

Senate Concurrent Resolution No. 6—Committee  
on Legislative Operations and Elections

FILE NUMBER.....

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

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



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

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

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

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

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

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Sunset Subcommittee of the Legislative Commission is hereby directed to conduct an interim study concerning professional and occupational licensing boards; and be it further

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

