

Amendment No. 999

Senate Amendment to Senate Concurrent Resolution No. 6	(BDR R-520)
<b>Proposed by:</b> Senate Committee on Legislative Operations and Elections	
<b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

WBD/BJE



Date: 5/28/2019

S.C.R. No. 6—Directs the Legislative Commission to conduct an interim study concerning professional and occupational licensing boards.  
(BDR R-520)





SENATE CONCURRENT RESOLUTION NO. 6—COMMITTEE  
ON LEGISLATIVE OPERATIONS AND ELECTIONS(ON BEHALF OF THE SUNSET SUBCOMMITTEE  
OF THE LEGISLATIVE COMMISSION)

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs the Sunset Subcommittee of the Legislative Commission to conduct an interim study concerning professional and occupational licensing boards. (BDR R-520)

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

SENATE CONCURRENT RESOLUTION—Directing the Sunset Subcommittee of the Legislative Commission to conduct an interim study concerning professional and occupational licensing boards.

WHEREAS, Existing law authorizes many professional and occupational licensing boards to delegate to hearing officers the authority to hear complaints made against their licensees, but existing law does not address the appropriate qualifications for such hearing officers; and

WHEREAS, There is a lack of uniformity among the various professional and occupational licensing boards with respect to the training of their members, with the members of some boards not attending the training provided by the Attorney General that each member of such boards is required to attend under existing law; and

WHEREAS, The absence of a statutory requirement for public access to the financial audits and balance sheets of professional and occupational licensing boards creates a lack of transparency with respect to the fiscal affairs of such boards; and

WHEREAS, Statutory requirements that professional and occupational licensing boards use annual audits or other appropriate methods to obtain financial information would enable such boards to exercise better oversight of their budgeting and management, increase accountability and reduce the risk of mismanagement, fraud and embezzlement; and

WHEREAS, There is a lack of uniformity among the various professional and occupational licensing boards with respect to the maintenance of reasonable reserves with some boards having no policy at all concerning the maintenance of such reserves; and

WHEREAS, To avoid conflicts of interest, existing law allows many professional or occupational licensing boards to retain money collected from administrative fines only if the fine is imposed by a hearing officer and requires that such money be paid into the State General Fund if the fine is imposed directly by

1 the board, but not all boards that are subject to that requirement comply with its  
2 terms in practice and other boards are not subject to that requirement; and

3 WHEREAS, There is a lack of uniformity in existing law and practice with  
4 respect to the manner in which the various professional and occupational licensing  
5 boards determine the amount of fees charged to their licensees; and

6 WHEREAS, There is a lack of uniformity in existing law regarding the authority  
7 of the various professional and occupational licensing boards to investigate or  
8 pursue legal or equitable remedies against persons accused of practicing the  
9 profession or occupation without a license; and

10 WHEREAS, Existing law allows some professional and occupational licensing  
11 boards to enter into contracts for services with outside legal counsel and lobbyists,  
12 but some of those boards fail to obtain approval of such contracts from the State  
13 Board of Examiners as required under existing law; and

14 WHEREAS, The status of the persons who staff the various professional and  
15 occupational licensing boards is not consistent, with some of those persons being  
16 public employees entitled to the benefits of such employment while others are non-  
17 public employees and so receive different benefits and some are treated as  
18 contractors who receive no benefits at all; and

19 WHEREAS, There is a lack of uniformity in existing law and practice among the  
20 various professional and occupational licensing boards with respect to providing  
21 their licensees with electronic access for matters such as licensing, renewal and  
22 payment of fees; and

23 WHEREAS, Many professional and occupational licensing boards separately  
24 incur expenses for operations, such as personnel and payroll, legal advice, lobbying  
25 on certain issues and information technology, whose performance could perhaps be  
26 consolidated, centralized and executed by shared personnel at lower aggregate  
27 costs; now, therefore, be it

28 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY  
29 CONCURRING, That the **Sunset Subcommittee of the** Legislative Commission is  
30 hereby directed to ~~[appoint a committee composed of three members of the Senate~~  
31 ~~and three members of the Assembly, one of whom must be appointed by the~~  
32 ~~Legislative Commission as Chair of the committee, to]~~ conduct an interim study  
33 concerning professional and occupational licensing boards; and be it further

34 ~~[— Resolved, That any recommended legislation proposed by the committee must~~  
35 ~~be approved by a majority of the members of the Senate and a majority of the~~  
36 ~~members of the Assembly appointed to the committee; and be it further]~~

37 RESOLVED, That the Legislative Commission submit a report of the results of  
38 the study and any recommended legislation to the Director of the Legislative  
39 Counsel Bureau for transmittal to the 81st Session of the Nevada Legislature.