Holders of certificates of registration; and

41 (b) ~~{One member who is a representative}~~ *Two members who*
42 *are representatives* of the general public. ~~{This member}~~ *These*
43 *members* must not be:

44 (1) A landscape architect or a landscape architect intern; or



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(2) The spouse or the parent or child, by blood, marriage or adoption, of a landscape architect or a landscape architect intern.

3. Each member must have been a resident of this State for not less than 3 years immediately preceding appointment to the Board.

4. A member of the Board shall not serve for more than three terms.

5. Each member of the Board shall, within 30 days after being appointed, take and subscribe to the oath of office as prescribed by the laws of this State and file the oath with the Secretary of State.

6. The ~~[member who is a representative]~~ *members who are representatives* of the general public shall not participate in preparing or grading any examination required by the Board.

7. Upon receipt of a complaint concerning a member of the Board and for good cause shown, the Governor may, after providing 10 days' notice to the member and providing an opportunity for a hearing, remove the member for inefficiency, neglect of duty or malfeasance in office.

8. An appointment to fill a vacancy in the membership of the Board for a cause other than expiration of the term must be for the unexpired portion of the term.

9. A member, agent or employee of the Board or any hearing officer or member of a hearing panel appointed by the Board is immune from personal liability relating to any action taken in good faith and within the scope of his or her authority.

Sec. 6. NRS 623A.100 is hereby amended to read as follows:

623A.100 1. *The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor.*

2. *The President, after consultation with the other members of the Board, shall appoint an Executive Director.*

3. At each annual meeting of the Board, the members shall ~~1-~~

~~—(a) Elect a President and a Secretary; and~~

~~—(b) Appoint an Executive Director.~~

~~2.]~~ *elect a Secretary.*

4. The President and the Secretary of the Board serve without additional compensation.

~~[3.]~~ 5. The Executive Director must not be a member of the Board and is entitled to a salary fixed by the Board.

~~[4.]~~ 6. 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. 7. NRS 623A.120 is hereby amended to read as follows:

623A.120 **1. The ~~{Board may;~~
~~—1.—Employ}~~ *President, after consultation with the other members of the Board, may employ* and fix the compensation for legal counsel, inspectors, special agents, investigators and clerical personnel necessary to the discharge of ~~{its duties; and
~~—2.—Reimburse}~~ the duties of the Board.~~**

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

Sec. 8. NRS 624.050 is hereby amended to read as follows:

624.050 **1. ~~{Six}~~ *Five*** members of the Board must each:

(a) At the time of appointment, hold an unexpired license to operate as a contractor.

(b) Be a contractor actively engaged in the contracting business and must have been so engaged for not less than 5 years preceding the date of his or her appointment.

(c) Have been a citizen and resident of the State of Nevada for at least 5 years next preceding his or her appointment.

2. ~~{One member}~~ *Two members* of the Board must be ~~{a representative}~~ *representatives* of the general public. ~~{This member}~~ *These members* must not be:

(a) A licensed contractor; or

(b) The spouse or the parent or child, by blood, marriage or adoption, of a licensed contractor.

3. *The Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to serve as Chair, the Board shall appoint one of its members as the*



Chair. The Chair serves at the pleasure of the Governor without additional compensation.

Sec. 9. NRS 624.115 is hereby amended to read as follows:

624.115 1. The *Chair, after consultation with the other members of the* Board, may employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of ~~its duties.~~ *the duties of the Board.*

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. 10. 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 *Chair and whose compensation must be fixed by the Chair after consultation with the other members of 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.

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.

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.

Sec. 11. NRS 625.100 is hereby amended to read as follows:

625.100 1. The Governor shall appoint nine persons, ~~six~~ **five** of whom must be engaged in the practice or teaching of professional engineering in any of its disciplines except military engineering, ~~and~~ two of whom must be engaged in the practice or teaching of land surveying and ~~one~~ **two** of whom must be ~~a member~~ **representatives** of the general public. The members must be citizens of the United States and residents of this State, and constitute the State Board of Professional Engineers and Land Surveyors.

2. All appointments made for members who are engaged in the practice or teaching of professional engineering or land surveying must be made from the current roster of professional engineers and professional land surveyors as issued by the Board and on file in the Office of the Secretary of State. Insofar as practicable, membership on the Board of those members must be distributed proportionately among the recognized disciplines of the profession. The members who are professional land surveyors must not be professional engineers.

3. *The Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to serve as Chair, the Board shall appoint one of its members as the Chair. The Chair serves at the pleasure of the Governor without additional compensation.*



1 **4.** Within 30 days after appointment, each member shall take
2 and subscribe to the oath of office as prescribed by the laws of
3 Nevada and shall file the oath with the Secretary of State.

4 **Sec. 12.** NRS 625.110 is hereby amended to read as follows:

5 625.110 1. ~~The~~ **Except as otherwise provided in subsection**
6 **3 of NRS 625.100, the** Board shall elect officers from its members
7 and, by regulation, establish the:

8 (a) Offices to which members may be elected;

9 (b) Title and term for each office; and

10 (c) Procedure for electing members to each office.

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

12 3. Each member is entitled to receive:

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

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

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

23 5. The salaries of members of the Board and employees of the
24 Board must be paid from the fees received by the Board pursuant to
25 the provisions of this chapter, and no part of those salaries may be
26 paid out of the State General Fund.

27 6. The **Chair, after consultation with the other members of**
28 **the** Board, shall appoint an Executive Director who serves at the
29 pleasure of the Board and is entitled to receive such compensation
30 as may be fixed by **the Chair after consultation with the other**
31 **members of the Board.**

32 **Sec. 13.** NRS 625.135 is hereby amended to read as follows:

33 625.135 1. The **Chair, after consultation with the other**
34 **members of the** Board, may employ and fix the compensation to be
35 paid to attorneys, investigators and other professional consultants
36 and clerical personnel necessary to the discharge of ~~its duties and~~
37 **the duties of the Board.**

38 **2. The Board** may reimburse such employees for actual
39 expenses they incur while acting on behalf of the Board.

40 **Sec. 14.** NRS 625A.030 is hereby amended to read as follows:

41 625A.030 1. There is hereby created the Board of Registered
42 Environmental Health Specialists, consisting of the State Health
43 Officer or his or her designated representative and four members
44 appointed by the Governor.



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2. After the initial terms, each member appointed by the Governor must be appointed for a term of 3 years.

3. Of the members of the Board appointed by the Governor after the initial appointments:

(a) Two must represent the general public. These members must not be:

(1) An environmental health specialist or environmental health specialist trainee; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of an environmental health specialist or environmental health specialist trainee.

(b) Two must be environmental health specialists, one employed by the health district containing Washoe County and one employed by the health district containing Clark County.

4. The Governor may, after notice and hearing, remove any member of the Board for misconduct in office, incompetency, neglect of duty or other sufficient cause.

5. *The Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to serve as Chair, the Board shall appoint one of its members as the Chair. The Chair serves at the pleasure of the Governor without additional compensation.*

6. *The Board shall elect from its members who are not employees of the State a ~~Chair and a Secretary. The Chair must be elected biennially on or before July 1 of each even-numbered year.~~ The Secretary who continues in office at the pleasure of the Board.*

Sec. 15. NRS 625A.050 is hereby amended to read as follows:

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

(a) A salary in an amount fixed by the *Chair, after consultation with the other members of the Board*; and

(b) A per diem allowance and travel expenses at a rate fixed by the *Chair, after consultation with the other members of 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. All other members of the Board are entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the *Chair, after consultation with the other members of 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 *Chair, after consultation with the other members of the Board*,



1 while engaged in the business of the Board. The rate must not
2 exceed the rate provided for state officers and employees generally.

3 3. While engaged in the business of the Board, each employee
4 of the Board is entitled to receive a per diem allowance and travel
5 expenses at a rate fixed by the *Chair, after consultation with the*
6 *other members of the* Board. The rate must not exceed the rate
7 provided for state officers and employees generally.

8 **Sec. 16.** NRS 625A.055 is hereby amended to read as follows:

9 625A.055 1. *The Chair, after consultation with the other*
10 *members of the Board, may employ attorneys, investigators and*
11 *other professional consultants and clerical personnel necessary to*
12 *the discharge of the duties of the Board.*

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

21 **Sec. 17.** NRS 628.045 is hereby amended to read as follows:

22 628.045 1. Except as otherwise provided in subsection 2, the
23 Governor shall appoint to the Board ~~{six}~~ :

24 (a) *Four* members who are certified public accountants in the
25 State of Nevada . ~~{and one member who is a registered public~~
26 ~~accountant in the State of Nevada.}~~ Of the ~~{six}~~ *four* members who
27 are certified public accountants:

28 ~~{(a)}~~ (1) One member must be employed by the government or
29 by private industry; and

30 ~~{(b) Five}~~

31 (2) *Three* members must be engaged in the practice of public
32 accounting.

33 (b) *One member who is a registered public accountant in the*
34 *State of Nevada.*

35 (c) *Two members who are representatives of the general*
36 *public. These members must not be:*

37 (1) *A certified public accountant, a public accountant or a*
38 *registered public accountant; or*

39 (2) *The spouse or the parent or child, by blood, marriage or*
40 *adoption, of a certified public accountant, a public accountant or*
41 *a registered public accountant.*

42 2. Whenever the total number of registered public accountants
43 who practice is 10 or fewer, the Board must consist of ~~{six}~~ *four*
44 members who are certified public accountants , ~~{and}~~ the member
45 who is a registered public accountant until that member's term of



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office expires ~~it~~ *and two members who are representatives of the general public as provided in paragraph (c) of subsection 1.*

Thereafter, the Board must consist of:

(a) ~~Six~~ *Five* members who are certified public accountants, one of whom must be employed by the government or by private industry.

(b) ~~One member who represents the public. This member must not be:~~

~~—— (1) A certified public accountant, a public accountant or a registered public accountant; or~~

~~—— (2) The spouse or the parent or child, by blood, marriage or adoption, of a certified public accountant, a public accountant or a registered public accountant.]~~ *Two members who are representatives of the general public as provided in paragraph (c) of subsection 1.*

3. No person may be appointed to the Board unless he or she is:

(a) Engaged in active practice as a certified public accountant or registered public accountant and holds a live permit to practice public accounting in this State, or is appointed as ~~the~~ *a* member who ~~represents~~ *is a representative of* the *general* public.

(b) A resident of the State of Nevada.

Sec. 18. NRS 628.075 is hereby amended to read as follows:

628.075 1. The Nevada Society of Certified Public Accountants shall, at least 30 days before the beginning of any term, or within 30 days after a position on the Board becomes vacant, submit to the Governor the names of at least three persons qualified for membership on the Board for each position to be filled by a certified public accountant. The Governor shall appoint new members or fill the vacancy from the list, or request a new list. If the Nevada Society of Certified Public Accountants fails to submit timely nominations for a position on the Board, the Board may submit nominations to the Governor, who shall appoint members from among the nominees or request a new list.

2. The Governor may appoint any qualified person who is a resident of this State to the ~~position which is~~ *positions which are* to be occupied by ~~a person who represents the~~ *persons who are representatives of the general* public.

Sec. 19. NRS 628.090 is hereby amended to read as follows:

628.090 1. *The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if*



1 *that member refuses to serve as President, the Board shall appoint*
2 *one of its members as the President. The President serves at the*
3 *pleasure of the Governor without additional compensation.*

4 2. Annually the Board shall elect a ~~President and a~~ Secretary-
5 Treasurer from among its members.

6 ~~2-1~~ 3. The *President, after consultation with the other*
7 *members of the* Board , may employ such personnel, including
8 attorneys, investigators and other professional consultants, and
9 arrange for such assistance as the Board may require for the
10 performance of ~~fits~~ the duties ~~1-1~~ of the Board.

11 **Sec. 20.** NRS 630.060 is hereby amended to read as follows:

12 630.060 1. Six members of the Board must be persons who
13 are licensed to practice medicine in this State, are actually engaged
14 in the practice of medicine in this State and have resided and
15 practiced medicine in this State for at least 5 years preceding their
16 respective appointments.

17 2. One member of the Board must be a person who has resided
18 in this State for at least 5 years and who represents the interests of
19 persons or agencies that regularly provide health care to patients
20 who are indigent, uninsured or unable to afford health care. This
21 member must not be licensed under the provisions of this chapter.

22 3. The remaining two members of the Board must *be*
23 *representatives of the general public and* be persons who have
24 resided in this State for at least 5 years and who:

25 (a) Are not licensed in any state to practice any healing art;

26 (b) Are not the spouse or the parent or child, by blood, marriage
27 or adoption, of a person licensed in any state to practice any healing
28 art;

29 (c) Are not actively engaged in the administration of any facility
30 for the dependent as defined in chapter 449 of NRS, medical facility
31 or medical school; and

32 (d) Do not have a pecuniary interest in any matter pertaining to
33 the healing arts, except as a patient or potential patient.

34 4. The members of the Board must be selected without regard
35 to their individual political beliefs.

36 **Sec. 21.** NRS 630.090 is hereby amended to read as follows:

37 630.090 1. The *Governor may appoint one of the members*
38 *of the Board to serve as President of the Board. If, within 60 days*
39 *after a vacancy in the office of the President, the Governor does*
40 *not appoint one of the members of the Board as President, the*
41 *longest-serving member of the Board who is a representative of*
42 *the general public shall be deemed to be the President, except if*
43 *that member refuses to serve as President, the Board shall appoint*
44 *one of its members as the President. The President serves at the*
45 *pleasure of the Governor without additional compensation.*



2. *The* Board shall elect from its members a ~~{President, a}~~ Vice President and a Secretary-Treasurer. The ~~{officers of the Board}~~ *Vice President and Secretary-Treasurer* shall hold their respective offices ~~{during its}~~ *at the* pleasure ~~{-~~ *—2.}* *of the Board.*

3. The Secretary-Treasurer shall receive a salary, the amount of which shall be determined by the *President, after consultation with the other members of the* Board.

Sec. 22. NRS 630.103 is hereby amended to read as follows:

630.103 1. The ~~{Board}~~ *President, after consultation with the other members of 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.

3. The Executive Director is an at-will employee who serves at the pleasure of the ~~{Board.}~~ *President.*

Sec. 23. NRS 630.106 is hereby amended to read as follows:

630.106 1. The *President, after consultation with the other members of the* Board, may employ hearing officers, experts, administrators, attorneys, investigators, consultants and clerical personnel necessary to the discharge of ~~{its duties.}~~ *the duties of the Board.*

2. Each employee of the Board is an at-will employee who serves at the pleasure of the ~~{Board. The Board}~~ *President. The President* may discharge an employee of the Board for any reason that does not violate public policy, including, without limitation, making a false representation to the Board.

3. A hearing officer employed by the ~~{Board}~~ *President* shall not act in any other capacity for the Board or occupy any other position of employment with the Board, and the Board shall not assign the hearing officer any duties which are unrelated to the duties of a hearing officer.

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

Sec. 24. NRS 630A.110 is hereby amended to read as follows:

630A.110 1. Three members of the Board must be persons who are licensed to practice allopathic or osteopathic medicine in any state or country, the District of Columbia or a territory or



1 possession of the United States, have been engaged in the practice
2 of homeopathic medicine in this State for a period of more than 2
3 years preceding their respective appointments, are actually engaged
4 in the practice of homeopathic medicine in this State and are
5 residents of the State.

6 2. One member of the Board must be a person who has resided
7 in this State for at least 5 years and who represents the interests of
8 persons or agencies that regularly provide health care to patients
9 who are indigent, uninsured or unable to afford health care. This
10 member may be licensed under the provisions of this chapter.

11 3. The remaining three members of the Board must *be*
12 *representatives of the general public and* be persons who:

13 (a) Are not licensed in any state to practice any healing art;

14 (b) Are not the spouse or the parent or child, by blood, marriage
15 or adoption, of a person licensed in any state to practice any healing
16 art;

17 (c) Are not actively engaged in the administration of any
18 medical facility or facility for the dependent as defined in chapter
19 449 of NRS;

20 (d) Do not have a pecuniary interest in any matter pertaining to
21 such a facility, except as a patient or potential patient; and

22 (e) Have resided in this State for at least 5 years.

23 4. The members of the Board must be selected without regard
24 to their individual political beliefs.

25 5. As used in this section, "healing art" means any system,
26 treatment, operation, diagnosis, prescription or practice for the
27 ascertainment, cure, relief, palliation, adjustment or correction of
28 any human disease, ailment, deformity, injury, or unhealthy or
29 abnormal physical or mental condition for the practice of which
30 long periods of specialized education and training and a degree of
31 specialized knowledge of an intellectual as well as physical nature
32 are required.

33 **Sec. 25.** NRS 630A.140 is hereby amended to read as follows:

34 630A.140 1. The *Governor may appoint one of the members*
35 *of the Board to serve as President of the Board. If, within 60 days*
36 *after a vacancy in the office of the President, the Governor does*
37 *not appoint one of the members of the Board as President, the*
38 *longest-serving member of the Board who is a representative of*
39 *the general public shall be deemed to be the President, except if*
40 *that member refuses to serve as President, the Board shall appoint*
41 *one of its members as the President. The President serves at the*
42 *pleasure of the Governor without additional compensation.*

43 2. The Board shall elect from its members a ~~{President, a}~~ Vice
44 President and a Secretary-Treasurer. The ~~{officers of the Board}~~



Vice President and Secretary-Treasurer hold their respective offices ~~during its pleasure.~~

~~2.]~~ **at the pleasure of the Board.**

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

~~3.]~~ **4.** 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 **President, after consultation with the other members of the** Board.

Sec. 26. NRS 630A.190 is hereby amended to read as follows:
630A.190 **1.** The Board may ~~f:~~

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

2. ~~Employ]~~ **The President, after consultation with the other members of the Board, may employ** attorneys, investigators, hearing officers, experts, administrators, consultants and clerical personnel necessary to the discharge of ~~its duties.]~~ **the duties of the Board.**

Sec. 27. NRS 631.130 is hereby amended to read as follows:
631.130 **1.** The Governor shall appoint:

(a) ~~Six]~~ **Five** members who are graduates of accredited dental schools or colleges, are residents of Nevada and have ethically engaged in the practice of dentistry in Nevada for a period of at least 5 years.

(b) One member who has resided in Nevada for at least 5 years and who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter.

(c) Three members who:

(1) Are graduates of accredited schools or colleges of dental hygiene;

(2) Are residents of Nevada; and

(3) Have been actively engaged in the practice of dental hygiene in Nevada for a period of at least 5 years before their appointment to the Board.

(d) ~~One member who is a representative]~~ **Two members who are representatives** of the general public. ~~This member]~~ **These members** must not be:

(1) A dentist or a dental hygienist; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a dentist or a dental hygienist.

2. The members who are dental hygienists may vote on all matters but may not participate in grading any clinical examinations required by NRS 631.240 for the licensing of dentists.



3. If a member is not licensed under the provisions of this chapter, the member shall not participate in grading any examination required by the Board.

Sec. 28. NRS 631.140 is hereby amended to read as follows:

631.140 1. The ~~{six}~~ **five** members of the Board who are dentists, the member of the Board who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care, and the ~~{member}~~ **two members** of the Board who ~~{is a representative}~~ **are representatives** of the general public must be appointed from areas of the State as follows:

(a) Three of those members must be from Carson City, Douglas County or Washoe County.

(b) Four of those members must be from Clark County.

(c) One of those members may be from any county of the State.

2. The three members of the Board who are dental hygienists must be appointed from areas of the State as follows:

(a) One of those members must be from Carson City, Douglas County or Washoe County.

(b) One of those members must be from Clark County.

(c) One of those members may be from any county of the State.

Sec. 29. NRS 631.160 is hereby amended to read as follows:

631.160 1. ***The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.***

2. 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}~~ **Secretary-Treasurer who** shall hold office for 1 year and until a successor is elected and qualified.

~~{2-}~~ 3. The Board shall define the duties of the President, the Secretary-Treasurer and the Executive Director.

~~{3-}~~ 4. The Executive Director shall receive such compensation as determined by the **President, after consultation with the other members of the** Board, and the ~~{Board}~~ **President** shall fix the amount of the bond to be furnished by the Secretary-Treasurer and the Executive Director.



1 **Sec. 30.** NRS 631.190 is hereby amended to read as follows:

2 631.190 1. *The President, after consultation with the other*
3 *members of the Board, shall employ such examiners, officers,*
4 *employees, agents, attorneys, investigators and other professional*
5 *consultants as the Board may deem proper or necessary to carry*
6 *out the provisions of this chapter.*

7 2. In addition to the powers and duties provided in this chapter,
8 the Board shall:

9 ~~1-1~~ (a) Adopt rules and regulations necessary to carry out the
10 provisions of this chapter.

11 ~~12. Appoint~~

12 (b) *Recommend to the President appointment of* such
13 committees, examiners, officers, employees, agents, attorneys,
14 investigators and other professional consultants and define their
15 duties and incur such expense as it may deem proper or necessary to
16 carry out the provisions of this chapter, the expense to be paid as
17 provided in this chapter. Notwithstanding the provisions of this
18 ~~subsection,~~ *paragraph*, the Attorney General in his or her sole
19 discretion may, but is not required to, serve as legal counsel for the
20 Board at any time and in any and all matters.

21 ~~13-1~~ (c) Fix the time and place for and conduct examinations for
22 the granting of licenses to practice dentistry and dental hygiene.

23 ~~14-1~~ (d) Examine applicants for licenses to practice dentistry and
24 dental hygiene.

25 ~~15-1~~ (e) Collect and apply fees as provided in this chapter.

26 ~~16-1~~ (f) Keep a register of all dentists and dental hygienists
27 licensed in this State, together with their addresses, license numbers
28 and renewal certificate numbers.

29 ~~17-1~~ (g) Have and use a common seal.

30 ~~18-1~~ (h) Keep such records as may be necessary to report the
31 acts and proceedings of the Board. Except as otherwise provided in
32 NRS 631.368, the records must be open to public inspection.

33 ~~19-1~~ (i) Maintain offices in as many localities in the State as it
34 finds necessary to carry out the provisions of this chapter.

35 ~~110-1~~ (j) Have discretion to examine work authorizations in
36 dental offices or dental laboratories.

37 **Sec. 31.** NRS 632.030 is hereby amended to read as follows:

38 632.030 1. The Governor shall appoint:

39 (a) ~~Three~~ *Two* registered nurses who are graduates of an
40 accredited school of nursing, are licensed as professional nurses in
41 the State of Nevada and have been actively engaged in nursing for at
42 least 5 years preceding the appointment.

43 (b) One practical nurse who is a graduate of an accredited school
44 of practical nursing, is licensed as a practical nurse in this State and



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1 has been actively engaged in nursing for at least 5 years preceding
2 the appointment.

3 (c) One nursing assistant who is certified pursuant to the
4 provisions of this chapter.

5 (d) One member who represents the interests of persons or
6 agencies that regularly provide health care to patients who are
7 indigent, uninsured or unable to afford health care. This member
8 may be licensed under the provisions of this chapter.

9 (e) ~~{One member who is a representative}~~ *Two members who*
10 *are representatives* of the general public. ~~{This member}~~ *These*
11 *members* must not be:

12 (1) A licensed practical nurse, a registered nurse, a nursing
13 assistant or an advanced practitioner of nursing; or

14 (2) The spouse or the parent or child, by blood, marriage or
15 adoption, of a licensed practical nurse, a registered nurse, a nursing
16 assistant or an advanced practitioner of nursing.

17 2. Each member of the Board must be:

18 (a) A citizen of the United States; and

19 (b) A resident of the State of Nevada who has resided in this
20 State for not less than 2 years.

21 3. A representative of the general public may not:

22 (a) Have a fiduciary obligation to a hospital or other health
23 agency;

24 (b) Have a material financial interest in the rendering of health
25 services; or

26 (c) Be employed in the administration of health activities or the
27 performance of health services.

28 4. The members appointed to the Board pursuant to paragraphs
29 (a) and (b) of subsection 1 must be selected to provide the broadest
30 representation of the various activities, responsibilities and types of
31 service within the practice of nursing and related areas, which may
32 include, without limitation, experience:

33 (a) In administration.

34 (b) In education.

35 (c) As an advanced practitioner of nursing.

36 (d) In an agency or clinic whose primary purpose is to provide
37 medical assistance to persons of low and moderate incomes.

38 (e) In a licensed medical facility.

39 5. Each member of the Board shall serve a term of 4 years. If a
40 vacancy occurs during a member's term, the Governor shall appoint
41 a person qualified under this chapter to replace that member for the
42 remainder of the unexpired term.

43 6. No member of the Board may serve more than two
44 consecutive terms. For the purposes of this subsection, service of 2
45 or more years in filling an unexpired term constitutes a term.



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1 **Sec. 32.** NRS 632.060 is hereby amended to read as follows:

2 632.060 1. *The Governor may appoint one of the members*
3 *of the Board to serve as President of the Board. If, within 60 days*
4 *after a vacancy in the office of the President, the Governor does*
5 *not appoint one of the members of the Board as President, the*
6 *longest-serving member of the Board who is a representative of*
7 *the general public shall be deemed to be the President, except if*
8 *that member refuses to serve as President, the Board shall appoint*
9 *one of its members as the President. The President serves at the*
10 *pleasure of the Governor without additional compensation.*

11 2. Each year at a meeting of the Board, to be held in
12 accordance with NRS 632.070, the Board shall elect from its
13 members a ~~{President, a}~~ Vice President and a Secretary.

14 ~~{2-}~~ 3. The *President, after consultation with the other*
15 *members of the Board* , may appoint an Executive Director who
16 need not be a member of the Board. The Executive Director
17 ~~{appointed by the Board}~~ must be a professional nurse licensed to
18 practice nursing in the State of Nevada. The Executive Director
19 shall perform such duties as the Board may direct and is entitled to
20 receive compensation as set by the *President, after consultation*
21 *with the other members of the Board*. The Executive Director is
22 entitled to receive a per diem allowance and travel expenses at a rate
23 fixed by the *President, after consultation with the other members*
24 *of 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 **Sec. 33.** NRS 632.065 is hereby amended to read as follows:

28 632.065 1. The Board may ~~{~~
29 ~~—1.—Maintain}~~ *maintain* offices in as many localities in the State
30 as it finds necessary to carry out the provisions of this chapter.

31 2. ~~{Employ}~~ *The President, after consultation with the other*
32 *members of the Board, may employ* attorneys, investigators and
33 other professional consultants and clerical personnel necessary to
34 the discharge of ~~{its}~~ *the duties { } of the Board.*

35 **Sec. 34.** NRS 633.191 is hereby amended to read as follows:

36 633.191 1. ~~{Five}~~ *Four* members of the Board must:

37 (a) Be licensed under this chapter;

38 (b) Be actually engaged in the practice of osteopathic medicine
39 in this State; and

40 (c) Have been so engaged in this State for a period of more than
41 5 years preceding their appointment.

42 2. One member of the Board must be a resident of the State of
43 Nevada and must represent the interests of persons or agencies that
44 regularly provide health care to patients who are indigent, uninsured



1 or unable to afford health care. This member must not be licensed
2 under the provisions of this chapter.

3 3. ~~{The remaining member}~~ *Two members* of the Board must
4 *be representatives of the general public. A representative of the*
5 *general public must* be a resident of the State of Nevada who is:

6 (a) Not licensed in any state to practice any healing art;

7 (b) Not the spouse or the parent or child, by blood, marriage or
8 adoption, of a person licensed in any state to practice any healing
9 art; and

10 (c) Not actively engaged in the administration of any medical
11 facility or facility for the dependent as defined in chapter 449 of
12 NRS.

13 **Sec. 35.** NRS 633.221 is hereby amended to read as follows:

14 633.221 1. The *Governor may appoint one of the members*
15 *of the Board to serve as President of the Board. If, within 60 days*
16 *after a vacancy in the office of the President, the Governor does*
17 *not appoint one of the members of the Board as President, the*
18 *longest-serving member of the Board who is a representative of*
19 *the general public shall be deemed to be the President, except if*
20 *that member refuses to serve as President, the Board shall appoint*
21 *one of its members as the President. The President serves at the*
22 *pleasure of the Governor without additional compensation.*

23 2. The Board shall elect from its members a ~~{President, a}~~ Vice
24 President and a Secretary-Treasurer . ~~{, who}~~ *The Vice President*
25 *and Secretary-Treasurer* shall hold their respective offices at ~~{its~~
26 ~~pleasure.~~

27 ~~—2.}~~ *the pleasure of the Board.*

28 3. The Board may fix and pay a salary to the Secretary-
29 Treasurer.

30 **Sec. 36.** NRS 633.271 is hereby amended to read as follows:

31 633.271 ~~{The}~~

32 1. *After consultation with the other members of the* Board ,
33 *the President* may:

34 ~~{1.}~~ (a) Appoint an Executive Director . ~~{who is entitled to such~~
35 ~~compensation as is determined by the Board.~~

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

38 ~~—3.}~~ (b) Employ attorneys, hearing officers, investigators and
39 other professional consultants and clerical personnel necessary to
40 the discharge of ~~{its}~~ *the* duties ~~{}~~ *of the Board.*

41 (c) *Fix the compensation of the Executive Director and any*
42 *other employees.*

43 2. *The Board may maintain offices in as many localities in*
44 *the State as it finds necessary to carry out the provisions of this*
45 *chapter.*



Sec. 37. NRS 634.030 is hereby amended to read as follows:

634.030 1. The *Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

2. The Board shall elect a ~~{President,}~~ Vice President and a Secretary. The Secretary shall serve also as Treasurer of the Board.

~~{2-}~~ 3. The Board shall adopt reasonable regulations for the transaction of business and to enable it to carry out ~~{its}~~ *the* duties of *the Board* under this chapter.

Sec. 38. NRS 634.043 is hereby amended to read as follows:

634.043 1. The *President, after consultation with the other members of the* Board ~~{shall}~~ :

(a) *Shall* 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.~~

~~—2-} President;~~

(b) *May employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of the duties of the Board.*

(c) *Shall fix the compensation of the Executive Director and any other employees.*

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.~~

~~—(c)-~~ Enter and inspect any chiropractic office in this State in order to enforce the provisions of this chapter.

Sec. 39. NRS 634A.040 is hereby amended to read as follows:

634A.040 1. The Governor shall appoint ~~{three}~~ *two* members to the Board who:

(a) Have a license issued pursuant to this chapter;

(b) Currently engage in the practice of Oriental medicine in this State, and have engaged in the practice of Oriental medicine in this State for at least 3 years preceding appointment to the Board;

(c) Are citizens of the United States; and

(d) Are residents of the State of Nevada and have been for at least 1 year preceding appointment to the Board.



1 2. The Governor shall appoint one member to the Board who:
2 (a) Is licensed pursuant to chapter 630 of NRS by the Board of
3 Medical Examiners as a physician;
4 (b) Does not engage in the administration of a facility for
5 Oriental medicine or a school for Oriental medicine;
6 (c) Does not have a pecuniary interest in any matter pertaining
7 to Oriental medicine, except as a patient or potential patient;
8 (d) Is a citizen of the United States; and
9 (e) Is a resident of the State of Nevada and has been for at least
10 1 year preceding appointment to the Board.

11 3. The Governor shall appoint ~~{one member}~~ **two members** to
12 the Board **who are representatives of the general public and** who:

13 (a) ~~{Does}~~ **Do** not engage in the administration of a facility for
14 Oriental medicine or a school for Oriental medicine;

15 (b) ~~{Does}~~ **Do** not have a pecuniary interest in any matter
16 pertaining to Oriental medicine, except as a patient or potential
17 patient;

18 (c) ~~{Is a citizen}~~ **Are citizens** of the United States; and

19 (d) ~~{Is a resident}~~ **Are residents** of the State of Nevada and ~~{has}~~
20 **have** been for at least 1 year preceding appointment to the Board.

21 **Sec. 40.** NRS 634A.060 is hereby amended to read as follows:

22 634A.060 **1. The Governor may appoint one of the members**
23 **of the Board to serve as President of the Board. If, within 60 days**
24 **after a vacancy in the office of the President, the Governor does**
25 **not appoint one of the members of the Board as President, the**
26 **longest-serving member of the Board who is a representative of**
27 **the general public shall be deemed to be the President, except if**
28 **that member refuses to serve as President, the Board shall appoint**
29 **one of its members as the President. The President serves at the**
30 **pleasure of the Governor without additional compensation.**

31 **2.** The Board shall annually elect from its members a
32 ~~{President,}~~ Vice President and Secretary-Treasurer . ~~{, and}~~ **The**
33 **President, after consultation with the other members of the Board,**
34 may fix and pay a salary to the Secretary-Treasurer.

35 **Sec. 41.** NRS 634A.070 is hereby amended to read as follows:

36 634A.070 **1. The President, after consultation with the other**
37 **members of the Board may** ~~{:~~
38 ~~—1. Employ}~~ **employ** attorneys, investigators and other
39 professional consultants and clerical personnel necessary to
40 discharge ~~{its}~~ **the** duties ~~{, To conduct its examinations, the}~~ **of the**
41 **Board.**

42 **2. The Board may** ~~{call}~~ **:**

43 (a) **Call** to its aid persons of established reputation and known
44 ability in Oriental medicine ~~{:~~

45 ~~—2.}~~ **to conduct its examinations.**



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

~~(3-1)~~ (c) Adopt regulations not inconsistent with the provisions of this chapter. The regulations may include a code of ethics regulating the professional conduct of licensees.

~~(4-1)~~ (d) Compel the attendance of witnesses and the production of evidence by subpoena.

Sec. 42. NRS 635.020 is hereby amended to read as follows:

635.020 1. The State Board of Podiatry, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) ~~Three~~ **Two** members who are licensed podiatric physicians in the State of Nevada.

(b) One member who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter.

(c) ~~One member who is a representative~~ **Two members who are representatives** of the general public. ~~This member~~ **These members** must not be:

(1) A licensed podiatric physician in the State of Nevada; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a licensed podiatric physician in the State of Nevada.

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.

Sec. 43. NRS 635.030 is hereby amended to read as follows:

635.030 1. **The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.**



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2. *The* Board shall elect from among its members a ~~President,~~
a Vice President, a Secretary and a Treasurer. The members may
assign the duties of the Treasurer and the Secretary to one person
who must be designated the Secretary-Treasurer.

~~2.3~~ 3. The Board shall adopt regulations to carry out the
provisions of this chapter.

~~3.3~~ 4. The Board shall not incur any expenses which exceed
the money received from time to time as fees provided by law.

~~4.4~~ 5. The Board shall keep and preserve a complete record of
all its transactions.

~~5.5~~ 6. The Board may adopt a seal of which any court of this
State may take judicial notice.

Sec. 44. NRS 635.035 is hereby amended to read as follows:

635.035 1. The Board may ~~1.~~
~~1. Maintain~~ *maintain* offices in as many localities in the State
as it finds necessary to carry out the provisions of this chapter.

2. ~~Employ~~ *The President, after consultation with the other
members of the Board, may employ* attorneys, investigators and
other professional consultants and clerical personnel necessary to
the discharge of ~~its~~ *the* duties ~~of the Board.~~

Sec. 45. NRS 636.035 is hereby amended to read as follows:

636.035 1. The Governor shall appoint:

(a) ~~Three~~ *Two* members who are licensed to practice
optometry in the State of Nevada and are actually engaged in the
practice of optometry.

(b) ~~One member who is a representative~~ *Two members who
are representatives* of the general public. ~~This member~~ *These
members* must not be:

(1) Licensed to practice optometry; or

(2) The spouse or the parent or child, by blood, marriage or
adoption, of a person licensed to practice optometry.

2. A person shall not be appointed if he or she:

(a) Is the owner or co-owner of, a stockholder in, or a member
of the faculty or board of directors or trustees of, any school of
optometry;

(b) Is financially interested, directly or indirectly, in the
manufacture or wholesaling of optical supplies; or

(c) Has been convicted of a felony or a gross misdemeanor
involving moral turpitude.

3. The ~~member who is a representative~~ *members who are
representatives* of the general public shall not participate in
preparing, conducting or grading any examination required by the
Board.



1 **Sec. 46.** NRS 636.080 is hereby amended to read as follows:

2 636.080 1. ~~{Within a reasonable time after the appointment~~
3 ~~of a new member, the Board shall meet and organize by electing~~
4 ~~from its membership a President who shall hold office for 1 year~~
5 ~~and until the election and qualification of his or her successor.}~~ *The*
6 *Governor may appoint one of the members of the Board to serve*
7 *as President of the Board. If, within 60 days after a vacancy in the*
8 *office of the President, the Governor does not appoint one of the*
9 *members of the Board as President, the longest-serving member of*
10 *the Board who is a representative of the general public shall be*
11 *deemed to be the President, except if that member refuses to serve*
12 *as President, the Board shall appoint one of its members as the*
13 *President. The President serves at the pleasure of the Governor*
14 *without additional compensation.*

15 2. The ~~{Board}~~ *President, after consultation with the other*
16 *members of the Board,* shall appoint an Executive Director who
17 serves at the pleasure of the Board and is entitled to receive
18 compensation as set by the *President, after consultation with the*
19 *other members of the* Board. The Executive Director must not be a
20 member of the Board. If a vacancy occurs in the position of
21 Executive Director, the ~~{Board}~~ *President* may appoint one of its
22 members to perform the duties of the Executive Director until the
23 position is filled. A member of the Board who is appointed to
24 perform the duties of the Executive Director is not entitled to
25 receive any additional compensation for performing those duties.

26 **Sec. 47.** NRS 636.090 is hereby amended to read as follows:

27 636.090 1. The ~~{Board}~~ *President, after consultation with*
28 *the other members of the Board,* may employ:

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

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

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

34 **Sec. 48.** NRS 637.030 is hereby amended to read as follows:

35 637.030 1. The Board of Dispensing Opticians, consisting of
36 five members appointed by the Governor, is hereby created.

37 2. The Governor shall appoint:

38 (a) ~~{Four}~~ *Three* members who have actively engaged in the
39 practice of ophthalmic dispensing for not less than 3 years in the
40 State of Nevada immediately preceding the appointment.

41 (b) ~~{One member who is a representative}~~ *Two members who*
42 *are representatives* of the general public. ~~{This member}~~ *These*
43 *members* must not be:

44 (1) A dispensing optician; or



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(2) The spouse or the parent or child, by blood, marriage or adoption, of a dispensing optician.

3. The Governor, after hearing, may remove any member for cause.

4. The ~~{member who is the representative}~~ *members who are representatives* of the general public shall not participate in preparing, conducting or grading any examination required by the Board.

Sec. 49. NRS 637.040 is hereby amended to read as follows:

637.040 1. The *Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

2. *The* Board shall elect a ~~{President,}~~ Vice President, Secretary and Treasurer from its membership.

~~{2-}~~ 3. Any member of the Board may:

(a) Issue subpoenas to compel the attendance of witnesses to testify before the Board or the production of books, papers and documents. Subpoenas must issue under the seal of the Board and must be served in the same manner as subpoenas issued out of the district court.

(b) Administer oaths in taking testimony in any matter pertaining to the duties of the Board.

Sec. 50. NRS 637.070 is hereby amended to read as follows:

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

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

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

4. The ~~{Board}~~ *President, after consultation with the other members of the Board,* may employ and fix the compensation of attorneys, investigators and other professional consultants and such other employees and assistants as ~~{it}~~ *the Board* may deem necessary to carry out the provisions of this chapter.

Sec. 51. NRS 637A.040 is hereby amended to read as follows:

637A.040 1. The *Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the*



1 *longest-serving member of the Board who is a representative of*
2 *the general public shall be deemed to be the Chair, except if that*
3 *member refuses to serve as Chair, the Board shall appoint one of*
4 *its members as the Chair. The Chair serves at the pleasure of the*
5 *Governor* without additional compensation.

6 **2. The Board shall:**

7 (a) Elect a ~~{Chair and}~~ Secretary from its members, who shall
8 hold office for 1 year and until the election and qualification of
9 ~~{their successors.}~~ *his or her successor.*

10 (b) Meet at such times and places as are specified by the Chair
11 or a majority of the Board.

12 ~~{2.}~~ **3.** A majority of the Board constitutes a quorum for the
13 transaction of business.

14 **Sec. 52.** NRS 637A.110 is hereby amended to read as follows:

15 637A.110 **1.** In a manner consistent with the provisions of
16 chapter 622A of NRS, the Board may:

17 ~~{1.}—Appoint a technical, clerical and operational staff as may be~~
18 ~~required. The number of the staff appointed must be limited by the~~
19 ~~money available for that purpose in the hearing aid licensing fund.~~

20 ~~—2.}~~ (a) Grant or refuse licenses for any of the causes specified in
21 this chapter.

22 ~~{3.}~~ (b) Take disciplinary action against a licensee.

23 ~~{4.}~~ (c) Take depositions and issue subpoenas for the purpose of
24 any hearing authorized by this chapter.

25 ~~{5.}~~ (d) Establish reasonable educational requirements for
26 applicants and apprentices and reasonable requirements for the
27 continuing education of hearing aid specialists and apprentices.

28 **2. The Chair, after consultation with the other members of**
29 **the Board, may appoint technical, clerical and operational staff as**
30 **may be required. The number of staff appointed must be limited by**
31 **the money available for that purpose.**

32 **Sec. 53.** NRS 637B.100 is hereby amended to read as follows:

33 637B.100 **1.** The Board of Examiners for Audiology and
34 Speech Pathology, consisting of five members appointed by the
35 Governor, is hereby created.

36 **2.** The Governor shall appoint:

37 (a) ~~{Two members who have}~~ *One member who has* been
38 engaged in the practice of speech pathology for 2 years or more;

39 (b) One member who has been engaged in the practice of
40 audiology for 2 years or more;

41 (c) One member who is a physician and who is certified by the
42 Board of Medical Examiners as a specialist in otolaryngology,
43 pediatrics or neurology; and



(d) ~~{One member who is a representative}~~ *Two members who are representatives* of the general public. ~~{This member}~~ *These members* must not be:

(1) A speech pathologist or an audiologist; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a speech pathologist or an audiologist.

3. Members of the Board who are speech pathologists and audiologists must be representative of the university, public school, hospital or private aspects of the practice of audiology and of speech pathology.

4. Each member of the Board who is a speech pathologist or audiologist must hold a current license issued pursuant to this chapter or a current certificate of clinical competence from the American Speech-Language-Hearing Association.

5. The ~~{member who is a representative}~~ *members who are representatives* of the general public may not participate in preparing, conducting or grading any examination required by the Board.

Sec. 54. NRS 637B.110 is hereby amended to read as follows:

637B.110 1. The *Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

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

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

~~{3.}~~ 4. The Secretary-Treasurer is entitled to receive a salary. The *President, after consultation with the other members of the Board*, shall determine the amount of the salary.

Sec. 55. NRS 638.020 is hereby amended to read as follows:

638.020 1. The Nevada State Board of Veterinary Medical Examiners is hereby created.

2. The Board consists of seven members appointed by the Governor.

3. ~~{Six}~~ *Five* of the members must:

(a) Be residents of the State of Nevada.



(b) Be graduates of a veterinary college accredited by the American Veterinary Medical Association.

(c) Have been lawfully engaged in the practice of veterinary medicine in the State of Nevada for at least 5 years next preceding the date of their appointment.

4. ~~{One member}~~ **Two members** appointed by the Governor must be ~~{a representative}~~ **representatives** of the general public. ~~{This member}~~ **These members** must not be:

(a) A veterinarian, a veterinary technician or a euthanasia technician; or

(b) The spouse or the parent or child, by blood, marriage or adoption, of a veterinarian, a veterinary technician or a euthanasia technician.

5. Any member may be removed from the Board by the Governor for good cause.

Sec. 56. NRS 638.050 is hereby amended to read as follows:

638.050 1. The **Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.**

2. **The Board shall elect from its appointed members a ~~{President and Vice President, who serve}~~ Vice President who serves** at the pleasure of the Board.

~~{2-}~~ 3. The Board may elect from its appointed members at least one member to act as a representative of the Board at any meeting held within the State or outside the State when the Board considers such representation beneficial.

~~{3-}~~ 4. **The President, after consultation with the other members of the Board, shall employ and fix the compensation for an Executive Director. The Executive Director shall maintain a copy of all correspondence for the Board.**

5. **The Board shall:**

(a) ~~{Employ an Executive Director, who shall maintain a copy of all correspondence;~~

~~—(b)}~~ Adopt regulations concerning the duties and qualifications of the Executive Director; and

~~{(c)}~~ (b) At least annually, review the performance of the Executive Director.



1 **Sec. 57.** NRS 638.070 is hereby amended to read as follows:

2 638.070 1. The Board shall adopt regulations providing an
3 administrative fine in an amount not to exceed \$500 if an applicant
4 for a license or the renewal of a license:

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

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

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

10 2. The Board may adopt regulations:

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

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

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

20 (d) Concerning requirements for continuing education;

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

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

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

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

34 3. The *President, after consultation with the other members*
35 *of the Board*, may ~~§~~

36 ~~—(a) Employ~~ employ attorneys, investigators, hearing officers for
37 disciplinary hearings, and other professional consultants and clerical
38 personnel necessary to the discharge of ~~the~~ the duties ~~§~~

39 ~~—(b) §~~ of the Board.

40 4. *The Board may*

41 (a) Conduct investigations and take and record evidence as to
42 any matter cognizable by it;

43 ~~H(e)~~ (b) Maintain offices in as many localities in the State as it
44 considers necessary to carry out the provisions of this chapter; and



~~{4}~~ (c) Purchase or rent any office space, equipment and supplies that it considers necessary to carry out the provisions of this chapter.

Sec. 58. NRS 639.030 is hereby amended to read as follows:

639.030 1. The Governor shall appoint:

(a) ~~{Six}~~ **Five** members who are registered pharmacists in the State of Nevada, are actively engaged in the practice of pharmacy in the State of Nevada and have had at least 5 years' experience as registered pharmacists preceding the appointment.

(b) ~~{One member who is a representative}~~ **Two members who are representatives** of the general public and ~~{is}~~ **are** not related to a pharmacist registered in the State of Nevada by consanguinity or affinity within the third degree.

2. Appointments of registered pharmacists must be representative of the practice of pharmacy.

3. Within 30 days after appointment, each member of the Board shall take and subscribe an oath to discharge faithfully and impartially the duties prescribed by this chapter.

4. After the initial terms, the members of the Board must be appointed to terms of 3 years. A person may not serve as a member of the Board for more than three consecutive terms. If a vacancy occurs during a member's term, the Governor shall appoint a person qualified under this chapter to replace that member for the remainder of the unexpired term.

5. The Governor shall remove from the Board any member, after a hearing, for neglect of duty or other just cause.

Sec. 59. NRS 639.040 is hereby amended to read as follows:

639.040 1. *The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

2. The Board shall elect a ~~{President and a}~~ Treasurer from among its members.

~~{2}~~ 3. The ~~{Board}~~ **President, after consultation with the other members of 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



1 duties as the Board may require, for which services the Executive
2 Secretary is entitled to receive a salary to be determined by the
3 *President, after consultation with the other members of the* Board.

4 **Sec. 60.** NRS 639.070 is hereby amended to read as follows:

5 639.070 1. The *President, after consultation with the other*
6 *members of the Board, may employ an attorney, inspectors,*
7 *investigators and other professional consultants and clerical*
8 *personnel necessary to the discharge of the duties of the Board.*

9 2. *The* Board may:

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

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

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

21 (d) Adopt regulations governing the dispensing of poisons,
22 drugs, chemicals and medicines.

23 (e) Regulate the practice of pharmacy.

24 (f) Regulate the sale and dispensing of poisons, drugs, chemicals
25 and medicines.

26 (g) Regulate the means of recordkeeping and storage, handling,
27 sanitation and security of drugs, poisons, medicines, chemicals and
28 devices, including, but not limited to, requirements relating to:

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

31 (2) Drugs stored in hospitals; and

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

33 (h) Examine and register, upon application, pharmacists and
34 other persons who dispense or distribute medications whom it
35 deems qualified.

36 (i) Charge and collect necessary and reasonable fees for the
37 expedited processing of a request or for any other incidental service
38 the Board provides, other than those specifically set forth in this
39 chapter.

40 (j) Maintain offices in as many localities in the State as it finds
41 necessary to carry out the provisions of this chapter.

42 (k) ~~Employ an attorney, inspectors, investigators and other~~
43 ~~professional consultants and clerical personnel necessary to the~~
44 ~~discharge of its duties.~~



1 ~~—(4)~~ Enforce the provisions of NRS 453.011 to 453.552,
2 inclusive, and enforce the provisions of this chapter and chapter 454
3 of NRS.

4 ~~{(m)}~~ (l) Adopt regulations concerning the information required
5 to be submitted in connection with an application for any license,
6 certificate or permit required by this chapter or chapter 453 or 454
7 of NRS.

8 ~~{(n)}~~ (m) Adopt regulations concerning the education,
9 experience and background of a person who is employed by the
10 holder of a license or permit issued pursuant to this chapter and who
11 has access to drugs and devices.

12 ~~{(o)}~~ (n) Adopt regulations concerning the use of computerized
13 mechanical equipment for the filling of prescriptions.

14 ~~{(p)}~~ (o) Participate in and expend money for programs that
15 enhance the practice of pharmacy.

16 ~~{2-}~~ 3. This section does not authorize the Board to prohibit
17 open-market competition in the advertising and sale of prescription
18 drugs and pharmaceutical services.

19 **Sec. 61.** NRS 640.030 is hereby amended to read as follows:

20 640.030 1. The State Board of Physical Therapy Examiners,
21 consisting of five members appointed by the Governor, is hereby
22 created.

23 2. The Governor shall appoint:

24 (a) ~~{Four}~~ **Three** members who are licensed physical therapists
25 in the State of Nevada.

26 (b) ~~{One member who is a representative}~~ **Two members who**
27 **are representatives** of the general public. ~~{This member}~~ **These**
28 **members** must not be:

29 (1) A physical therapist, a physical therapist's assistant or a
30 physical therapist's technician; or

31 (2) The spouse or the parent or child, by blood, marriage or
32 adoption, of a physical therapist, a physical therapist's assistant or a
33 physical therapist's technician.

34 3. The ~~{member who is a representative}~~ **members who are**
35 **representatives** of the general public shall not participate in
36 preparing, conducting or grading any examination required by the
37 Board.

38 4. No member of the Board may serve more than two
39 consecutive terms.

40 5. The Governor may remove any member of the Board for
41 incompetency, neglect of duty, gross immorality or malfeasance in
42 office.

43 6. A majority of the members of the Board constitutes a
44 quorum.



7. No member of the Board may be held liable in a civil action for any act which he or she has performed in good faith in the execution of his or her duties under this chapter.

Sec. 62. NRS 640.035 is hereby amended to read as follows:

640.035 1. *The Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to serve as Chair, the Board shall appoint one of its members as the Chair. The Chair serves at the pleasure of the Governor without additional compensation.*

2. The Board shall elect ~~{a Chair and}~~ other officers from among its members.

Sec. 63. 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 Chair, after consultation with the other members of the Board, may employ attorneys, investigators and other*



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professional consultants and clerical personnel necessary to the discharge of the duties of the Board.

6. 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.~~

~~—(c)~~ Adopt a seal of which a court may take judicial notice.

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

~~[7.]~~ 8. Any member of the Board may administer an oath to a person testifying in a matter that relates to the duties of the Board.

Sec. 64. NRS 640A.080 is hereby amended to read as follows:

640A.080 1. The Board of Occupational Therapy, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint to the Board:

(a) ~~[One member who is a representative]~~ *Two members who are representatives* of the general public. ~~[This member]~~ *These members* must not be:

(1) An occupational therapist or an occupational therapy assistant; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of an occupational therapist or an occupational therapy assistant.

(b) One member who is an occupational therapist or occupational therapy assistant.

(c) ~~[Three]~~ *Two* members who are occupational therapists.

3. Each member of the Board must be a resident of Nevada. An occupational therapist or occupational therapy assistant appointed to the Board must:

(a) Have practiced, taught or conducted research in occupational therapy for the 5 years immediately preceding the appointment; and

(b) Except for the initial members, hold a license issued pursuant to this chapter.

4. No member of the Board may serve more than two consecutive terms.

5. If a vacancy occurs during a member's term, the Governor shall appoint a person qualified under this chapter to replace that member for the remainder of the unexpired term.

Sec. 65. NRS 640A.090 is hereby amended to read as follows:

640A.090 1. The *Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not*



1 *appoint one of the members of the Board as Chair, the longest-*
2 *serving member of the Board who is a representative of the*
3 *general public shall be deemed to be the Chair, except if that*
4 *member refuses to serve as Chair, the Board shall appoint one of*
5 *its members as the Chair. The Chair serves at the pleasure of the*
6 *Governor without additional compensation.*

7 **2. The Board shall:**

8 (a) Hold at least two meetings a year, the first of which must be
9 held in January. Other meetings may be held at the call of the Chair
10 or upon the written request of two or more members.

11 (b) ~~Elect a Chair at the regular meeting in January of each year.~~
12 ~~—(c)~~ Comply with the provisions of chapter 241 of NRS.

13 ~~1-2~~ **3.** A majority of the members of the Board constitutes a
14 quorum.

15 **Sec. 66.** NRS 640A.100 is hereby amended to read as follows:

16 640A.100 1. The members of the Board serve without
17 compensation, except that while engaged in the business of the
18 Board, each member is entitled to the per diem allowance and travel
19 expenses provided for state officers and employees generally.

20 2. The *Chair, after consultation with the other members of*
21 *the Board*, may employ an Executive Secretary and any other
22 employees ~~if~~ *the Board* deems necessary, establish their duties and
23 fix their salaries.

24 3. The expenses of the Board and members of the Board, and
25 the salaries of its employees, must be paid from the fees received by
26 the Board pursuant to this chapter, and no part of those expenses and
27 salaries may be paid out of the State General Fund.

28 **Sec. 67.** NRS 640B.170 is hereby amended to read as follows:

29 640B.170 1. The Board of Athletic Trainers is hereby
30 created.

31 2. The Governor shall appoint to the Board:

32 (a) ~~Three~~ *Two* members who:

33 (1) Are licensed as athletic trainers pursuant to the provisions
34 of this chapter; and

35 (2) Have engaged in the practice of athletic training or taught
36 or conducted research concerning the practice of athletic training for
37 the 5 years immediately preceding their appointment;

38 (b) One member who is licensed as a physical therapist pursuant
39 to chapter 640 of NRS and who is also licensed as an athletic trainer
40 pursuant to this chapter; and

41 ~~(c) One member who is a representative of the~~ *Two members*
42 *who are representatives of the general public.*

43 3. Each member of the Board:

44 (a) Must be a resident of this State; and

45 (b) May not serve more than two consecutive terms.



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

5. A vacancy on the Board must be filled in the same manner as the original appointment.

6. The Governor may remove a member of the Board for incompetence, neglect of duty, moral turpitude or malfeasance in office.

7. No member of the Board may be held liable in a civil action for any act he or she performs in good faith in the execution of his or her duties pursuant to the provisions of this chapter.

8. The ~~{member}~~ **members** of the Board who ~~{is—a representative}~~ **are representatives** of the **general** public shall not participate in preparing or grading any examination required by the Board.

Sec. 68. NRS 640B.190 is hereby amended to read as follows:

640B.190 1. The **Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to serve as Chair, the Board shall appoint one of its members as the Chair. The Chair serves at the pleasure of the Governor without additional compensation.**

2. The Board shall ~~{:~~

~~—(a) Elect from its members a Chair at the first meeting of each year; and~~

~~—(b) Meet~~ **meet** at least three times each year at the call of the Chair of the Board, or upon the written request of at least three members of the Board.

~~{2-}~~ 3. A majority of the members of the Board constitutes a quorum for the transaction of the business of the Board.

Sec. 69. NRS 640B.200 is hereby amended to read as follows:

640B.200 1. The ~~{Board}~~ **Chair, after consultation with the other members of the Board,** may employ an Executive Secretary and any other persons necessary to carry out ~~{its duties.}~~ **the duties of the Board.**

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

3. While engaged in the business of the Board, each member and employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the **Chair, after consultation with the other members of the Board.** The rate must not exceed the rate provided for officers and employees of this State generally.



1 **Sec. 70.** NRS 640C.150 is hereby amended to read as follows:

2 640C.150 1. The Board of Massage Therapists is hereby
3 created. The Board consists of seven members appointed pursuant to
4 this chapter and one nonvoting advisory member appointed pursuant
5 to NRS 640C.160.

6 2. The Governor shall appoint to the Board seven members as
7 follows:

8 (a) ~~{Six}~~ **Five** members who:

9 (1) Are licensed to practice massage therapy in this State;
10 and

11 (2) Have engaged in the practice of massage therapy for the 2
12 years immediately preceding their appointment.

13 ↪ Of the ~~{six}~~ **five** members appointed pursuant to this paragraph,
14 ~~{three}~~ **two** members must be residents of Clark County, two
15 members must be residents of Washoe County and one member
16 must be a resident of a county other than Clark County or Washoe
17 County.

18 (b) ~~{One member who is a member of}~~ **Two members who are**
19 **representatives of** the general public. ~~{This member}~~ **These**
20 **members** must not be:

21 (1) A massage therapist; or

22 (2) The spouse or the parent or child, by blood, marriage or
23 adoption, of a massage therapist.

24 3. The members who are appointed to the Board pursuant to
25 paragraph (a) of subsection 2 must continue to practice massage
26 therapy in this State while they are members of the Board.

27 4. After the initial terms, the term of each member of the Board
28 is 4 years. A member may continue in office until the appointment
29 of a successor.

30 5. A member of the Board may not serve more than two
31 consecutive terms. A former member of the Board is eligible for
32 reappointment to the Board if that person has not served on the
33 Board during the 4 years immediately preceding the reappointment.

34 6. A vacancy must be filled by appointment for the unexpired
35 term in the same manner as the original appointment.

36 7. The Governor may remove any member of the Board for
37 incompetence, neglect of duty, moral turpitude or misfeasance,
38 malfeasance or nonfeasance in office.

39 **Sec. 71.** NRS 640C.180 is hereby amended to read as follows:

40 640C.180 1. ***The Governor may appoint one of the members***
41 ***of the Board to serve as Chair of the Board. If, within 60 days***
42 ***after a vacancy in the office of the Chair, the Governor does not***
43 ***appoint one of the members of the Board as Chair, the longest-***
44 ***serving member of the Board who is a representative of the***
45 ***general public shall be deemed to be the Chair, except if that***



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1 *member refuses to serve as Chair, the Board shall appoint one of*
2 *its members as the Chair. The Chair serves at the pleasure of the*
3 *Governor without additional compensation.*

4 2. At the first meeting of each fiscal year, the members of the
5 Board shall elect a ~~{Chair,}~~ Vice Chair and Secretary-Treasurer from
6 among the members.

7 ~~{2-}~~ 3. The Board shall meet at least quarterly and may meet at
8 other times at the call of the Chair or upon the written request of a
9 majority of the members of the Board.

10 ~~{3-}~~ 4. The Board shall alternate the location of its meetings
11 between the southern district of Nevada and the northern district of
12 Nevada. For the purposes of this subsection:

13 (a) The southern district of Nevada consists of all that portion of
14 the State lying within the boundaries of the counties of Clark,
15 Esmeralda, Lincoln and Nye.

16 (b) The northern district of Nevada consists of all that portion of
17 the State lying within the boundaries of Carson City and the
18 counties of Churchill, Douglas, Elko, Eureka, Humboldt, Lander,
19 Lyon, Mineral, Pershing, Storey, Washoe and White Pine.

20 ~~{4-}~~ 5. A meeting of the Board may be conducted
21 telephonically or by videoconferencing. A meeting conducted
22 telephonically or by videoconferencing must meet the requirements
23 of chapter 241 of NRS and any other applicable provisions of law.

24 ~~{5-}~~ 6. Four members of the Board constitute a quorum for the
25 purposes of transacting the business of the Board, including, without
26 limitation, issuing, renewing, suspending, revoking or reinstating a
27 license issued pursuant to this chapter.

28 **Sec. 72.** NRS 640C.200 is hereby amended to read as follows:

29 640C.200 1. The *Chair, after consultation with the other*
30 *members of the Board* , shall employ a person as the Executive
31 Director of the Board.

32 2. The Executive Director serves as the chief administrative
33 officer of the Board at a level of compensation set by the *Chair,*
34 *after consultation with the other members of the Board.*

35 3. The Executive Director is an at-will employee who serves at
36 the pleasure of the ~~{Board,}~~ *Chair.*

37 **Sec. 73.** NRS 640C.210 is hereby amended to read as follows:

38 640C.210 1. The ~~{Board}~~ *Chair, after consultation with the*
39 *other members of the Board,* may employ or contract with
40 inspectors, investigators, advisers, examiners and clerks and any
41 other persons required to carry out ~~{its}~~ *the duties of the Board* and
42 secure the services of attorneys and other professional consultants as
43 ~~{it}~~ *the Board* may deem necessary to carry out the provisions of
44 this chapter.



2. Each employee of the Board is an at-will employee who serves at the pleasure of the ~~{Board. The Board}~~ *Chair. The Chair* may discharge an employee of the Board for any reason that does not violate public policy, including, without limitation, making a false representation to the Board.

Sec. 74. NRS 641.040 is hereby amended to read as follows:

641.040 1. The Governor shall appoint to the Board:

(a) ~~{Four}~~ *Three* members who are licensed psychologists in the State of Nevada with at least 5 years of experience in the practice of psychology after being licensed.

(b) One member who is a licensed behavior analyst in the State of Nevada.

(c) One member who has resided in this State for at least 5 years and who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care.

(d) ~~{One member who is a representative}~~ *Two members who are representatives* of the general public.

2. A person is not eligible for appointment unless he or she is:

(a) A citizen of the United States; and

(b) A resident of the State of Nevada.

3. The ~~{member who is a representative}~~ *members who are representatives* of the general public:

(a) Shall not participate in preparing, conducting or grading any examination required by the Board.

(b) Must not be a psychologist, an applicant or a former applicant for licensure as a psychologist, a member of a health profession, the spouse or the parent or child, by blood, marriage or adoption, of a psychologist, or a member of a household that includes a psychologist.

4. Board members must not have any conflicts of interest or the appearance of such conflicts in the performance of their duties as members of the Board.

Sec. 75. NRS 641.080 is hereby amended to read as follows:

641.080 1. *The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

2. At the regular annual meeting, the Board shall elect from its membership a ~~{President and a}~~ Secretary-Treasurer, who shall hold



1 office for 1 year and until the election and qualification of ~~their~~
2 ~~successors.~~ *his or her successor.*

3 **Sec. 76.** NRS 641.115 is hereby amended to read as follows:

4 641.115 1. The Board may ~~+~~
5 ~~—(a) Maintain~~ *maintain* offices in as many localities in the State
6 as it considers necessary to carry out the provisions of this chapter.

7 ~~{(b) Employ}~~

8 *2. The President, after consultation with the other members*
9 *of the Board, may employ* attorneys, investigators, consultants,
10 hearings officers and employees necessary to the discharge of ~~its~~
11 ~~duties.~~

12 ~~—2.~~ *the duties of the Board .*

13 *3.* Any expense incurred by the Board may not be paid out of
14 the State General Fund.

15 **Sec. 77.** NRS 641A.140 is hereby amended to read as follows:

16 641A.140 *1. The Governor may appoint one of the members*
17 *of the Board to serve as President of the Board. If, within 60 days*
18 *after a vacancy in the office of the President, the Governor does*
19 *not appoint one of the members of the Board as President, the*
20 *longest-serving member of the Board who is a representative of*
21 *the general public shall be deemed to be the President, except if*
22 *that member refuses to serve as President, the Board shall appoint*
23 *one of its members as the President. The President serves at the*
24 *pleasure of the Governor without additional compensation.*

25 *2.* At the regular meeting *of the Board* the Board shall elect
26 from its membership a ~~{President, a}~~ Vice President and a Secretary-
27 Treasurer, who shall hold office for 1 year and until the election and
28 qualification of their successors.

29 **Sec. 78.** NRS 641B.100 is hereby amended to read as follows:

30 641B.100 1. The Board of Examiners for Social Workers
31 consists of five members appointed by the Governor.

32 *2. {Four} Three* members appointed to the Board must be
33 licensed or eligible for licensure pursuant to this chapter, except the
34 initial members who must be eligible for licensure.

35 *3. {One member} Two members* appointed to the Board must
36 be ~~{a representative}~~ *representatives* of the general public. ~~{This~~
37 ~~member}~~ *These members* must not be:

38 (a) Licensed or eligible for licensure pursuant to this chapter; or

39 (b) The spouse or the parent or child, by blood, marriage or
40 adoption, of a person who is licensed or eligible for licensure
41 pursuant to this chapter.

42 **Sec. 79.** NRS 641B.120 is hereby amended to read as follows:

43 641B.120 1. The *Governor may appoint one of the members*
44 *of the Board to serve as President of the Board. If, within 60 days*
45 *after a vacancy in the office of the President, the Governor does*



1 *not appoint one of the members of the Board as President, the*
2 *longest-serving member of the Board who is a representative of*
3 *the general public shall be deemed to be the President, except if*
4 *that member refuses to serve as President, the Board shall appoint*
5 *one of its members as the President. The President serves at the*
6 *pleasure of the Governor without additional compensation.*

7 2. The Board shall elect from its members a ~~{President, a}~~ Vice
8 President and a Secretary-Treasurer, who hold their respective
9 offices at ~~{its pleasure.}~~

10 ~~—2.}~~ *the pleasure of the Board.*

11 3. An election of officers must be held annually.

12 ~~{3.}~~ 4. The Board shall meet at least once in each quarter of the
13 year and may meet at other times at the call of the President or a
14 majority of its members.

15 ~~{4.}~~ 5. A majority of the Board constitutes a quorum to
16 transact all business.

17 **Sec. 80.** NRS 641C.150 is hereby amended to read as follows:

18 641C.150 1. The Board of Examiners for Alcohol, Drug and
19 Gambling Counselors, consisting of seven members appointed by
20 the Governor, is hereby created.

21 2. The Board must consist of:

22 (a) ~~{Three}~~ *Two* members who are licensed as clinical alcohol
23 and drug abuse counselors or alcohol and drug abuse counselors
24 pursuant to the provisions of this chapter.

25 (b) One member who is certified as an alcohol and drug abuse
26 counselor pursuant to the provisions of this chapter.

27 (c) Two members who are licensed pursuant to chapter 630,
28 632, 641, 641A or 641B of NRS and certified as problem gambling
29 counselors pursuant to the provisions of this chapter.

30 (d) ~~{One member who is a representative}~~ *Two members who*
31 *are representatives* of the general public. ~~{This member}~~ *These*
32 *members* must not be:

33 (1) A licensed clinical alcohol and drug abuse counselor or a
34 licensed or certified alcohol and drug abuse counselor or a certified
35 problem gambling counselor; or

36 (2) The spouse or the parent or child, by blood, marriage or
37 adoption, of a licensed clinical alcohol and drug abuse counselor or
38 a licensed or certified alcohol and drug abuse counselor or a
39 certified problem gambling counselor.

40 3. A person may not be appointed to the Board unless he or she
41 is:

42 (a) A citizen of the United States or is lawfully entitled to
43 remain and work in the United States; and

44 (b) A resident of this State.



4. No member of the Board may be held liable in a civil action for any act that he or she performs in good faith in the execution of his or her duties pursuant to the provisions of this chapter.

Sec. 81. NRS 641C.160 is hereby amended to read as follows:

641C.160 1. After the initial terms, the members of the Board must be appointed to terms of 4 years and may not serve more than two consecutive terms.

2. Upon the expiration of a term, the member continues to serve on the Board until a qualified person has been appointed as a successor.

3. The Governor may, after notice and hearing, remove any member of the Board for misconduct, incompetence, neglect of duty or any other sufficient cause.

4. *The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

5. The Board shall:

(a) Elect annually from its members a ~~President,~~ Vice President and Secretary-Treasurer. If the ~~President,~~ Vice President or Secretary-Treasurer is replaced by another person appointed by the Governor, the Board shall elect from its members a replacement for the ~~President,~~ Vice President or Secretary-Treasurer.

(b) Meet not less than twice a year and may meet at other times at the call of the President or a majority of its members.

(c) Not incur any expenses that exceed the money received from time to time as fees provided by the provisions of this chapter.

(d) Prepare and maintain a record of its transactions and proceedings.

(e) Adopt a seal of which each court of this State shall take judicial notice.

~~5.~~ 6. A majority of the members of the Board constitutes a quorum to transact the business of the Board.

Sec. 82. NRS 641C.180 is hereby amended to read as follows:

641C.180 1. The Board may ~~1.~~

~~1. Maintain~~ *maintain* offices in as many locations in this State as it considers necessary to carry out the provisions of this chapter.

~~2. Employ~~



1 **2. The President, after consultation with the other members**
2 **of the Board, may employ** attorneys, investigators and other persons
3 necessary to carry out ~~its~~ the duties ~~of~~ of the Board.

4 **Sec. 83.** NRS 642.020 is hereby amended to read as follows:

5 642.020 1. The Nevada State Funeral Board, consisting of
6 five members appointed by the Governor, is hereby created.

7 2. The Governor shall appoint:

8 (a) One member who is actively engaged as a funeral director
9 and embalmer.

10 (b) One member who is actively engaged as an operator of a
11 cemetery.

12 (c) One member who is actively engaged in the operation of a
13 crematory.

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

15 3. No member who is a representative of the general public
16 may:

17 (a) Be the holder of a license or certificate issued by the Board
18 or be an applicant or former applicant for such a license or
19 certificate.

20 (b) Be related within the third degree of consanguinity or
21 affinity to the holder of a license or certificate issued by the Board.

22 (c) Be employed by the holder of a license or certificate issued
23 by the Board.

24 4. After the initial terms, members of the Board serve terms of
25 4 years, except when appointed to fill unexpired terms.

26 5. The ~~{Chair of the Board must be chosen from}~~ **Governor**
27 **may appoint one of** the members of the Board ~~{who are~~
28 ~~representatives of the general public.}~~ **to serve as Chair of the**
29 **Board. If, within 60 days after a vacancy in the office of the Chair,**
30 **the Governor does not appoint one of the members of the Board as**
31 **Chair, the longest-serving member of the Board who is a**
32 **representative of the general public shall be deemed to be the**
33 **Chair, except if that member refuses to serve as Chair, the Board**
34 **shall appoint one of its members as the Chair. The Chair serves at**
35 **the pleasure of the Governor without additional compensation.**

36 **Sec. 84.** NRS 642.055 is hereby amended to read as follows:

37 642.055 1. The Board may ~~+~~
38 ~~—1. Maintain}~~ **maintain** offices in as many localities in the State
39 as it finds necessary to carry out the provisions of this chapter and
40 chapters 451 and 452 of NRS.

41 2. ~~{Employ}~~ **The Chair, after consultation with the other**
42 **members of the Board, may employ** attorneys, investigators and
43 other professional consultants and clerical personnel necessary to
44 the discharge of ~~its duties.}~~ **the duties of the Board.**



1 **Sec. 85.** NRS 643.020 is hereby amended to read as follows:

2 643.020 1. The State Barbers' Health and Sanitation Board,
3 consisting of ~~four~~ **five** members, is hereby created.

4 2. The Board consists of the State Health Officer, or a member
5 of his or her staff designated by the State Health Officer, **one**
6 **member who is a representative of the general public appointed by**
7 **the Governor** and three members who are licensed barbers
8 appointed by the Governor. Of the barbers, one barber must be from
9 Clark County, one barber must be from Washoe County and one
10 barber must be from any county in the State. Each of the barbers
11 must have been a resident of this State and a practicing licensed
12 barber for at least 5 years immediately before his or her
13 appointment.

14 3. The Governor may remove a member of the Board for cause.

15 **Sec. 86.** NRS 643.030 is hereby amended to read as follows:

16 643.030 1. The ~~[Board shall elect a President.]~~ **Governor**
17 **may appoint one of the members of the Board to serve as President**
18 **of the Board. If, within 60 days after a vacancy in the office of the**
19 **President, the Governor does not appoint one of the members of**
20 **the Board as President, the member of the Board who is a**
21 **representative of the general public shall be deemed to be the**
22 **President, except if that member refuses to serve as President, the**
23 **Board shall appoint one of its members as the President. The**
24 **President serves at the pleasure of the Governor without**
25 **additional compensation.** No person may serve as President for
26 more than 4 consecutive years.

27 2. The Board shall elect a Vice President.

28 3. The Board shall elect a Secretary-Treasurer, who may or
29 may not be a member of the Board. The Board shall fix the salary of
30 the Secretary-Treasurer, which must not exceed the sum of \$3,600
31 per year.

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

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

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

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

43 6. The Secretary-Treasurer shall:

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



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

Sec. 87. NRS 643.050 is hereby amended to read as follows:

643.050 1. The *President, after consultation with the other members of the Board, may employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of the duties of the Board.*

2. The Board may:

(a) Maintain offices in as many locations in this 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.~~

~~—(c)—~~ Adopt regulations necessary to carry out the provisions of this chapter.

~~[2.]~~ 3. The Board shall prescribe, by regulation, sanitary requirements for barbershops and barber schools.

~~[3.]~~ 4. Any member of the Board or its agents or assistants may enter and inspect any barbershop or barber school at any time during business hours or at any time when the practice of barbering or instruction in that practice is being carried on.

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

~~[5.]~~ 6. The Board may approve and, by official order, establish the days and hours when barbershops may remain open for business whenever agreements fixing such opening and closing hours have been signed and submitted to the Board by any organized and representative group of licensed barbers of at least 70 percent of the licensed barbers of any county. The Board may investigate the reasonableness and propriety of the hours fixed by such an agreement, as is conferred by the provisions of this chapter, and the Board may fix hours for any portion of a county.

~~[6.]~~ 7. The Board may adopt regulations governing the conduct of barber schools and the course of study of barber schools.

Sec. 88. NRS 644.030 is hereby amended to read as follows:

644.030 1. The State Board of Cosmetology consisting of seven members appointed by the Governor is hereby created.

2. The Board must consist of ~~[four]~~ *three* cosmetologists, one nail technologist, one aesthetician and ~~[one member representing~~



~~customers of cosmetology.]~~ *two members who are representatives of the general public.*

Sec. 89. NRS 644.040 is hereby amended to read as follows:

644.040 1. ~~[No]~~ *Except as otherwise provided in subsection 2, no* person is eligible for appointment as a member of the Board:

(a) Who is not licensed as a nail technologist, electrologist, aesthetician or cosmetologist under the provisions of this chapter.

(b) Who is not, at the time of appointment, actually engaged in the practice of his or her respective branch of cosmetology.

(c) Who is not at least 25 years of age.

(d) Who has not been a resident of this State for at least 3 years immediately before appointment.

2. The requirements of paragraphs (a) and (b) of subsection 1 do not apply to a person appointed ~~to represent customers of cosmetology.]~~ *as a representative of the general public.*

3. Not more than one member of the Board may be connected, directly or indirectly, with any school of cosmetology, or have been so connected while previously serving as a member of the Board.

Sec. 90. NRS 644.060 is hereby amended to read as follows:

644.060 1. *The Governor may appoint one of the members of the Board to serve as President of the Board. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Board as President, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Board shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.*

2. The members of the Board shall annually elect a ~~President,~~ *a* Vice President, a Treasurer and a Secretary from among their number. The members may assign the duties of the Treasurer and the Secretary to one person who shall be Treasurer and Secretary.

Sec. 91. NRS 644.080 is hereby amended to read as follows:

644.080 1. The ~~Board;~~ *—1. Shall* *President, after consultation with the other members of the Board, shall* prescribe the duties of its officers, examiners and employees, and fix the compensation of those employees.

2. *The Board:*

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

~~(b)~~ (b) May adopt a seal.



~~[4-]~~ (c) May issue subpoenas to compel the attendance of witnesses and the production of books and papers.

Sec. 92. NRS 644.150 is hereby amended to read as follows:

644.150 The ~~[Board]~~ ***President, after consultation with the other members of the Board,*** may employ inspectors, investigators, advisers, examiners and clerks and secure the services of attorneys and other professional consultants, but no part of the compensation of those persons or reasonable expenses incurred by the Board may be paid by the State.

Sec. 93. NRS 645.090 is hereby amended to read as follows:

645.090 1. Each member of the Commission must:

~~[1-]~~ (a) Be a citizen of the United States.

~~[2-]~~ (b) Have been a resident of the State of Nevada for not less than 5 years.

2. ***Two members of the Commission must be representatives of the general public.***

3. ~~[Have]~~ ***Three members of the Commission must have*** been actively engaged in business as:

(a) A real estate broker within the State of Nevada for at least 3 years immediately preceding the date of appointment; or

(b) A real estate broker-salesperson within the State of Nevada for at least 5 years immediately preceding the date of appointment.

Sec. 94. NRS 645.110 is hereby amended to read as follows:

645.110 1. ***The Governor may appoint one of the members of the Commission to serve as President of the Commission. If, within 60 days after a vacancy in the office of the President, the Governor does not appoint one of the members of the Commission as President, the longest-serving member of the Commission who is a representative of the general public shall be deemed to be the President, except if that member refuses to serve as President, the Commission shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.***

2. The Commission, at the first meeting of each fiscal year, shall elect a ~~[President, a]~~ Vice President and a Secretary to serve for the ensuing year.

Sec. 95. NRS 645C.180 is hereby amended to read as follows:

645C.180 1. The Commission of Appraisers of Real Estate is hereby created, consisting of five members appointed by the Governor.

2. At least two members of the Commission must be residents of the southern district of Nevada, which consists of the counties of Clark, Esmeralda, Lincoln and Nye.

3. At least two members of the Commission must be residents of the northern district of Nevada, which consists of Carson City,



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1 and the counties of Churchill, Douglas, Elko, Eureka, Humboldt,
2 Lander, Lyon, Mineral, Pershing, Storey, Washoe and White Pine.

3 4. Not more than two members may be appointed from any one
4 county.

5 5. ~~[After the terms of the initial members, the]~~ *The*
6 Commission must contain ~~[at least two members who hold~~
7 ~~certificates as general appraisers and at least two members who hold~~
8 ~~certificates or licenses as residential appraisers.~~

9 ~~—6.] :~~

10 (a) *At least one member who holds a certificate as a general*
11 *appraiser and at least one member who holds a certificate or*
12 *license as a residential appraiser.*

13 (b) *Two members who must be representatives of the general*
14 *public.*

15 6. A member of the Commission is eligible for reappointment,
16 but shall not serve for a period greater than 6 years consecutively,
17 after which the member is not eligible for appointment or
18 reappointment until 3 years have elapsed from his or her previous
19 period of service.

20 **Sec. 96.** NRS 645C.190 is hereby amended to read as follows:

21 645C.190 1. Each member of the Commission must:

22 (a) Be a citizen of the United States or be lawfully entitled to
23 remain and work in the United States; *and*

24 (b) Have been a resident of the State of Nevada for not less than
25 5 years. ~~;~~

26 ~~—(c) Have]~~

27 2. *A member of the Commission who holds a certificate as a*
28 *general appraiser or a certificate or license as a residential*
29 *appraiser must have* been actively engaged in business as an
30 appraiser within the State for a period of not less than 3 years
31 immediately preceding the date of appointment. ~~;~~ *and*

32 ~~—(d) After the terms of the initial members, be a certified or~~
33 ~~licensed appraiser.~~

34 ~~—2.]~~ 3. Before entering upon the duties of his or her office, each
35 member of the Commission shall take:

36 (a) The constitutional oath of office; and

37 (b) An oath that the member is legally qualified to serve as a
38 member of the Commission.

39 **Sec. 97.** NRS 645C.200 is hereby amended to read as follows:

40 645C.200 1. *The Governor may appoint one of the members*
41 *of the Commission to serve as President of the Commission. If,*
42 *within 60 days after a vacancy in the office of the President, the*
43 *Governor does not appoint one of the members of the Commission*
44 *as President, the longest-serving member of the Commission who*
45 *is a representative of the general public shall be deemed to be the*



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President, except if that member refuses to serve as President, the Commission shall appoint one of its members as the President. The President serves at the pleasure of the Governor without additional compensation.

2. The Commission shall:

(a) Operate on the basis of a fiscal year beginning on July 1 and ending on June 30.

(b) At the first meeting of each fiscal year, elect a ~~{President,}~~ Vice President and Secretary to serve for the ensuing year.

(c) Hold at least two meetings each year, one in the southern part of the State and one in the northern part of the State, at times and places designated by the Commission. When there is sufficient business, additional meetings of the Commission may be held at the call of the President of the Commission. Written notice of the time, place and purpose of each meeting must be given to each member at least 3 working days before the meeting.

~~{2-}~~ **3.** While engaged in the business of the Commission, each member of the Commission is entitled to receive:

(a) A salary of not more than \$150 per day, as fixed by the Commission; and

(b) A per diem allowance and travel expenses at a rate fixed by the Commission. The rate must not exceed the rate provided for state officers and employees generally.

Sec. 98. NRS 648.020 is hereby amended to read as follows:

648.020 1. The Private Investigator's Licensing Board, consisting of five members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) One member who is a private investigator.

(b) One member who is a private patrol officer.

(c) One member who is a polygraphic examiner.

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

These members must not be:

(1) A licensee; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a licensee.

3. ~~The members of the Board shall elect a Chair of the Board from among its members by majority vote. After the initial election, the Chair shall hold office for a term of 2 years beginning on July 1 of each year.~~ *Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to*



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1 *serve as Chair, the Board shall appoint one of its members as the*
2 *Chair. The Chair serves at the pleasure of the Governor without*
3 *additional compensation. ~~If a vacancy occurs in the office of~~*
4 *~~Chair, the members of the Board shall elect a Chair from among its~~*
5 *~~members for the remainder of the unexpired term.]~~*

6 4. Each member of the Board is entitled to receive:

7 (a) A salary of not more than \$150, as fixed by the *Chair, after*
8 *consultation with the other members of the* Board, for each day or
9 portion of a day during which the member attends a meeting of the
10 Board; and

11 (b) A per diem allowance and travel expenses at a rate fixed by
12 the *Chair, after consultation with the other members of the* Board,
13 while engaged in the business of the Board. The rate must not
14 exceed the rate provided for state officers and employees generally.

15 5. While engaged in the business of the Board, each employee
16 of the Board is entitled to receive a per diem allowance and travel
17 expenses at a rate fixed by the *Chair, after consultation with the*
18 *other members of the* Board. The rate must not exceed the rate
19 provided for state officers and employees generally.

20 6. A member who is a representative of the general public shall
21 not participate in preparing, conducting or grading any examination
22 required by the Board.

23 **Sec. 99.** NRS 648.025 is hereby amended to read as follows:

24 648.025 1. The ~~{Board}~~ *Chair, after consultation with the*
25 *other members of the Board,* may:

26 (a) Employ an Executive Director who:

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

28 (2) Serves at the pleasure of the ~~{Board;}~~ *Chair;* and

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

30 and

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

33 2. The *Chair, after consultation with the other members of*
34 *the* Board , shall establish the compensation of the Executive
35 Director.

36 **Sec. 100.** NRS 654.060 is hereby amended to read as follows:

37 654.060 1. The Governor shall appoint:

38 (a) ~~{Two members who are}~~ *One member who is a* nursing
39 facility ~~{administrators.}~~ *administrator.*

40 (b) One member who is an administrator of a residential facility
41 for groups with less than seven clients.

42 (c) One member who is an administrator of a residential facility
43 for groups with seven or more clients.

44 (d) One member who is a member of the medical or paramedical
45 professions.



(e) ~~{One member who is a representative}~~ *Two members who are representatives* of the general public. ~~{This member}~~ *These members* must not be:

(1) A nursing facility administrator or an administrator of a residential facility for groups; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a nursing facility administrator or an administrator of a residential facility for groups.

2. The ~~{member who is a representative}~~ *members who are representatives* of the general public shall not participate in preparing, conducting or grading any examination required by the Board.

Sec. 101. NRS 654.090 is hereby amended to read as follows:

654.090 1. ~~{Immediately after the first Board is appointed, the}~~ *The Governor may appoint one of the members of the Board to serve as Chair of the Board. If, within 60 days after a vacancy in the office of the Chair, the Governor does not appoint one of the members of the Board as Chair, the longest-serving member of the Board who is a representative of the general public shall be deemed to be the Chair, except if that member refuses to serve as Chair, the Board shall appoint one of its members as the Chair. The Chair serves at the pleasure of the Governor without additional compensation.*

2. The members of the Board shall *annually* meet and elect from their membership a ~~{Chair,}~~ Vice Chair and a Secretary.

~~{2. Thereafter, a Chair and Vice Chair shall be elected annually.}~~

3. The Secretary of the Board shall serve as Secretary at the pleasure of the Board.

Sec. 102. NRS 656.050 is hereby amended to read as follows:

656.050 The members of the Board must be appointed by the Governor as follows:

1. One member of the Board must be an active member of the State Bar of Nevada.

2. ~~{Three}~~ *Two* members of the Board must be holders of certificates and must have been actively engaged as court reporters within this State for at least 5 years immediately preceding their appointment.

3. ~~{One member}~~ *Two members* of the Board must be ~~{a representative}~~ *representatives* of the general public. ~~{This member}~~ *These members* must not be:

(a) A court reporter; or

(b) The spouse or the parent or child, by blood, marriage or adoption, of a court reporter.



1 **Sec. 103.** NRS 656.080 is hereby amended to read as follows:
2 656.080 1. *The Governor may appoint one of the members*
3 *of the Board to serve as Chair of the Board. If, within 60 days*
4 *after a vacancy in the office of the Chair, the Governor does not*
5 *appoint one of the members of the Board as Chair, the longest-*
6 *serving member of the Board who is a representative of the*
7 *general public shall be deemed to be the Chair, except if that*
8 *member refuses to serve as Chair, the Board shall appoint one of*
9 *its members as the Chair. The Chair serves at the pleasure of the*
10 *Governor without additional compensation.*

11 2. Annually the Board shall designate a ~~{Chair and a}~~ Vice
12 Chair from its membership.

13 ~~{2-}~~ 3. The Board shall hold such meetings as may be
14 necessary for the purpose of transacting its business.

15 ~~{3-}~~ 4. Three members of the Board constitute a quorum to
16 transact all business, and a majority of those present must concur on
17 any decision.

18 **Sec. 104.** NRS 656.110 is hereby amended to read as follows:
19 656.110 1. The Board shall administer the provisions of this
20 chapter.

21 2. The Board may appoint such committees as it considers
22 necessary or proper. ~~{and}~~

23 3. *The Chair, after consultation with the other members of*
24 *the Board,* may employ, prescribe the duties of and fix the salary of
25 an Executive Secretary who may be employed on a part-time or full-
26 time basis, and may also employ such other persons as may be
27 necessary.

28 ~~{3-}~~ 4. All expenditures described in this section must be paid
29 from the fees collected under this chapter.

30 **Sec. 105.** 1. The amendatory provisions of this act do not
31 abrogate or affect the current term of office of any member of a
32 board or commission designated by this act who is serving in that
33 term on July 1, 2011.

34 2. When a position of the category designated by this act
35 becomes vacant on or after July 1, 2011, the vacancy must be filled
36 in the manner provided by this act.

37 3. Notwithstanding the amendatory provisions of this act, any
38 contract for employment, consultation, lease or rental entered into
39 by a board or commission designated by this act before July 1, 2011,
40 remains in effect. On or after July 1, 2011, such contracts may be
41 entered into, extended, renewed or terminated pursuant to the
42 provisions of this act.

43 **Sec. 106.** The Legislative Counsel shall, in preparing
44 supplements to the Nevada Administrative Code, appropriately
45 change any reference to an officer, board, commission or other



- 1 entity whose position or duties is changed or whose duties are
- 2 transferred pursuant to the provisions of this act to refer to the
- 3 appropriate officer, board, commission or other entity.
- 4 **Sec. 107.** This act becomes effective on July 1, 2011.

