

ASSEMBLY BILL NO. 21—COMMITTEE  
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE GOVERNOR)

PREFILED DECEMBER 14, 2010

Referred to Committee on Government Affairs

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

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

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

**Legislative Counsel’s Digest:**

- 1 Existing law establishes a number of boards and commissions to regulate the
- 2 practice of certain professions. (NRS 590.485, Chapters 623-625A, 628, 630-644,
- 3 648, 654 and 656 of NRS) These boards and commissions are exempt from many
- 4 of the requirements that apply to other agencies in the Executive Department of the
- 5 State Government. (NRS 284.013, 353.005, 353A.020, 353A.025, 353A.045)
- 6 This bill requires these licensing boards and commissions to comply with the
- 7 same requirements as other agencies of the Executive Department with respect to
- 8 financial administration, including personnel (chapters 281 and 284 of NRS),
- 9 buildings and grounds (chapter 331 of NRS), the state budget (chapter 353 of NRS)
- 10 and internal controls (chapter 353A of NRS). This bill further requires these
- 11 boards and commissions to deposit money in accordance with the laws that apply to



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

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

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

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

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

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

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

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

16 (e) An effective system of internal review.

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

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

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

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

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

28 ~~[(e)]~~ (b) The Public Employees' Retirement System.

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

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

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

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



1 2. On or before July 1 of each even-numbered year, the head of  
2 each agency shall report to the Director whether the agency's  
3 system of internal accounting and administrative control is in  
4 compliance with the uniform system adopted pursuant to subsection  
5 1 of NRS 353A.020. The reports must be made available for  
6 inspection by the members of the Legislature.

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

8 (a) ~~[A board created by the provisions of NRS 590.485 and~~  
9 ~~chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648,~~  
10 ~~654 and 656 of NRS.~~

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

12 ~~[(e)]~~ (b) The Public Employees' Retirement System.

13 ~~[(d)]~~ (c) The Housing Division of the Department of Business  
14 and Industry.

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

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

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

21 (1) Senate Standing Committee on Finance; and

22 (2) Assembly Standing Committee on Ways and Means;

23 (b) Governor; and

24 (c) Legislative Auditor.

25 5. The report submitted by the Director pursuant to subsection  
26 4 must include, without limitation:

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

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

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

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

36 353A.045 The Chief shall:

37 1. Report to the Director.

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

43 (a) ~~[A board created by the provisions of NRS 590.485 and~~  
44 ~~chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648,~~  
45 ~~654 and 656 of NRS.~~



- 1 ~~(b)~~ The Nevada System of Higher Education.  
2 ~~(e)~~ (b) The Public Employees' Retirement System.  
3 ~~(d)~~ (c) The Housing Division of the Department of Business  
4 and Industry.  
5 ~~(e)~~ (d) The Colorado River Commission of Nevada.  
6 3. Provide a copy of the approved annual work plan to the  
7 Legislative Auditor.  
8 4. In consultation with the Director, prepare a plan for auditing  
9 executive branch agencies for each fiscal year and present the plan  
10 to the Committee for its review and approval. Each plan for auditing  
11 must:  
12 (a) State the agencies which will be audited, the proposed scope  
13 and assignment of those audits and the related resources which will  
14 be used for those audits; and  
15 (b) Ensure that the internal accounting, administrative controls  
16 and financial management of each agency are reviewed periodically.  
17 5. Perform the audits of the programs and activities of the  
18 agencies in accordance with the plan approved pursuant to  
19 subsection 5 of NRS 353A.038 and prepare audit reports of his or  
20 her findings.  
21 6. Review each agency that is audited pursuant to subsection 5  
22 and advise those agencies concerning internal accounting,  
23 administrative controls and financial management.  
24 7. Submit to each agency that is audited pursuant to subsection  
25 5 analyses, appraisals and recommendations concerning:  
26 (a) The adequacy of the internal accounting and administrative  
27 controls of the agency; and  
28 (b) The efficiency and effectiveness of the management of the  
29 agency.  
30 8. Report any possible abuses, illegal actions, errors, omissions  
31 and conflicts of interest of which the Division becomes aware  
32 during the performance of an audit.  
33 9. Adopt the standards of the Institute of Internal Auditors for  
34 conducting and reporting on internal audits.  
35 10. Consult with the Legislative Auditor concerning the plan  
36 for auditing and the scope of audits to avoid duplication of effort  
37 and undue disruption of the functions of agencies that are audited  
38 pursuant to subsection 5.  
39 11. Appoint a Manager of Internal Controls.  
40 **Sec. 4.** NRS 284.013 is hereby amended to read as follows:  
41 284.013 1. ~~Except as otherwise provided in subsection 4,~~  
42 ~~this~~ **This** chapter does not apply to:  
43 (a) Agencies, bureaus, commissions, officers or personnel in the  
44 Legislative Department or the Judicial Department of State  
45 Government, including the Commission on Judicial Discipline; **or**



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

5 ~~—(e)]~~ Officers or employees of any agency of the Executive  
6 Department of the State Government who are exempted by specific  
7 statute.

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

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

20 ~~[4. Any board, commission, committee or council created in~~  
21 ~~chapters 590, 623 to 625A, inclusive, 628, 630 to 644, inclusive,~~  
22 ~~648, 652, 654 and 656 of NRS which contracts for the services of a~~  
23 ~~person, shall require the contract for those services to be in writing.~~  
24 ~~The contract must be approved by the State Board of Examiners~~  
25 ~~before those services may be provided.]~~

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

27 284.1729 1. Except as otherwise provided in this section, a  
28 department, division, *board, commission* or other agency of this  
29 State shall not employ, by contract or otherwise, a person to provide  
30 services as a consultant for the agency if:

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

5 (a) Nevada System of Higher Education . ~~{or a board or~~  
6 ~~commission of this State.}~~

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

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

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

15 331.070 1. The Chief shall have supervision over and control  
16 of all state buildings, grounds and properties not otherwise provided  
17 for by law . ~~{except for any buildings, grounds or other properties~~  
18 ~~owned or leased by boards that are exempt from the provisions of~~  
19 ~~chapter 353 of NRS pursuant to NRS 353.005.}~~

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

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

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

30 331.085 The Chief may charge the various state departments,  
31 *boards, commissions,* agencies and institutions for the cost of labor  
32 and materials for extra services provided to their respective offices  
33 by the Buildings and Grounds Division. Extra services for which  
34 these charges may be made include, but are not limited to, office  
35 remodeling, furniture construction and moving. Money received by  
36 the Chief for this purpose must be deposited in the Buildings and  
37 Grounds Operating Fund in the State Treasury.

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

39 331.090 The Chief may accept rent money from various  
40 departments , *boards, commissions, institutions* and agencies that  
41 are occupying space in the various state-owned buildings. The rent  
42 money must be deposited in the Buildings and Grounds Operating  
43 Fund in the State Treasury.



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

2     331.095 1. The Chief shall establish a program to track the  
3 use of energy in buildings owned by the State and in other buildings  
4 which are occupied by a state agency , *board, commission or*  
5 *institution* and whose owners comply with the program pursuant to  
6 subsection 6.

7     2. The program established pursuant to this section must:

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

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

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

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

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

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

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

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

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

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

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

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





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

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

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

14 331.102 1. The Chief shall:

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

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

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

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

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

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

42 331.104 1. All revenue resulting from:

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

9 331.184 The State Risk Manager shall:

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

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

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

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

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

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

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

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

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



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

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

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

7 331.186 In determining the need for, form and amount of  
8 insurance coverages, the State Risk Manager shall consider:

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

12 2. Economies possible through the use of reasonable  
13 deductibles.

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

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

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

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

22 331.187 1. There is created in the State Treasury the Fund for  
23 Insurance Premiums as an internal service fund to be maintained for  
24 use by the Risk Management Division of the Department of  
25 Administration and the Attorney General.

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

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

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

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

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

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

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



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

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

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

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

15 590.485 1. The Board for the Regulation of Liquefied  
16 Petroleum Gas, consisting of six members appointed by the  
17 Governor, is hereby created.

18 2. The Governor shall appoint:

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

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

23 (c) Two members who:

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

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

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

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

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

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

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

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



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

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

7 590.505 1. The Board may adopt a seal for its own use which  
8 must have imprinted thereon the words "Board for the Regulation of  
9 Liquefied Petroleum Gas." The care and custody of the seal is the  
10 responsibility of the Secretary-Treasurer of the Board.

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

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

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

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

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

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

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

41 590.509 1. The Board shall, *in accordance with chapter 331*  
42 *of NRS,* maintain ~~[in such locations as it deems necessary]~~  
43 open to the public during business hours on weekdays, with a  
44 telephone number available 24 hours a day for persons who use  
45 liquefied petroleum gas to obtain assistance in an emergency.



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

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

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

11 590.605 1. Whenever the Board has reasonable grounds to  
12 believe that any applicant or licensee under NRS 590.465 to  
13 590.645, inclusive, is violating any of the provisions of NRS  
14 590.465 to 590.645, inclusive, or regulations or specifications  
15 adopted hereunder, or is violating or failing to comply with any of  
16 the health and safety laws or regulations in force in this State, or is  
17 acting or conducting operations in any other manner which the  
18 Board deems to be inimical and not ~~to~~ *in* the best interests of the  
19 health, safety or welfare of the people of this State, the Board may,  
20 after a hearing, suspend or revoke any or all licenses previously  
21 issued under the provisions of NRS 590.465 to 590.645, inclusive,  
22 or take such intermediate actions, including the imposition of fines,  
23 as it deems appropriate under the circumstances. If the Board has  
24 reasonable grounds to believe that a licensee is delivering a lesser  
25 quantity of gas than the licensee bills the customer for with the  
26 intent to defraud, that fact must be reported to the State Sealer of  
27 Weights and Measures.

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

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

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

- 44 (a) Costs to employ an attorney or other consultant; and  
45 (b) Per diem allowances and travel expenses.



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

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

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

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

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

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

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

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

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

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

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

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

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





1     **Sec. 24.** NRS 623.090 is hereby amended to read as follows:  
2     623.090 ~~[1. The Board may provide its own quarters, in~~  
3 ~~which case it shall bear the expenses incident to their maintenance.~~  
4 ~~—2.]~~ The Board ~~[may]~~ *shall* maintain offices in ~~[as many~~  
5 ~~localities in the State as it finds necessary to carry out the provisions~~  
6 ~~of this chapter.]~~ *accordance with chapter 331 of NRS.*

7     **Sec. 25.** NRS 623.135 is hereby amended to read as follows:  
8     623.135 The Board may employ an Executive Director, legal  
9 counsel, investigators, professional consultants and other employees  
10 necessary to the discharge of its duties, and may fix the  
11 compensation therefor ~~[.]~~ *in accordance with chapters 281, 284*  
12 *and 353 of NRS.*

13     **Sec. 26.** NRS 623.160 is hereby amended to read as follows:  
14     623.160 Except as otherwise provided in NRS 623.190, all fees  
15 provided for by the provisions of this chapter must be paid to and  
16 receipted for by the Secretary of the Board, who shall deposit the  
17 fees in ~~[banks or credit unions in the State of Nevada or institutions~~  
18 ~~in this State whose business is the making of investments.]~~  
19 *accordance with chapter 356 of NRS.* Fees so deposited may be  
20 drawn against only for the purposes of this chapter.

21     **Sec. 27.** NRS 623A.090 is hereby amended to read as follows:  
22     623A.090 1. Members of the Board are entitled to receive:  
23     (a) A salary of not more than \$150 per day, as fixed by the  
24 Board, while engaged in the business of the Board; and  
25     (b) A per diem allowance and travel expenses, at a rate fixed by  
26 the Board, while engaged in the business of the Board. The rate  
27 must not exceed the rate provided for state officers and employees  
28 generally.

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

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

38     **Sec. 28.** NRS 623A.100 is hereby amended to read as follows:  
39     623A.100 1. At each annual meeting of the Board, the  
40 members shall:  
41     (a) Elect a President and a Secretary; and  
42     (b) Appoint an Executive Director.

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



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

4 4. The Executive Director shall:

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

6 (b) Maintain custody of the official seal;

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

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

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

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

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

18 623A.120 The Board may:

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

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

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

27 623A.150 1. All money coming into the possession of the  
28 Board must be kept or deposited by the Executive Director in an  
29 account in ~~[a bank, credit union or savings and loan association in~~  
30 ~~this State.]~~ *accordance with chapter 356 of NRS.*

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

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

35 (b) Conducting the business of the Board.

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

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



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

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

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

16 624.110 1. The Board ~~may~~ *shall* maintain offices in ~~as~~  
17 ~~many localities in the State as it finds necessary to carry out the~~  
18 ~~provisions of this chapter, but it~~ *accordance with chapter 331 of*  
19 *NRS and* shall maintain one office in which there must be at all  
20 times open to public inspection a complete record of applications,  
21 licenses issued, licenses renewed and all revocations, cancellations  
22 and suspensions of licenses.

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

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

28 624.115 1. The Board may employ attorneys, investigators  
29 and other professional consultants and clerical personnel necessary  
30 to the discharge of its duties. *Such persons are entitled to receive*  
31 *such compensation as may be fixed by the Board in accordance*  
32 *with chapters 281, 284 and 353 of NRS.*

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

35 (a) Conduct a background investigation of:

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

37 (2) An applicant for employment with the Board;

38 (b) Locate and identify persons who:

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

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

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



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

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

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

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

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

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

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

18 624.140 1. Except as otherwise provided in subsection 3, if  
19 money becomes available from the operations of this chapter and  
20 payments made for licenses, the Board may pay from that money:

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

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

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

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

32 *↳ Such payments must be made in accordance with chapters 281,  
33 284 and 353 of NRS.*

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

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



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

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

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

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

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

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

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

20      3. Each member is entitled to receive:

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

41     625A.050 1. The Secretary of the Board is entitled to receive:

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

2       628.140 1. Except as otherwise provided in subsection 3, all  
3 fees and other money received by the Board pursuant to the  
4 provisions of this chapter must be deposited in ~~[banks, credit unions~~  
5 ~~or savings and loan associations in the State of Nevada]~~ *accordance*  
6 *with chapter 356 of NRS* and expended solely for the purposes of  
7 this chapter. The money so deposited does not revert to the State  
8 General Fund. The compensation provided for by this chapter and  
9 all expenses incurred under this chapter must be paid from this  
10 money ~~[ ]~~ *in accordance with chapters 281, 284 and 353 of NRS.*  
11 No compensation or expenses incurred under this chapter may be  
12 charged against the State General Fund.

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

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

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

28       630.090 1. The Board shall elect from its members a  
29 President, a Vice President and a Secretary-Treasurer. The officers  
30 of the Board ~~[shall]~~ hold their respective offices during its pleasure.

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

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

35       630.103 1. The Board shall employ a person as the Executive  
36 Director of the Board.

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

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

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

43       630.106 1. The Board may employ hearing officers, experts,  
44 administrators, attorneys, investigators, consultants and clerical  
45 personnel necessary to the discharge of its duties. *Such persons are*





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

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

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

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

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

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

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

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

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

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

42 4. All money received by the Board from:

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



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

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

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

7 630.123 The Board shall operate on the basis of a fiscal  
8 year commencing on ~~[January]~~ *July* 1 and terminating on  
9 ~~[December 31.]~~ *June 30.*

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

11 630.125 The Board ~~[may]~~ *shall* maintain offices in ~~[as many~~  
12 ~~localities in the State as it finds necessary to carry out the provisions~~  
13 ~~of this chapter.]~~ *accordance with chapter 331 of NRS.*

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

15 630A.140 1. The Board shall elect from its members a  
16 President, a Vice President and a Secretary-Treasurer. The officers  
17 of the Board hold their respective offices during its pleasure.

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

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

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

25 630A.160 1. Out of the money coming into the possession of  
26 the Board, each member of the Board is entitled to receive:

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

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

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

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

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



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

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

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

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

20 630A.190 The Board : ~~{may:}~~

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

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

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

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

31 631.160 1. At the first regular meeting of each year, the  
32 Board shall elect from its membership one of its members as  
33 President and one of its members as Secretary-Treasurer, each of  
34 whom shall hold office for 1 year and until a successor is elected  
35 and qualified.

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

38 3. The Executive Director shall receive such compensation as  
39 determined by the Board ~~{}~~ *in accordance with chapters 281, 284*  
40 *and 353 of NRS,* and the Board shall fix the amount of the bond to  
41 be furnished by the Secretary-Treasurer and the Executive Director.

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

43 631.180 1. Each member of the Board is entitled to receive:

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



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

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

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

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

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

17 631.190 In addition to the powers and duties provided in this  
18 chapter, the Board shall:

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

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

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

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

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

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

37 7. Have and use a common seal.

38 8. Keep such records as may be necessary to report the acts and  
39 proceedings of the Board. Except as otherwise provided in NRS  
40 631.368, the records must be open to public inspection.

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

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



- 1     **Sec. 57.** NRS 631.350 is hereby amended to read as follows:  
2     631.350 1. Except as otherwise provided in NRS 631.271,  
3     631.2715 and 631.347, the Board may:  
4     (a) Refuse to issue a license to any person;  
5     (b) Revoke or suspend the license or renewal certificate issued  
6     by it to any person;  
7     (c) Fine a person it has licensed;  
8     (d) Place a person on probation for a specified period on any  
9     conditions the Board may order;  
10    (e) Issue a public reprimand to a person;  
11    (f) Limit a person's practice to certain branches of dentistry;  
12    (g) Require a person to participate in a program to correct  
13    alcohol or drug abuse or any other impairment;  
14    (h) Require that a person's practice be supervised;  
15    (i) Require a person to perform community service without  
16    compensation;  
17    (j) Require a person to take a physical or mental examination or  
18    an examination of his or her competence;  
19    (k) Require a person to fulfill certain training or educational  
20    requirements;  
21    (l) Require a person to reimburse a patient; or  
22    (m) ~~[Any]~~ **Implement any** combination thereof,  
23    ↪ upon submission of substantial evidence to the Board that the  
24    person has engaged in any of the activities listed in subsection 2.  
25    2. The following activities may be punished as provided in  
26    subsection 1:  
27    (a) Engaging in the illegal practice of dentistry or dental  
28    hygiene;  
29    (b) Engaging in unprofessional conduct; or  
30    (c) Violating any regulations adopted by the Board or the  
31    provisions of this chapter.  
32    3. The Board may delegate to a hearing officer or panel its  
33    authority to take any disciplinary action pursuant to this chapter,  
34    impose and collect fines therefor and deposit the money therefrom  
35    in ~~[banks, credit unions or savings and loan associations in this~~  
36    ~~State.]~~ **accordance with chapter 356 of NRS.**  
37    4. If a hearing officer or panel is not authorized to take  
38    disciplinary action pursuant to subsection 3 and the Board deposits  
39    the money collected from the imposition of fines with the State  
40    Treasurer for credit to the State General Fund, it may present a  
41    claim to the State Board of Examiners for recommendation to the  
42    Interim Finance Committee if money is needed to pay attorney's  
43    fees or the costs of an investigation, or both.  
44    5. The Board shall not administer a private reprimand.



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

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

4 632.060 1. Each year at a meeting of the Board, to be held in  
5 accordance with NRS 632.070, the Board shall elect from its  
6 members a President, a Vice President and a Secretary.

7 2. The Board may appoint an Executive Director who need not  
8 be a member of the Board. The Executive Director appointed by the  
9 Board must be a professional nurse licensed to practice nursing in  
10 the State of Nevada. The Executive Director shall perform such  
11 duties as the Board may direct and is entitled to receive  
12 compensation as set by the Board ~~[-]~~ *in accordance with chapters*  
13 *281, 284 and 353 of NRS.* The Executive Director is entitled to  
14 receive a per diem allowance and travel expenses at a rate fixed by  
15 the Board, while engaged in the business of the Board. The rate  
16 must not exceed the rate provided for state officers and employees  
17 generally.

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

19 632.065 The Board : ~~[-]~~

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

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

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

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

30 632.073 1. In addition to the Advisory Committee on  
31 Nursing Assistants created by NRS 632.072, the Board may appoint  
32 such other advisory committees as it deems appropriate.

33 2. The members of any advisory committee appointed pursuant  
34 to subsection 1 are not entitled to be paid a salary or to receive per  
35 diem allowances for conducting the business of the advisory  
36 committee, but the Board may authorize reimbursement for the  
37 actual expenses incurred by a member for traveling to and from a  
38 meeting of the advisory committee ~~[-]~~ *in accordance with chapters*  
39 *281, 284 and 353 of NRS.*

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

41 632.080 1. The compensation of the members of the Board  
42 must be fixed by the Board, but may not exceed \$150 for each day  
43 spent by each member in the discharge of his or her official duties.

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



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

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

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

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

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

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

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

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

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

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

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

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



1 its order for its expenses ~~[ ]~~ *in accordance with chapters 281, 284*  
2 *and 353 of NRS.*

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

4 633.271 The Board : ~~[may:]~~

5 1. *May:*

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

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

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

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

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

19 634.043 1. The Board shall ~~[appoint] :~~

20 (a) *Appoint* an Executive Director who serves at the pleasure of  
21 the Board and is entitled to receive such compensation as may be  
22 fixed by the Board ~~[ ]~~ *in accordance with chapters 281, 284 and*  
23 *353 of NRS.*

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

25 2. The Board may:

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

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

31 ~~[e)]~~ *Such persons are entitled to such compensation as may be*  
32 *fixed by the Board in accordance with chapters 281, 284 and 353*  
33 *of NRS.*

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

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

37 634.050 1. Except as otherwise provided in subsection 3, all  
38 money collected by the Board must be deposited in ~~[banks, credit~~  
39 ~~unions or savings and loan associations in the State of Nevada,]~~  
40 *accordance with chapter 356 of NRS* and must be used by the  
41 Board to defray its legitimate expenses ~~[ ]~~ *in accordance with*  
42 *chapters 281, 284 and 353 of NRS.*

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





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

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

10 **Sec. 68.** NRS 634A.060 is hereby amended to read as follows:  
11 634A.060 The Board shall annually elect from its members a  
12 President, Vice President and Secretary-Treasurer, and may fix and  
13 pay a salary to the Secretary-Treasurer ~~[ ]~~ *in accordance with*  
14 *chapters 281, 284 and 353 of NRS.*

15 **Sec. 69.** NRS 634A.070 is hereby amended to read as follows:  
16 634A.070 *1.* The Board may:

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

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

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

29 ~~[4.]~~ *(c)* Compel the attendance of witnesses and the production  
30 of evidence by subpoena.

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

33 **Sec. 70.** NRS 635.035 is hereby amended to read as follows:  
34 635.035 The Board : ~~[may:]~~

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

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

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



1       **Sec. 71.** NRS 635.040 is hereby amended to read as follows:  
2       635.040 1. All fees provided for in this chapter must be paid  
3 to the Treasurer of the Board, who shall deposit the fees in ~~[banks,~~  
4 ~~credit unions or savings and loan associations in this State.]~~  
5 *accordance with chapter 356 of NRS.* All of the salaries and  
6 expenses for the operation of the Board must be paid *in accordance*  
7 *with chapters 281, 284 and 353 of NRS* from the fees.

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

14       **Sec. 72.** NRS 636.075 is hereby amended to read as follows:  
15       636.075 1. Each member of the Board is entitled to receive:  
16       (a) A salary of not more than \$150 per day, as fixed by the  
17 Board, while engaged in the business of the Board; and  
18       (b) A per diem allowance and travel expenses at a rate fixed by  
19 the Board, while engaged in the business of the Board. The rate  
20 must not exceed the rate provided for state officers and employees  
21 generally.

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

26       3. Compensation and expenses of the members and employees  
27 of the Board are payable *in accordance with chapters 281, 284 and*  
28 *353 of NRS* out of the money derived from fees paid or transmitted  
29 to the Board pursuant to the provisions of this chapter and no part  
30 thereof may be paid out of the State Treasury.

31       **Sec. 73.** NRS 636.080 is hereby amended to read as follows:  
32       636.080 1. Within a reasonable time after the appointment of  
33 a new member, the Board shall meet and organize by electing from  
34 its membership a President who shall hold office for 1 year and until  
35 the election and qualification of his or her successor.

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



1       **Sec. 74.** NRS 636.090 is hereby amended to read as follows:  
2       636.090 1. The Board may employ:  
3       (a) Agents and inspectors to secure evidence of, and report on,  
4       violations of this chapter.  
5       (b) Attorneys, investigators and other professional consultants  
6       and clerical personnel necessary to administer this chapter.  
7       ↪ *Such persons are entitled to receive such compensation as may*  
8       *be fixed by the Board in accordance with chapters 281, 284 and*  
9       *353 of NRS.*

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

11      **Sec. 75.** NRS 636.100 is hereby amended to read as follows:  
12      636.100 The Board : ~~{may:}~~

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

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

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

19      636.110 1. Except as otherwise provided in subsection 3, all  
20      money coming into possession of the Board must be deposited by  
21      the Executive Director in a special fund to be expended for payment  
22      of compensation and expenses of members of the Board and for  
23      other necessary or proper purposes in the administration of this  
24      chapter. The Executive Director shall deposit the money in ~~{banks,~~  
25      ~~credit unions or savings and loan associations in this State.}~~  
26      *accordance with chapter 356 of NRS.*

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

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

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

42      637.050 1. The principal office of the Board is the place of  
43      business or employment of the Secretary of the Board, but it ~~{may}~~  
44      *shall* maintain offices in ~~{as many localities in the State as it finds~~  
45      ~~necessary to carry out the provisions of this chapter.}~~ *accordance*



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

10 3. In a manner consistent with the provisions of chapter 622A  
11 of NRS, the Board may delegate to a hearing officer or panel its  
12 authority to take any disciplinary action pursuant to this chapter,  
13 impose and collect penalties therefor and deposit the money  
14 therefrom in ~~{banks, credit unions, savings and loan associations or~~  
15 ~~other financial institutions in this State.}~~ *accordance with chapter*  
16 *356 of NRS.*

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

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

25 637B.110 1. The Board shall elect from its members a  
26 President, a Vice President and a Secretary-Treasurer. The officers  
27 of the Board hold their respective offices at its pleasure.

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

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

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

34 637B.240 1. All fees collected under the provisions of this  
35 chapter must be paid to the Secretary-Treasurer of the Board to be  
36 used *in accordance with chapters 281, 284 and 353 of NRS* to  
37 defray the necessary expenses of the Board. The Secretary-Treasurer  
38 shall deposit the fees in ~~{qualified banks, credit unions or savings~~  
39 ~~and loan associations in this State.}~~ *accordance with chapter 356 of*  
40 *NRS.*

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



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

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

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

11 638.070 1. The Board shall adopt regulations providing an  
12 administrative fine in an amount not to exceed \$500 if an applicant  
13 for a license or the renewal of a license:

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

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

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

19 2. The Board may adopt regulations:

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

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

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

29 (d) Concerning requirements for continuing education;

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

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

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

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

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

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



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

5 (b) ~~[-]~~ *May conduct* investigations and take and record  
6 evidence as to any matter cognizable by it . ~~[-]~~

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

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

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

15 638.080 1. The Executive Director is the custodian of all the  
16 records and money of the Board, and shall deposit all money  
17 received by the Board pursuant to the provisions of this chapter,  
18 except fines imposed by the Board, in ~~[-]~~ *accordance with chapter 356*  
19 *of NRS.* The money must be used to meet the expenses of the Board  
20 ~~[-]~~ *in accordance with chapters 281, 284 and 353 of NRS.*

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

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

24 638.1473 1. Except as otherwise provided in subsection 4, all  
25 reasonable expenses incurred by the Board in carrying out the  
26 provisions of this chapter must be paid *in accordance with chapters*  
27 *281, 284 and 353 of NRS* from the money which it receives. No  
28 part of the salaries or expenses of the Board may be paid out of the  
29 State General Fund.

30 2. Except as otherwise provided in this section, all money  
31 collected by the Board from the imposition of fines must be  
32 deposited with the State Treasurer for credit to the State General  
33 Fund. All other money received by the Board must be deposited in  
34 ~~[-]~~ *accordance with chapter 356 of NRS* and paid out on its  
35 ~~[-]~~ *order for its expenses* ~~[-]~~ *in accordance with chapters 281, 284 and*  
36 *353 of NRS.*

37 3. In a manner consistent with the provisions of chapter 622A  
38 of NRS, the Board may delegate to a hearing officer or panel its  
39 authority to take any disciplinary action pursuant to this chapter,  
40 impose and collect fines therefor and deposit the money therefrom  
41 in ~~[-]~~ *accordance with chapter 356 of NRS.*



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

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

9 639.040 1. The Board shall elect a President and a Treasurer  
10 from among its members.

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

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

21 639.070 1. The Board : ~~[-may:-]~~

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

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

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

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

36 (e) ~~[-Regulate]~~ *May regulate* the practice of pharmacy.

37 (f) ~~[-Regulate]~~ *May regulate* the sale and dispensing of poisons,  
38 drugs, chemicals and medicines.

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

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

45 (2) Drugs stored in hospitals; and





1 (3) Drugs stored for the purpose of wholesale distribution.  
2 (h) ~~[Examine]~~ *May examine* and register, upon application,  
3 pharmacists and other persons who dispense or distribute  
4 medications whom it deems qualified.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

14 640.050 1. The Board shall examine and license qualified  
15 physical therapists and qualified physical therapist's assistants.

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

19 (a) Issuance and display of licenses.

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

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

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

27 (a) The name of every living licensee.

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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





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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

8 2. The Board shall elect a Vice President.

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

13 4. Each officer and member of the Board is entitled to receive:  
14 (a) A salary of not more than \$150 per day, as fixed by the  
15 Board, while engaged in the business of the Board; and

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

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

24 6. The Secretary-Treasurer shall:

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

15 **Sec. 113.** NRS 644.080 is hereby amended to read as follows:

16 644.080 The Board:

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

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

26 3. May adopt a seal.

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

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

30 644.150 The Board may employ inspectors, investigators,  
31 advisers, examiners and clerks and secure the services of attorneys  
32 and other professional consultants. ~~[ ]~~ *Such persons are entitled to*  
33 *receive such compensation as may be fixed by the Board in*  
34 *accordance with chapters 281, 284 and 353 of NRS,* but no part of  
35 the compensation of those persons or reasonable expenses incurred  
36 by the Board may be paid by the State.

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

38 644.170 1. All fees collected on behalf of the Board and all  
39 receipts of every kind and nature must be reported at the beginning  
40 of each month, for the month preceding, to the Board. At the same  
41 time, the entire amount of collections, except as otherwise provided  
42 in subsection 5, must be paid to the Treasurer of the Board, who  
43 shall deposit them in ~~[banks, credit unions or savings and loan~~  
44 ~~associations in the State of Nevada.]~~ *accordance with chapter 356*  
45 *of NRS.*



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

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

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

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

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

22 648.025 1. The Board may:

23 (a) Employ an Executive Director who:

- 24 (1) Is the chief administrative officer of the Board;  
25 (2) Serves at the pleasure of the Board; and  
26 (3) Shall perform such duties as the Board may prescribe;

27 and

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

30 *↳ Such persons are entitled to receive such compensation as may*  
31 *be fixed by the Board in accordance with chapters 281, 284 and*  
32 *353 of NRS.*

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

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

36 648.040 1. There is hereby created in the State General Fund  
37 the Fund for the Private Investigator's Licensing Board, to be  
38 administered by the Board ~~[ ]~~ *in accordance with chapters 281, 284*  
39 *and 353 of NRS.*

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

3 (c) Administer the provisions of this chapter.

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

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

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

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

21 656.070 1. Each member of the Board is entitled to receive:

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

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

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

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

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

38 656.110 1. The Board shall administer the provisions of this  
39 chapter.

40 2. The Board may appoint such committees as it considers  
41 necessary or proper, and may employ, prescribe the duties of and fix  
42 the salary of an Executive Secretary who may be employed on a  
43 part-time or full-time basis, and may also employ such other persons  
44 as may be necessary ~~H~~, *in accordance with chapters 281, 284 and*  
45 *353 of NRS.*



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

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

5 656.230 All money coming into the possession of the Board  
6 must be kept or deposited by the Executive Secretary of the Board  
7 in ~~[banks, credit unions or savings and loan institutions in the State~~  
8 ~~of Nevada]~~ *accordance with chapter 356 of NRS* to be expended  
9 for payment of compensation and expenses of Board members and  
10 for other necessary or proper purposes in the administration of this  
11 chapter ~~[-]~~ *in accordance with chapters 281, 284 and 353 of NRS.*

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

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

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

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

31 4. Each board shall submit a proposed budget for Fiscal Years  
32 2013-2014 and 2014-2015 in accordance with NRS 353.150 to  
33 353.246, inclusive.

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

40 6. As used in this section, "board" means a board or  
41 commission created by the provisions of NRS 590.485 or chapters  
42 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 or 656  
43 of NRS.

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





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

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**TEXT OF REPEALED SECTIONS**

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

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

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

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

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



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

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

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

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

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

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

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

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

**630.127 Performance audits of Board.**

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



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

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

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

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

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

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

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

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

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

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

(a) Is directly responsible to the Legislative Commission;

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



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

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

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

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

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

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

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

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

