

Joe Lombardo
Governor

Jason B. Cooper, CGFM
Board Advisor

Katie Armstrong
Senior Deputy Attorney General

STATE OF NEVADA



Board Members:
Bruce Scott, *Chair*
Andrew Belanger, *Vice Chair*
Abigail Yacoben
Mike Workman
Jeremy Hutchings

Non-Voting Member:
Andrea Seifert

AGENDA

STATE BOARD FOR FINANCING WATER PROJECTS February 19, 2025 9:00 AM

Location:
The Richard H. Bryan Building
Bonnie B. Bryan Conference Room
901 South Stewart Street, 1st Floor
Carson City, NV 89701

Join the Meeting virtually at:

Microsoft Teams:
Meeting ID: 217 857 347 762
Pass Code: 2hB2af7K

Call in by Phone (audio only)
United States: +1 (775) 321-6111
Meeting extension: 339450839#

For information: Contact: Jason Cooper (775) 687-9531, Benjamin Miller (775) 687-9321 or [ndep-ofa@ndep.nv.gov](mailto:ofa@ndep.nv.gov).

Note: Items on this agenda may be taken out of order, may be combined for consideration by the public body, and may be pulled or removed from the agenda at any time. Public comment will be solicited prior to action on agenda items.

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- 1 **Call to Order** – Chair Bruce Scott
 - 2 **Introduction / Establish Quorum (Discussion)**
 - 3 **Public Comment (Discussion)**

Members of the public will be invited to speak before the board; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three (3) minutes per person at the discretion of the chair. Additional comments may be submitted to the board for inclusion in the minutes.

- 4 **Approval of Minutes – November 13, 2024, Meeting (For Possible Action)**

5 Capital Improvements Grant Program Update (Discussion)

Presented by Jason B. Cooper

6 Drinking Water State Revolving Fund (DWSRF) Update (Discussion)

Presented by Jason B. Cooper

Projects for Consideration

7 Gardnerville Ranchos General Improvement District (For Possible Action)

Proposed project for the DWSRF program

One resolution for consideration

Summary by Matt Livingston, Chris Flores, and Jason Cooper

8 Silver Knolls Mutual Water Company (For Possible Action)

Proposed additional funding for an existing DWSRF project

One resolution for consideration

Summary by Matt Livingston, Chris Flores, and Jason Cooper

9 Humboldt County (For Possible Action)

Proposed re-alignment of funding for an existing DWSRF project

One resolution for consideration

Summary by Matt Livingston, Chris Flores, and Jason Cooper

10 Jackpot, Town of (For Possible Action)

Proposed funding for a DWSRF project

One resolution for consideration

Summary by Matt Livingston, Chris Flores, and Jason Cooper

11 Weed Heights Development (For Possible Action)

Proposed funding for a DWSRF project

One resolution for consideration

Summary by Matt Livingston, Chris Flores, and Jason Cooper

Other Items

12 Language Access Plan (Discussion)

Summary by Jason Cooper

13 Capital Improvements Grant Program (Discussion)

Summary by Jason Cooper

14 Legislative Discussion (Discussion)

Summary by Jason Cooper

15 Board Comments (Discussion)

16 Public Comments (Discussion)

17 Adjourn

Additional Information:

The Board for Financing Water Projects was created by NRS 349.957. Under NRS 445A.265, the Board is charged with approving the priority of projects applying for grant assistance and the review and approval of loans to water systems applying for assistance from the Drinking Water State Revolving Fund. Under NRS 349.982, the Board is charged with the administration of the programs that provide grants for capital improvements to publicly owned water systems, grants for improvements to conserve water and grants for Technical Support for Water Rights.

Address Questions to:

Jason Cooper, Manager – Drinking Water SRF Program
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Notice of this meeting was posted at the following Nevada locations:

- Nevada Public Notice Website - <https://notice.nv.gov/>
- The Nevada Division of Environmental Protection public notice website - <https://ndep.nv.gov/posts>
- Department of Conservation and Natural Resources, 901 South Stewart Street, Carson City

Supporting materials for all agenda items can be viewed at:

Department of Conservation and Natural Resources, 901 South Stewart Street, Suite 4001, Carson City
Contact: Benjamin Miller – b.miller@ndep.nv.gov or (775) 687-9321

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada Board for Financing Water Projects, in care of Jason Cooper, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, or by calling (775) 687-9531 prior to the date of the meeting.

**Board for Financing Water Projects
Capital Improvements Grant Program
February 2025**

Capital Improvements Grant Program Funding Update as of February 5, 2025

Current Cash¹:	\$ 319,703.96¹	
Less Funds for Administration:	\$ 22,465.32	
Add Projected treasurer's Interest:	\$ 5,425.70	
Cash Available for Projects:		\$302,664.34
Committed bond funds not yet disbursed:	\$ 266,225.17	
Projects for Consideration:	\$ 0	
Un-committed funds:		\$36,439.17²

Bond Series	2021B	
Legislative Authority	AB492 (81st Session) \$8,000,000	
Date of Issuance	December 07, 2021	
Initial Proceeds	\$	8,082,775.25
Treasurer's Interest²	\$	594,431.77
Total Proceeds	\$	8,677,207.02
6 months	\$ (81,028.81)	0.93%
12 months	\$ (81,028.81)	0.93%
18 months	\$ (83,699.34)	0.96%
24 months	\$ (645,672.63)	7.44%
30 months	\$ (2,531,723.28)	29.18%
36 months	\$ (8,345,709.05)	96.18%
42 months	\$ (8,345,709.05)	96.18%
48 months	\$ (8,379,968.38)	96.57%
Unspent Proceeds	\$ 297,238.64	3.43%

¹ From all sources including bond proceeds, administration fees, and treasurer's interest.

² Includes estimated bond interest earnings for quarter 2 not yet received.

Status update 10/28/2024

Entity	Contract	Date	Amount	Drawn	Outstanding	Last Draw Date
Las Vegas Valley Water District-Big Bend	GP2103	1/20/2021	\$ 1,908,622.00	1,908,622.00	\$ -	Closed
Alamo Sewer and Water GID	GP2104	8/2/2021	\$ 613,311.51	613,311.51	\$ -	Closed De-obligated 42,311.66
Las Vegas Valley Water District-Big Bend	GP2201	4/19/2022	\$ 86,449.13	86,449.13	\$ -	Closed De-obligated 9,157.86
Golconda GID	GP2202	8/2/2022	\$ 793,000.00	783,431.34	\$ 9,568.66	Pending 02/05/2024
Topaz Ranch Estates GID	GP2203	5/17/2022	\$ 1,645,520.00	1,388,863.29	\$ 256,656.71	Pending 02/05/2024
Beatty Water & Sanitation District	GP2502	7/2/2024	\$ 300,566.48	300,566.48	\$ -	Closed De-obligated 54,309.52
Pershing County	GP2503	6/28/2024	\$ 550,500.00	550,500.00	\$ -	Closed
Carlin, City of	GP2504	6/28/2024	\$ 1,783,360.00	1,783,360.00	\$ -	Closed
Henderson, City of	GP2505	6/28/2024	\$ 1,824,000.00	1,824,000.00	\$ -	Closing held
			\$ 9,505,329.12	\$ 9,239,103.75	\$ 266,225.37	

Governor’s Executive Budget recommendation

The FY26-27 Governor’s Executive Budget is recommending \$33,900,000 in bonds for the Capital Improvements Grant Program (page 3493). The attached list of projects are being submitted to the Legislature for support for the bonding. The list is subject to change for actual funding.

Storey County	Storey County	\$6,900,000
Project is to replace the original Virginia City siphon that contains lead joins. The project is in design and being partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Golconda GID	Humboldt County	\$2,000,000
Project is to add a new storage tank for redundancy, replace distribution lines, meters, and electrical controls. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Hawthorne Utilities	Mineral County	\$6,000,000
Project is to add a new well for redundancy, replace transmission and distribution lines, meters, and electrical controls. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Walker Lake GID	Mineral County	\$4,000,000
Project is to add a new well for redundancy, install treatment, replace transmission and distribution lines, meters, and electrical controls. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		
Southern Nevada Systems Henderson, city of Las Vegas, city of North Las Vegas, city of Clark County Water Reclamation District	Clark County	\$15,000,000
Project is to fund septic-to-sewer conversions for water conservation and groundwater projection. Project is partially funded with DWSRF. Project is larger than what DWSRF can fund completely.		



**Board for Financing Water Projects
Drinking Water State Revolving Fund
February 2025**

Drinking Water Program Funding Updates as of February 5, 2025

Program Cash Balances	DWSRF Base Program	DWSRF Emerging Contaminants	DWSRF Lead Service Lines	Total DWSRF Funding
Cash in the State Account	\$128,524,922.21	\$0.00	\$0.00	\$128,524,922.21
Less bond debt service reserves	(6,069,283)	0	0	(6,069,283)
Add Federal Cash Available for Loans	51,117,243	21,768,860	25,212,000	98,098,103
Add pending federal grants	0	0	0	0
Cash Available for Loans	\$173,572,882.21	\$21,768,860.00	\$25,212,000.00	220,553,742.21
Committed funds not yet disbursed	159,149,082	6,000,000	0	165,149,082
Add commitments for Board consideration	741,190	0	0	741,190
Total committed funds after Board Approval	159,890,272	6,000,000	0	165,890,272
Add projects in discussion with OFA	12,680,000	10,000,000	0	22,680,000
Total committed and potential project loans^A	\$172,570,272.00	\$16,000,000.00	\$0.00	\$188,570,272.00

^A Nevada evaluates cash over a three-year period to determine the amount of cash available for loan commitments. This practice is highly encouraged by EPA for effective use of funds management. Therefore, the amount committed to projects at any given time *may* be higher than the current cash available in the program accounts.

Program Cash Balances for Principal Forgiveness (PF) Loans^B	DWSRF Base Program	DWSRF Emerging Contaminants	DWSRF Lead Service Lines	Total DWSRF Funding
Required amount to commit to PF loans	41,135,188	21,768,860	12,353,880	75,257,928
Add pending federal grant requirements				0
Total Required PF Loan Balance	41,135,188	21,768,860	12,353,880	75,257,928
Committed funds not yet disbursed	26,951,997	6,000,000	(182)	32,951,815
Commitments for Board consideration	741,190	0	0	741,190
Add projects in discussion with OFA	5,580,000	15,768,860	0	21,348,860
Remaining Authority^B	\$7,862,001	\$0	\$12,354,062	\$20,216,063

^B Cash available for PF loans is included in the Program Cash Balance table above. This table reflects the federal requirements for Nevada to distribute a portion of the available cash as PF loans.

Drinking Water Cash Flow Projections (Base Program Only)¹

Values include federal grants received through October 1, 2024	Jul 01,2024	Jul 01,2025	Jul 01,2026	Jul 01,2027	Net Change
	Year 1	Year 2	Year 3	Year 4	
Cash balance forward	\$137,973,394	\$148,624,542	\$113,806,113	\$37,869,270	
Receipts from grants awarded	19,793,640	0	0	0	19,793,640
Transfer to the CWSRF program ²	0	0	(20,000,000)	0	(20,000,000)
Receipts from bonds issued	6,000,000	0	0	0	6,000,000
Receipts from treasurer's interest ³	4,062,445	2,968,427	2,080,806	1,210,134	10,321,812
Receipts from loan principal	14,526,120	13,522,074	12,918,277	12,963,734	53,930,205
Receipts from loan interest	3,367,111	3,107,540	2,796,898	2,497,451	11,769,000
Payments for debt service on bonds	(4,863,738)	(4,601,675)	(3,447,450)	(3,519,225)	(16,432,088)
Payments for loan recipients ³	(32,180,935)	(50,897,245)	(70,487,799)	(10,677,656)	(164,243,635)
Change in debt service reserves	(53,495)	1,082,450	202,425	679,725	1,911,105
Cash balance forward	\$148,624,542	\$113,806,113	\$37,869,270	\$41,023,433	(\$96,949,961)
				Beginning Cash	\$137,973,394
				Ending Cash	\$41,023,433

²Transfer to CWSRF is dependent upon budget approval and EPA consent

³Estimated at 2% A.P.R. on undisbursed cash in the fund. Subject to change.

Potential impacts to grant funding

The DWSRF (and CWSRF) programs grant funding are currently being reviewed by the new federal executive branch administration for conformance with the presidential executive orders. Over the last few weeks, there has been a lot said and not said in the news regarding the programs. I will attempt to summarize our current understanding, and what NDEP has been doing to manage the fallout.

- As of this writing, (February 5, 2025, at 1200 hours), the Office of Financial Assistance (OFA) has access to all of its grant funding. This is in part due to a restraining order issued by a federal judge barring the “pause on disbursements of funding from the Infrastructure Investments and Jobs Act” as required in the presidential Executive Order for Unleashing American Energy. In the executive order, federal agencies are required to “Terminate the Green New Deal.” Section 7 states that federal agencies must:
 - Immediately pause the disbursement of funds appropriated through the Inflation Reduction Act of 2022 (Public Law 117-169) or the Infrastructure Investment and Jobs Act (Public Law 117-58),
 - Within 90 days of the date of this order, all agency heads shall submit a report to the Director of the NEC and Director of OMB that details the findings of this review, including recommendations to enhance their alignment with the policy set forth in section 2.
- Due to the uncertainty surrounding the future status of the grants, OFA has taken a deeper evaluation of the program’s committed projects and available cash. That evaluation is summarized on the following pages.

It is important to note that the DWSRF was originally designed to be self-supporting. The federal funds are not going to be appropriated in perpetuity, and each state will then need to manage the programs with state resources only.

¹ Estimate only for planning purposes. All numbers are subject to change.

Values remove all federal grants that have not been spent by February 5, 2025	Jul 01,2024	Jul 01,2025	Jul 01,2026	Jul 01,2027	Net Change
	Year 1	Year 2	Year 3	Year 4	
Cash balance forward	\$113,219,500	\$104,077,008	\$69,258,579	\$13,321,736	
Receipts from grants awarded	0	0	0	0	0
Transfer to the CWSRF program ²	0	0	0	0	0
Receipts from bonds issued	6,000,000	0	0	0	6,000,000
Receipts from treasurer's interest ³	4,062,445	2,968,427	2,080,806	1,210,134	10,321,812
Receipts from loan principal	14,526,120	13,522,074	12,918,277	12,963,734	53,930,205
Receipts from loan interest	3,367,111	3,107,540	2,796,898	2,497,451	11,769,000
Payments for debt service on bonds	(4,863,738)	(4,601,675)	(3,447,450)	(3,519,225)	(16,432,088)
Payments for loan recipients ³	(32,180,935)	(50,897,245)	(70,487,799)	(10,677,656)	(164,243,635)
Change in debt service reserves	(53,495)	1,082,450	202,425	679,725	1,911,105
Cash balance forward	\$104,077,008	\$69,258,579	\$13,321,736	\$16,475,899	(\$96,743,601)
				Beginning Cash	\$113,219,500
				Ending Cash	\$16,475,899

²Transfer to CWSRF removed for this scenario

³Estimated at 2% A.P.R. on undisbursed cash in the fund. Subject to change.

The DWSRF program is authorized to issue principal forgiveness funding per federal statutes and grant appropriations. It is based upon a percentage of the funding awarded in the grants. If grants are not awarded, then OFA cannot offer principal forgiveness funding.

- If the federal programs and grants are amended or rescinded, the amount available for principal forgiveness funding will change. At this time, OFA is not able to estimate the amount of funding that could be subject to amendment or rescission. The executive branch, working with Congress, could perform a variety of actions against the grant, including, but not limited to:
 - Remove the requirement for principal forgiveness loans for all future grants awarded.
 - Change the percentages that are required for principal forgiveness loans.
 - Reduce the amount of the federal awards to Nevada, thereby reducing the percentage available for principal forgiveness loans.
 - Rescind federal awards in an amount equal to the portion not committed in loan contracts.
 - Rescind federal awards entirely.
 - Do nothing.

All DWSRF loan contracts contain the following clause:

The Division's obligation to pay any sum to the Recipient under any provisions of this contract, is contingent upon the availability of sufficient funds to permit the payments provided for herein. In the event that sufficient funds, as determined by the Division, do not become available for any reason, the Division shall not be obligated to make any payments to the Recipient under this contract. This provision shall be construed as a condition precedent to the obligation of the Division to make any payments under this contract. Nothing in this contract shall be construed to provide the Recipient with a right of priority for payment over any other agency. If any payments which are otherwise due to the Recipient under this contract are deferred because of unavailability of sufficient funds, such payments will promptly be made to the Recipient when sufficient funds do become available.

Additionally, should there be an impact on the federal grants, other items are also impacted:

- Technical Assistance for small systems, including sanitary survey deficiency resolutions, developing asset management plans, and other needs of the systems to sustain technical, managerial, and financial capacity.
- Operator certification training
- Support for public water system compliance and oversight in our Bureau of Safe Drinking Water
- Support for integrated source water protection plans
- Administration of the DWSRF and CWSRF programs

Other Program Updates

Drinking Water Project funding increases

None

**Loan Commitment from the
Drinking Water State Revolving Fund**
Board for Financing Water Projects

February 2025

Gardnerville Ranchos General Improvement District

Total Commitment \$55,200	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to Gardnerville Ranchos General Improvement District for Well 5 Arsenic Treatment Preliminary Engineering Report and Environmental Report.	
Amount	Resolution	Program and Terms
\$55,200	D07-0225	DWSRF Principal Forgiveness Loan

Management and Structure

Loan Recipient and Structure Gardnerville Ranchos General Improvement District is a community public water system per NRS 445A.235.

System Number NV0000066

System Information

County Douglas

System Population 11,300

System Service Connections 4,352

System Infrastructure Gardnerville Ranchos General Improvement District (GID) is supplied by seven wells each with its own chlorinator, 2 steel water storage tanks, a booster station, and transmission and distribution pipelines.

System Compliance While the system is technically in compliance with their Running Annual Average (RAA) for Arsenic, they did exceed the maximum contaminant level (MCL) the last two quarters of 2024 at their blending station, AS02.

System Project for Funding

DWSRF Priority List	Priority #7 on the Drinking Water SRF Priority List Effective November 2024.
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System need for the project	Arsenic levels within Well #5 currently exceed the MCL of 10 micrograms per liter. This well is a significant producer and necessary for the Gardnerville Ranchos GID water system for providing redundant and emergency source capacity. Until the arsenic levels from Well #5 can be reduced to safe drinking water standards, the Gardnerville Ranchos GID cannot put this critical water source to beneficial use for its water system.
Project Narrative	This project is for the drafting of a Preliminary Engineering Report (PER) and Environmental Report (ER) to obtain additional funding for the design and construction of arsenic treatment. The goal of the project is to identify options to address the elevated arsenic levels at Well #5.
Project Alternatives Evaluated	The PER will address possible alternatives to bring the well up to drinking water standards. The funding will also include the ER necessary to advance the project to construction.

Maps and Exhibits

In accordance with NRS 239C.210 and Executive Order 2020-01 dated February 4, 2020, drawings, maps, plans, or records that reveal the locations of critical infrastructure including primary buildings, facilities, and other structures used for storing, transporting, or transmitting water are deemed confidential and not subject to subpoena or discovery, and therefore not subject to inspection by the general public.

NDEP is able to provide the following information for further clarification on the project location, need, or scope:



Timeline

Loan Closing: March 2025
30% PER/ER: June 2025
60% PER/ER October 2025
90% PER/ER January 2026

Sources of Project Funding

	DWSRF	Local	Other Source	Total Costs
Design and Engineering	\$55,200.00	\$13,800.00	\$ 0.00	\$69,000.00
Totals	\$55,200.00	\$13,800.00	\$ 0.00	\$69,000.00

Environmental Review

The funding is for the PER and ER which will be evaluated prior to any construction.

Community Engagement

Gardnerville Ranchos GID has a Board of Trustees of five members that passed a motion on August 7, 2024, to contract with Lumos and Associates to conduct a PER for arsenic treatment for Well #5. Gardnerville Ranchos GID has a website that they use to inform the community of events and projects along with the Board of Trustee's meeting, minutes, and agendas.

Loan Recipient Information

Possibility for Consolidation The PER will address alternatives including the possibilities for consolidation.

Water Conservation Plan Gardnerville Ranchos GID Water Conservation Plan is dated June 30, 2015, and needs to be updated.

Technical Capacity "Technical capability" means the ability of a public water system to:

1. Obtain an adequate and reliable source of water that is necessary to provide the quantity and quality of water required by the system; and
2. Establish and maintain an adequate infrastructure for the treatment, storage and distribution of the quantity and quality of water required by the system; and
3. Employ operators who have the technical knowledge and ability to operate the system¹.

Gardnerville Ranchos GID has a certified operator Grade D3 in current standing and has the technical capacity for NDEP to recommend funding support.

Managerial Capacity

“Managerial capability” means the ability of a public water system to conduct its administrative affairs in a manner that ensures compliance with all applicable standards based on²:

1. The accountability, responsibility and authority of the owner or operator of the system; and
2. The personnel and organization of the system; and
3. The ability of the persons who manage the system to work with:
 - (a) Jurisdictional, regulatory and other governmental agencies; and
 - (b) Trade and industry organizations; and
 - (c) The persons served by the system.

Gardnerville Ranchos GID is governed by a five-member board that is subject to open meeting laws. The board has been responsive to requests for information and requirements under the Safe Drinking Water Act. Gardnerville Ranchos GID has demonstrated managerial capacity for NDEP to recommend funding support.

Financial Capacity

“Financial capability” means the ability of a public water system to:

1. Pay the costs related to maintenance, operations, depreciation and capital expenses; and
2. Maintain creditworthiness; and
3. Establish and maintain adequate fiscal controls and accounting methods required for the operation of the system³.

Financial Information as of:	June 30, 2024
Financial information independently audited by:	Silva, Sceirine & Associates, LLC
Unrestricted cash	\$3,819,545
Days cash on hand	1,150
Outstanding debt	\$5,235,471
Net Income before depreciation	\$444,014
Current ratio	7.26
Debt coverage	1.17

User Water Rates

Water user rates were last adopted in 2006. Gardnerville Ranchos GID is proposing a rate change for FY26. This change will lower the gallons included in the base rate from 10,000 to 7,000 and increase the tiered fees for usage over 7,000 gallons. Current rates are listed below.

- Residential base rate per user per month: \$21.50 for 10,000 gallons
- Commodity Rate: \$0.90 k/gal over 10,000 gallons
- Average Water Rate/Use for System: \$21.50

The water rates established sufficiently cover current operation, maintenance, debt service, and reserves of the system.

Water Meters

The system has been fully metered since 2017.

Asset Management Plan

Gardnerville Ranchos GID is working with Lumos & Associates to complete their Asset Management Plan.

² NRS 445A.827

³ NRS 445A.817

Capital Replacement Reserve Account	Gardnerville Ranchos GID maintains and utilizes a Capital Projects Fund. Per their Annual Comprehensive Financial Report (ACFR) “This fund is used to account for financial resources (interest income) that are restricted for capital acquisition or construction. The district uses this fund primarily for new wells and improvements to the water system.”
DWSRF Principal Forgiveness Eligibility Criteria	Gardnerville Ranchos GID qualifies as a disadvantaged community per Nevada’s 2024 DWSRF Intended Use Plan.

System Previous Commitments and Studies

Project I.D. GRanchos1; Executed August 2000; Loan Amount \$3,256,735.00
Distribution Line Replacement

Project I.D. GRGID-2; Executed August 2003; Loan Amount \$1,261,840.00
Distribution Line Replacement, continued

Project I.D. DW2403; Executed February 2024; Loan Amount \$2,084,800.00
Long Valley Booster Pump Station Upgrades

Project I.D. DW2404; Executed February 2024; Loan Amount \$415,200.00
Phase 3 Pipeline Replacement Design

DWSRF Authority and Purpose

The 1996 amendments to the Safe Drinking Water Act (SDWA) authorized the DWSRF. The DWSRF is a national program to assist public water systems in financing the cost of drinking water infrastructure projects needed to achieve or maintain compliance with the SDWA and to further the public health objectives of the SDWA. The SDWA authorizes the U.S. Environmental Protection Agency (EPA) to award capitalization grants to states that have established DWSRF programs. The Nevada Legislature passed legislation that authorizes NDEP to administer the DWSRF under the Nevada Revised Statutes (NRS) 445A.200 to 445A.295, inclusive. In addition to the authorizing statute, Nevada has adopted Nevada Administrative Code (NAC) 445A.6751 to 445A.67644, inclusive, which describes the program requirements. Federal regulations for implementing the DWSRF are found in 40 CFR, part 35. Other program directives include the Operating Agreement between NDEP and EPA, the annual Intended Use Plan, EPA guidance and policies, and conditions of each grant award.

One of the requirements of the NRS pertaining to the DWSRF is that NDEP shall not “commit any money in the account for the revolving fund for expenditure ... without obtaining the prior approval of the board for financing water projects” (NRS 445A.265(3)).

DWSRF Loan Conditions

\$55,200 D07-0225 DWSRF principal forgiveness loan.

The above-mentioned loan will contain the following conditions:

- A 20% match for each disbursement request is required.
- The PER must meet the conditions of NDEP’s guidance documents and the Rural Utilities Services Bulletin 1780-2. The ER must address the chosen project(s) area of impact to move the project into the design phase for funding. Should the document not meet these conditions, the funding awarded to create the document must be repaid to the NDEP Office of Financial Assistance (OFA).
- OFA will request planning meetings with borrowers and their selected engineering professional to discuss the status of the document. OFA may reimburse eligible expenses in connection with these meetings throughout the creation of the documents.

Percentage of completion of document	Eligible reimbursement
30%	30%
60%	60%
90%	90%
100%	100%

Should no reimbursements be requested that meet the percentage of completion requirement, NDEP will request the following planning meetings:

Months	Eligible reimbursement
6 months	30%
9 months	60%
12 months	90%
15 months and every 3 months thereafter	90% until complete

RECOMMENDED MOTION FOR THE DWSRF LOAN

I move to approve the resolution titled “D07-0225 Gardnerville Ranchos General Improvement District Project Loan Commitment,” which is intended to finance certain projects in an amount not to exceed \$55,200.00. The loan will include terms and conditions as outlined in the resolution and staff report.

**Loan Commitment from the
Drinking Water State Revolving Fund**
Board for Financing Water Projects

February 2025

Silver Knolls Mutual Water Company

Total Commitment \$1,066,360	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve <u>additional</u> loan funding to Silver Knolls Mutual Water Company (SKMWC) for installation of arsenic treatment.	
Additional Amount Requested	Resolution	Program and Terms
\$410,000	D08-0225	DWSRF Principal Forgiveness Loan

Original Commitments

Project This project includes the design and installation of a new adsorptive media arsenic treatment system that will replace an existing (and currently not operational) arsenic treatment system located in the SKMWC pump house.

Need for Additional Funds Resource Development Corp. (RDC) was the only contractor that responded to the bid invitation publicly noticed in September 2024. The RDC bid was \$360,400. This bid was \$170,581 higher than the Engineer’s Estimate and approved construction plus contingency funds of \$189,819. The additional funding has been further increased due to delays, re-bidding, inflation, material escalation, construction administration, and project management. The total additional funding requested is \$410,000.

Compliance SKMWC has not been able to meet EPA water quality standards for arsenic since the revised standard took effect on January 23, 2006. In the absence of a working treatment system, SKMWC has been out of compliance overall, with arsenic levels reported as high as 14 parts per billion. As of the last sanitary survey, 11/27/2023, the system had three unresolved significant deficiencies, including the failure to address the maximum contaminant level exceedance for arsenic.

Timeline

	Original	Updated
Loan Closing:	February 2022	March 2025
Design:	August 2024	Completed August 2024
Construction Bid:	October 2024	March 2025
Construction Start:	March 2022	April 2025
Initiation of Operations:	May 2022	July 2025

Explanation of Changes

\$520,360	Board Resolution D10-2021 adopted on July 27, 2021
<u>\$136,000</u>	NDEP increased funding authorized by Board Resolution D9-0622 adopted on June 29, 2022
\$656,360	Current authority
<u>\$410,000</u>	This request
\$1,066,360	Final DWSRF Funding Authority
<u>\$24,263</u>	SKMWC Local Contribution
\$1,090,623	Total Project Cost

	Original Budget	Additional Funding October 2023	Requested Funding February 2025	Total Costs
Other planning costs	\$10,000.00	\$0.00	\$0.00	\$10,000.00
Design and Engineering	\$42,500.00	\$182,500.00	\$89,956.00	\$314,956.00
Equipment/Materials	\$324,825.00	(\$79,021.00)	\$44,000.00	\$289,804.00
Construction/Improvements	\$157,298.00	\$112.00	\$245,630.00	\$403,040.00
Administration	\$10,000.00	\$0.00	\$0.00	\$10,000.00
Construction Contingency	\$0.00	\$32,409.00	\$30,414.00	\$62,823.00
Totals	\$544,623.00¹	\$136,000.00	\$410,000.00	\$1,090,623.00¹

Project Disadvantaged Status

Nevada's 2024 DWSRF Intended Use Plan contains the definition and scale to be used to determine disadvantaged status. SKMWC does not qualify as disadvantaged, generally, due to their high median household income, and other socioeconomic indicators that do not qualify the system as disadvantaged. However, the Intended Use Plan also allows Nevada to look at a single project and determine affordability and other project-specific items that did qualify this specific project as disadvantaged.

¹ \$24,263 in local funding combined with \$520,360 from DWSRF.
Page 2 of 4

Census Tract 26.03 Washoe County NV, ACS 5-year survey DP03, Disability: S1810, Poverty: S1701		
Median Household Income	\$103,466	(20) points: Greater than 120% of state MHI
Poverty Rate	6.3%	0 points: Percent is less than Nevada's 12% rate
Population trends	downward	5 points: population is decreasing over 3 years
Population not in the Workforce	40.4%	15 points: Greater than Nevada's 37% rate
Unemployment Rate	1.6%	0 points: Less than Nevada's 5.0%
Socioeconomic indicators	18.4%	20 points: Points for SNAP recipients, disabilities, and no health insurance
System Points	20 points: 50 points are needed for system disadvantaged status	
Project Specific Points	Chronic Project	10 points
Project affordability	>20% increase	20 points: Project would require rates to be increased by more than 20%
Total points	50 points received: 50 points are needed for project disadvantaged status	

Opportunity for Other Funding

SKMWC is a private water system making them ineligible for funding from the Capital Improvements Grant Program, the United States Department of Agriculture-Rural Development, and Community Development Block Grants.

The DWSRF evaluated this project for potential loan funding, and found the cost increase to take out a traditional loan would have required SKMWC to raise water rates. Because of this cost increase, this project has been considered disadvantaged.

DWSRF Authority and Purpose

The 1996 amendments to the Safe Drinking Water Act (SDWA) authorized the DWSRF. The DWSRF is a national program to assist public water systems in financing the cost of drinking water infrastructure projects needed to achieve or maintain compliance with the SDWA and to further the public health objectives of the SDWA. The SDWA authorizes the U.S. Environmental Protection Agency (EPA) to award capitalization grants to states that have established DWSRF programs. The Nevada Legislature passed legislation that authorizes NDEP to administer the DWSRF under the Nevada Revised Statutes (NRS) 445A.200 to 445A.295, inclusive. In addition to the authorizing statute, Nevada has adopted Nevada Administrative Code (NAC) 445A.6751 to 445A.67644, inclusive, which describes the program requirements. Federal regulations for implementing the DWSRF are found in 40 CFR, part 35. Other program directives include the Operating Agreement between NDEP and EPA, the annual Intended Use Plan, EPA guidance and policies, and conditions of each grant award.

One of the requirements of the NRS pertaining to the DWSRF is that NDEP shall not "commit any money in the account for the revolving fund for expenditure ... without obtaining the prior approval of the board for financing water projects" (NRS 445A.265(3)).

DWSRF Loan Conditions

\$410,000

D08-0225

DWSRF principal forgiveness loan.

The above-mentioned loan will contain the following conditions:

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.

RECOMMENDED MOTION FOR THE DWSRF LOAN

I move to approve the resolution titled "D08-0225 Silver Knolls Mutual Water Company Project Loan Commitment," to increase the total loan commitment to an amount not to exceed \$1,066,360.

Loan Commitment Amendment from the Drinking Water State Revolving Fund

Board for Financing Water Projects

February 2025

Humboldt County

Revised Commitment \$712,230	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) amend the funding commitment in Resolution D8A-1222 loan commitment to Humboldt County for the development of a new production well to mitigate nitrates.	
\$1,350,000	D8A-1222	Original resolution adopted December 6, 2022
(\$589,000)	D09-0225	DWSRF Principal Forgiveness Loan change

Original commitments

Project The project is to construct a new production well, Well #5, and transmission main. The new well would be used to mitigate nitrate levels that have been increasing over several years.

Background The original resolution, D8A-1222, was adopted on December 6, 2022, to provide funding to construct the above-mentioned project. The project has experienced some setbacks that have resulted in NDEP not being able to issue a loan to construct the well. Humboldt County is currently in need of funding for land acquisition, exploratory drilling, project management, and engineering.

NDEP is not able to issue the loan until all of the conditions for funding construction have been satisfied (e.g. design, environmental reviews, easements, etc.). NDEP can provide short-term loans for planning, exploratory drilling, and design that are separate from a construction loan that do not include various program requirements to be completed prior to loan closing.

NDEP has a mandate from EPA to not only commit funds timely but spend them within two years of receiving the federal awards. By leaving funds committed to projects that have experienced a delay, both the system and NDEP are impacted.

This amendment would change the intended scope of the funding committed by the Board and adjust the amount that would be available for the project so a loan contract can be issued.

What Changed The construction of a fifth well has been delayed due to problems with purchasing land at a fair price. The cost to acquire land for the previously proposed site for the well has significantly increased, forcing the county to look at other locations. Currently, the well location has been narrowed to four potential locations that are in negotiations.

Sources of Project Funding	Original	Change	Updated Budget	DWSRF Source ¹
Test hole Drilling	\$0	\$243,850	\$243,850	\$195,080
Design, inspection, & Construction Management	\$150,000	\$117,150	\$267,150	\$267,150
Land Acquisition	\$50,000	\$200,000	\$250,000	\$250,000
Equipment & Materials	\$0	\$0	\$0	\$0
Construction / Improvements	\$1,100,000	(\$1,100,000)	\$0	\$0
Administration	\$50,000	(\$50,000)	\$0	\$0
Financing	\$0	\$0	\$0	\$0
Construction Contingency	\$0	\$0	\$0	\$0
Totals	\$1,350,000	(\$589,000)	\$761,000	\$712,230

¹A portion of the budget is to fund test well drilling. The 2024 DWSRF Intended Use Plan limits funding for test wells to 80% of the total cost.

Current system changes and updates

Technical No changes. The system is still managed by the required treatment and distribution operator.

Managerial The Gold Country Water Company was acquired by Humboldt County on September 11, 2023. All system management and oversight was transferred to the Humboldt County Public Works Department.

Financial With Humboldt County acquiring Gold Country Water Company in 2023, there are not any current financials to review. Humboldt County is established and has audited financials for FY19 through FY23; however, those audits do not include the acquired Gold Country Water Company for an independent review. The FY24 audited financials are not available at this time but will be provided once completed. Humboldt County is a good candidate for DWSRF.

Loan conditions The loan conditions in the original staff resolution remain unchanged. These include:

- The loan will be in the form of a principal forgiveness loan.
- Review user rates at least every three (3) years for the life of the loan.
- Maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- Maintain a capital replacement reserve account that is funded at least annually and re-evaluated every five (5) years.

RECOMMENDED MOTION FOR THE DWSRF LOAN

I move to approve the resolution titled "D09-0225 Humboldt County Project Loan Amendment," which is intended to amend Resolution D8A-1222 to a total amount not to exceed \$712,230. The loan will include terms and conditions as outlined in the resolution and staff report.

**Loan Commitment from the
Drinking Water State Revolving Fund**
Board for Financing Water Projects

February 2025

Town of Jackpot

Total Commitment \$423,760	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to the Town of Jackpot for design and geoen지니어ing for a new well and a tank.	
Amount	Resolution	Program and Terms
\$423,760.00	D10-0225	DWSRF Principal Forgiveness Loan

Management and Structure

Loan Recipient and Structure The Town of Jackpot is a community public water system per NRS 445A.235.

System Number NV0000088

System Information

County Elko County

System Population 1,240

System Service Connections 460

System Infrastructure The town's source water requirements have historically been provided by four wells. The town's water system is equipped with two (2) welded steel water storage tanks, which are both positioned at a relatively high elevation on the west bank of the town.

System Compliance Insurance Services Office (ISO) is an independent, for-profit organization. The ISO scores fire departments on how they are doing against its organization's standards to determine property insurance costs. ISO determinations have been reviewed against current and projected system infrastructure demands and the system has been rated far below average. The system is near both production and storage capacity; both a new source and storage tank are critically needed. This has been a sustained concern.

System Project for Funding

DWSRF Priority List Priority #88 on the Drinking Water SRF Priority List Effective November 2024.

System need for the project This project is to resolve engineering concerns about the limited water storage and supply in the system's current state. The capacity is not sufficient for drinking water. Additionally, the project will resolve a current Technical Treatment Violation of the Ground Water Rule under the Safe Drinking Water Act regulations.

Project Narrative This project would be for the phase one design, hydrological modeling, surveying, and geoen지니어ing for future (phase two) construction of a production well and storage tank. The phase one tasks would include the well-site selection, drilling, cathodic protection, Supervisory Control and Data Acquisition, and construction administration. Other specific tasks include project management by a sub-contracted engineering firm for surveying, wellsite selection, and geotechnical and hydraulic modeling. (Design concepts and Preliminary Engineering Report [PER] are covered by a separate subgrant).

Project Alternatives Evaluated "Do-Nothing" alternative can be severe. If a water system is deficient in its storage capacity, circumstances may arise that deplete the limited available water reserves, leaving the users of the water system to turn to bottled water, if it is available.

Groundwater Wells: Raw water resources alternatives are limited for the Town of Jackpot. As an alternative to drilling a new well, the town could undertake a project to build a raw water intake in Salmon Falls Creek, which is the only surface water body within proximity of the town. However, the creek is located approximately 1.5 miles west of the town, and the topography between the creek and the town includes mountainous terrain, which would complicate pipeline construction, likely requiring a much longer pipeline re-alignment that travels around the mountain.

Maps and Exhibits

In accordance with NRS 239C.210 and Executive Order 2020-01 dated February 4, 2020, drawings, maps, plans, or records that reveal the locations of critical infrastructure including primary buildings, facilities, and other structures used for storing, transporting, or transmitting water are deemed confidential and not subject to subpoena or discovery, and therefore not subject to inspection by the general public.

NDEP is able to provide the following information for further clarification on the project location, need, or scope:



Timeline

Loan Closing: 05/17/2024

Design: 05/31/2024

Sources of Project Funding

	DWSRF	Local	Other Source	Total Costs
Design and Engineering	\$423,760.00	\$84,740.00	\$87,100.00	\$595,600.00
Construction/Improvements	\$0.00	\$0.00	\$44,770.00	\$44,770.00
Administration	\$0.00	\$0.00	\$19,230.00	\$19,230.00
Totals	\$423,760.00	\$84,740.00	\$151,100.00	\$659,600.00

Other Source(s): EPA subgrant, WIIN Grant

Environmental Review

To be developed within the scope of this project.

Community Engagement

Elko County Board of Commissioners recognizes the need for funding this project from the Office of Financial Assistance. On May 1, 2024, Elko County Board of Commissioners approved the resolution to authorize staff to submit an application to the Drinking Water State Revolving Fund.

Loan Recipient Information

Possibility for Consolidation Jackpot is a rural community and due to its isolated location, consolidating is not an option.

Water Conservation Plan NRS § 540.131(4) requires that the water conservation plan be revised every five years. The last Water Conservation Plan was due for an update on or before January 6, 2015. This project will require an update as part of the funding agreement.

Technical Capacity "Technical capability" means the ability of a public water system to:

1. Obtain an adequate and reliable source of water that is necessary to provide the quantity and quality of water required by the system; and
2. Establish and maintain an adequate infrastructure for the treatment, storage and distribution of the quantity and quality of water required by the system; and
3. Employ operators who have the technical knowledge and ability to operate the system¹.

This project will increase source water for the community and an increase in storage capacity for drinking water. The Jackpot water system has a certified operator D2-T0 in current good standing.

Jackpot Water System has the technical capacity for NDEP to recommend funding support.

¹ NRS 445A.847

Managerial Capacity

“Managerial capability” means the ability of a public water system to conduct its administrative affairs in a manner that ensures compliance with all applicable standards based on²:

1. The accountability, responsibility and authority of the owner or operator of the system; and
2. The personnel and organization of the system; and
3. The ability of the persons who manage the system to work with:
 - (a) Jurisdictional, regulatory and other governmental agencies; and
 - (b) Trade and industry organizations; and
 - (c) The persons served by the system.

The Jackpot water system is managed by Elko County Commissioners, a five-member board subject to open meeting laws. The county has been responsive to regulatory requests. The system has managerial capacity for NDEP to recommend funding support.

Financial Capacity

“Financial capability” means the ability of a public water system to:

1. Pay the costs related to maintenance, operations, depreciation and capital expenses; and
2. Maintain creditworthiness; and
3. Establish and maintain adequate fiscal controls and accounting methods required for the operation of the system³.

Financial Information as of:	June 30, 2023
Financial information independently audited by:	Eide Bailly
Unrestricted cash	\$1,750,641
Days cash on hand	4,750
Outstanding debt	\$1,373,907
Net Income before depreciation	\$241,206
Current ratio	33.67
Debt coverage	4.29

User Water Rates

Water user rates were adopted in 2010. RCAC did a review of rates May 2023 and confirmed current flat rates were sufficient for current operations.

- Residential flat rate per user per month: \$26.00
- Commodity Rate: None currently implemented
- Average Water Rate/Use for System: \$26.00

The water rates established sufficiently cover current operation, maintenance, debt service, and reserves of the system. The system is currently about 90% metered, but meters are aging. Jackpot is looking to update meters and have the system fully metered to implement a new rate structure based on water usage upon completion of this project.

Water Meters

The system is 90% metered, but meters are not currently being utilized.

Asset Management Plan

Jackpot is working with RCAC to complete the Asset Management Plan.

Capital Replacement Reserve Account

Jackpot had a fund balance for Capital Projects of \$88,366 on 6/30/23 and a projected balance of \$183,211 for FY25 close of 6/30/25.

² NRS 445A.827

³ NRS 445A.817

DWSRF Principal Forgiveness Eligibility Criteria The Town of Jackpot qualifies as a disadvantaged entity, making them eligible for principal forgiveness.

System Previous Commitments and Studies

None

DWSRF Authority and Purpose

The 1996 amendments to the Safe Drinking Water Act (SDWA) authorized the DWSRF. The DWSRF is a national program to assist public water systems in financing the cost of drinking water infrastructure projects needed to achieve or maintain compliance with the SDWA and to further the public health objectives of the SDWA. The SDWA authorizes the U.S. Environmental Protection Agency (EPA) to award capitalization grants to states that have established DWSRF programs. The Nevada Legislature passed legislation that authorizes NDEP to administer the DWSRF under the Nevada Revised Statutes (NRS) 445A.200 to 445A.295, inclusive. In addition to the authorizing statute, Nevada has adopted Nevada Administrative Code (NAC) 445A.6751 to 445A.67644, inclusive, which describes the program requirements. Federal regulations for implementing the DWSRF are found in 40 CFR, part 35. Other program directives include the Operating Agreement between NDEP and EPA, the annual Intended Use Plan, EPA guidance and policies, and conditions of each grant award.

One of the requirements of the NRS pertaining to the DWSRF is that NDEP shall not “commit any money in the account for the revolving fund for expenditure ... without obtaining the prior approval of the board for financing water projects” (NRS 445A.265(3)).

DWSRF Loan Conditions

\$423,760.00 D10-0225 DWSRF principal forgiveness loan.

The above-mentioned loan will contain the following conditions:

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.

RECOMMENDED MOTION FOR THE DWSRF LOAN

I move to approve the resolution titled “D10-0225 Town of Jackpot Project Loan Commitment,” which is intended to finance certain projects in an amount not to exceed \$423,760.00. The loan will include terms and conditions as outlined in the resolution and staff report.

**Loan Commitment from the
Drinking Water State Revolving Fund**
Board for Financing Water Projects

February 2025

Weed Heights Development

Total Commitment \$500,000	Recommendation The Nevada Division of Environmental Protection (NDEP) recommends that the Board for Financing Water Projects (Board) approve a loan commitment to Weed Heights Development for back-up power supplies.	
Amount	Resolution	Program and Terms
\$500,000	D11-0225	DWSRF Principal Forgiveness Loan

Management and Structure

Loan Recipient and Structure Weed Heights is a public water system per NRS 445A.235.

System Number NV0000242

System Information

County Lyon

System Population 340

System Service Connections 284

System Infrastructure Weed Heights is supplied with two wells, arsenic treatment and a chlorinator, one two-million gallon storage tank, two booster pump stations, and distribution pipelines.

System Compliance Weed Heights has no violations or deficiencies

System Project for Funding

DWSRF Priority List Priority #141 on the DWSRF Priority List Effective November 2024.

System need for the project Not having a backup power supply for the two well booster pump sites create a significant health and safety risk for the residents within the Weed Heights Development Water Company service area. The probability that NV Energy will be performing rolling blackouts during high wind / high fire danger events is high and a backup power supply will ensure that the residents continue to have access to clean drinking water. A backup power supply is also required to meet NAC 445A.6705.2 a & b.

Project Narrative This project includes the acquisition and installation of backup power sources at two wells and two booster pump facilities. Not having a backup power supply for the two

wells and booster pump sites creates a significant health and safety risk for the residents within the Weed Heights Development Water Company service area. The probability that NV Energy will perform rolling blackouts during high wind / high fire danger events is high.

Project Alternatives Evaluated No alternatives were considered for this project

Maps and Exhibits

In accordance with NRS 239C.210 and Executive Order 2020-01 dated February 4, 2020, drawings, maps, plans, or records that reveal the locations of critical infrastructure including primary buildings, facilities, and other structures used for storing, transporting, or transmitting water are deemed confidential and not subject to subpoena or discovery, and therefore not subject to inspection by the general public.

NDEP is able to provide the following information for further clarification on the project location, need, or scope:



Timeline

Loan Closing: 03/03/2025

Sources of Project Funding

	DWSRF	Local	Other Source	Total Costs
Equipment/Materials	\$435,400.00	\$0.00	\$0.00	\$435,400.00
Construction Contingency	\$64,600.00	\$0.00	\$0.00	\$64,600.00
Totals	\$500,000.00	\$0.00	\$0.00	\$500,000.00

Other Source: _____

Environmental Review

Based on submitted documentation, NDEP expects this project to qualify as a Categorical Exclusion under NAC 445A.67583. This project is for the construction of a small structure on an existing site for minor upgrading or expansion of the existing capacity of the distribution system of a public water system. There is sufficient evidence that a significant effect on the quality of the environment is unlikely.

Community Engagement

Weed Heights Development Board Meeting on August 23, 2024, discussed possibilities of power failure and the need for back power generators. All members voted in favor of the initiation and submittal of the pre-application to the DWSRF.

Loan Recipient Information

Possibility for Consolidation

Consolidation is not an option considered for possible local power failure.

Water Conservation Plan

Weed Heights has a Water Conservation Plan on file with Nevada Division of Water Resources, due to be updated July of 2026.

Technical Capacity

“Technical capability” means the ability of a public water system to:

1. Obtain an adequate and reliable source of water that is necessary to provide the quantity and quality of water required by the system; and
2. Establish and maintain an adequate infrastructure for the treatment, storage and distribution of the quantity and quality of water required by the system; and
3. Employ operators who have the technical knowledge and ability to operate the system¹.

Weed Heights Development has a certified operator Grade T-2 & D-3 in current standing.

Weed Heights Development has the technical capacity for NDEP to recommend funding support.

Managerial Capacity

“Managerial capability” means the ability of a public water system to conduct its administrative affairs in a manner that ensures compliance with all applicable standards based on²:

1. The accountability, responsibility and authority of the owner or operator of the system; and
2. The personnel and organization of the system; and
3. The ability of the persons who manage the system to work with:
 - (a) Jurisdictional, regulatory and other governmental agencies; and
 - (b) Trade and industry organizations; and
 - (c) The persons served by the system.

Weed Heights Development is a private mobile home park with a five-member governing board. They are not subject to open meeting laws. The board has been responsive to requests from NDEP in a timely and complete manner. Weed Heights has demonstrated managerial capacity for NDEP to recommend funding support.

Financial Capacity

“Financial capability” means the ability of a public water system to:

1. Pay the costs related to maintenance, operations, depreciation and capital expenses; and
2. Maintain creditworthiness; and
3. Establish and maintain adequate fiscal controls and accounting methods required for the operation of the system³.

Weed Heights Development is not strictly a water system. They manage the water as part of their development duties. They have provided tax returns for 2019 through 2023. The financials are not specific to just the water system and encompass the whole entity. Based on the information provided Weed Heights Development is a good candidate for funding from the DWSRF. The information below is based on the 2023 tax return. Compiled financial statements have been requested and are being completed by their CPA for 2021-2023 and are to be provided in February 2025. Weed Heights understands that Compiled Financial Statements will be required moving forward.

Financial Information as of:	December 31, 2023
Financial information independently audited by:	N/A
Unrestricted cash	\$718,040
Days cash on hand	196
Outstanding debt	\$1,004,567
Net Income before depreciation	\$201,908
Current ratio	6.28

User Water Rates

Water user rates were adopted March 1, 2023. Since they are a development company and not a water system, there is not a rate structure in place. Weed Heights Development does allocate \$60 per unit per month of the rental fees toward all water usage.

- Residential base rate per user per month: \$60.00

Water Meters

The system does not have individual meters for residents. There are well meters and meters at the water treatment plant to track the overall water usage.

² NRS 445A.827

³ NRS 445A.817

Asset Management Plan	Weed Heights has an Asset Management Plan worksheet update from June 1, 2024, that goes hand in hand with their Fiscal Sustainability Plan from March 2023.
Capital Replacement Reserve Account	Weed Heights does have a Capital Reserve Account with a current balance of \$109,307.91. Weed Heights is aware of the DWSRF requirements for a Capital Reserve Account.
DWSRF Principal Forgiveness Eligibility Criteria	Weed Heights Development is eligible for principal forgiveness based on their disadvantaged status.

System Previous Commitments and Studies

Project I.D. DW2206; Executed June 2022; Loan Amount \$1,481,300.00
Storage Rehabilitation

Project I.D. DW2316; Executed August 2023; Loan Amount \$63,750.00
Water System PER

DWSRF Authority and Purpose

The 1996 amendments to the Safe Drinking Water Act (SDWA) authorized the DWSRF. The DWSRF is a national program to assist public water systems in financing the cost of drinking water infrastructure projects needed to achieve or maintain compliance with the SDWA and to further the public health objectives of the SDWA. The SDWA authorizes the U.S. Environmental Protection Agency (EPA) to award capitalization grants to states that have established DWSRF programs. The Nevada Legislature passed legislation that authorizes NDEP to administer the DWSRF under the Nevada Revised Statutes (NRS) 445A.200 to 445A.295, inclusive. In addition to the authorizing statute, Nevada has adopted Nevada Administrative Code (NAC) 445A.6751 to 445A.67644, inclusive, which describes the program requirements. Federal regulations for implementing the DWSRF are found in 40 CFR, part 35. Other program directives include the Operating Agreement between NDEP and EPA, the annual Intended Use Plan, EPA guidance and policies, and conditions of each grant award.

One of the requirements of the NRS pertaining to the DWSRF is that NDEP shall not “commit any money in the account for the revolving fund for expenditure ... without obtaining the prior approval of the board for financing water projects” (NRS 445A.265(3)).

DWSRF Loan Conditions

\$500,000 D11-0225 DWSRF principal forgiveness loan.

The above referenced loan will contain the following conditions:

- 100% of the principal will be forgiven.
- Review user rates at least every three (3) years for the life of the loan.
- Develop and maintain an asset management plan that is reviewed by the governing board at least every five (5) years.
- The recipient agrees to draw funds available in this contract within three (3) years from the date of this contract. Funds will be subject to de-obligation and/or review after this time period by the Division.

RECOMMENDED MOTION FOR THE DWSRF LOAN

I move to approve the resolution titled “D11-0225 Weed Heights Development Project Loan Commitment,” which is intended to finance certain projects in an amount not to exceed \$500,000. The loan will include terms and conditions as outlined in the resolution and staff report.

RESOLUTION D11-0225

Weed Heights Development Project Loan Commitment

WHEREAS:	The Board for Financing Water Projects (Board) of the State of Nevada is authorized by Nevada Revised Statutes (NRS) chapter 445A.265 to approve the Nevada Division of Environmental Protection (NDEP) prioritized lists of water projects and to commit loans from the revolving fund account to help community water systems and non-transient water systems pay for capital improvements and debt refinancing, both of which are required and made necessary under NRS 445A.800 to 445A.955, inclusive, by the Safe Drinking Water Act (42 U.S.C. §§ 300f et seq.), and by corresponding regulations; and
WHEREAS:	NDEP has the responsibility of administering the Drinking Water State Revolving Fund program; and
WHEREAS:	On November 13, 2024, the Board, under NRS 445A.265(3), approved the Priority List Effective November 2024, which ranks water projects that are eligible for loans from the Drinking Water State Revolving Fund account; and
WHEREAS:	Weed Heights Development (Recipient) owns and operates a private community water system in Nevada; and
WHEREAS:	The Recipient submitted a pre-application to NDEP for funding a project to procure and install back up power sources at two wells and two booster pump facilities (Project); and
WHEREAS:	The Project is included as project #141 on the Priority List Effective November 2024 of water projects; and
WHEREAS:	The Recipient's Project is ready to proceed; and
WHEREAS:	In connection with seeking a loan, the Recipient has submitted a written application to NDEP consistent with NAC 445A.67613; and
WHEREAS:	NDEP has reviewed the application — including supporting materials — and has determined that the Recipient has the technical, managerial, and financial capability to manage a loan for the Project; and
WHEREAS:	NDEP has taken all necessary and proper actions as required by regulations on loan applications adopted by the State Environmental Commission (NAC 445A.6751 to 445A.67644, inclusive); and
WHEREAS:	The Board must give prior approval before NDEP may expend any money from the revolving fund account for the purposes set forth in NRS 445A.275;

IT IS RESOLVED by the Board for Financing Water Projects of the State of Nevada:

Section 1: This resolution shall be known as the “D11-0225 Weed Heights Development Project Loan Commitment”

Section 2: The loan for the Project shall be negotiated between the Recipient and NDEP. The loan will include terms and conditions as outlined in the staff report dated February 19, 2025, and must comply with applicable provisions in the Nevada Drinking Water Intended Use Plan.

Section 3: Based on NDEP’s review of the application and recommendation to the Board concerning the Project, and subject to the provisions of Section 2 and 4 of this resolution, the Board approves a commitment of funds in the amount not to exceed \$500,000 from the revolving fund account consistent with NRS 445A.265(3).

Section 4: The Board further recommends that NDEP take all other necessary and appropriate actions to advance the provisions of this resolution consistent with NRS 445A.200 to 445A.295, inclusive, and with corresponding regulations.

Section 5: This resolution shall be effective on its passage and approval.

PASSED, ADOPTED, AND SIGNED February 19, 2025

Signed: _____

Chair
Board for Financing Water Projects

Attest: _____

Advisor
Board for Financing Water Projects

NRS 232.0081 Language access plan: Development and biennial revision; requirements; public comment; legislative recommendations; inclusion of necessary funding in proposed budget of agency. [Effective May 20, 2024.]

1. The head of each agency of the Executive Department shall designate one or more employees of the agency to be responsible for developing and biennially revising a language access plan for the agency that meets the requirements of subsection 2.

2. A language access plan must assess existing needs of persons served by the agency for language services and the degree to which the agency has met those needs. The plan must include recommendations to expand language services if needed to improve access to the services provided by the agency. The plan must:

(a) Outline the compliance of the agency and any contractors, grantees, assignees, transferees or successors of the agency with existing federal and state laws and regulations and any requirements associated with funding received by the agency concerning the availability of language services and accessibility of the services provided by the agency or any contractors, grantees, assignees, transferees or successors to persons with limited English proficiency;

(b) List the relevant demographics of persons served by or eligible to receive services from the agency, including, without limitation:

- (1) The types of services received by such persons or for which such persons are eligible;
- (2) The preferred language and literacy level of such persons;
- (3) The ability of such persons to access the services of the agency electronically;
- (4) The number and percentage of such persons who are indigenous; and
- (5) The number and percentage of such persons who are refugees;

(c) Provide an inventory of language services currently provided, including, without limitation:

(1) Procedures for designating certain information and documents as vital and providing such information and documents to persons served by the agency in the preferred language of such persons, in aggregate and disaggregated by language and type of service to which the information and documents relate;

(2) Oral language services offered by language and type;

(3) A comparison of the number of employees of the agency who regularly have contact with the public to the number of such employees who are fluent in more than one language, in aggregate and disaggregated by language;

(4) A description of any position at the agency designated for a dual-role interpreter;

(5) Procedures and resources used by the agency for outreach to persons with limited English proficiency who are served by the agency or eligible to receive services from the agency, including, without limitation, procedures for building relationships with community-based organizations that serve such persons; and

(6) Any resources made available to employees of the agency related to cultural competency;

(d) Provide an inventory of the training and resources provided to employees of the agency who serve persons with limited English proficiency, including, without limitation, training and resources regarding:

(1) Obtaining language services internally or from a contractor;

(2) Responding to persons with limited English proficiency over the telephone, in writing or in person;

(3) Ensuring the competency of interpreters and translation services;

(4) Recording in the electronic records of the agency that a person served by the agency is a person with limited English proficiency, the preferred language of the person and his or her literacy level in English and in his or her preferred language;

(5) Communicating with the persons in charge of the agency concerning the needs of the persons served by and eligible to receive the services from the agency for language services; and

(6) Notifying persons with limited English proficiency who are eligible for or currently receiving services from the agency of the services available from the agency in the preferred language of those persons at a literacy level and in a format that is likely to be understood by such persons; and

(e) Identify areas in which the services described in paragraph (c) and the training and resources described in paragraph (d) do not meet the needs of persons with limited English proficiency served by the agency, including, without limitation:

(1) Estimates of additional funding required to meet those needs;

(2) Targets for employing persons who are fluent in more than one language;

(3) Additional requirements necessary to ensure:

(I) Adequate credentialing and oversight of translators and interpreters employed by or serving as independent contractors for the agency; and

(II) That translators and interpreters used by the agency adequately represent the preferred languages spoken by persons served by the agency or eligible to receive services from the agency; and

(4) Additional requirements, trainings, incentives and recruiting initiatives to employ or contract with interpreters who speak the preferred languages of persons with limited English proficiency who are eligible for or currently receiving services from the agency and ways to partner with entities involved in workforce development in imposing those requirements, offering those trainings and incentives and carrying out those recruiting initiatives.

3. If there is insufficient information available to develop or update the language access plan in accordance with the requirements of this section, the employee or employees designated pursuant to subsection 1 shall develop procedures to obtain that information and include the information in any revision to the language access plan.

4. Each agency of the Executive Department shall:

(a) Solicit public comment concerning the language access plan developed pursuant to this section and each revision thereof;

(b) Make recommendations to the Legislature concerning any statutory changes necessary to implement or improve a language access plan; and

(c) Include any funding necessary to carry out a language access plan, including, without limitation, any additional funding necessary to meet the needs of persons with limited English proficiency served by the agency as identified pursuant to paragraph (e) of subsection 2, in the proposed budget for the agency submitted pursuant to NRS 353.210.

5. As used in this section:

(a) “Agency of the Executive Department” means an agency, board, commission, bureau, council, department, division, authority or other unit of the Executive Department of the State Government. The term does not include the Nevada System of Higher Education.

(b) “Dual-role interpreter” means a multilingual employee who:

(1) Has been tested for language skills and trained as an interpreter; and

(2) Engages in interpreting as part of his or her job duties.

(c) “Language services” means oral language services and translation services.

(d) “Oral language services” means services to convey verbal information to persons with limited English proficiency. The term:

(1) Includes, without limitation, staff interpreters, dual-role interpreters, other multilingual employees, telephone interpreter programs, audiovisual interpretation services and non-governmental interpreters.

(2) Does not include family members, friends and other acquaintances of persons with limited English proficiency who have no formal training in interpreting.

(e) “Person with limited English proficiency” means a person who reads, writes or speaks a language other than English and who cannot readily understand or communicate in the English language in written or spoken form, as applicable, based on the manner in which information is being communicated.

(f) “Translation services” means services used to provide written information to persons with limited English proficiency. The term does not include translation tools that are accessed using the Internet.

(Added to NRS by 2021, 3234; A 2021, 3237, effective May 20, 2024)

Capital Improvements Grant Program Project Commitments

Director Settlemeyer, along with the Governor's Finance Office, are asking to have commitments in place for projects moving forward, prior to the bonds being issued. Staff will begin working with potential recipients, and their ability to match the program, in order to present Letters of Intent to the Board at the May 21, 2025 meeting. This will align with current administrative code for the program. Staff recommend including a statement in the resolution indicating that bonding for the project should be requested to support this enhanced commitment. Grant applications would therefore be presented to the Board for funding consideration at the August board meeting, conditioned upon the receipt of bond funds.

NAC 349.485 Approval of letter of intent. ([NRS 349.982](#))

1. The Board will approve the letter of intent in a motion or resolution adopted by the Board if the Board:

(a) Makes the determinations required pursuant to subsection 3 of [NAC 349.480](#); and

(b) Finds that the proposed improvement or costs qualify for a grant pursuant to [NRS 349.981](#) or [349.983](#).

2. Upon approval of a letter of intent by the Board, the applicant must file an application for the proposed improvement or costs within 1 year after the date of approval or by a date specified by the Board, except that:

(a) Upon the request of the applicant and based upon the occurrence of circumstances beyond the control of the applicant, the Division of Environmental Protection of the Department may once authorize the applicant to file the application at a later date, which must not be later than 18 months after the date of approval or 6 months after the date originally specified by the Board; or

(b) The Board may, upon good cause shown, extend the period for the applicant to file the application.

3. If the Board has approved a letter of intent, it may request that the Division of Environmental Protection or the Water Planning Section of the Division of Water Resources of the Department, as appropriate and within the limits of their available resources, assist the applicant with preparing an application. The Board may also request the Division of Environmental Protection of the Department to issue a letter evidencing an intent to proceed with the program.

4. The approval of a letter of intent by the Board does not guarantee or ensure that any proposed improvement or costs will be provided a grant.

Capital Improvements Grant Program Contracts

Director Settlemeyer is encouraging the Board to consider more language in the grant contracts to ensure funds are spent timely, or provide authority to manage the cash quickly, should the project experience delays. Staff suggests the Board consider:

- Grant funding agreements would only be for a three-year timeframe, with extensions only granted by the Board under certain circumstances.
- Requiring recipients to agree to a draw timeline that becomes part of the contract. Should the timeline not be met over two consecutive quarters, or sooner depending on project specific situations, staff would be able to bring the project before the Board for review and possible de-obligation. Allowing the director the authority to increase contracts beyond the amount not-to-exceed by 30% or \$2,000,000, whichever is less.

1 STATE OF NEVADA

2 GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS

3 GRANT CONTRACT NO. GP#####

4
5 This grant contract is made this [DATE] day of [MONTH], [YEAR] between the State of Nevada, acting
6 by and through its Board for Financing Water Projects (Board), hereinafter referred to as the State, and the
7 [ENTITY], hereafter referred to as the Recipient. This grant contract is to provide funding for the project
8 as outlined in Section 1.

9
10 **WHEREAS:**

- 11
- 12 1. Nevada Revised Statutes (NRS) 349.981(1) establishes a program to provide grants of money to a
13 purveyor of water to pay for costs of capital improvements to publicly owned community water systems
14 and publicly owned nontransient water systems required or made necessary by the State Environmental
15 Commission, and
 - 16 2. The State shall administer the program and shall adopt regulations necessary for the participation in the
17 program as the State deems necessary (NRS 349.982), and
 - 18 3. The Recipient is a purveyor of water who is constructing an eligible project for funding from the
19 account (NRS 349.981); and
 - 20 4. The Recipient has satisfied the requirements to apply for a grant related to the construction of the Project
21 hereafter described in conformance with Nevada Administrative Code (NAC) 349.430 through NAC
22 349.574, inclusive; and
 - 23 5. The State has adopted a resolution of funding and transmitted the resolution to the Department of
24 Conservation and Natural Resources and the Division of Environmental Protection (NAC 349.535(3)).
- 25
26

1 **NOW, THEREFORE,** It is agreed as Follows:

2

3 **SECTION 1. PROJECT DESCRIPTION**

4 In general, funding for this Project will be used [PROJECT DESCRIPTION]. Specific details of the Project
5 may be found in the application and supporting documents.

6

7 **SECTION 2. INCORPORATION OF DOCUMENTS AND GENERAL RECIPIENT COMMIT-**
8 **MENTS**

9 This contract incorporates the following documents:

10 (A) Exhibit A, Grant Contract Standard Conditions, and

11 (B) Exhibit B, Resolution of Board for Financing Water Projects for Commitment of Funds from the
12 Capital Improvements Grants Program, and

13 (C) Exhibit C, Draw Schedule.

14 The Recipient accepts and agrees to comply with all terms, provisions, conditions, and commitments of this
15 contract, including all incorporated documents, and to fulfill all assurances, declarations, representations,
16 and commitments made by the Recipient in its application, accompanying documents, and communications
17 filed in support of its request for the grant.

18

19 **SECTION 3. ESTIMATED COST OF PROJECT**

20 The estimated total eligible project cost, including associated planning and design cost is [AMOUNT
21 (\$)].

22

23 **SECTION 4. MAXIMUM GRANT AMOUNT**

24 Subject to all of the terms, provisions, and conditions of this contract, and subject to the availability of State
25 funds, the State will grant a sum not to exceed [AMOUNT (\$)] to the Recipient.

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SECTION 5. APPLICANT SHARE

The minimum amount the Applicant is required to contribute to this project is [REDACTED] (%) of the eligible project costs. This contribution must be provided from another funding source for each draw presented to State for reimbursement.

SECTION 6. FEES

1. The State may charge a grant administrative fee in an amount authorized by NAC 349.549.
2. The grant Recipient shall remit to the Division the full amount of the grant administrative fee within 30 days after the grant execution.
3. This grant contract contains a grant administrative fee in the amount of \$1,000.

SECTION 7. FISCAL SUSTAINABILITY PLAN

The Recipient will maintain a fiscal sustainability plan that outlines the system’s assets, identifies the critical assets of the system, determines condition of the assets, and plans for future replacement.

1. The plan must evaluate the level of service required of the system, and
2. The plan must address ongoing maintenance of system assets to ensure its maximum useful life, and
3. The plan must be reviewed and updated by the Recipient at least once every five years, and
4. The Recipient may maintain a fiscal sustainability plan in logical sections of the system rather than the entire system upon approval of the Division, and
5. The plan is subject to periodic review by the Division.

SECTION 8. MAINTAIN A CAPITAL ASSET REPLACEMENT RESERVE ACCOUNT

The Recipient agrees to maintain a dedicated capital asset replacement reserve account.

1. Funds within this account can be used to purchase any capital asset of the water utility.

2. Funds within this account cannot be used for operations, maintenance, debt service, or other non-capital expenditures.
3. The Recipient agrees to fund the account at least annually based upon the needed replacement cost of the system's short-lived assets (15 years or less) amortized on a straight-line basis. The replacement cost of the system's short-lived assets must be re-evaluated at least every five (5) years.
4. The reserve account must be identifiable on the Recipient's financial statements provided to the State.
5. The State may consider other funding available for capital assets to meet this condition.

SECTION 9. USEFUL LIFE OF PROJECT

For purposes of this contract, the parties agree that the useful life of the Project is at least six months from and after Project completion.

SECTION 10. TERM

This contract shall take effect upon execution of the contract by the State and the Recipient, and for the purpose of this section, the contract will expire on **December 15, 2024**.

SECTION 11. NOTICES

All notices or other communications hereunder shall be sufficiently given and shall be deemed given when: (a) hand delivered; (b) mailed by registered or certified United States mail, postage; or (c) via email to the parties hereinafter set forth at the following addresses:

1. Nevada Division of Environmental Protection
Board for Financing Water Projects
ATTN: Advisor to the Board
901 S. Stewart St., Ste 4001

1 Carson City, NV 89701-5249

2 ndep-ofa@ndep.nv.gov

3

4 2. [ENTITY NAME]

5 [ADDRESS]

6 [CITY, NV ZIP]

7 [EMAIL]

8

9 **IN WITNESS THEREOF**, the parties have executed this contract on the dates set forth below.

10

11 **RECIPIENT:** [ENTITY]

12

13 _____ Date: _____

14 [NAME, TITLE, ENTITY]

15

16 **DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

17

18 _____ Date: _____

19 James A. Settlemeyer, Director

20

21 _____ Date: _____

22 Jason Cooper, Advisor to the Board for Financing Water Projects

23

24

EXHIBIT A
GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS STANDARD GRANT
CONDITIONS

Condition 1. AWARD OF CONSTRUCTION CONTRACTS; NOTIFICATION OF AWARD AND INITIATION OF CONSTRUCTION

- 1.1 Recipient shall comply with all applicable state laws and regulations pertaining to general provisions of construction projects for public works, including, but not limited to, procurement, employment practices, wages, and construction best management practices.
- 1.2 The State may, upon the request of the recipient, grant an extension of the time provided by condition 1 in any case where unusual or extenuating circumstances exist. Any request for an extension must be made in writing and must set forth facts justifying the extension.
- 1.3 The Recipient agrees to promptly notify the State in writing both of the award of the prime construction contract for the project and of initiation of construction of the project.
- 1.4 The Recipient shall require the contractor to submit a schedule for construction at the preconstruction conference. The contractor shall be required to update the schedule as necessary.
- 1.5 The Recipient agrees to expeditiously proceed with and complete construction of the project in substantial compliance with project plans and specifications approved by the State.

Condition 2. CONSTRUCTION ACTIVITIES AND NOTIFICATIONS

The Recipient agrees to promptly notify the State in writing of:

- 2.1 Any substantial change in scope of the project. The Recipient agrees that no substantial change in the scope of the project will be undertaken until written notice of the proposed change has been provided to the State and the State has given written approval for such a change.
- 2.2 Cessation of all major construction work on the project where such cessation of work is expected to or does extend for a period of 30 days or more.
- 2.3 Any circumstance, combination of circumstances, or condition, which is expected to or does delay completion of construction for a period of 90 days or more beyond the estimated date of completion of construction previously provided to the State.
- 2.4 Completion of construction of the project within 30 days.
- 2.5 After completion of the project the Recipient shall provide the State with as-built record drawings for the project.

Condition 3. RESIDENT ENGINEER & INSPECTOR

The Recipient is required to hire a qualified full time resident engineer and inspector(s) during the construction of the project unless waived by the State.

Condition 4. PROJECT ACCESS & STATE REVIEWS

- 4.1 The Recipient agrees to ensure that the State or any authorized representative thereof will have suitable access to the project site and project documents at reasonable times during project construction.

EXHIBIT A
GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS STANDARD GRANT
CONDITIONS

- 4.2 The parties agree that review or approval of project plans and specifications by the State is for administrative purposes only and does not relieve the Recipient of the responsibility to properly plan, design, construct, operate and maintain the Project.

Condition 5. INDEMNIFICATION

- 5.1 As between the State and the Recipient, the Recipient agrees that it has sole responsibility for proper planning, design, construction, operation and maintenance of the Project, and the Recipient agrees to indemnify the State, the State of Nevada and their officer, agents and employees against and to hold the same free and harmless from any and all claims, demands, damages, losses costs, expenses or liability due or incident to planning, design, construction, operation or maintenance of the Project.
- 5.2 The parties will not waive and intend to assert available NRS 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Actual damages for any State breach shall never exceed the amount of funds, which have been appropriated for payment under this contract, but not yet paid, for the fiscal year budget in existence at the time of the breach.
- 5.3 To the fullest extent of limited liability as set forth above, each party shall indemnify, hold harmless, and defend, not excluding the other's right to participate, the other from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to, reasonable attorneys' fees and costs arising out of any alleged negligent or willful acts or omissions of the party, its officers, employees, and agents. Such obligation shall not be constructed to negate, abridge, or otherwise reduce any other right or obligation of indemnity, which would otherwise exist to any party or person described in this paragraph.
- 5.4 The indemnification obligation under this paragraph is conditioned upon receipt of written notice by the indemnifying party within 30 days of the indemnified party's actual notice of any actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys' fees and costs for the indemnified party's chosen right to participate with legal counsel.

Condition 6. PROJECT COMPLETION; INITIATION OF OPERATIONS & OPERATION AND MAINTENANCE

- 6.1 At the time of completion of construction, the State, after consultation with the Recipient, will establish a reasonable estimated project completion date, and the Recipient agrees to make all reasonable efforts to meet the date so established. Such date shall be binding upon the Recipient unless modified in writing by the State upon a showing of good cause by the Recipient. Extension of the project completion date by the State shall not be unreasonably withheld.
- 6.2 Upon completion of construction of the Project, the Recipient agrees to expeditiously initiate project operations. The Recipient agrees to properly staff, operate and maintain all portions of the Project during its useful life in accordance with all applicable state laws, rules and regulations. Upon reasonable notice, the Recipient shall make available to the State the operation and maintenance manuals for the Project.

EXHIBIT A
GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS STANDARD GRANT
CONDITIONS

Condition 7. DEDICATED SOURCE OF REVENUE & SYSTEM USER CHARGES

- 7.1 The Recipient shall adopt and maintain in effect during the term of this contract a user charge system or other dedicated source of revenue such as connection fees, which at all times complies with the requirements of applicable state rules, regulations and guidelines.
- 7.2 The Recipient agrees to administer a system of user charges acceptable to the State. The system of user charges must provide, at a minimum, funding necessary to pay for the costs of operations, maintenance, debt service, and reserve account requirements, including any reserve accounts specifically required for debt service or capital replacement.
- 7.3 The Recipient further agrees to periodically review and modify the system of user charges as necessary to assure its reasonable adequacy to sustain the system, and to cover operating costs and meet other financial obligations of the Recipient. The system of user charges shall be reviewed at least once every three years and all modifications thereto shall be maintained to the reasonable satisfaction of the State.

Condition 8. CONTINUOUS USE OF PROJECT

The Recipient agrees that it will not abandon, substantially discontinue use of, or dispose of the project during the useful life of the project without prior written approval of the State. If the Recipient does abandon, substantially discontinue use, of, or dispose of the Project during the useful life of the Project without prior approval of the State, the Recipient shall repay the State all remaining grant funds advanced hereunder due in accordance with the terms of this contract.

Condition 9. REPORTS, RECORDS & ACCOUNTING STANDARDS

- 9.1 The Recipient agrees to expeditiously provide, during construction of the project and thereafter during the useful life of the project, such reports, data, and information as may be reasonably required by the State, including but not limited to material necessary or appropriate for evaluation by the State Grant Program or to fulfill any reporting requirements of the federal government. At a minimum, such reports reasonably required by the State shall include the submission of annual financial statements, prepared on a basis utilizing "Generally Accepted Accounting Principles (GAAP).

Without limitation of the requirement to maintain project accounts in accordance with generally accepted government accounting standards, the Recipient agrees to:

- 9.2 Maintain separate Project accounts in accordance with generally accepted government accounting standards; and
- 9.3 Establish an official file for the project which shall adequately document all significant actions relative to the project; and
- 9.4 Establish accounts which will adequately and accurately depict all amounts received and expended on the project, including all grant funds received under this contract; and
- 9.5 Establish accounts which will adequately depict all income received which is attributable to the project, specifically including any income attributable to grant funds disbursed under this contract; and
- 9.6 Establish an accounting system which will accurately depict final total costs of the project, including both direct and indirect costs; and

EXHIBIT A
GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS STANDARD GRANT
CONDITIONS

- 9.7 Maintain records and accounting activities of the water utility separately from other activities of the Recipient; and
- 9.8 If a force account is used by the Recipient for any phase of the Project, other than for planning, design and construction engineering and administration provided for by allowance, accounts will be established which reasonable document all employee hours charged to the project and the associated tasks performed by each employee; and
- 9.9 Retain project records for a minimum of five (5) years after final grant repayment has been made, and for such longer period as may be required for the State to fulfill tax-exempt bond reporting requirements under federal statutes and regulations. All Recipient records relative to the project shall be subject at all reasonable times to inspection, copying, and audit by the State or any authorized representative.

Condition 10. FINANCIAL INFORMATION AUDIT

The State, at its option, may call for an audit of financial information relative to the project, where the State determines that an audit is desirable to assure program integrity or where such an audit becomes necessary because of state or federal requirements. Where such an audit is called for, the audit shall be performed by a Certified Public Accountant independent of the Recipient and at the cost of the Recipient. The audit shall be in the form required by the State.

Condition 11. GRANT DISBURSEMENT; AVAILABILITY OF FUNDS

- 11.1 The Recipient agrees to draw funds available in this contract consistent with a draw schedule approved by the State. Funds will be subject to de-obligation and/or review by the State if draws are not performed timely.

Except as may be otherwise provided in this contract, grant amounts will be disbursed as follows:

- 11.2 Grant funds will be promptly disbursed to the Recipient for project costs incurred by the Recipient upon receipt by the State of proper and acceptable Payment Request Forms from the Recipient.
- 11.3 Additional grant funds will be promptly disbursed to the Recipient for project costs incurred by the Recipient upon receipt of proper and acceptable payment requests from the Recipient provided that payment shall not be made more frequently than once a month.
- 11.4 The Recipient agrees that it will not request payment for any project cost until such cost has been incurred and is due and payable, although it is agreed that actual payment of such cost by the Recipient is not required as a condition of payment request. The Recipient agrees to provide a certification with each payment request that costs shown in the payment request have been incurred and is due and payable at the time of the request.
- 11.5 Each disbursement of grant funds will be accompanied by an appropriate amount of match from other funding sources in conformance with NRS 349.983(3).
- 11.6 Each disbursement of grant funds other than for the planning and design allowance will be accompanied by an appropriate prorated percentage of the allowance for construction engineering and inspection services for the project.
- 11.7 The State's obligation to pay any sum to the Recipient under any provisions of this contract, is contingent upon the availability of sufficient funds to permit the payments provided for herein. In the event that sufficient funds, as determined by the State, do

EXHIBIT A
GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS STANDARD GRANT
CONDITIONS

not become available for any reason, the State shall not be obligated to make any payments to the Recipient under this contract. This provision shall be construed as a condition precedent to the obligation of the State to make any payments under this contract. Nothing in this contract shall be construed to provide the Recipient with a right of priority for payment over any other agency. If any payments which are otherwise due to the Recipient under this contract are deferred because of unavailability of sufficient funds, such payments will promptly be made to the Recipient when sufficient funds do become available.

- 11.8 Any state funds used for funding this grant will be provided through state issued bonds that may be subject to arbitrage restrictions. Timely and expeditious expenditures are required throughout the performance of the project.

Condition 12. **TERMINATION; IMMEDIATE REPAYMENT; INTEREST**

- 12.1 This contract may be terminated by written notice during construction of the project, or thereafter at any time prior to complete repayment by the Recipient, at the option of the State, upon violation by the Recipient of any material provision of this grant contract after such violation has been called to the attention of the Recipient and after failure of the Recipient to bring itself into compliance with the provisions of this contract within a reasonable time as established by the State.
- 12.2 In the event of such termination, the Recipient agrees, upon demand, to immediately repay to the State an amount equal to the current balance due on the grant in accordance with the terms of this contract.

Condition 13. **DEFAULTS & REMEDIES**

- 13.1 **NOTICE OF DEFAULT.** If an Event of Default shall occur, the non-defaulting party shall give the party in default prompt telephonic notice of the occurrence of such Event of Default, provided the non-defaulting party has knowledge of such Event of Default. Such telephonic notice shall be immediately followed by written notice of such event of Default given in the manner set forth in the contract.
- 13.2 **EVENTS OF DEFAULT.** The occurrence of one or more of the following events constitutes an Event of Default, whether occurring voluntarily or involuntarily, by operation of law or pursuant to any order of any court or governmental agency.
- i. Failure by the Recipient to observe and perform any duty, covenant, obligation, or agreement on its part to be observed or performed under this grant contract, which failure shall continue for a period of 30 days after written notice, specifying such failure and requesting that it be remedied, is given to the Recipient by State;
 - ii. Any representation made by or on behalf of the Recipient contained in this grant contract, or in any instrument furnished in compliance with or with reference to this grant Agreement or the grant, is intentionally false or misleading in any material respect.
- 13.3 **REMEDIES,** If State determines that an Event of Default has occurred, State may, without further notice:
- i. Demand immediate repayment of all or part of any payment made to the Recipient;

EXHIBIT A
GRANTS FOR WATER CONSERVATION AND CAPITAL IMPROVEMENTS STANDARD GRANT
CONDITIONS

- ii. Cease making disbursement of grant proceeds or make some disbursements of grant proceeds and withhold or refuse to make other disbursements;
- iii. Pursue any other legal or equitable remedy it may have.

Condition 14. DISPOSITION OF EQUIPMENT

When original or replacement equipment used to construct the facilities acquired under this contract is no longer needed for the original project, disposition of the equipment will be made in consultation with the Nevada State Purchasing Office and disposed of in accordance with State law for the specific type of asset.

Condition 15. DISPUTES

Any dispute arising under this contract which is not otherwise disposed of shall be decided by the Administrator of the Division of Environmental Protection. The decision shall be reduced to writing and a copy thereof furnished to the Recipient. The decision of the Administrator shall be final and conclusive unless, within thirty (30) calendar days after mailing of the Administrator's decision to the Recipient, the Recipient mails or otherwise furnishes a written appeal of the decision to the Director of the Department of Conservation and Natural Resources. The decision of the Director shall be final and conclusive unless overturned by a court of competent jurisdiction. In connection with any appeal under this clause, the Recipient shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Recipient shall continue to fulfill and comply with all the terms, provisions, commitments, and requirements of this grant contract.

Condition 16. FORCE MAJURE

Neither party shall be deemed to be in violation of this Contract if it is prevented from performing any of its obligation hereunder due to unforeseeable events including strikes, failure of public transportation, civil or military authority, acts of public enemy, accidents, fires, explosions, earthquakes, flood, or unusual atmospheric events. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of this Contract after the intervening cause ceases.

Condition 17. WAIVER

The parties hereto may, from time to time, waive any rights under this contract unless such waiver is contrary to law, provided that any such waiver must be in writing and must be signed by the party making such waiver.

Condition 18. AMENDMENT

This contract may be amended at any time by mutual written agreement of the parties.

ASSEMBLY BILL NO. 104—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON NATURAL RESOURCES)

PREFILED JANUARY 17, 2025

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to water. (BDR 48-383)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to water; requiring the State Engineer to retire certain water rights; revising provisions relating to temporary permits to appropriate groundwater; creating the Nevada Conservation and Recreation Program; creating the Account for Retiring Water Rights; establishing the Nevada Voluntary Water Rights Retirement Program and the Advisory Committee for the Nevada Voluntary Water Rights Retirement Program; requiring the Director of the State Department of Conservation and Natural Resources to purchase certain water rights with money from the Account for the purpose of retiring those water rights; revising provisions relating to the program to provide grants of money to pay certain costs related to water conservation and capital improvements to water systems; revising provisions relating to a program to pay the costs for property owners to connect to a community sewerage disposal system under certain circumstances; revising certain legislative declarations relating to clean water and water pollution; authorizing the State Environmental Commission to establish a water quality standard variance; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law requires the State Department of Conservation and Natural
2 Resources to make grants to state agencies, local governments, water conservancy
3 districts, conservation districts and certain nonprofit organizations to protect,
4 preserve and obtain the benefits of the property and natural and cultural resources
5 of this State and requires the Director to adopt regulations to make such grants.
6 (Section 2 of Assembly Bill No. 84, chapter 480, Statutes of Nevada 2019, at page
7 2861) Existing regulations establish the Nevada Conservation and Recreation
8 Program to make such grants. (LCB File No. R025-22) **Section 8** of this bill creates
9 the Program in statute. **Section 8** further provides that the Program consists of a
10 grant program to make such grants and the Nevada Voluntary Water Rights
11 Retirement Program. **Section 14** of this bill provides that the Program and the
12 Advisory Committee are within the Department. **Section 13** of this bill applies the
13 definitions in existing law relating to the Department to the provisions of **sections**
14 **8-12**.

15 Under existing law, any person who wishes to appropriate public waters, or to
16 change the place of diversion, manner of use or place of use of water already
17 appropriated, must apply to the State Engineer for a permit to do so. (NRS 533.325)
18 Existing law further provides that all underground waters within the boundaries of
19 the State are subject to appropriation for beneficial use only under the laws of this
20 State relating to the appropriation and use of water. (NRS 534.020) **Section 9** of
21 this bill creates the Account for Retiring Water Rights, to be administered by the
22 Director of the State Department of Conservation and Natural Resources, and
23 requires that the money in the Account only be used for the purchase of water rights
24 for certain purposes. **Section 10** of this bill establishes the Nevada Voluntary Water
25 Rights Retirement Program in the Nevada Conservation and Recreation Program, to
26 be administered by the Director, and establishes requirements for the purchase and
27 retirement of water rights. **Section 10** also prohibits the Director from accepting
28 applications for the purchase and retirement of water rights after June 30, 2035.

29 **Section 4** of this bill: (1) requires the State Engineer to retire water rights
30 purchased by the Nevada Voluntary Water Rights Retirement Program; and (2)
31 prohibits the State Engineer from retiring any water rights from the Program after
32 June 30, 2035.

33 **Section 11** of this bill establishes the Advisory Committee for the Nevada
34 Voluntary Water Rights Retirement Program within the Department and requires
35 the Advisory Committee to consult with the Director regarding the provisions of
36 **sections 10 and 12** of this bill.

37 **Section 12** requires the Director to adopt regulations necessary to carry out the
38 provisions of **sections 8-12**. **Section 24** of this bill requires the Director to adopt
39 these regulations by July 1, 2026.

40 **Sections 1-3** of this bill prohibit the appropriation of water for which the rights
41 have been retired pursuant to the Nevada Voluntary Water Rights Retirement
42 Program.

43 **Section 25** of this bill provides for the provisions relating to the Account,
44 Advisory Committee and regulations set forth in **sections 9, 11, 12 and 14** to expire
45 on June 30, 2035. **Sections 15 and 21** of this bill make conforming changes to
46 reflect the expiration of these provisions.

47 Under existing law, the State Engineer may issue temporary permits to
48 appropriate groundwater in certain designated areas which may be revoked under
49 certain circumstances. In areas where these temporary permits have been issued, the
50 State Engineer is required to prohibit the drilling of wells for domestic use if water
51 can be furnished by a public entity presently engaged in furnishing water to the
52 inhabitants of the area. (NRS 534.120) **Sections 5, 6, 16 and 22** of this bill revise
53 references to these temporary permits to revocable permits.



54 **Section 23** of this bill deems any such existing and valid temporary permit
55 issued by the State Engineer pursuant to existing law before July 1, 2025, to be a
56 revocable permit. **Section 5** also requires the State Engineer to prohibit the drilling
57 of wells for domestic use if a property is within 1,250 feet of a service line of a
58 public entity presently engaged in furnishing water to the inhabitants of the area.

59 Existing law establishes a program to provide grants of money to purveyors of
60 water and eligible recipients to pay for certain costs related to water conservation
61 and capital improvements to water systems. Under this program, eligible recipients
62 may receive grants of money to pay the cost of improvements to conserve water.
63 (NRS 349.981) **Section 16** includes in the types of improvements for which an
64 eligible recipient could receive a grant: (1) the removal and replacement of grass
65 with water-efficient landscaping, under certain circumstances; and (2) the
66 permanent retirement of groundwater rights for certain purposes.

67 Existing law requires certain recipients of a grant of money from this program
68 to provide an amount of money determined by the Board for Financing Water
69 Projects that will be used for the same purpose as the grant. (NRS 349.983) **Section**
70 **17** of this bill requires all recipients of a grant of money from this program to
71 provide an amount of money determined by the Board that will be used for the
72 same purpose as the grant.

73 Existing law authorizes a district board of health to create a voluntary financial
74 assistance program to pay 100 percent of the costs for property owners with an
75 existing septic system whose property is served by a municipal water system to
76 connect to the community sewerage disposal system. (NRS 439.3672) **Section 18**
77 of this bill establishes certain requirements for a property owner to be eligible to
78 receive financial assistance from this program.

79 Existing law sets forth a legislative declaration relating to the right of the
80 people of this State to clean water and certain policies of this State related to this
81 right to clean water. (NRS 445A.305) **Section 19** of this bill sets forth the policy of
82 this State to encourage and promote water reuse in an appropriate manner that is
83 consistent with public health.

84 Existing state law requires the State Environmental Commission to establish
85 water quality standards at a level designed to protect and ensure a continuation of
86 the designated beneficial use or uses for the stream segment or other body of
87 surface water that have been determined applicable by the Commission. (NRS
88 445A.520) Existing federal law authorizes a state to establish a variance in the
89 water quality standard from the water quality standard determined to protect and
90 ensure a continuation of the designated beneficial use or uses if the state determines
91 that compliance with this standard is not feasible for certain reasons. (40 C.F.R. §
92 131.14) **Section 20** of this bill authorizes the Commission to establish a water
93 quality standard variance in accordance with federal law.

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

1 **Section 1.** NRS 533.030 is hereby amended to read as follows:
2 533.030 1. Subject to existing rights, and except as otherwise
3 provided in this section and NRS 533.0241, 533.027 and 533.028,
4 *and section 4 of this act*, all water may be appropriated for
5 beneficial use as provided in this chapter and not otherwise.

6 2. The use of water, from any stream system as provided in this
7 chapter and from underground water as provided in NRS 534.080,



1 for any recreational purpose, or the use of water from the Muddy
2 River or the Virgin River to create any developed shortage supply or
3 intentionally created surplus, is hereby declared to be a beneficial
4 use. As used in this subsection:

5 (a) "Developed shortage supply" has the meaning ascribed to it
6 in Volume 73 of the Federal Register at page 19884, April 11, 2008,
7 and any subsequent amendment thereto.

8 (b) "Intentionally created surplus" has the meaning ascribed to it
9 in Volume 73 of the Federal Register at page 19884, April 11, 2008,
10 and any subsequent amendment thereto.

11 3. Except as otherwise provided in subsection 4, in any county
12 whose population is 700,000 or more:

13 (a) The board of county commissioners may prohibit or restrict
14 by ordinance the use of water and effluent for recreational purposes
15 in any artificially created lake or stream located within the
16 unincorporated areas of the county.

17 (b) The governing body of a city may prohibit or restrict by
18 ordinance the use of water and effluent for recreational purposes in
19 any artificially created lake or stream located within the boundaries
20 of the city.

21 4. In any county whose population is 700,000 or more, the
22 provisions of subsection 1 and of any ordinance adopted pursuant to
23 subsection 3 do not apply to:

24 (a) Water stored in an artificially created reservoir for use in
25 flood control, in meeting peak water demands or for purposes
26 relating to the treatment of sewage;

27 (b) Water used in a mining reclamation project; or

28 (c) A body of water located in a recreational facility that is open
29 to the public and owned or operated by the United States or the State
30 of Nevada.

31 **Sec. 2.** NRS 533.370 is hereby amended to read as follows:

32 533.370 1. Except as otherwise provided in this section and
33 NRS 533.0241, 533.345, 533.371, 533.372 and 533.503, *and*
34 *section 4 of this act*, the State Engineer shall approve an application
35 submitted in proper form which contemplates the application of
36 water to beneficial use if:

37 (a) The application is accompanied by the prescribed fees;

38 (b) The proposed use or change, if within an irrigation district,
39 does not adversely affect the cost of water for other holders of water
40 rights in the district or lessen the efficiency of the district in its
41 delivery or use of water; and

42 (c) The applicant provides proof satisfactory to the State
43 Engineer of the applicant's:



1 (1) Intention in good faith to construct any work necessary to
2 apply the water to the intended beneficial use with reasonable
3 diligence; and

4 (2) Financial ability and reasonable expectation actually to
5 construct the work and apply the water to the intended beneficial use
6 with reasonable diligence.

7 2. Except as otherwise provided in subsection 10, ~~[where there]~~
8 *the State Engineer shall reject an application and refuse to issue*
9 *the requested permit if:*

10 (a) *There* is no unappropriated water in the proposed source of
11 supply ~~[, where the]~~ ;

12 (b) *The* groundwater that has not been committed for use has
13 been reserved pursuant to NRS 533.0241 ;

14 (c) *The groundwater rights have been retired pursuant to*
15 *section 4 of this act;* or ~~[where its]~~

16 (d) *The* proposed use or change conflicts with existing rights or
17 with protectable interests in existing domestic wells as set forth in
18 NRS 533.024 ~~[.]~~ or threatens to prove detrimental to the public
19 interest . ~~[, the State Engineer shall reject the application and refuse~~
20 ~~to issue the requested permit.]~~

21 ↪ If a previous application for a similar use of water within the
22 same basin has been rejected on ~~[those grounds,]~~ *any such ground,*
23 the new application may be denied without publication.

24 3. In addition to the criteria set forth in subsections 1 and 2, in
25 determining whether an application for an interbasin transfer of
26 groundwater must be rejected pursuant to this section, the State
27 Engineer shall consider:

28 (a) Whether the applicant has justified the need to import the
29 water from another basin;

30 (b) If the State Engineer determines that a plan for conservation
31 of water is advisable for the basin into which the water is to be
32 imported, whether the applicant has demonstrated that such a plan
33 has been adopted and is being effectively carried out;

34 (c) Whether the proposed action is environmentally sound as it
35 relates to the basin from which the water is exported;

36 (d) Whether the proposed action is an appropriate long-term use
37 which will not unduly limit the future growth and development in
38 the basin from which the water is exported; and

39 (e) Any other factor the State Engineer determines to be
40 relevant.

41 4. Except as otherwise provided in this subsection and
42 subsections 6 and 10 and NRS 533.365, the State Engineer shall
43 approve or reject each application within 2 years after the final date
44 for filing a protest. The State Engineer may postpone action:

45 (a) Upon written authorization to do so by the applicant.



1 (b) If an application is protested.

2 (c) If the purpose for which the application was made is
3 municipal use.

4 (d) In areas where studies of water supplies have been
5 determined to be necessary by the State Engineer pursuant to
6 NRS 533.368.

7 (e) Where court actions or adjudications are pending, which may
8 affect the outcome of the application.

9 (f) In areas in which adjudication of vested water rights is
10 deemed necessary by the State Engineer.

11 (g) On an application for a permit to change a vested water right
12 in a basin where vested water rights have not been adjudicated.

13 (h) Where authorized entry to any land needed to use the water
14 for which the application is submitted is required from a
15 governmental agency.

16 (i) On an application for which the State Engineer has required
17 additional information pursuant to NRS 533.375.

18 5. If the State Engineer does not act upon an application in
19 accordance with subsections 4 and 6, the application remains active
20 until approved or rejected by the State Engineer.

21 6. Except as otherwise provided in this subsection and
22 subsection 10, the State Engineer shall approve or reject, within 6
23 months after the final date for filing a protest, an application filed to
24 change the point of diversion of water already appropriated when
25 the existing and proposed points of diversion are on the same
26 property for which the water has already been appropriated under
27 the existing water right or the proposed point of diversion is on real
28 property that is proven to be owned by the applicant and is
29 contiguous to the place of use of the existing water right. The State
30 Engineer may postpone action on the application pursuant to
31 subsection 4.

32 7. If the State Engineer has not approved, rejected or held a
33 hearing on an application within 7 years after the final date for filing
34 a protest, the State Engineer shall cause notice of the application to
35 be republished and reposted pursuant to NRS 533.360 immediately
36 preceding the time at which the State Engineer is ready to approve
37 or reject the application. The cost of the republication must be paid
38 by the applicant. After such republication and reposting, a protest
39 may be filed in accordance with NRS 533.365.

40 8. If a hearing is held regarding an application, the decision of
41 the State Engineer must be in writing and include findings of fact,
42 conclusions of law and a statement of the underlying facts
43 supporting the findings of fact. The written decision may take the
44 form of a transcription of an oral ruling. The rejection or approval of
45 an application must be endorsed on a copy of the original



1 application, and a record must be made of the endorsement in the
2 records of the State Engineer. The copy of the application so
3 endorsed must be returned to the applicant. Except as otherwise
4 provided in subsection 11, if the application is approved, the
5 applicant may, on receipt thereof, proceed with the construction of
6 the necessary works and take all steps required to apply the water to
7 beneficial use and to perfect the proposed appropriation. If the
8 application is rejected, the applicant may take no steps toward the
9 prosecution of the proposed work or the diversion and use of
10 the public water while the rejection continues in force.

11 9. If a person is the successor in interest of an owner of a water
12 right or an owner of real property upon which a domestic well is
13 located and if the former owner of the water right or real property on
14 which a domestic well is located had previously filed a written
15 protest against the granting of an application, the successor in
16 interest must be allowed to pursue that protest in the same manner
17 as if the successor in interest were the former owner whose interest
18 he or she succeeded. If the successor in interest wishes to pursue the
19 protest, the successor in interest must notify the State Engineer in a
20 timely manner on a form provided by the State Engineer.

21 10. The provisions of subsections 1 to 9, inclusive, do not
22 apply to an application for an environmental permit or a temporary
23 permit issued pursuant to NRS 533.436 or 533.504.

24 11. The provisions of subsection 8 do not authorize the
25 recipient of an approved application to use any state land
26 administered by the Division of State Lands of the State Department
27 of Conservation and Natural Resources without the appropriate
28 authorization for that use from the State Land Registrar.

29 12. As used in this section, "domestic well" has the meaning
30 ascribed to it in NRS 534.350.

31 **Sec. 3.** NRS 533.371 is hereby amended to read as follows:

32 533.371 The State Engineer shall reject the application and
33 refuse to issue a permit to appropriate water for a specified period if
34 the State Engineer determines that:

- 35 1. The application is incomplete;
- 36 2. The prescribed fees have not been paid;
- 37 3. The proposed use is not temporary;
- 38 4. There is no water available from the proposed source of
39 supply without exceeding the perennial yield or safe yield of that
40 source;

41 5. The groundwater that has not been committed for use from
42 the proposed source of supply has been reserved pursuant to
43 NRS 533.0241;

44 6. *The groundwater rights have been retired pursuant to*
45 *section 4 of this act;*



1 7. The proposed use conflicts with existing rights; or
2 ~~7.7~~ 8. The proposed use threatens to prove detrimental to the
3 public interest.

4 **Sec. 4.** Chapter 534 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *1. The State Engineer shall retire all water rights purchased*
7 *by the Nevada Voluntary Water Rights Retirement Program*
8 *pursuant to section 10 of this act using any appropriate*
9 *mechanism, as determined by the State Engineer, and preclude*
10 *that groundwater from appropriation. Groundwater that has been*
11 *retired pursuant to this section is not available for any use and*
12 *shall be deemed to be retired in the source in perpetuity.*

13 *2. The State Engineer shall not retire any water rights*
14 *pursuant to subsection 1 after June 30, 2035.*

15 **Sec. 5.** NRS 534.120 is hereby amended to read as follows:

16 534.120 1. Within an area that has been designated by the
17 State Engineer, as provided for in this chapter, where, in the
18 judgment of the State Engineer, the groundwater basin is being
19 depleted, the State Engineer in his or her administrative capacity
20 may make such rules, regulations and orders as are deemed essential
21 for the welfare of the area involved.

22 2. In the interest of public welfare, the State Engineer is
23 authorized and directed to designate preferred uses of water within
24 the respective areas so designated by the State Engineer and from
25 which the groundwater is being depleted, and in acting on
26 applications to appropriate groundwater, the State Engineer may
27 designate such preferred uses in different categories with respect to
28 the particular areas involved within the following limits:

29 (a) Domestic, municipal, quasi-municipal, industrial, irrigation,
30 mining and stock-watering uses; and

31 (b) Any uses for which a county, city, town, public water district
32 or public water company furnishes the water.

33 3. The State Engineer may only issue ~~temporary~~ *revocable*
34 permits to appropriate groundwater if water cannot be furnished by
35 a public entity such as a water district or municipality presently
36 engaged in furnishing water to the inhabitants thereof. Such
37 ~~temporary~~ *revocable* permits can be limited as to time and may be
38 revoked if and when:

39 (a) Water can be furnished by a public entity such as a water
40 district or a municipality presently engaged in furnishing water to
41 the inhabitants thereof; and

42 (b) The property served is within 1,250 feet of the water
43 furnished pursuant to paragraph (a).



1 ↪ The holder of a ~~temporary~~ *revocable* permit that is revoked
2 pursuant to this subsection must be given 730 days from the date of
3 revocation to connect to the public entity furnishing water.

4 4. In a basin designated pursuant to NRS 534.030, the State
5 Engineer may:

6 (a) Deny applications to appropriate groundwater for any use in
7 areas served by a public entity such as a water district or a
8 municipality presently engaged in furnishing water to the
9 inhabitants of the area.

10 (b) Limit the depth of domestic wells.

11 (c) Prohibit the drilling of wells for domestic use in areas where
12 water can be furnished by a public entity such as a water district or a
13 municipality presently engaged in furnishing water to the
14 inhabitants thereof.

15 (d) In connection with the approval of a parcel map in which
16 any parcel is proposed to be served by a domestic well, require the
17 dedication to a city or county or a designee of a city or county, or
18 require a relinquishment to the State Engineer, of any right to
19 appropriate water required by the State Engineer to ensure a
20 sufficient supply of water for each of those parcels, unless the
21 dedication of the right to appropriate water is required by a local
22 ordinance.

23 5. In an area in which *revocable permits* have been issued
24 ~~temporary permits~~ pursuant to subsection 3, the State Engineer:

25 (a) Shall:

26 (1) Deny any applications to appropriate groundwater for use
27 in areas served by a public entity such as a water district or a
28 municipality presently engaged in furnishing water;

29 (2) Limit the depth of a domestic well; or

30 (3) Prohibit the drilling of wells for domestic use ~~in areas~~
31 ~~where water can be furnished by~~ *if a property is within 1,250 feet*
32 *of a service line of* a public entity such as a water district or a
33 municipality presently engaged in furnishing water to the
34 inhabitants; and

35 (b) May prohibit repairs from being made to a domestic well,
36 and may require the person proposing to deepen or repair the
37 domestic well to obtain water from a public entity such as a water
38 district or a municipality engaged in furnishing water to the
39 inhabitants of the designated area, only if:

40 (1) The distance from the property line of any parcel served
41 by the well to the pipes and other appurtenances of the proposed
42 source of water to which the property will be connected is not more
43 than 180 feet; and

44 (2) The deepening or repair of the well would require the use
45 of a well-drilling rig.



1 6. For good and sufficient reasons, the State Engineer may
2 exempt the provisions of this section with respect to public housing
3 authorities.

4 7. The provisions of this section do not prohibit the State
5 Engineer from revoking a ~~temporary~~ *revocable* permit issued
6 pursuant to this section if any parcel served by a well pursuant to the
7 ~~temporary~~ *revocable* permit is currently obtaining water from a
8 public entity such as a water district or a municipality engaged in
9 furnishing water to the inhabitants of the area.

10 **Sec. 6.** NRS 534.125 is hereby amended to read as follows:

11 534.125 If the State Engineer issues a ~~temporary~~ *revocable*
12 permit pursuant to NRS 534.120 or if a well for domestic use is
13 drilled in an area in which the State Engineer has issued such a
14 ~~temporary~~ *revocable* permit, the State Engineer shall file a notice
15 with the county recorder of the county in which the permit is issued
16 or the well is drilled. The notice must include a statement indicating
17 that, if and when water can be furnished by an entity such as a water
18 district or a municipality engaged in furnishing water to the
19 inhabitants of the designated area:

20 1. A ~~temporary~~ *revocable* permit may be revoked;

21 2. The owner of a domestic well may be prohibited from
22 deepening or repairing the well; and

23 3. The owner of the property served by the well may be
24 required to connect to this water source at his or her own expense.

25 **Sec. 7.** Chapter 232 of NRS is hereby amended by adding
26 thereto the provisions set forth as sections 8 to 12, inclusive, of this
27 act.

28 **Sec. 8. 1.** *The Nevada Conservation and Recreation*
29 *Program is hereby created within the Department to protect,*
30 *preserve and obtain the benefits of the property and natural and*
31 *cultural resources of this State. The Director shall administer the*
32 *Program.*

33 **2.** *The Nevada Conservation and Recreation Program*
34 *consists of:*

35 (a) *A grant program to make grants in accordance with*
36 *subsections 8, 9 and 10 of section 2 of chapter 480, Statutes of*
37 *Nevada 2019, at page 2861; and*

38 (b) *The Nevada Voluntary Water Rights Retirement Program*
39 *established by section 10 of this act.*

40 **3.** *The Director may adopt regulations to carry out the*
41 *provisions of this section.*

42 **Sec. 9. 1.** *The Account for Retiring Water Rights is hereby*
43 *created in the State General Fund.*

44 **2.** *The Account for Retiring Water Rights must be*
45 *administered by the Director in accordance with the Nevada*



1 *Voluntary Water Rights Retirement Program established by*
2 *section 10 of this act. In addition to any direct legislative*
3 *appropriation, the Director may apply for and accept any gift,*
4 *donation, bequest, grant, federal money or other source of money*
5 *for deposit in the Account for Retiring Water Rights.*

6 *3. The money in the Account for Retiring Water Rights must*
7 *only be used for administering the Nevada Voluntary Water*
8 *Rights Retirement Program established by section 10 of this act, to*
9 *purchase water rights for retirement pursuant to section 10 of this*
10 *act and to provide matching money required as a condition of*
11 *accepting any source of money that would result in the retirement*
12 *of water rights pursuant to sections 4 and 10 of this act.*

13 *4. The money in the Account for Retiring Water Rights or*
14 *any portion of the money in the Account for Retiring Water Rights*
15 *may be invested or reinvested in accordance with the provisions of*
16 *chapter 355 of NRS. The proceeds of such investments and the*
17 *interest and income earned on the money in the Account for*
18 *Retiring Water Rights, after deducting any applicable charges,*
19 *must be credited to the Account for Retiring Water Rights.*

20 *5. Any money remaining in the Account for Retiring Water*
21 *Rights at the end of a fiscal year does not revert to the State*
22 *General Fund, and the balance in the Account for Retiring Water*
23 *Rights must be carried forward to the next fiscal year.*

24 *6. The Director may enter into an agreement with a public or*
25 *private entity to apply for, obtain or manage any money*
26 *contributed to the Account for Retiring Water Rights.*

27 **Sec. 10.** *1. The Nevada Voluntary Water Rights Retirement*
28 *Program is hereby established in the Nevada Conservation and*
29 *Recreation Program created by section 8 of this act to purchase*
30 *and retire water rights from willing sellers in order to:*

31 *(a) Protect the natural resources of this State;*

32 *(b) Bring groundwater basins that have been overpumped back*
33 *in hydrographic balance;*

34 *(c) Address conflicts with existing rights or with protectable*
35 *interests in existing domestic wells; and*

36 *(d) Prevent overappropriated basins from becoming*
37 *overpumped.*

38 *2. The Nevada Voluntary Water Rights Retirement Program*
39 *must be administered by the Director. In administering the*
40 *Program, the Director shall, to the extent money is available in the*
41 *Account for Retiring Water Rights created by section 9 of this act,*
42 *identify and purchase water rights for retirement by the State*
43 *Engineer pursuant to section 4 of this act from persons willing to*
44 *retire those water rights according to the following order of*
45 *priority:*



1 (a) Groundwater basins where groundwater withdrawals
2 currently exceed the available supply of water.

3 (b) Groundwater basins where the retirement of water rights
4 meets the purposes set forth in subsection 1.

5 3. When sufficient money is available in the Account for
6 Retiring Water Rights created by section 9 of this act, the Director
7 may accept applications for the purchase and retirement of water
8 rights in accordance with the regulations adopted by the Director
9 pursuant to section 12 of this act.

10 4. The Director may not accept applications for the purchase
11 and retirement of water rights after June 30, 2035.

12 **Sec. 11.** 1. The Advisory Committee for the Nevada
13 Voluntary Water Rights Retirement Program established by
14 section 10 of this act is hereby created within the Department. The
15 Advisory Committee consists of:

16 (a) The following voting members appointed by the Director:

17 (1) Two members who represent agricultural interests;

18 (2) Two members who represent a political subdivision of
19 the State of Nevada that manages a regional water authority in a
20 county whose population is 100,000 or more;

21 (3) One member who represents a regional water authority
22 that serves a county whose population is less than 100,000;

23 (4) One member who represents a nonprofit conservation
24 organization; and

25 (5) One member who represents mining interests; and

26 (b) The following ex officio nonvoting members:

27 (1) The State Engineer or his or her designee; and

28 (2) The State Land Registrar or his or her designee.

29 2. The Advisory Committee shall consult with the Director
30 on:

31 (a) The adoption of the regulations required by section 12 of
32 this act; and

33 (b) The administration of the Nevada Voluntary Water Rights
34 Retirement Program established by section 10 of this act.

35 3. The voting members of the Advisory Committee serve
36 without compensation and are not entitled to receive the per diem
37 allowance or travel expenses provided for state officers and
38 employees generally.

39 **Sec. 12.** 1. The Director shall adopt such regulations as are
40 necessary to carry out the provisions of sections 8 to 12, inclusive,
41 of this act, which must include, without limitation:

42 (a) The process for accepting applications for the purchase
43 and retirement of water rights pursuant to section 10 of this act;



1 (b) *The manner in which the valuation of water rights will be*
2 *conducted for the Nevada Voluntary Water Rights Retirement*
3 *Program established by section 10 of this act;*

4 (c) *Provisions to ensure that the purchase and retirement of*
5 *water rights is consistent with the purposes of the Nevada*
6 *Voluntary Water Rights Retirement Program, including, without*
7 *limitation, the purposes set forth in section 10 of this act;*

8 (d) *Provisions to ensure compliance with any requirements or*
9 *conditions of any gift, donation, bequest, grant, federal money or*
10 *other source of money in administering the Account for Retiring*
11 *Water Rights created by section 9 of this act; and*

12 (e) *The methods of identifying and purchasing water rights by*
13 *the Nevada Voluntary Water Rights Retirement Program pursuant*
14 *to section 10 of this act which must be consistent with the*
15 *mechanisms by which the water rights will be retired by the State*
16 *Engineer in accordance with section 4 of this act.*

17 2. *The Director shall consult with the Advisory Committee for*
18 *the Nevada Voluntary Water Rights Retirement Program created*
19 *by section 11 of this act in adopting regulations pursuant to this*
20 *section.*

21 **Sec. 13.** NRS 232.010 is hereby amended to read as follows:

22 232.010 As used in NRS 232.010 to 232.162, inclusive **[]** ,
23 *and sections 8 to 12, inclusive, of this act.*

24 1. "Department" means the State Department of Conservation
25 and Natural Resources.

26 2. "Director" means the Director of the State Department of
27 Conservation and Natural Resources.

28 **Sec. 14.** NRS 232.090 is hereby amended to read as follows:

29 232.090 1. The Department consists of the Director and the
30 following:

31 (a) The Division of Water Resources.

32 (b) The Division of State Lands.

33 (c) The Division of Forestry.

34 (d) The Division of State Parks.

35 (e) The Division of Environmental Protection.

36 (f) The Office of Historic Preservation.

37 (g) The Division of Outdoor Recreation.

38 (h) The Division of Natural Heritage.

39 (i) Such other divisions as the Director may from time to time
40 establish.

41 2. The State Environmental Commission, the State
42 Conservation Commission, the Commission for Cultural Centers
43 and Historic Preservation, the Commission on Off-Highway
44 Vehicles, the Conservation Districts Program, the Sagebrush
45 Ecosystem Council , *the Nevada Conservation and Recreation*



1 *Program, the Advisory Committee for the Nevada Voluntary*
2 *Water Rights Retirement Program* and the Board to Review Claims
3 are within the Department.

4 **Sec. 15.** NRS 232.090 is hereby amended to read as follows:

5 232.090 1. The Department consists of the Director and the
6 following:

7 (a) The Division of Water Resources.

8 (b) The Division of State Lands.

9 (c) The Division of Forestry.

10 (d) The Division of State Parks.

11 (e) The Division of Environmental Protection.

12 (f) The Office of Historic Preservation.

13 (g) The Division of Outdoor Recreation.

14 (h) The Division of Natural Heritage.

15 (i) Such other divisions as the Director may from time to time
16 establish.

17 2. The State Environmental Commission, the State
18 Conservation Commission, the Commission for Cultural Centers
19 and Historic Preservation, the Commission on Off-Highway
20 Vehicles, the Conservation Districts Program, the Sagebrush
21 Ecosystem Council, the Nevada Conservation and Recreation
22 Program ~~[, the Advisory Committee for the Nevada Voluntary~~
23 ~~Water Rights Retirement Program]~~ and the Board to Review Claims
24 are within the Department.

25 **Sec. 16.** NRS 349.981 is hereby amended to read as follows:

26 349.981 1. There is hereby established a program to provide
27 grants of money to:

28 (a) A purveyor of water to pay for costs of capital improvements
29 to publicly owned community water systems and publicly owned
30 nontransient water systems required or made necessary by the State
31 Environmental Commission pursuant to NRS 445A.800 to
32 445A.955, inclusive, or made necessary by the Safe Drinking Water
33 Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant
34 thereto.

35 (b) An eligible recipient to pay for the cost of improvements to
36 conserve water, including, without limitation:

37 (1) Piping or lining of an irrigation canal;

38 (2) ~~[Recovery]~~ *Recovering* or recycling ~~[of]~~ wastewater or
39 tailwater;

40 (3) Scheduling of irrigation;

41 (4) ~~[Measurement]~~ *Measuring* or metering ~~[of]~~ the use of
42 water;

43 (5) Improving the efficiency of irrigation operations; ~~[and]~~



1 (6) Improving the efficiency of the operation of a facility for
2 the storage of water, including, without limitation, efficiency in
3 diverting water to such a facility ~~H~~;

4 (7) *Removing grass and replacing grass with water-efficient*
5 *landscaping, if the removal of the grass is secured by a*
6 *conservation easement; and*

7 (8) *Permanently retiring groundwater rights pursuant to*
8 *section 4 of this act to:*

9 (I) *Protect the natural resources of this State;*

10 (II) *Bring groundwater basins that have been*
11 *overpumped back in hydrographic balance;*

12 (III) *Address conflicts with existing rights or with*
13 *protectable interests in existing domestic wells; or*

14 (IV) *Prevent overappropriated basins from becoming*
15 *overpumped.*

16 (c) An eligible recipient to pay the following costs associated
17 with connecting a domestic well or well with a ~~temporary~~
18 *revocable* permit to a municipal water system, if the well was in
19 existence on or before October 1, 1999, and the well is located in an
20 area designated by the State Engineer pursuant to NRS 534.120 as
21 an area where the groundwater basin is being depleted:

22 (1) Any local or regional fee for connection to the municipal
23 water system.

24 (2) The cost of any capital improvement that is required to
25 comply with a decision or regulation of the State Engineer.

26 (d) An eligible recipient to pay the following costs associated
27 with abandoning an individual sewage disposal system and
28 connecting the property formerly served by the abandoned
29 individual sewage disposal system to a community sewage disposal
30 system, if the Division of Environmental Protection requires the
31 individual sewage disposal system to be abandoned and the property
32 upon which the individual sewage disposal system was located to be
33 connected to a community sewage disposal system pursuant to the
34 provisions of NRS 445A.300 to 445A.730, inclusive, or any
35 regulations adopted pursuant thereto:

36 (1) Any local or regional fee for connection to the
37 community sewage disposal system.

38 (2) The cost of any capital improvement that is required to
39 comply with a statute of this State or a decision, directive, order or
40 regulation of the Division of Environmental Protection.

41 (e) An eligible recipient to pay the following costs associated
42 with abandoning an individual sewage disposal system and
43 connecting the property formerly served by the abandoned
44 individual sewage disposal system to a community sewage disposal
45 system, if the Division of Environmental Protection approves a



1 program or project for the protection of groundwater quality
2 developed by the State or a local government that provides for the
3 abandonment of an individual sewage disposal system and the
4 connection of the property upon which the individual sewage
5 disposal system was located to a community sewage disposal
6 system pursuant to the provisions of NRS 445A.300 to 445A.730,
7 inclusive, or any regulations adopted pursuant thereto:

8 (1) Any local or regional fee for connection to the
9 community sewage disposal system.

10 (2) The cost of any capital improvement that is required to
11 comply with a statute of this State or a decision, directive, order or
12 regulation of the Division of Environmental Protection.

13 (f) An eligible recipient to pay the following costs associated
14 with plugging and abandoning a well and connecting the property
15 formerly served by the well to a municipal water system, if the State
16 Engineer requires the plugging of the well pursuant to subsection 3
17 of NRS 534.180 or if the quality of the water of the well fails to
18 comply with the standards of the Safe Drinking Water Act, 42
19 U.S.C. §§ 300f et seq., and the regulations adopted pursuant thereto:

20 (1) Any local or regional fee for connection to the municipal
21 water system.

22 (2) The cost of any capital improvement that is required for
23 the water quality in the area where the well is located to comply
24 with the standards of the Safe Drinking Water Act, 42 U.S.C. §§
25 300f et seq., and the regulations adopted pursuant thereto.

26 (3) The cost of plugging and abandoning a well and
27 connecting the property formerly served by the well to a municipal
28 water system.

29 (g) A governing body to pay the costs associated with
30 developing and maintaining a water resource plan.

31 2. Except as otherwise provided in NRS 349.983, the
32 determination of who is to receive a grant is solely within the
33 discretion of the Board.

34 3. For any construction work paid for in whole or in part by a
35 grant provided pursuant to this section to a nonprofit association or
36 nonprofit cooperative corporation that is an eligible recipient, the
37 provisions of NRS 338.013 to 338.090, inclusive, apply to:

38 (a) Require the nonprofit association or nonprofit cooperative
39 corporation to include in the contract for the construction work the
40 contractual provisions and stipulations that are required to be
41 included in a contract for a public work pursuant to those statutory
42 provisions.

43 (b) Require the nonprofit association or nonprofit cooperative
44 corporation to comply with those statutory provisions in the same



1 manner as if it was a public body that had undertaken the project or
2 had awarded the contract.

3 (c) Require the contractor who is awarded the contract for the
4 construction work, or a subcontractor on the project, to comply with
5 those statutory provisions in the same manner as if he or she was a
6 contractor or subcontractor, as applicable, engaged on a public
7 work.

8 4. As used in this section:

9 (a) "Eligible recipient" means:

10 (1) A political subdivision of this State, including, without
11 limitation, a city, county, unincorporated town, water authority,
12 conservation district, irrigation district, water district or water
13 conservancy district.

14 (2) A nonprofit association or nonprofit cooperative
15 corporation that provides water service only to its members.

16 (b) "Governing body" has the meaning ascribed to it in
17 NRS 278.015.

18 (c) "Water resource plan" means a water resource plan created
19 pursuant to NRS 278.0228.

20 **Sec. 17.** NRS 349.983 is hereby amended to read as follows:

21 349.983 1. Grants may be made pursuant to paragraph (a) of
22 subsection 1 of NRS 349.981 only for the Lincoln County Water
23 District and those community and nontransient water systems that:

24 (a) Were in existence on January 1, 1995; and

25 (b) Are currently publicly owned.

26 2. In making its determination of which purveyors of water are
27 to receive grants pursuant to paragraph (a) of subsection 1 of NRS
28 349.981, the Board shall give preference to those purveyors of water
29 whose public water systems regularly serve fewer than 6,000
30 persons.

31 3. Each recipient of a grant pursuant to ~~paragraph (a) of~~
32 ~~subsection 1 of~~ NRS 349.981 shall provide an amount of money for
33 the same purpose. The Board shall develop a scale to be used to
34 determine that amount, but the recipient must not be required to
35 provide an amount less than 15 percent or more than 75 percent of
36 the total cost of the project for which the grant is awarded. The scale
37 must be based upon the average household income of the customers
38 of the recipient, and provide adjustments for the demonstrated
39 economic hardship of those customers, the existence of an imminent
40 risk to public health and any other factor that the Board determines
41 to be relevant.

42 **Sec. 18.** NRS 439.3672 is hereby amended to read as follows:

43 439.3672 1. The district board of health may create a
44 voluntary financial assistance program to pay 100 percent of the
45 cost for ~~a~~ *an eligible* property owner with an existing septic



1 system whose property is served by a municipal water system to
2 abandon the septic system and connect to the community sewerage
3 disposal system.

4 2. Upon an affirmative vote of two-thirds of all the members of
5 the district board of health, the district board of health may impose a
6 voluntary annual fee on property owners with existing septic
7 systems whose property is served by a municipal water system to
8 carry out the provisions of this section.

9 3. If the district board of health imposes a voluntary annual fee
10 pursuant to subsection 2:

11 (a) The fee must not exceed the annual sewer rate charged by
12 the largest community sewerage disposal system in the county or
13 counties, as applicable, in which the district board of health has been
14 established; and

15 (b) The district board of health shall not provide financial
16 assistance to any property owner who does not pay the voluntary
17 *annual fee [] in accordance with the provisions of paragraph (b)*
18 *of subsection 4.*

19 4. *A property owner is eligible to receive financial assistance*
20 *from the program if the property owner:*

21 (a) *Has an existing septic system whose property is served by a*
22 *municipal water system; and*

23 (b) *Pays the voluntary annual fee:*

24 (1) *Every year that the fee is imposed by the district board*
25 *of health pursuant to subsection 3; or*

26 (2) *If a property owner has not paid the fee in every year*
27 *that the fee was imposed, pays the balance for all previously*
28 *imposed fees and the fee for the current year, if imposed by the*
29 *district board of health.*

30 5. As used in this section:

31 (a) "Community sewerage disposal system" means a public
32 system of sewage disposal which is operated for the benefit of a
33 county, city, district or other political subdivision of this State.

34 (b) "Septic system" means a well that is used to place sanitary
35 waste below the surface of the ground that is typically composed of
36 a septic tank and a subsurface fluid distribution or disposal system.
37 The term includes a residential individual system for disposal of
38 sewage.

39 **Sec. 19.** NRS 445A.305 is hereby amended to read as follows:
40 445A.305 1. The Legislature finds that pollution of water in
41 this State:

42 (a) Adversely affects public health and welfare;

43 (b) Is harmful to wildlife, fish and other aquatic life; and

44 (c) Impairs domestic, agricultural, industrial, recreational and
45 other beneficial uses of water.



1 2. The Legislature declares that the people of this State have a
2 right to clean water and it is the policy of this State and the purpose
3 of NRS 445A.300 to 445A.730, inclusive:

4 (a) To maintain the quality of the waters of the State consistent
5 with the public health and enjoyment, the propagation and
6 protection of terrestrial and aquatic life, the operation of existing
7 industries, the pursuit of agriculture, and the economic development
8 of the State;

9 (b) To mitigate the degradation of the waters of the State; ~~land~~

10 (c) To encourage and promote the use of methods of waste
11 collection and pollution control for all significant sources of water
12 pollution (including point and diffuse sources) ~~}; and~~

13 *(d) To encourage and promote traditional and emerging*
14 *methods of water reuse, including, without limitation, credits for*
15 *water that is returned to the source, known as "return-flow*
16 *credits," agriculture and other irrigation, direct potable reuse and*
17 *indirect potable reuse in an appropriate manner that is consistent*
18 *with the public health.*

19 **Sec. 20.** NRS 445A.520 is hereby amended to read as follows:

20 445A.520 1. ~~The~~ *Except as otherwise provided in*
21 *subsection 4, the* Commission shall establish water quality
22 standards at a level designed to protect and ensure a continuation of
23 the designated beneficial use or uses which the Commission has
24 determined to be applicable to each stream segment or other body of
25 surface water in the State.

26 2. ~~The~~ *Except as otherwise provided in subsection 4, the*
27 Commission shall base its water quality standards on water quality
28 criteria which numerically or descriptively define the conditions
29 necessary to maintain the designated beneficial use or uses of the
30 water. The water quality standards must reflect water quality criteria
31 which define the conditions necessary to support, protect and allow
32 the propagation of fish, shellfish and other wildlife and to provide
33 for recreation in and on the water if these objectives are reasonably
34 attainable.

35 3. The Commission may establish water quality standards for
36 individual segments of streams or for other bodies of surface water
37 which vary from standards based on recognized criteria if such
38 variations are justified by the circumstances pertaining to particular
39 places, as determined by biological monitoring or other appropriate
40 studies.

41 4. *The Commission may establish a water quality standard*
42 *variance subject to the review and approval or disapproval of the*
43 *United States Environmental Protection Agency in accordance*
44 *with 40 C.F.R. § 131.14. A water quality standard variance*
45 *adopted pursuant to this subsection must:*



1 (a) *Reflect the highest attainable condition of the stream*
2 *segment or other body of surface water that is achievable during*
3 *the term of the water quality standard variance; and*

4 (b) *Establish a time-limited designated use and criteria for*
5 *specific pollutants or water quality parameters during the term of*
6 *the water quality standard variance.*

7 5. *As used in this section, "water quality standards variance"*
8 *has the meaning ascribed to it in 40 C.F.R. § 131.3(o).*

9 **Sec. 21.** Section 10 of this act is hereby amended to read as
10 follows:

11 Sec. 10. 1. The Nevada Voluntary Water Rights
12 Retirement Program is hereby established in the Nevada
13 Conservation and Recreation Program created by section 8 of
14 this act to identify and purchase for retirement water rights
15 from willing sellers in order to:

16 (a) Protect the natural resources of this State;

17 (b) Bring groundwater basins that have been overpumped
18 back in hydrographic balance;

19 (c) Address conflicts with existing rights or with
20 protectable interests in existing domestic wells; and

21 (d) Prevent overappropriated basins from becoming
22 overpumped.

23 2. The Nevada Voluntary Water Rights Retirement
24 Program must be administered by the Director. ~~He~~
25 ~~administering the Program, the Director shall, to the extent~~
26 ~~money is available in the Account for Retiring Water Rights~~
27 ~~created by section 9 of this act, identify and purchase water~~
28 ~~rights for retirement by the State Engineer pursuant to section~~
29 ~~4 of this act from persons willing to retire those water rights~~
30 ~~according to the following order of priority:~~

31 ~~—(a) Groundwater basins where groundwater withdrawals~~
32 ~~currently exceed the available supply of water.~~

33 ~~—(b) Groundwater basins where the retirement of water~~
34 ~~rights meets the purposes set forth in subsection 1.]~~

35 3. ~~[When sufficient money is available in the Account~~
36 ~~for Retiring Water Rights created by section 9 of this act, the~~
37 ~~Director may accept applications for the retirement of water~~
38 ~~rights in accordance with the regulations adopted by the~~
39 ~~Director pursuant to section 12 of this act.~~

40 ~~—4.]~~ The Director may not accept applications for the
41 purchase and retirement of water rights after June 30, 2035.



1 **Sec. 22.** Section 14 of the Southern Nevada Water Authority
2 Act, being chapter 572, Statutes of Nevada 1997, as last amended by
3 chapter 113, Statutes of Nevada 2003, at page 624, is hereby
4 amended to read as follows:

5 Sec. 14. Money collected pursuant to section 13 of this
6 act must be used to:

7 1. Develop and distribute information promoting
8 education and the conservation of groundwater in the Basin.

9 2. Perform such comprehensive inventories of wells of
10 all types located within the basin as may be needed. Such
11 inventories must be done in conjunction with the State
12 Engineer.

13 3. Prepare, for use by the Advisory Committee, such
14 cost-benefit analyses relating to the recharge and recovery or
15 underground storage and recovery of water in the Basin as
16 may be needed.

17 4. Develop recommendations for additional activities for
18 the management of the Basin and the protection of the aquifer
19 in which the Basin is located, and to conduct such activities if
20 the activities have been approved by the Board of Directors.

21 5. Develop and implement a program to provide
22 financial assistance to pay at least 50 percent but not more
23 than 85 percent of the cost of the local and regional
24 connection fees and capital improvements necessary for
25 making the connection to the proposed source of water, as
26 determined by the Southern Nevada Water Authority, to
27 owners of real property served by:

28 (a) Domestic wells; or

29 (b) Wells that are operated pursuant to **[temporary]**
30 **revocable** permits,

31 ↳ who are required by the State Engineer to connect the real
32 property to a public water system pursuant to NRS 534.120.

33 6. Pay the costs associated with abandoning and
34 plugging wells on the real property of persons who are
35 required by the State Engineer to connect the real property to
36 a public water system pursuant to NRS 534.120.

37 7. Perform such other duties as are necessary for the
38 Southern Nevada Water Authority and the Advisory
39 Committee to carry out the provisions of this act.

40 **Sec. 23.** Any existing and valid temporary permit issued by
41 the State Engineer pursuant to NRS 534.120 before July 1, 2025,
42 shall be deemed a revocable permit issued by the State Engineer.

43 **Sec. 24.** The Director of the State Department of Conservation
44 and Natural Resources shall, on or before July 1, 2026, adopt the
45 regulations which are required by section 12 of this act.



- 1 **Sec. 25.** 1. This section, sections 1 to 20, inclusive and
2 sections 22, 23 and 24 of this act become effective on July 1, 2025.
3 2. Sections 9, 11, 12 and 14 of this act expire by limitation on
4 June 30, 2035.
5 3. Section 21 of this act becomes effective on July 1, 2035.

③



*

S.B. 78

SENATE BILL NO. 78—COMMITTEE ON
REVENUE AND ECONOMIC DEVELOPMENT

(ON BEHALF OF THE DEPARTMENT OF
BUSINESS AND INDUSTRY)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to boards, commissions, councils and similar bodies. (BDR 18-301)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to governmental administration; revising in skeleton form the powers and duties of the Office of Nevada Boards, Commissions and Councils Standards of the Department of Business and Industry; making various changes in skeleton form to the composition and operation of various boards, commissions, councils and similar bodies; providing in skeleton form for the consolidation and termination of various boards, commissions, councils and similar bodies; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law creates the Office of Nevada Boards, Commissions and Councils
2 Standards of the Department of Business and Industry and sets forth the powers and
3 duties of the Office. (NRS 232.8413, 232.8415) This bill revises, in skeleton form,
4 the powers and duties of the Office.
5 Existing law provides, with certain exceptions, that all professional and
6 occupational licensing boards created by the Legislature are under the purview of
7 the Office. (NRS 232.8415) **Section 24** of this bill adds various other boards,
8 commissions, councils and similar bodies within the Executive Department of the
9 State Government to the purview of the Office. **Section 11** of this bill requires the
10 Office to provide administrative services to each board, commission, council and
11 similar body under its purview, including, without limitation, legal services,
12 accounting services, information technology services, services pertaining to
13 activities designed to influence the passage or defeat of any legislation and the



14 services of hearing officers to adjudicate contested cases. **Section 11** requires the
15 Office to prescribe a fee to cover the costs for such services and adopt such
16 procedures as the Office may deem appropriate for the billing or collection of such
17 fees from a board, commission, council or similar body to which such services are
18 provided. **Section 11** prohibits a board, commission, council or similar body under
19 the purview of the Office from paying any compensation to a natural person or
20 entity other than the Office for a service that the Office provides. This bill would
21 eliminate all provisions of existing law to the contrary. For example, existing law
22 requires a regulatory body to determine whether a contested case will be heard by
23 the regulatory body or a hearing panel or officer. (NRS 622A.300) **Section 79** of
24 this bill requires any contested case before a regulatory body that is a professional
25 or occupational licensing board under the purview of the Office to be heard by a
26 hearing officer employed by the Office. Similarly, **section 83** of this bill eliminates
27 the authority of the Nevada State Board of Accountancy to employ attorneys, as
28 legal services for the Board would be provided by the Office.

29 **Section 11** requires all money collected by the Office for the provision of
30 services to boards, commissions, councils and similar bodies under its purview to
31 be deposited in the State Treasury for credit to the Office of Nevada Boards,
32 Commissions and Councils Standards Account, which is created by **section 12** of
33 this bill.

34 Existing law requires the Director of the Department of Business and Industry
35 to retain the required staff to effectively administer the responsibilities of the
36 Office. (NRS 232.8413) **Section 23** of this bill provides that such staff may include,
37 without limitation, hearing officers, accountants and other professional, clerical and
38 operational employees. **Section 6** of this bill authorizes the Director to appoint a
39 General Counsel of the Office and deputies to the General Counsel.

40 **Section 15** of this bill: (1) requires the Office to maintain an Internet website
41 through which each board, commission, council and similar body under the
42 purview of the Office may post information; and (2) prohibits such a board,
43 commission, council or similar body from posting information on any other Internet
44 website. The bill would eliminate any provisions of existing law to the contrary.
45 For example, existing law requires the Nevada State Board of Accountancy to
46 maintain a website on the Internet and post certain information on that website.
47 (NRS 628.130) **Section 84** of this bill requires that information to instead be posted
48 on the Internet website maintained by the Office.

49 **Section 13** of this bill sets forth the process that a board, commission, council
50 or similar body under the purview of the Office must use if it wishes that a request
51 for the drafting of a legislative measure be submitted to the Legislative Counsel.

52 **Sections 7-9** of this bill require the Office, with certain exceptions, to
53 periodically review each board, commission, council and similar body in this State
54 within the Executive Department of the State Government and set forth procedures
55 for conducting such a review. At the conclusion of such a review, **section 9**
56 requires the Deputy Director to submit to the Governor his or her recommendation
57 as to whether the board, commission, council or similar body should be terminated,
58 modified, consolidated with another board, commission, council or similar body or
59 continued. **Section 9** requires the Governor, if necessary, to request the drafting of
60 a legislative measure to effectuate the recommendation. If the board, commission,
61 council or similar body is an advisory body subject to termination pursuant to
62 **section 29** of this bill and the Deputy Director makes certain specified findings
63 concerning the advisory body, **section 9** requires the Deputy Director to submit a
64 notice to the Governor and the Director of the Legislative Counsel
65 Bureau recommending the continuation of the board, commission, council or
66 similar body.

67 **Section 29** requires any legislative measure enacted on or after July 1, 2026,
68 which contains a provision creating an advisory body, with certain exceptions, to



69 provide for the expiration by limitation of the provision 2 years after effective date
70 of the provision. However, **section 29** also requires such legislation to provide for
71 the extension of the provision for a period of 2 years each time the Deputy Director
72 submits a notice to the Governor and the Director of the Legislative Counsel
73 Bureau described in **section 9** recommending the continuation of the advisory
74 body. As such, under **section 29**, any advisory body created on or after July 1,
75 2026, would terminate automatically after 2 years, but may be extended in 2-year
76 increments if the Deputy Director, after a review of the advisory body, makes
77 certain findings resulting in a recommendation for the continuation of the advisory
78 body.

79 **Section 10** of this bill authorizes the Office to: (1) establish procedures and
80 requirements relating to the appointment of members to a board, commission,
81 council or similar body under the purview of the Office; and (2) require any such
82 body, before entering into a contract of any kind, to submit the contract to and
83 obtain the approval of the Office.

84 **Section 14** of this bill makes the person appointed by the Governor as the
85 administrative head of the department within which a board, commission, council
86 or similar body under the purview of the Office, other than a professional or
87 occupational licensing board, responsible for the effective operation of the board,
88 commission, council or similar body. **Section 14** provides that such boards,
89 commissions, councils or similar bodies are authorized to meet only upon: (1) the
90 call of the Chair of the board, commission, council or similar body; (2) the written
91 request of a majority of the members of the board, commission, council or similar
92 body; or (3) the call of the administrative head of the department responsible for its
93 effective operation. This bill would eliminate all provisions of existing law to the
94 contrary. For example, **section 21** of this bill removes provisions requiring the
95 Advisory Council of the Division of Industrial Relations of the Department of
96 Business and Industry to meet at least once annually. (NRS 232.580) All similar
97 provisions requiring a board, commission, council or similar body under the
98 purview of the Office that is not a professional or occupational licensing board to
99 meet a certain number of times per year would be eliminated.

100 **Section 16** of this bill authorizes the Office to have access to, inspect, copy and
101 subpoena various records and use the information obtained to resolve matters
102 relating to its duties.

103 This bill also provides, in skeleton form, for various revisions to provisions
104 relating to the membership of various boards, commissions, councils and similar
105 bodies under the purview of the Office. For example, under existing law, the
106 members of the Advisory Council of the Division of Industrial Relations are
107 appointed by the Governor. (NRS 232.570) **Section 20** of this bill makes the
108 Director of the Department of Business and Industry responsible for appointing
109 the members of the Advisory Council. This bill would similarly make the
110 administrative head of the department in which a board, commission, council or
111 similar body under the purview of the Office that is not a professional or
112 occupational licensing board responsible for the appointment of the members
113 required to be appointed by the Governor under existing law. **Section 20** also
114 provides that the term of office for a member of the Advisory Council is 2 years
115 and that a member may not serve more than two terms. This bill would apply those
116 term limits and terms of office to every board, commission, council or similar body
117 under the purview of the Office that is not a professional or occupational licensing
118 board.

119 This bill would also standardize the term limits and terms of office for
120 professional and occupational licensing boards under the purview of the Office. For
121 example, under existing law, a member of the State Contractors' Board serves a
122 term of 3 years and is not limited in the number of terms he or she may serve. (NRS
123 232A.020, chapter 624 of NRS) However, an appointed member of the State



124 Barbers' Health and Sanitation Board serves a term of 4 years and is prohibited
125 from serving more than three terms. (NRS 643.020) **Sections 81 and 94** of this bill
126 provide that the term of office for the appointed members of both of these boards is
127 4 years and each such member is prohibited from serving more than two terms.
128 This bill would apply such term limits and terms of office to every professional and
129 occupational licensing board under the purview of the Office.

130 This bill would also standardize the compensation to be paid to members of the
131 boards, commissions, councils and similar bodies under the purview of the Office.
132 For example, under existing law, each member of the Advisory Council of the
133 Division of Industrial Relations is entitled to receive a salary of \$60 for each day's
134 attendance at a meeting of the Council. (NRS 232.590) **Section 22** of this bill
135 requires the members to serve without compensation, but provides that each
136 member is entitled to receive the per diem allowance and travel expenses provided
137 for state officers and employees generally. This bill would require all members of
138 all boards, commissions, councils and similar bodies under the purview of the
139 Office, other than a professional or occupational licensing board, to serve without
140 compensation. However, each member would be entitled to receive the per diem
141 allowance and travel expenses provided for state officers and employees generally.

142 This bill would also standardize the compensation to be paid to members of
143 professional and occupational licensing boards under the purview of the Office. For
144 example, under existing law, each member of the State Board of Pharmacy is
145 entitled to receive: (1) a salary of not more than \$150 per day, as fixed by the
146 Board, while engaged in the business of the Board; and (2) a per diem allowance
147 and travel expenses at a rate fixed by the Board, while engaged in the business of
148 the Board, which must not exceed the rate provided for state officers and
149 employees generally. (NRS 639.050) **Section 92** of this bill requires those rates to
150 be fixed by the Deputy Director of the Office, with the approval of the Director of
151 the Department of Business and Industry, rather than the Board. This bill would add
152 similar provisions with respect to every professional and occupational licensing
153 board under the purview of the Office.

154 In addition to requiring each board, commission, council or similar body under
155 its purview to utilize the administrative services of the Office, this bill would
156 require the Director of the Department of Business and Industry to appoint each
157 executive director of a professional or occupational licensing board, rather than the
158 board itself. For example, existing law authorizes the State Board of Nursing to
159 appoint an Executive Director to perform such duties as the Board may direct and
160 to set the compensation of the Executive Director. (NRS 632.060) **Section 88** of
161 this bill requires the Executive Director to instead be appointed by the Director of
162 the Department of Business and Industry and to serve at a level of compensation set
163 by the Deputy Director of the Office. Under **section 88**, the Executive Director of
164 the Board serves at the pleasure of the Director and is required to perform such
165 duties as are directed by the Deputy Director, as advised by the Board. This bill
166 would add similar provisions with respect to each executive director or person with
167 similar responsibilities of each professional or occupational licensing board.
168 **Section 88** also eliminates a requirement specific to the State Board of Nursing that
169 requires the Executive Director of the Board to be a professional nurse licensed in
170 this State.

171 **Section 87** of this bill authorizes the Board of Dental Examiners of Nevada, by
172 regulation, to defer the expiration of a license issued by the Board to a person who
173 is on active duty in any branch of the Armed Forces of the United States or who is
174 the spouse or dependent child of such a person. This bill would similarly authorize
175 every professional and occupational licensing board under the purview of the
176 Office to take such action.

177 Existing law creates the Commission on Postsecondary Education within the
178 Employment Security Division of the Department of Employment, Training and



179 Rehabilitation and makes the Administrator of the Division, through the
180 Administrator of the Commission, responsible for the administration of provisions
181 of existing law governing the licensure and regulation of certain academic,
182 vocational, technical and business schools and privately owned colleges and
183 universities. (NRS 394.383, 612.220) **Sections 50 and 73** of this bill: (1) move the
184 Commission from within the Employment Security Division to be within
185 the Department of Business and Industry; (2) revise the membership of the
186 Commission to replace a nonvoting member who is an employee of the Department
187 of Employment, Training and Rehabilitation with a nonvoting member who is an
188 employee of the Department of Business and Industry; and (3) eliminate the
189 responsibility of the Administrator of the Employment Security Division with
190 respect to the provisions of existing law governing the licensure and regulation of
191 certain schools, colleges and universities.

192 **Section 25** of this bill requires the Office of Minority Health and Equity of the
193 Department of Health and Human Services, rather the Director of the Department
194 of Business and Industry, to provide staff assistance to the Nevada Commission on
195 Minority Affairs, except for those services provided by the Office pursuant to
196 **section 11**.

197 This bill would eliminate, consolidate or revise the membership of various
198 boards, commissions, councils and similar bodies both under and outside the
199 purview of the Office.

200 The Nevada Air Service Development Commission would be eliminated and its
201 duties transferred to the Nevada Aviation Technical Advisory Committee. (NRS
202 231.600-231.700) For example, **section 1** of this bill transfers the duty to
203 administer the Nevada Air Service Development Fund and to adopt certain
204 regulations from the Commission to the Nevada Aviation Technical Advisory
205 Committee.

206 The Nevada Commission for Persons Who Are Deaf and Hard of Hearing
207 would be eliminated and its duties transferred to the Nevada Equal Rights
208 Commission. (NRS 233.030, 427A.750) **Section 26** of this bill revises the
209 membership of the Nevada Equal Rights Commission.

210 The State Historical Records Advisory Board and the Committee to Approve
211 Schedules for the Retention and Disposition of Official State Records would be
212 eliminated. (NRS 239.073, 378A.030) The duties of those bodies would be
213 transferred to the State Records and Historical Advisory Council created by **section**
214 **30** of this bill.

215 The Human Resources Commission, the Employee-Management Committee
216 and Committee on Catastrophic Leave would be eliminated. (NRS 284.030,
217 284.068, 284.3627) The duties of those bodies would be transferred to the
218 Committee on Human Resources created by **section 31** of this bill.

219 The Merit Award Board, the Nevada Awards and Honors Board and any
220 selection committee for nominations of persons to receive the Nevada Medal of
221 Distinction would be eliminated. (NRS 223.964, 223.966, 285.030) The duties of
222 those bodies would be transferred to the Nevada Merit and Honors Board created
223 by **section 32** of this bill.

224 The Commission for Cultural Centers and Historic Preservation and the
225 Comstock Historic District Commission would be eliminated. (NRS 383.500,
226 384.040) The duties of those commissions would be transferred to the Commission
227 for Cultural and Historic Preservation created by **section 37** of this bill.

228 The Commission on Innovation and Excellence in Education and the Nevada
229 State Teacher and Education Support Professional Recruitment and Retention
230 Advisory Task Force would be eliminated. (NRS 385.910, 391.492) The duties of
231 those bodies would be transferred to the Nevada Commission on Innovation,
232 Excellence and Education Workforce Development created by **section 38** of this
233 bill.



234 The committee on statewide school safety and the Advisory Committee on the
235 Safety and Well-Being of Public School Staff would be eliminated. (NRS
236 388.1324, 391.942) The duties of those bodies would be transferred to the Advisory
237 Committee on School and Staff Safety created by **section 43** of this bill.

238 The Commission on Professional Standards in Education and the Statewide
239 Council for the Coordination of the Regional Training Programs would be
240 eliminated. (NRS 391.011, 391A.130) The duties of those bodies would be
241 transferred to the Nevada Commission on Professional Standards and Regional
242 Education Training created by **section 48** of this bill.

243 The Advisory Board on Outdoor Recreation would be eliminated and its duties
244 transferred to the State Outdoor Recreation and Education Advisory Council
245 created by **section 51** of this bill. (NRS 407A.575)

246 The Board of Search and Rescue, the State Disaster Identification Coordination
247 Committee and the Intrastate Mutual Aid Committee would be eliminated. (NRS
248 414.170, 414.270, 414A.110) The duties of those bodies would be transferred to the
249 Nevada Emergency Response and Disaster Coordination Board created by **section**
250 **52** of this bill.

251 Existing federal regulations require that the State Plan for Medicaid provide for
252 a Medicaid Advisory Committee and a Beneficiary Advisory Council to advise the
253 state agency for the Medicaid program on matters of concern related to policy
254 development and matters related to the effective administration of the Medicaid
255 program. (42 C.F.R. § 431.12) **Sections 55-58** of this bill establish such a Medicaid
256 Advisory Committee and Beneficiary Advisory Council and set forth the duties of
257 those bodies. This bill would eliminate the Medical Care Advisory Committee and
258 each reinvestment advisory committee and transfer the duties of those bodies to the
259 Medicaid Advisory Committee created by **section 56** of this bill. (NRS 422.151,
260 422.205)

261 The Nevada Commission on Aging and the Task Force on Alzheimer's Disease
262 would be eliminated. (NRS 427A.032, 439.5083) The duties of those bodies would
263 be transferred to the Nevada Commission on Aging and Cognitive Health created
264 by **section 60** of this bill.

265 Existing law creates a mental health consortium in each county whose
266 population is 100,000 or more (currently Clark and Washoe Counties) and in the
267 region consisting of all counties whose population are less than 100,000 (currently
268 all counties other than Clark and Washoe Counties). (NRS 433B.333) This bill
269 would eliminate those provisions. The duties of the mental health consortiums
270 would be transferred to the Nevada Children's Mental and Behavioral Health
271 Consortium created by **section 64** of this bill.

272 Existing law creates five behavioral health regions and creates a regional
273 behavioral health policy board in each behavioral health region. (NRS 433.428,
274 433.429) **Sections 61 and 62** of this bill instead create three behavioral health
275 regions and revise the membership of the regional behavioral health policy board
276 created in each of the three regions.

277 The advisory committee established by the Division of Public and Behavioral
278 Health of the Department of Health and Human Services concerning kidney
279 disease, the Rare Disease Advisory Council and the Advisory Council on the State
280 Program for Wellness and the Prevention of Chronic Disease would be eliminated.
281 (NRS 439.261, 439.5075, 439.518) The duties of those bodies would be transferred
282 to the Wellness and Prevention Advisory Council created by **section 65** of this bill.

283 The Board for the Administration of the Subsequent Injury Account for Self-
284 Insured Employers and the Board for the Administration of the Subsequent Injury
285 Account for Associations of Self-Insured Public or Private Employers would be
286 eliminated. (NRS 616B.548, 616B.569) The duties of those boards would be
287 transferred to the Administrator of the Division of Industrial Relations of the
288 Department of Business and Industry as provided in **sections 74-77** of this bill.



289 Existing law creates the Occupational Safety and Health Review Board to hold
290 hearings and render decisions concerning contests or appeal of citations issued by
291 the Division of Occupational Safety and Health. (NRS 618.565-618.605) This bill
292 would eliminate the Board and instead require the Division to appoint a hearing
293 officer to hear such contests and appeals, as provided in **section 78** of this bill.

294 The State Board of Architecture, Interior Design and Residential Design, the
295 State Board of Landscape Architecture, the State Board of Professional Engineers
296 and Land Surveyors and the Board of Environmental Health Specialists would be
297 eliminated. (NRS 623.050, 623A.080, 625.100, 625A.030) The duties of those
298 boards would be transferred to the Nevada Board of Professional Design and
299 Environmental Specialist created by **section 80** of this bill.

300 This bill would eliminate provisions providing for the licensure and regulation
301 of music therapists by the State Board of Health, thereby authorizing a person to
302 engage in the practice of music therapy without a license. (Chapter 640D of NRS)
303 **Section 85** of this bill removes music therapists from the definition of "provider of
304 health care" set forth in existing law.

305 This bill would eliminate the Nevada Board of Homeopathic Medical
306 Examiners and provisions providing for the licensure and regulation of persons who
307 provide homeopathic services by the Board, thereby authorizing a person to provide
308 such services without a license. (Chapter 630A of NRS) **Section 27** of this bill
309 removes references to homeopathy and homeopathic physicians set forth in the
310 general definition of "physician" set forth in existing law.

311 The Board of Medical Examiners and the State Board of Osteopathic Medicine
312 would be eliminated. (NRS 630.050, 633.181) The duties of those boards would be
313 transferred to the Nevada Medical Board created by **section 86** of this bill.

314 The Chiropractic Physicians' Board of Nevada, the State Board of Oriental
315 Medicine, the Nevada Physical Therapy Board, the Board of Occupational Therapy,
316 the Board of Athletic Trainers and the Board of Massage Therapy would be
317 eliminated. (NRS 634.020, 634A.030, 640.030, 640A.080, 640B.170, 640C.150)
318 The duties of those boards would be transferred to the Nevada Board of Healing
319 and Rehabilitative Practice created by **section 89** of this bill.

320 The State Board of Podiatry, the Nevada State Board of Optometry, the Board
321 of Dispensing Opticians and the Speech-Language Pathology, Audiology and
322 Hearing Aid Dispensing Board would be eliminated. (NRS 635.020, 636.030,
323 637.030, 637B.100) The duties of those boards would be transferred to the Nevada
324 Board of Vision, Speech and Mobility Professions created by **section 91** of this bill.

325 The Board of Psychological Examiners, the Board of Examiners for Marriage
326 and Family Therapists and Clinical Professional Counselors, the Board of
327 Examiners for Social Workers, the Board of Examiners for Alcohol, Drug and
328 Gambling Counselors and the Board of Applied Behavior Analysis would be
329 eliminated. (NRS 641.030, 641A.090, 641B.100, 641C.150, 641D.200) The duties
330 of those boards would be transferred to the Nevada Behavioral Wellness Alliance
331 Board created by **section 93** of this bill.

332 **Sections 18, 68, 90, 95 and 96** of this bill make the State of Nevada Advisory
333 Council on Palliative Care and Quality of Life, the Committee on Emergency
334 Medical Services, the Naprapathic Practice Advisory Board, the Medical
335 Laboratory Advisory Committee, and the Radiation Therapy and Radiologic
336 Imaging Advisory Committee subcommittees of the State Board of Health. (NRS
337 232.4855, 450B.151, 634B.100, 652.170, 653.450)

338 **Sections 17, 19, 28, 33-36, 39-42, 44-47, 49, 53, 54, 59, 63, 66, 67, 69-72 and**
339 **82** of this bill revise the membership of the Grants Management Advisory
340 Committee, the Council on Food Security, the Juvenile Justice Oversight
341 Commission, the Committee on Local Government Finance, the State Council on
342 Libraries and Literacy, the Board of Museums and History, the State Board of
343 Education, the Advisory Council for Family Engagement, the Nevada Commission



344 on Mentoring, the Commission on School Funding, the Committee on Responses to
345 Power-Based Violence in Schools, the State Financial Literacy Advisory Council,
346 the Advisory Committee on Language Development for Children Who Are Deaf,
347 Hard of Hearing, Blind or Visually Impaired, the State Council for the
348 Coordination of the Interstate Compact on Educational Opportunity for Military
349 Children, the Teachers and Leaders Council of Nevada, the Interagency Council on
350 Veterans Affairs, the Nevada Veterans Services Commission, the Committee to
351 Review Child Support Guidelines, the Advisory Committee for a Resilient Nevada
352 within the Department of Health and Human Services, the Advisory Committee on
353 the State Program for Oral Health, the State Environmental Commission, the
354 Commission on Off-Highway Vehicles, the State Board of Agriculture, the State
355 Apprenticeship Council and the Commission on Construction Education. (NRS
356 62B.600, 232.383, 232.4966, 354.105, 380A.031, 380A.041, 381.002, 385.021,
357 385.610, 385.760, 387.1246, 388.1326, 388.5175, 388.5966, 388F.020, 391.455,
358 417.0191, 417.150, 425.610, 433.726, 439.2792, 445B.200, 490.067, 561.045,
359 561.055, 610.030, 624.570)

360 This bill would eliminate the Commission on Behavioral Health, the Nevada
361 Interagency Advisory Council on Homelessness to Housing, the Nevada
362 Commission for Women, the Executive Council of the Land Use Planning
363 Advisory Council, the Council to Establish Academic Standards for Public Schools,
364 the Nevada Commission on Services for Persons with Disabilities, the Nevada
365 Commission on Autism Spectrum Disorders, the working group established by the
366 Division of Environmental Protection of the State Department of Conservation and
367 Natural Resources study issues relating to environmental contamination resulting
368 from perfluoroalkyl and polyfluoroalkyl substances, the Nevada Threat Analysis
369 Center Advisory Committee, the Advisory Board on Automotive Affairs, the
370 Mining Oversight and Accountability Commission, the Nevada Employment
371 Security Council, Dietitian Advisory Group, Occupational Safety and Health
372 Review Board, the Credit Union Advisory Council, the Nevada High-Speed Rail
373 Authority, the Oversight Panel for Convention Facilities and the task force
374 established by the Director of the Department of Business and Industry to study
375 issues of concern to common-interest communities. (NRS 232.361, 232.4981,
376 233I.010, 321.755, 389.510, 427A.1211, 427A.8801, 459.686, 480.540, 487.002,
377 514A.040, 612.305, 672.290, 705.850, section 53 of chapter 2, Statutes of Nevada
378 2016, 30th Special Session, at page 54, section 1.7 of chapter 126, Statutes of
379 Nevada 2019, at page 676)

380 This bill is presented in skeleton form without the many hundreds of changes to
381 various provisions throughout the Nevada Revised Statutes that would be necessary
382 to implement the provisions set forth in this bill.

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

- 1 **Section 1.** NRS 231.700 is hereby amended to read as follows:
2 231.700 The ~~{Commission}~~ *Nevada Aviation Technical*
3 *Advisory Committee* shall:
4 1. Administer the Fund; and
5 2. Adopt any regulations necessary or convenient to carry out
6 the provisions of NRS 231.600 to 231.720, inclusive.



1 **Sec. 2.** Chapter 232 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 3 to 16, inclusive, of this
3 act.

4 **Sec. 3.** *As used in NRS 232.8413 and 232.8415 and sections*
5 *3 to 16, inclusive, of this act, unless the context otherwise requires,*
6 *the words and terms defined in sections 4 and 5 of this act have*
7 *the meanings ascribed to them in those sections.*

8 **Sec. 4.** *“Deputy Director” means the Deputy Director of the*
9 *Office.*

10 **Sec. 5.** *“Office” means the Office of Nevada Boards,*
11 *Commissions and Councils Standards within the Department*
12 *created by NRS 232.8413.*

13 **Sec. 6. 1.** *The Director may appoint a General Counsel of*
14 *the Office and as many deputies to the General Counsel as the*
15 *Director deems necessary to carry out the duties and the functions*
16 *of the Office.*

17 **2.** *The General Counsel and each deputy appointed pursuant*
18 *to subsection 1:*

19 *(a) Is in the unclassified service of the State.*

20 *(b) Must be an attorney in good standing licensed and*
21 *admitted to practice law in this State.*

22 *(c) Except as otherwise provided in NRS 7.065, shall not*
23 *engage in the private practice of law.*

24 **3.** *The Director may retain an attorney other than the*
25 *General Counsel or a deputy appointed pursuant to subsection 1 if*
26 *the Director determines that it is impracticable, uneconomical or*
27 *could constitute a conflict of interest for the legal service to be*
28 *rendered by the General Counsel or a deputy.*

29 **Sec. 7. 1.** *The Office shall periodically conduct a review of*
30 *each board, commission, council and similar body in this State*
31 *within the Executive Department of the State Government which*
32 *is not provided for in the Nevada Constitution or established by an*
33 *executive order of the Governor to determine whether the board,*
34 *commission, council or similar body should be terminated,*
35 *modified, consolidated with another board, commission, council or*
36 *similar body or continued.*

37 **2.** *A review conducted pursuant to subsection 1 must include,*
38 *without limitation:*

39 *(a) An evaluation of the:*

40 *(1) Effectiveness and relevance of the board, commission,*
41 *council or similar body.*

42 *(2) Usefulness and performance of the board, commission,*
43 *council or similar body.*

44 *(3) Cost and resource utilization of the board, commission,*
45 *council or similar body.*



1 (4) Amount and quality of stakeholder and public
2 engagement of the board, commission, council or similar body.

3 (b) A comparative analysis between the board, commission,
4 council or similar body and other comparable boards,
5 commissions, councils or similar bodies.

6 3. A board, commission, council or similar body shall
7 cooperate with the Office in the conducting of a review pursuant
8 to subsection 1 and shall submit to the Office, upon request, any
9 information the Office deems necessary for the conducting of the
10 review.

11 4. A board, commission, council or similar body subject to a
12 review by the Office has the burden of proving that its continuing
13 existence is justified.

14 **Sec. 8.** The Office shall establish a schedule for conducting
15 reviews pursuant to section 7 of this act. The schedule must
16 provide for conducting a review of any advisory body that is
17 subject to termination pursuant to a provision of state legislation
18 described in section 29 of this act before the date on which the
19 board, commission, council or similar body is set to terminate.

20 **Sec. 9.** 1. Except as otherwise provided in subsection 2, at
21 the conclusion of a review conducted pursuant to section 7 of this
22 act, the Deputy Director shall submit to the Governor a
23 recommendation as to whether the board, commission, council or
24 similar body should be terminated, modified, consolidated with
25 another board, commission, council or similar body or continued.
26 The Governor shall, if necessary, request the drafting of a
27 legislative measure pursuant to NRS 218D.175 to effectuate the
28 recommendation.

29 2. If the board, commission, council or similar body subject
30 to review is an advisory body described in section 29 of this act
31 and, at the conclusion of the review, the Deputy Director finds
32 that:

33 (a) During the period since the last review conducted of the
34 advisory body, or, if a review has never been conducted, since the
35 creation of the advisory body:

36 (1) The advice and recommendations of the advisory body
37 has resulted in legislative or administrative action;

38 (2) The advisory body has complied with its statutory
39 obligations; and

40 (3) The advisory body has met consistently; and

41 (b) The duties and responsibilities of the advisory body are not
42 overly duplicative of any other board, commission, council or
43 similar body,



1 ↳ *the Deputy Director shall send a notice to the Governor and the*
2 *Director of the Legislative Counsel Bureau recommending the*
3 *continuation of the advisory body.*

4 **Sec. 10.** 1. *The Office may, by regulation, establish the*
5 *procedures and requirements relating to the appointment of*
6 *members to a board, commission, council or similar body under*
7 *the purview of the Office pursuant to NRS 232.8415.*

8 2. *The Office may require any board, commission, council or*
9 *similar body under the purview of the Office pursuant to NRS*
10 *232.8415, before entering into a contract of any kind, to submit*
11 *the contract to and obtain the approval of the Office.*

12 **Sec. 11.** 1. *The Office shall provide to each board,*
13 *commission, council or similar body under the purview of the*
14 *Office pursuant to NRS 232.8415 administrative services,*
15 *including, without limitation:*

16 (a) *Legal services;*

17 (b) *Accounting services;*

18 (c) *Information technology services;*

19 (d) *Services pertaining to activities designed to influence the*
20 *passage or defeat of any legislation; and*

21 (e) *The services of hearing officers to adjudicate contested*
22 *cases.*

23 2. *The Office shall, by regulation:*

24 (a) *Prescribe a fee to cover the costs incurred by the Office for*
25 *any service provided by the Office pursuant to subsection 1; and*

26 (b) *Adopt such procedures as the Office may deem appropriate*
27 *for the billing or collection of such fees from a board, commission,*
28 *council or similar body to which such a service is provided.*

29 3. *A board, commission, council or similar body under the*
30 *purview of the Office pursuant to NRS 232.8415 may not pay any*
31 *compensation to a natural person or entity other than the Office*
32 *for a service that the Office provides.*

33 4. *Any money the Office receives pursuant to this section*
34 *must be deposited in the State Treasury for credit to the Office of*
35 *Nevada Boards, Commissions and Councils Standards Account*
36 *created by section 12 of this act.*

37 **Sec. 12.** 1. *The Office of Nevada Boards, Commissions and*
38 *Councils Standards Account is hereby created in the State General*
39 *Fund. The Account must be administered by the Deputy Director*
40 *and may be expended only to carry out the provisions of NRS*
41 *232.8413 and 232.8415 and sections 3 to 16, inclusive, of this act.*

42 2. *The interest and income earned on the money in the*
43 *Account, after deducting applicable charges, must be credited to*
44 *the Account.*



1 3. Any money in the Account and any unexpended
2 appropriations made to the Account from the State General Fund
3 remaining at the end of a fiscal year do not revert to the State
4 General Fund, and the balance in the Account must be carried
5 forward to the next fiscal year.

6 4. The Deputy Director may apply for and accept any gift,
7 grant, donation or appropriation for deposit in the Account.

8 **Sec. 13.** 1. A board, commission, council or similar body
9 under the purview of the Office pursuant to NRS 232.8415 may
10 not request that any person or governmental entity submit to the
11 Legislative Counsel a request for the drafting of a legislative
12 measure on behalf of the board, commission, council or similar
13 body other than as set forth in this section.

14 2. If a board, commission, council or similar body under the
15 purview of the Office pursuant to NRS 232.8415 wishes that a
16 request for the drafting of a legislative measure be submitted to
17 the Legislative Counsel on behalf of the board, commission,
18 council or similar body, it must submit the request to the Deputy
19 Director for approval. If the Deputy Director approves the request:

20 (a) Except as otherwise provided in paragraph (b), the Deputy
21 Director shall forward the request to the Governor or the
22 Governor's designated representative. If the Governor or the
23 Governor's designated representative approves the request, he or
24 she may submit the request to the Legislative Counsel pursuant to
25 NRS 218D.175.

26 (b) If the board, commission, council or similar body is an
27 authorized nonlegislative requester entitled to submit a request for
28 the drafting of a legislative measure pursuant to NRS 218D.175 to
29 218D.220, inclusive, the board, commission, council or similar
30 body may submit the request to the Legislative Counsel in
31 accordance with the applicable provisions of NRS 218D.175 to
32 218D.220, inclusive.

33 **Sec. 14.** 1. The person appointed by the Governor as the
34 administrative head of the department of the Executive
35 Department of the State Government within which a board,
36 commission, council or similar body is under the purview of the
37 Office pursuant to subsection 3 of NRS 232.8415 is responsible for
38 the effective operation of the board, commission, council or
39 similar body and may establish guidelines and requirements to
40 ensure such effective operation.

41 2. A board, commission, council or similar body under the
42 purview of the Office pursuant to subsection 3 of NRS 232.8415
43 may meet only upon the:

44 (a) Call of the Chair of the board, commission, council or
45 similar body;



1 (b) *Written request of a majority of the members of the board,*
2 *commission, council or similar body; or*

3 (c) *Call of the administrative head of the department*
4 *responsible for the effective operation of the board, commission,*
5 *council or similar body pursuant to subsection 1.*

6 **Sec. 15. 1.** *The Office shall maintain an Internet website*
7 *through which any board, commission, council or similar body*
8 *under its purview pursuant to NRS 232.8415 may post*
9 *information.*

10 2. *A board, commission, council or similar body under the*
11 *purview of the Office pursuant to NRS 232.8415 may not post any*
12 *information on any Internet website other than the Internet*
13 *website maintained pursuant to subsection 1.*

14 **Sec. 16. The Office may:**

15 1. *Have access to, inspect, copy and subpoena all records in*
16 *the possession of any clerk of a court, law enforcement agency or*
17 *public or private institution, wherever situated, that relate to its*
18 *duties.*

19 2. *Have access to all written records in the possession of any*
20 *person, government, governmental agency or political subdivision*
21 *of a government that relate to its duties.*

22 3. *Use the information obtained pursuant to subsections 1*
23 *and 2 to resolve matters relating to its duties.*

24 **Sec. 17.** NRS 232.383 is hereby amended to read as follows:

25 232.383 1. The Grants Management Advisory Committee is
26 hereby created within the Department.

27 2. The Advisory Committee consists of the following ~~15~~ 11
28 members appointed by the Director:

29 (a) A superintendent of a county school district or the
30 superintendent's designee;

31 (b) A director of a local agency which provides services for
32 abused or neglected children, or the director's designee;

33 (c) A member who possesses knowledge, skill and experience in
34 the provision of services to children;

35 (d) A representative of a department of juvenile justice services;

36 (e) A member who possesses knowledge, skill and experience in
37 the provision of services to senior citizens;

38 (f) ~~Two members~~ A member who ~~possess~~ possesses
39 knowledge, skill and experience in finance or in business generally;

40 (g) A representative of the Nevada Association of Counties;

41 (h) A member who possesses knowledge, skill and experience in
42 building partnerships between the public sector and the private
43 sector;



1 (i) ~~[Two members]~~ *A member* of the public who ~~[possess]~~
2 *possesses* knowledge of or experience in the provision of services to
3 persons or families who are disadvantaged or at risk;

4 (j) A member who possesses knowledge, skill and experience in
5 the provision of services to persons with disabilities; *and*

6 (k) A member who possesses knowledge, skill and experience in
7 the provision of services relating to the cessation of the use of
8 tobacco, ~~;~~

9 ~~—(l) A member who possesses knowledge, skill and experience]~~
10 ~~in the provision of health services to children ~~;~~ and~~

11 ~~—(m) A representative who is a member of the Nevada~~
12 ~~Commission on Aging, created by NRS 427A.032, who must not be~~
13 ~~a Legislator.] or both. In appointing the member pursuant to this~~
14 ~~paragraph, the Director must give preference to a person who~~
15 ~~possesses knowledge, skill and experience in both the provision of~~
16 ~~services relating to the cessation of the use of tobacco and the~~
17 ~~provision of health services to children.~~

18 3. An entity who employs a member of the Advisory
19 Committee is not eligible to receive a grant. This subsection does
20 not prohibit an entity that serves solely as the fiscal agent for a
21 recipient of a grant from employing a member of the Advisory
22 Committee.

23 4. The Director shall ensure that, insofar as practicable, the
24 members whom the Director appoints reflect the ethnic and
25 geographical diversity of this State.

26 5. After the initial terms, each member of the Advisory
27 Committee serves for a term of 2 years. Each member of the
28 Advisory Committee continues in office until his or her successor is
29 appointed. *A member may not serve more than two terms.*

30 6. ~~[Each member of the Advisory Committee who is not an~~
31 ~~officer or employee of this State or a political subdivision of this~~
32 ~~State is entitled to receive a salary of not more than \$80 per day,~~
33 ~~fixed by the Director, while engaged in the business of the Advisory~~
34 ~~Committee.~~

35 ~~—7.]~~ While engaged in the business of the Advisory Committee,
36 each member of the Advisory Committee is entitled to receive the
37 per diem allowance and travel expenses provided for state officers
38 and employees generally.

39 ~~[8.]~~ 7. A majority of the members of the Advisory Committee
40 constitutes a quorum for the transaction of business, and a majority
41 of a quorum present at any meeting is sufficient for any official
42 action taken by the Advisory Committee.

43 ~~[9.]~~ 8. A member of the Advisory Committee who is an officer
44 or employee of this State or a political subdivision of this State must
45 be relieved from his or her duties without loss of regular



1 compensation to prepare for and attend meetings of the Advisory
2 Committee and perform any work necessary to carry out the duties
3 of the Advisory Committee in the most timely manner practicable.
4 A state agency or political subdivision of this State shall not require
5 an officer or employee who is a member of the Advisory Committee
6 to:

7 (a) Make up the time he or she is absent from work to carry out
8 his or her duties as a member of the Advisory Committee; or

9 (b) Take annual leave or compensatory time for the absence.

10 ~~{10.}~~ 9. The Advisory Committee shall:

11 (a) At its first meeting and annually thereafter, elect a Chair
12 from among its members; *and*

13 (b) ~~{Meet at the call of the Director, the Chair or a majority of its~~
14 ~~members as necessary, within the budget of the Advisory~~
15 ~~Committee, but not to exceed six meetings per year; and~~

16 ~~—(c)}~~ Adopt rules for its own management and government.

17 **Sec. 18.** NRS 232.4855 is hereby amended to read as follows:

18 232.4855 1. The ~~{State of Nevada Advisory Council}~~
19 *Subcommittee* on Palliative Care and Quality of Life *of the State*
20 *Board of Health* is hereby created. ~~{within the Department.}~~

21 2. The ~~{Director}~~ *State Board of Health* shall appoint such
22 number of members of the ~~{Council}~~ *Subcommittee* as ~~{he or she}~~
23 *the Board* determines is appropriate to carry out the provisions of
24 NRS 232.485 to 232.4858, inclusive, but not less than nine members
25 as follows:

26 (a) Two members with experience in the provision of
27 interdisciplinary palliative care, including, without limitation,
28 hospital, medical, nursing, social work, pharmacy, financial and
29 spiritual services;

30 (b) One member with a background in patient and family
31 caregiver advocacy;

32 (c) One member who is a health care professional with clinical
33 experience in palliative care;

34 (d) One member who is a health care professional with expertise
35 in delivery models for palliative care in a variety of inpatient,
36 outpatient and community settings and with diverse populations;

37 (e) Two members who are employees of the Department or any
38 other state agency, board or commission who have relevant work
39 experience related to palliative care and issues concerning quality of
40 life; and

41 (f) Two members who are board certified hospice and palliative
42 care physicians or nurses.

43 3. After the initial terms, the term of each member of the
44 ~~{Council}~~ *Subcommittee* is 3 years, and members shall serve at the
45 pleasure of the ~~{Director.}~~ *State Board of Health.*



1 4. The ~~[Council]~~ *Subcommittee* shall select from its members a
2 Chair and a Vice Chair who shall hold office for 1 year and whose
3 duties will be established by the ~~[Council]~~ *Subcommittee*.

4 5. The ~~[Council]~~ *Subcommittee* shall meet at least twice
5 annually at a time and place specified by a call of the ~~[Director]~~
6 *State Board of Health*.

7 6. Each member of the ~~[Council]~~ *Subcommittee*:

8 (a) Serves without compensation; and

9 (b) While engaged in the business of the ~~[Council]~~
10 *Subcommittee*, is entitled to receive the per diem allowance and
11 travel expenses provided for state officers and employees generally
12 to the extent that funds for such expenses are available within the
13 budget of the Department.

14 **Sec. 19.** NRS 232.4966 is hereby amended to read as follows:

15 232.4966 1. The Council on Food Security is hereby created
16 within the Department. The Council consists of:

17 (a) The Governor or his or her designee;

18 (b) The Director or his or her designee from within the
19 Department;

20 (c) The Administrator of the Division of Welfare and Supportive
21 Services of the Department or his or her designee from within the
22 Division;

23 (d) The Regional Administrator for the Western Regional Office
24 of the United States Department of Agriculture, Food and Nutrition
25 Service or his or her designee from within the United States
26 Department of Agriculture;

27 (e) The Executive Director of the Office of Economic
28 Development or his or her designee from within the Office; *and*

29 ~~(f) [The Administrator of the Division of Public and Behavioral
30 Health of the Department or his or her designee from within the
31 Division;~~

32 ~~—(g) The Superintendent of Public Instruction or his or her
33 designee from within the Department of Education;~~

34 ~~—(h) The Director of the State Department of Agriculture or his or
35 her designee from within the Department;~~

36 ~~—(i) The Administrator of the Aging and Disability Services
37 Division of the Department or his or her designee from within the
38 Division;~~

39 ~~—(j) Five] Six~~ members appointed by the ~~[Governor]~~ *Director* as
40 follows:

41 (1) One member who is a representative of retailers of food;

42 (2) ~~[One member who is a representative of manufacturing
43 that is not related to food;~~

44 ~~—(3) One member who is a representative of the gaming
45 industry, hospitality industry or restaurant industry;~~



1 ~~—— (4) One member who is a representative of farmers or~~
2 ~~ranchers engaged in food production; **and**~~

3 ~~—— (5) (3) One member **{who is a representative of persons**~~
4 ~~**engaged in the business of processing or distributing food;**~~

5 ~~—— (k) At least five members appointed by the Governor or the~~
6 ~~Director at the direction of the Governor from among the following~~
7 ~~persons:~~

8 ~~—— (1) A person} who is a representative of a food bank serving~~
9 ~~northern **or southern** Nevada;~~

10 ~~**{(2) A person who is a representative of a food bank serving**~~
11 ~~**southern Nevada;**~~

12 ~~—— (3) A person}~~

13 **(4) One member** who is a representative of an organization
14 that provides community-based services, including, without
15 limitation, services that focus on the social determinants of health ;
16 ~~**[- in northern Nevada;**~~

17 ~~—— (4) A person who is a representative of an organization that~~
18 ~~**provides community-based services, including, without limitation,**~~
19 ~~**services that focus on the social determinants of health, in southern**~~
20 ~~**Nevada;**~~

21 ~~—— (5) A person who is a representative of an organization that~~
22 ~~**provides community-based services, including, without limitation,**~~
23 ~~**services that focus on the social determinants of health, in rural**~~
24 ~~**Nevada;**~~

25 ~~—— (6) A person who is a representative of the University of~~
26 ~~**Nevada Cooperative Extension;**~~

27 ~~—— (7) A person}~~

28 **(5) One member** who possesses knowledge, skill and experience
29 in the provision of services to senior citizens and persons with
30 disabilities; **and**

31 ~~**{(8) A person who is a representative of a local health**~~
32 ~~**authority; and**~~

33 ~~—— (9) A person}~~

34 **(6) One member** who possesses knowledge, skill and experience
35 in the provision of services to children and families . ~~**[- and**~~

36 ~~**—— (1) Such other representatives of State Government as may be**~~
37 ~~**designated by the Governor.]**~~

38 2. The Governor or his or her designee shall serve as the Chair
39 of the Council.

40 3. Each appointed member of the Council serves a term of 2
41 years. Each appointed member may be reappointed at the pleasure
42 of the appointing authority, except that an appointed member may
43 not serve for more than ~~**{three consecutive}**~~ **two** terms . ~~**{or 6**~~
44 ~~**consecutive years.}**~~



1 4. If a vacancy occurs in the appointed membership of the
2 Council, the Council shall recommend a person to the appointing
3 authority who appointed that member to fill the vacancy. The
4 appointing authority shall appoint a replacement member after
5 receiving and considering the recommendation of the Council. A
6 member appointed to fill a vacancy shall serve as a member of the
7 Council for the remainder of the original term of appointment and
8 may be reappointed for ~~two~~ *an* additional ~~consecutive terms~~ *term*
9 through the regular appointment process.

10 5. The appointing authority may remove a member for
11 malfeasance in office or neglect of duty. Absences from three
12 consecutive meetings constitutes good and sufficient cause for
13 removal of a member.

14 6. Each member of the Council:

15 (a) Serves without compensation; and

16 (b) While engaged in the business of the Council, is entitled to
17 receive the per diem allowance and travel expenses provided for
18 state officers and employees generally.

19 7. ~~The~~ *Except as otherwise provided in section 11 of this*
20 *act, the* Department of Health and Human Services shall provide
21 administrative support to the Council.

22 8. ~~The Council shall meet at least once each calendar quarter~~
23 ~~and may meet at such further times as deemed necessary by the~~
24 ~~Chair.~~

25 ~~9.]~~ The Council may apply for and accept gifts, grants,
26 donations and contributions from any source for the purpose of
27 carrying out its duties pursuant to NRS 232.4968.

28 **Sec. 20.** NRS 232.570 is hereby amended to read as follows:

29 232.570 1. There is hereby created in the Division an
30 Advisory Council composed of seven members appointed by the
31 ~~Governor.]~~ *Director.*

32 2. The Advisory Council must be composed of:

33 (a) Three representatives of labor, at least two of whom must
34 represent organized labor;

35 (b) Three representatives of management, at least two of whom
36 must represent employers who employ at least 250 persons; and

37 (c) One representative of the general public who is
38 knowledgeable in the field of industrial relations.

39 3. *Each member of the Council serves a term of 2 years. A*
40 *member of the Council may not serve more than two terms.*

41 4. Any member who is appointed to fill a vacancy must be
42 appointed in the same manner and possess the same general
43 qualifications as his or her predecessor in office.



1 **Sec. 21.** NRS 232.580 is hereby amended to read as follows:

2 232.580 1. The Council ~~[shall meet at least once annually at a~~
3 ~~time and place specified by a call of the Chair, the Administrator or~~
4 ~~a majority of the Council. Special meetings, not to exceed six per~~
5 ~~year, may be held at the call of the Chair, the Administrator or a~~
6 ~~majority of the Council.~~

7 ~~—2. The Council]~~ shall select from its members a Chair and a
8 Vice Chair who shall hold office for 1 year. The Administrator shall
9 act as Secretary of the Council.

10 ~~[3.]~~ 2. The Council may prescribe such bylaws as it deems
11 necessary for its operation.

12 ~~[4.]~~ 3. Four members of the Council constitute a quorum, and
13 a quorum may exercise all the power and authority conferred on the
14 Council.

15 **Sec. 22.** NRS 232.590 is hereby amended to read as follows:

16 232.590 Each member of the Council *serves without*
17 *compensation but* is entitled to receive ~~[a salary of \$60 for each~~
18 ~~day's attendance at a meeting of the Council.]~~ *the per diem*
19 *allowance and travel expenses provided for state officers and*
20 *employees generally for attending a meeting of the Council or*
21 *while engaged in the official business of the Council.*

22 **Sec. 23.** NRS 232.8413 is hereby amended to read as follows:

23 232.8413 1. The Office of Nevada Boards, Commissions and
24 Councils Standards is hereby created within the Department of
25 Business and Industry.

26 2. The Director shall ~~[appoint]~~ :

27 (a) *Appoint* a Deputy Director of the Office ~~[and shall retain]~~ ;

28 (b) *Retain* the required staff ~~[and adopt the necessary~~
29 ~~regulations and procedures]~~ to effectively administer the
30 responsibilities of the Office ~~[.]~~ , *which may include, without*
31 *limitation, hearing officers, accountants and any other*
32 *professional, clerical and operational employees as the operation*
33 *of the Office may require; and*

34 (c) *Adopt the necessary regulations and procedures to*
35 *effectively administer the responsibilities of the Office.*

36 **Sec. 24.** NRS 232.8415 is hereby amended to read as follows:

37 232.8415 1. The Office ~~[of Nevada Boards, Commissions~~
38 ~~and Councils Standards]~~ shall be responsible for:

39 (a) Centralized administration;

40 (b) A uniform set of standards for investigations, licensing and
41 discipline, including, without limitation, separating the roles
42 and responsibilities for occupational licensure from the roles and
43 responsibilities for occupational discipline;

44 (c) A uniform set of standards for internal controls;

45 (d) A uniform set of standards for legal representation;



1 (e) A consistent set of structural standards for boards and
2 commissions;

3 (f) Transparency and consumer protection; and

4 (g) Efficacy and efficiency.

5 2. To the extent permitted by the Nevada Constitution and
6 federal law, all professional and occupational licensing boards
7 created by the Legislature shall be under the purview of the Office,
8 including, without limitation:

9 (a) The Nevada State Board of Accountancy created by
10 NRS 628.035.

11 (b) The ~~[Board of Examiners for Alcohol, Drug and Gambling~~
12 ~~Counselors created by NRS 641C.150.] Nevada Behavioral~~
13 ~~Wellness Alliance Board created by section 93 of this act.~~

14 (c) The ~~[State Board of Architecture, Interior Design and~~
15 ~~Residential Design created by NRS 623.050.] Nevada Board of~~
16 ~~Professional Design and Environmental Specialist created by~~
17 ~~section 80 of this act.~~

18 (d) The ~~[Board of Athletic Trainers created by NRS 640B.170.]~~
19 ~~Nevada Board of Healing and Rehabilitative Practice created by~~
20 ~~section 89 of this act.~~

21 (e) The State Barbers' Health and Sanitation Board created by
22 NRS 643.020.

23 (f) The ~~[Board of Applied Behavior Analysis created by~~
24 ~~NRS 641D.200.~~

25 ~~—(g) The Chiropractic Physicians' Board of Nevada created by~~
26 ~~NRS 634.020.~~

27 ~~—(h) The] State Contractors' Board created by NRS 624.040.~~

28 ~~[(i)] (g) The Commission on Construction Education created by~~
29 ~~NRS 624.570.~~

30 ~~[(j)] (h) The State Board of Cosmetology created by~~
31 ~~NRS 644A.200.~~

32 ~~[(k)] (i) The Certified Court Reporters' Board of Nevada~~
33 ~~created by NRS 656.040.~~

34 ~~[(l)] (j) The Board of Dental Examiners of Nevada created by~~
35 ~~NRS 631.120.~~

36 ~~[(m) The Committee on Dental Hygiene and Dental Therapy~~
37 ~~created by NRS 631.205.~~

38 ~~—(n) The State Board of Professional Engineers and Land~~
39 ~~Surveyors created by NRS 625.100.~~

40 ~~—(o)] (k) The Nevada Funeral and Cemetery Services Board~~
41 ~~created by NRS 642.020.~~

42 ~~[(p)] (l) The Nevada *Medical* Board [of Homeopathic Medical~~
43 ~~Examiners] created [pursuant to NRS 630A.100.~~

44 ~~—(q) The State Board of Landscape Architecture created by~~
45 ~~NRS 623A.080.~~



1 ~~—(r) The Board of Examiners for Marriage and Family Therapists~~
2 ~~and Clinical Professional Counselors created by NRS 641A.090.~~

3 ~~—(s) The Board of Massage Therapy created by NRS 640C.150.~~

4 ~~—(t) The Board of Medical Examiners created pursuant to~~
5 ~~NRS 630.050.~~

6 ~~—(u)}~~ *by section 86 of this act.*

7 *(m) The State Board of Nursing created by NRS 632.020.*

8 ~~[(v) The Advisory Committee on Nursing Assistants and~~
9 ~~Medication Aides created by NRS 632.072.~~

10 ~~—(w) The Board of Occupational Therapy created by~~
11 ~~NRS 640A.080.~~

12 ~~—(x) The Board of Dispensing Opticians created by NRS 637.030.~~

13 ~~—(y)}~~ *(n) The Nevada [State] Board of [Optometry] Vision,*
14 *Speech and Mobility Professions created by [NRS 636.030.*

15 ~~—(z) The State Board of Oriental Medicine created by~~
16 ~~NRS 634A.030.~~

17 ~~—(aa) The State Board of Osteopathic Medicine created pursuant~~
18 ~~to NRS 633.181.~~

19 ~~—(bb)}~~ *section 91 of this act.*

20 *(o) The Commission on Postsecondary Education created by*
21 *NRS 394.383.*

22 ~~[(ee) (p) The State Board of Pharmacy created by~~
23 ~~NRS 639.020.~~

24 ~~[(dd) The Nevada Physical Therapy Board created by~~
25 ~~NRS 640.030.~~

26 ~~—(ee) The State Board of Podiatry created by NRS 635.020.~~

27 ~~—(ff) (q) The Private Investigator's Licensing Board created by~~
28 ~~NRS 648.020.~~

29 ~~[(gg) The Board of Psychological Examiners created by~~
30 ~~NRS 641.030.~~

31 ~~—(hh) The Board of Environmental Health Specialists created by~~
32 ~~NRS 625A.030.~~

33 ~~—(ii) The Board of Examiners for Social Workers created~~
34 ~~pursuant to NRS 641B.100.~~

35 ~~—(jj) The Speech Language Pathology, Audiology and Hearing~~
36 ~~Aid Dispensing Board created by NRS 637B.100.~~

37 ~~—(kk) (r) The Nevada State Board of Veterinary Medical~~
38 ~~Examiners created by NRS 638.020.~~

39 *3. The following boards, commissions, councils and similar*
40 *bodies shall be under the purview of the Office:*

41 *(a) The State Council on Libraries and Literacy created by*
42 *NRS 380A.031.*

43 *(b) The State Records and Historical Advisory Council created*
44 *by section 30 of this act.*



1 (c) *The Nevada Merit and Honors Board created by section 32*
2 *of this act.*

3 (d) *The State Predatory Animal and Rodent Committee created*
4 *by NRS 567.020.*

5 (e) *The Advisory Council created by NRS 232.570.*

6 (f) *The Private Activity Bond Council created by*
7 *NRS 348A.050.*

8 (g) *The Advisory Committee on Housing created by*
9 *NRS 319.174.*

10 (h) *The Advisory Council on Mortgage Investments and*
11 *Mortgage Lending created by NRS 645B.019.*

12 (i) *The Nevada Commission on Minority Affairs created by*
13 *NRS 232.852.*

14 (j) *The State Outdoor Recreation and Education Advisory*
15 *Council within the Department created by section 51 of this act.*

16 (k) *The Commission on Off-Highway Vehicles in the State*
17 *Department of Conservation and Natural Resources created by*
18 *NRS 490.067.*

19 (l) *The Land Use Planning Advisory Council created by*
20 *NRS 321.740.*

21 (m) *The Well Drillers' Advisory Board created pursuant to*
22 *NRS 534.150.*

23 (n) *The Advisory Committee on School and Staff Safety in the*
24 *Department of Education created by section 43 of this act.*

25 (o) *The Nevada Commission on Innovation, Excellence and*
26 *Education Workforce Development in the Department of*
27 *Education created by section 38 of this act.*

28 (p) *The Commission on School Funding created by*
29 *NRS 387.1246.*

30 (q) *The Nevada Commission on Mentoring created by*
31 *NRS 385.760.*

32 (r) *The State Council for the Coordination of the Interstate*
33 *Compact on Educational Opportunity for Military Children*
34 *created by NRS 388F.020.*

35 (s) *The Teachers and Leaders Council of Nevada created by*
36 *NRS 391.455.*

37 (t) *The Advisory Council for Family Engagement created*
38 *pursuant to NRS 385.610.*

39 (u) *The Nevada Interscholastic Activities Association created*
40 *pursuant to NRS 385B.050.*

41 (v) *The State Financial Literacy Advisory Council created by*
42 *NRS 388.5966.*

43 (w) *The Committee on Responses to Power-Based Violence in*
44 *Schools in the Department of Education created by NRS 388.1326.*



1 (x) *The Advisory Committee on Language Development for*
2 *Children Who Are Deaf, Hard of Hearing, Blind or Visually*
3 *Impaired in the Department of Education created pursuant to*
4 *NRS 388.5175.*

5 (y) *The Nevada Emergency Response and Disaster*
6 *Coordination Board created by section 52 of this act.*

7 (z) *The Board for the Education and Counseling of Displaced*
8 *Homemakers created by NRS 388.615.*

9 (aa) *The Nevada Committee of Vendors Who Are Blind elected*
10 *pursuant to NRS 426.670 and 34 C.F.R. § 395.14.*

11 (bb) *The Advisory Committee on Problem Gambling created by*
12 *NRS 458A.060.*

13 (cc) *A regional behavioral health policy board created by*
14 *NRS 433.429.*

15 (dd) *The Nevada Commission on Aging and Cognitive Health*
16 *created by section 60 of this act.*

17 (ee) *The Council on Food Security within the Department of*
18 *Health and Human Services created by NRS 232.4966.*

19 (ff) *The Nevada Early Childhood Advisory Council established*
20 *by NRS 432A.076.*

21 (gg) *The Patient Protection Commission within the Office of*
22 *the Director of the Department of Health and Human Services*
23 *created by NRS 439.908.*

24 (hh) *The Advisory Committee for a Resilient Nevada within*
25 *the Department of Health and Human Services created by*
26 *NRS 433.726.*

27 (ii) *The Advisory Committee on Medicaid Innovation in the*
28 *Division of Health Care Financing and Policy of the Department*
29 *of Health and Human Services created by NRS 422.162.*

30 (jj) *The Committee to Review Suicide Fatalities within the*
31 *Department of Health and Human Services created by*
32 *NRS 439.5104.*

33 (kk) *The committee appointed pursuant to NRS 422A.660.*

34 (ll) *The Wellness and Prevention Advisory Council created by*
35 *section 65 of this act.*

36 (mm) *The Grants Management Advisory Committee within the*
37 *Department of Health and Human Services created by*
38 *NRS 232.383.*

39 (nn) *The Health Care Workforce Working Group within the*
40 *Department of Health and Human Services established pursuant*
41 *to NRS 439A.118.*

42 (oo) *The Advisory Board on Maternal and Child Health*
43 *created by NRS 442.133.*



1 (pp) *The Maternal Mortality Review Committee within the*
2 *Department of Health and Human Services established by*
3 *NRS 442.764.*

4 (qq) *The Medicaid Advisory Committee in the Division of*
5 *Health Care Financing and Policy of the Department of Health*
6 *and Human Services created by NRS 422.151.*

7 (rr) *The Beneficiary Advisory Council within the Division of*
8 *Health Care Financing and Policy of the Department of Health*
9 *and Human Services created by section 55 of this act.*

10 (ss) *The Advisory Committee in the Office of Minority Health*
11 *and Equity of the Department of Health and Human Services*
12 *created by NRS 232.482.*

13 (tt) *The Silver State Scripts Board created within the*
14 *Department of Health and Human Services pursuant to*
15 *NRS 422.4035.*

16 (uu) *The Vulnerable Adult Fatality Review Committee within*
17 *the Department of Health and Human Services established by*
18 *NRS 427A.920.*

19 (vv) *The Advisory Committee on the State Program for Oral*
20 *Health within the Department of Health and Human Services*
21 *created by NRS 439.2792.*

22 (ww) *The Advisory Board on Maternal and Child Health*
23 *created by NRS 442.133.*

24 (xx) *The Nevada Children's Mental and Behavioral Health*
25 *Consortium created by section 64 of this act.*

26 (yy) *The Executive Committee to Review the Death of Children*
27 *established pursuant to NRS 432B.409.*

28 (zz) *Any advisory council or committee created by the*
29 *Commissioner of Insurance pursuant to NRS 679B.160.*

30 (aaa) *The State of Nevada Human Trafficking Coalition*
31 *formed pursuant to NRS 217.098.*

32 (bbb) *Any advisory body established by the Administrator*
33 *pursuant to NRS 439A.170 to advise the Administrator on matters*
34 *concerning the Physician Visa Waiver Program.*

35 (ccc) *The Committee to Review Child Support Guidelines*
36 *created by NRS 425.610.*

37 (ddd) *The advisory committee created pursuant to subsection 8*
38 *of NRS 445B.830.*

39 (eee) *The Nevada Indian Commission within the Department*
40 *of Native American Affairs created by NRS 233A.1005.*

41 (fff) *The Committee on Testing for Intoxication created by*
42 *NRS 484C.600.*

43 (ggg) *The Nevada Sentencing Commission within the*
44 *Department of Sentencing Policy created by NRS 176.0133.*



1 (hhh) *The Nevada Local Justice Reinvestment Coordinating*
2 *Council created by NRS 176.014.*

3 (iii) *The Subcommittee on Misdemeanors of the Sentencing*
4 *Commission created by NRS 176.01332.*

5 (jjj) *The Appraiser's Certification Board established by*
6 *NRS 361.221.*

7 (kkk) *The Committee on Local Government Finance created*
8 *by NRS 354.105.*

9 (lll) *The Board of Museums and History created by*
10 *NRS 381.002.*

11 (mmm) *The Nevada Bicycle and Pedestrian Advisory Board*
12 *created by NRS 408.573.*

13 (nnn) *The Board of Directors of the Nevada State*
14 *Infrastructure Bank within the Office of the Treasurer established*
15 *by NRS 226.778.*

16 (ooo) *The Advisory Committee on Traffic Safety within the*
17 *Department of Transportation created by NRS 408.581.*

18 (ppp) *The Interagency Council on Veterans Affairs created by*
19 *NRS 417.0191.*

20 (qqq) *The Nevada Veterans Services Commission created by*
21 *NRS 417.150.*

22 (rrr) *The Advisory Committee for a Veterans Cemetery in*
23 *Northern Nevada created by NRS 417.230.*

24 (sss) *The Advisory Committee for a Veterans Cemetery in*
25 *Southern Nevada created by NRS 417.230.*

26 (ttt) *The Women Veterans Advisory Committee created by*
27 *NRS 417.320.*

28 (uuu) *The Regional Transmission Coordination Task Force*
29 *created by NRS 704.79887.*

30 (vvv) *The Nevada Advisory Council on Federal Assistance*
31 *created by NRS 358.020.*

32 (www) *The Informational Technology Advisory Board created*
33 *by NRS 242.122.*

34 (xxx) *The Advisory Council on Graduate Medical Education*
35 *within the Office of Science, Innovation and Technology created*
36 *by NRS 223.633.*

37 (yyy) *The California-Nevada Super Speed Ground*
38 *Transportation Commission created by NRS 705.4293.*

39 **Sec. 25.** NRS 232.864 is hereby amended to read as follows:

40 232.864 1. ~~{The Director}~~ *Except as otherwise provided in*
41 *section 11 of this act, the Office of Minority Health and Equity of*
42 *the Department of Health and Human Services* shall provide staff
43 assistance to the Commission as the Governor deems appropriate.



1 2. The Commission may engage the services of volunteer
2 workers and consultants without compensation as is necessary from
3 time to time.

4 **Sec. 26.** NRS 233.030 is hereby amended to read as follows:

5 233.030 1. The Nevada Equal Rights Commission, consisting
6 of ~~five~~ *eight* members appointed by the Governor, is hereby
7 created.

8 2. *The Governor shall appoint to the Commission:*

9 (a) *The following voting members:*

10 (1) *One member who represents an advocacy organization*
11 *whose membership consists of persons with disabilities.*

12 (2) *One member who is a member of the Nevada*
13 *Association of the Deaf or one member who is deaf or hard of*
14 *hearing.*

15 (3) *One member who is an expert on diversity and*
16 *inclusion.*

17 (4) *One member who is an educator or an academic with*
18 *expertise in diversity.*

19 (5) *One member who is deaf, hard of hearing or*
20 *speech-impaired.*

21 (6) *One member who serves as a public advocate for an*
22 *organization that advocates for public education or civil rights.*

23 (7) *One member who is the parent or guardian of a child*
24 *with disabilities.*

25 (b) *One nonvoting member who is employed by the State and*
26 *who participates in the administration of the programs of this*
27 *State that provide services to persons with disabilities.*

28 3. Each member of the Commission is entitled to receive a
29 salary of not more than \$80, as fixed by the Commission, for each
30 day actually employed on the work of the Commission.

31 ~~3.~~ 4. While engaged in the business of the Commission, each
32 member and employee of the Commission is entitled to receive the
33 per diem allowance and travel expenses provided for state officers
34 and employees generally.

35 **Sec. 27.** NRS 0.040 is hereby amended to read as follows:

36 0.040 1. Except as otherwise provided in subsection 2,
37 "physician" means a person who engages in the practice of
38 medicine, including osteopathy. ~~[and homeopathy.]~~

39 2. The terms "physician," "osteopathic physician,"
40 ~~["homeopathic physician,"]~~ "chiropractic physician" and "podiatric
41 physician" are used in chapters 630, ~~[630A.]~~ 633, 634 and 635 of
42 NRS in the limited senses prescribed by those chapters respectively.

43 **Sec. 28.** NRS 62B.600 is hereby amended to read as follows:

44 62B.600 1. The Juvenile Justice Oversight Commission is
45 hereby established.



1 2. The Commission consists of the Governor or his or her
2 designee and ~~{25}~~ **11** members appointed by the Governor. The
3 Governor shall appoint to the Commission:

4 (a) ~~{Two members}~~ **One member** nominated by the Senate, who
5 ~~{are} is~~ not ~~{members}~~ **a member** of the Senate or **a** public ~~{officers.}~~
6 **officer.**

7 (b) ~~{Two members}~~ **One member** nominated by the Assembly,
8 who ~~{are} is~~ not ~~{members}~~ **a member** of the Assembly or **a** public
9 ~~{officers.}~~ **officer.**

10 (c) ~~{Two members}~~ **One member** nominated by the Supreme
11 Court, who ~~{are} is~~ not ~~{judges, justices}~~ **a judge, justice** or public
12 ~~{officers.}~~ **officer.**

13 (d) The Administrator of the Division of Child and Family
14 Services or his or her designee.

15 (e) The Deputy Administrator of Juvenile Services of the
16 Division of Child and Family Services or his or her designee.

17 (f) Three members who are directors of juvenile services, one
18 each of whom must represent a county whose population:

19 (1) Is less than 100,000.

20 (2) Is 100,000 or more but less than 700,000.

21 (3) Is 700,000 or more.

22 (g) ~~{Two members}~~ **One member** who ~~{are} is~~ **a** district
23 ~~{attorneys.}~~ **attorney.**

24 (h) ~~{Two members}~~ **One member** who ~~{are} is~~ **a** public
25 ~~{defenders.}~~ **defender.**

26 (i) One member who is a representative of a law enforcement
27 agency.

28 ~~{(j) Two members who are representatives of a nonprofit~~
29 ~~organization which provides programs to prevent juvenile~~
30 ~~delinquency.~~

31 ~~—(k) One member who is a volunteer who works with children~~
32 ~~who have been adjudicated delinquent.~~

33 ~~—(l) Six members who are under the age of 24 years at the time of~~
34 ~~appointment.]~~

35 3. At least three of the persons appointed to the Commission
36 pursuant to subsection 2 must be persons who are currently or were
37 formerly subject to the jurisdiction of the juvenile court.

38 4. Each appointed member serves a term of 2 years. Members
39 may be reappointed for **one** additional ~~{terms}~~ **term** of 2 years in the
40 same manner as the original appointments. Any vacancy occurring
41 in the membership of the Commission must be filled in the same
42 manner as the original appointment not later than 30 days after the
43 vacancy occurs. Nine of the initial members of the Commission who
44 are appointed pursuant to subsection 2 must be appointed to an



1 initial term of 1 year. Each member of the Commission continues in
2 office until his or her successor is appointed.

3 5. The members of the Commission serve without
4 compensation but are entitled to receive the per diem allowance and
5 travel expenses provided for state officers and employees generally.

6 6. A majority of the members of the Commission constitutes a
7 quorum for the transaction of business, and a majority of a quorum
8 present at any meeting is sufficient for any official action taken by
9 the Commission.

10 7. A member of the Commission who is an officer or employee
11 of this State or a political subdivision of this State must be relieved
12 from his or her duties without loss of regular compensation to
13 prepare for and attend meetings of the Commission and perform any
14 work necessary to carry out the duties of the Commission in the
15 most timely manner practicable. A state agency or political
16 subdivision of this State shall not require an officer or employee
17 who is a member of the Commission to:

18 (a) Make up the time he or she is absent from work to carry out
19 his or her duties as a member of the Commission; or

20 (b) Take annual leave or compensatory time for the absence.

21 8. At the first meeting of the Commission and annually
22 thereafter:

23 (a) The Governor shall appoint a Chair of the Commission;

24 (b) The Commission shall elect a Secretary from among its
25 members; and

26 (c) The Commission shall adopt rules for its own management
27 and government.

28 9. ~~The Commission shall:~~

29 ~~—(a) Hold its first meeting within 60 days after all the initial~~
30 ~~appointments to the Commission are made pursuant to subsection 2;~~
31 ~~and~~

32 ~~—(b) Meet at least once every 4 months and may meet at such~~
33 ~~further times as deemed necessary by the Chair.~~

34 ~~—10.]~~ As used in this section, “public officer” has the meaning
35 ascribed to it in NRS 205.4627.

36 **Sec. 29.** Chapter 218D of NRS is hereby amended by adding
37 thereto a new section to read as follows:

38 *1. Any legislative measure enacted on or after July 1, 2026,*
39 *which contains a provision creating an advisory body must provide*
40 *for:*

41 *(a) The expiration by limitation of the provision 2 years after*
42 *the effective date of the provision unless, before that date, the*
43 *Deputy Director of the Office of Nevada Boards, Commissions and*
44 *Councils Standards submits to the Governor and the Director of*
45 *the Legislative Counsel Bureau a notice pursuant to subsection 2*



1 of section 9 of this act recommending the continuation of the
2 advisory body.

3 (b) The extension of the period in which the provision is
4 effective each time the Deputy Director submits to the Governor
5 and the Director of the Legislative Counsel Bureau a notice
6 pursuant to subsection 2 of section 9 of this act recommending the
7 continuation of the advisory body for 2 years after the date on
8 which the notice is submitted.

9 2. As used in this section, "advisory body" means a board,
10 commission, council or similar body within the Executive
11 Department of the State Government whose primary duties are the
12 rendering of advice or the making of recommendations to another
13 person or governmental entity. The term does not include a
14 subcommittee created within a board, commission, council or
15 similar body which provides advice or makes recommendations to
16 the board, commission, council or similar body in which it was
17 created.

18 **Sec. 30.** Chapter 239 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 1. The State Records and Historical Advisory Council,
21 consisting of nine members, is hereby created within the
22 Department of Administration.

23 2. The Council consists of:

24 (a) The Attorney General.

25 (b) The Secretary of State.

26 (c) The Chief of the Office of the Chief Information Officer
27 within the Office of the Governor.

28 (d) The State Library, Archives and Public Records
29 Administrator.

30 (e) The person who is in charge of the archives and records of
31 the Division of State Library, Archives and Public Records of the
32 Department of Administration. This person is the State Historical
33 Records Coordinator for the purposes of 36 C.F.R. § 1206.42.

34 (f) Four members appointed by the Director of the Department
35 of Administration as follows:

36 (1) One member who is a person in charge of a state-
37 funded historical agency who has responsibilities related to
38 archives or records, or to both archives and records.

39 (2) Two members who have experience in the
40 administration of historical records or archives. These members
41 must represent as broadly as possible the various public and
42 private archive and research institutions and organizations in the
43 State.

44 (3) One member who is a representative of the general
45 public.



1 **Sec. 31.** Chapter 284 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. The Committee on Human Resources, consisting of seven**
4 **members appointed by the Governor, is hereby created within the**
5 **Department of Administration.**

6 **2. The Governor shall appoint to the Committee:**

7 **(a) One member who is a representative of managers within**
8 **the Executive Department of the State Government.**

9 **(b) One member who is a representative of employees within**
10 **the Executive Department of the State Government.**

11 **(c) One member who is a representative of employers or**
12 **managers within the Executive Department of the State**
13 **Government and who has a background in personnel**
14 **administration.**

15 **(d) One member who is an executive officer of a State agency.**

16 **(e) One member who is a representative of labor.**

17 **(f) Two members who are representatives of the general**
18 **public.**

19 **Sec. 32.** Chapter 285 of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 **1. The Nevada Merit and Honors Board is hereby created**
22 **within the Department of Administration.**

23 **2. The Board must be composed of five members who are**
24 **residents of this State as follows:**

25 **(a) One member from the Budget Division of the Office of**
26 **Finance in the Office of the Governor, appointed by the Chief of**
27 **the Budget Division.**

28 **(b) One member from the Division of Human Resource**
29 **Management of the Department of Administration, appointed by**
30 **the Administrator of the Division.**

31 **(c) Three members appointed by the Governor.**

32 **Sec. 33.** NRS 354.105 is hereby amended to read as follows:

33 354.105 1. The Committee on Local Government Finance,
34 consisting of ~~[[1]]~~ **seven** members, is hereby created.

35 2. The following associations shall each appoint ~~[[three]]~~ **two**
36 members to serve on the Committee:

37 (a) Nevada League of Cities;

38 (b) Nevada Association of County Commissioners; and

39 (c) Nevada Association of School Boards.

40 3. The Nevada State Board of Accountancy shall appoint ~~[[two~~
41 ~~members]]~~ **one member** to serve on the Committee.

42 4. Each appointment must be for a term of ~~[[3]]~~ **2** years . ~~[[and~~
43 ~~each]]~~ **Each** member appointed may be reappointed ~~[[to additional]]~~
44 **but may not serve more than two** terms.



1 5. A vacancy must be filled as soon as practicable by the
2 appointing authority of the person who vacated the seat.

3 6. If any of the associations listed in subsection 2 cease to
4 exist, the appointments required by subsection 2 must be made by
5 the association's successor in interest or, if there is no successor in
6 interest, one each by the other appointing authorities.

7 7. The members of the Committee shall elect by majority vote
8 a member as Chair and another member as Vice Chair, who shall
9 serve for terms of ~~{3}~~ 2 years or until their successors are elected.

10 8. ~~{The Committee shall meet not less than twice per year and
11 may meet at other times upon the call of the Chair or a majority of
12 the members of the Committee.}~~

13 ~~—9.~~ A majority of the members of the Committee constitutes a
14 quorum, and a quorum may exercise all the power and authority
15 conferred on the Committee.

16 ~~{10.}~~ 9. Members of the Committee serve without
17 compensation, except that for each day or portion of a day during
18 which a member of the Committee attends a meeting of the
19 Committee or is otherwise engaged in the business of the
20 Committee, the member is entitled to receive the per diem
21 allowance and travel expenses provided for state officers and
22 employees generally.

23 ~~{11.—The}~~

24 10. *Except as otherwise provided in section 11 of this act, the*
25 Department of Taxation shall provide administrative support to the
26 Committee.

27 **Sec. 34.** NRS 380A.031 is hereby amended to read as follows:

28 380A.031 1. The State Council on Libraries and Literacy is
29 hereby created. The Council is advisory to the Division of State
30 Library, Archives and Public Records of the Department of
31 Administration.

32 2. The Council consists of ~~{11}~~ *seven* members appointed by
33 the ~~{Governor.}~~ *Director of the Department of Administration.*
34 Unless specifically appointed to a shorter term, the term of office of
35 a member of the Council is ~~{3}~~ 2 years and commences on July 1 of
36 the year of appointment. The terms of office of the members of the
37 Council must be staggered to result in, as nearly as possible, the
38 appointment of three or four members to the Council on July 1 of
39 each year. *An appointed member may not serve more than two*
40 *terms.*

41 **Sec. 35.** NRS 380A.041 is hereby amended to read as follows:

42 380A.041 1. The ~~{Governor.}~~ *Director of the Department of*
43 *Administration* shall appoint to the Council:

- 44 (a) A representative of public libraries;
45 (b) ~~{A trustee of a legally established library or library system;}~~



- 1 ~~—(e)~~ A representative of school libraries;
2 ~~[(d)]~~ (c) A representative of academic libraries;
3 ~~[(e)]~~ (d) A representative of special libraries or institutional
4 libraries;
5 ~~[(f)]~~ (e) A representative of persons with disabilities;
6 ~~[(g)]~~ A representative of the public who uses these libraries;
7 ~~—(h)~~ A representative of recognized state labor organizations;
8 ~~—(i)~~ A representative of private sector employers;
9 ~~—(j)]~~ (f) A representative of private literacy organizations,
10 voluntary literacy organizations or community-based literacy
11 organizations; and

12 ~~[(k)]~~ (g) A classroom teacher who has demonstrated
13 outstanding results in teaching children or adults to read.

14 2. The director of the following state agencies or their
15 designees shall serve as ex officio members of the Council:

- 16 (a) The Department of Administration;
17 (b) The Department of Education;
18 (c) The Department of Employment, Training and
19 Rehabilitation;
20 (d) The Department of Health and Human Services;
21 (e) The Office of Economic Development; and
22 (f) The Department of Corrections.

23 3. Officers of State Government whose agencies provide
24 funding for literacy services may be designated by the ~~[(Governor)]~~
25 *Director of the Department of Administration* or the Chair of the
26 Council to serve whenever matters within the jurisdiction of the
27 agency are considered by the Council.

28 4. The ~~[(Governor)]~~ *Director of the Department of*
29 *Administration* shall ensure that there is appropriate representation
30 on the Council of urban and rural areas of the State, women, persons
31 with disabilities, and racial and ethnic minorities.

32 5. A person may not serve as a member of the Council for
33 more than two ~~[(consecutive)]~~ terms.

34 **Sec. 36.** NRS 381.002 is hereby amended to read as follows:

35 381.002 1. The Board of Museums and History, consisting of
36 ~~[(twelve)]~~ *seven* members appointed by the ~~[(Governor,)]~~ *Director*, is
37 hereby created.

38 2. The ~~[(Governor)]~~ *Director* shall appoint to the Board:

39 (a) ~~[(Five)]~~ *Three* representatives of the general public who are
40 knowledgeable about museums, one of whom must be a person with
41 a disability.

42 (b) ~~[(Six)]~~ *Three* members ~~[(representing the fields of history,
43 ~~prehistoric archeology, historical archeology, architectural history,
44 ~~and architecture)]~~ with qualifications as defined by the Secretary of~~~~



1 Interior's standards for historic preservation in *any of* the following
2 fields:

- 3 (1) ~~{One member who is qualified in history;}~~ *History;*
4 (2) ~~{One member who is qualified in prehistoric}~~ *Prehistoric*
5 archeology;
6 (3) ~~{One member who is qualified in historic}~~ *Historic*
7 archeology;
8 (4) ~~{One member who is qualified in architectural}~~
9 *Architectural* history; *or*
10 (5) ~~{One member who is qualified as an architect; and~~
11 ~~(6) One additional member who is qualified, as defined by~~
12 ~~the Secretary of Interior's standards for historic preservation, in any~~
13 ~~of the fields of expertise described in subparagraphs (1) to (5),~~
14 ~~inclusive.}~~ *Architecture.*

15 (c) One member, after giving consideration to any
16 recommendation of an enrolled member of a Nevada Indian tribe
17 which is submitted by the Nevada Indian Commission, after
18 consultation with the Inter-Tribal Council of Nevada, Inc., or its
19 successor organization.

20 3. The Board shall elect a Chair and a Vice Chair from among
21 its members at its first meeting of every even-numbered year. The
22 terms of the Chair and Vice Chair are 2 years or until their
23 successors are elected.

24 4. With respect to the functions of the Office of Historic
25 Preservation, the Board may develop, review and approve policy
26 for:

- 27 (a) Matters relating to the State Historic Preservation Plan;
28 (b) Nominations to the National Register of Historic Places and
29 make a determination of eligibility for listing on the Register for
30 each property nominated; and
31 (c) Nominations to the State Register of Historic Places and
32 make determination of eligibility for listing on the Register for each
33 property nominated.

34 5. With respect to the functions of the Division, the Board shall
35 develop, review and make policy for investments, budgets,
36 expenditures and general control of the Division's private and
37 endowed dedicated trust funds pursuant to NRS 381.003 to
38 381.0037, inclusive.

39 6. In all other matters pertaining to the Office of Historic
40 Preservation and the Division of Museums and History, the Board
41 serves in an advisory capacity.

42 7. The Board may adopt such regulations as it deems necessary
43 to carry out its powers and duties.



1 **Sec. 37.** Chapter 383 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The Commission for Cultural and Historic Preservation is*
4 *hereby created within the Department.*

5 2. *The Commission consists of:*

6 (a) *The Chair of the Board of Trustees of Nevada Humanities.*

7 (b) *The Chair of the Board of the Nevada Arts Council of the*
8 *Department of Tourism and Cultural Affairs.*

9 (c) *A member of the Advisory Board appointed by the*
10 *Governor after giving consideration to any recommendation of an*
11 *enrolled member of a Nevada Indian tribe which is submitted by*
12 *the Nevada Indian Commission, after consultation with the Inter-*
13 *Tribal Council of Nevada, Inc., or its successor organization.*

14 (d) *One representative of the general public who has a*
15 *working knowledge of the promotion of tourism in Nevada and*
16 *who is appointed by the Governor.*

17 (e) *The Chair of the State Council on Libraries and Literacy*
18 *or a member of the State Council on Libraries and Literacy*
19 *designated by the Chair.*

20 (f) *Five members appointed by the Governor as follows:*

21 (1) *One member who is licensed as a general engineering*
22 *contractor or general building contractor pursuant to chapter 624*
23 *of NRS or who holds a certificate of registration to practice*
24 *architecture pursuant to chapter 623 of NRS.*

25 (2) *Two members who are persons interested in the*
26 *protection and preservation of structures, sites and areas of*
27 *historic interest and are residents of the State.*

28 (3) *One member who is a county commissioner of Storey*
29 *County.*

30 (4) *One member who is a county commissioner of Lyon*
31 *County.*

32 **Sec. 38.** Chapter 385 of NRS is hereby amended by adding
33 thereto a new section to read as follows:

34 1. *The Nevada Commission on Innovation, Excellence and*
35 *Education Workforce Development is hereby created within the*
36 *Department.*

37 2. *The Commission consists of:*

38 (a) *One member of the Senate, appointed by the Majority*
39 *Leader of the Senate.*

40 (b) *One member of the Assembly, appointed by the Speaker of*
41 *the Assembly.*

42 (c) *The Superintendent of Public Instruction.*

43 (d) *One member who is a teacher and member of the Nevada*
44 *State Education Association, appointed by the President of that*
45 *Association.*



1 (e) *One member who is a representative of the State Board of*
2 *Education, appointed by the President of the State Board.*

3 (f) *One member who is a superintendent of schools of a school*
4 *district, appointed by the Nevada Association of School*
5 *Superintendents.*

6 (g) *One member who is the parent or guardian of a pupil who*
7 *is enrolled in a public school in this State, appointed by the*
8 *Nevada Parent Teacher Association.*

9 (h) *One member who is a representative of the public at large,*
10 *appointed by the Superintendent of Public Instruction.*

11 (i) *One member who owns or manages a business located in*
12 *this State, appointed by the Superintendent of Public Instruction.*

13 **Sec. 39.** NRS 385.021 is hereby amended to read as follows:

14 385.021 1. The State Board of Education is hereby created.
15 The State Board consists of the following voting members:

16 (a) One member elected by the registered voters of ~~each~~ *the*
17 congressional ~~[district—described]~~ *districts designated as*
18 *Congressional District 1 and Congressional District 2* in the
19 shapefile adopted by NRS 304.095;

20 (b) One member *elected by the registered voters of the*
21 *congressional districts designated as Congressional District 3 and*
22 *Congressional District 4 in the shapefile adopted by NRS 304.095;*

23 (c) *One member* appointed by the Governor;

24 ~~(e)~~ (d) One member appointed by the Governor, nominated by
25 the Majority Leader of the Senate; and

26 ~~(d)~~ (e) One member appointed by the Governor, nominated by
27 the Speaker of the Assembly.

28 2. In addition to the voting members described in subsection 1,
29 the State Board consists of the following four nonvoting members:

30 (a) One member appointed by the Governor who is a member of
31 a board of trustees of a school district, nominated by the Nevada
32 Association of School Boards;

33 (b) One member appointed by the Governor who is the
34 superintendent of schools of a school district, nominated by the
35 Nevada Association of School Superintendents;

36 (c) One member appointed by the Governor who represents the
37 Nevada System of Higher Education, nominated by the Board of
38 Regents of the University of Nevada; and

39 (d) One member appointed by the Governor who is a pupil
40 enrolled in a public school in this State, nominated by the Nevada
41 Association of Student Councils or its successor organization and in
42 consultation with the Nevada Youth Legislature. After the initial
43 term, the term of the member appointed pursuant to this paragraph
44 commences on June 1 and expires on May 31 of the following year.



1 3. Each member of the State Board elected pursuant to
2 ~~[paragraph]~~ *paragraphs* (a) *or* (b) of subsection 1 must be a
3 qualified elector of ~~[the]~~ *either congressional* district from which
4 that member is elected.

5 4. Each member appointed pursuant to paragraphs ~~[(b);]~~ (c) ,
6 ~~[and]~~ (d) *and* (e) of subsection 1 and each member appointed
7 pursuant to subsection 2 must be a resident of this State.

8 5. Except as otherwise provided in paragraphs (a) and (c) of
9 subsection 2, a person who is elected to serve as an officer of this
10 State or any political subdivision thereof or a person appointed to
11 serve for the unexpired term of such an office may not serve or
12 continue to serve on the State Board.

13 6. The Governor shall ensure that the members appointed
14 pursuant to paragraphs ~~[(b);]~~ (c) , ~~[and]~~ (d) *and* (e) of subsection 1
15 represent the geographic diversity of this State and that:

16 (a) One member is a teacher at a public school selected from a
17 list of three candidates provided by the Nevada State Education
18 Association.

19 (b) One member is the parent or legal guardian of a pupil
20 enrolled in a public school.

21 (c) One member is a person active in a private business or
22 industry of this State.

23 7. After the initial terms, each member:

24 (a) Elected pursuant to paragraph (a) *or* (b) of subsection 1
25 serves a term of 4 years. A member may be elected to serve not
26 more than three terms but may be appointed to serve pursuant to
27 paragraph ~~[(b);]~~ (c) , ~~[or]~~ (d) *or* (e) of subsection 1 or subsection 2
28 after service as an elected member, notwithstanding the number of
29 terms the member served as an elected member.

30 (b) Appointed pursuant to paragraphs ~~[(b);]~~ (c) , ~~[and]~~ (d) *and*
31 (e) of subsection 1 serves a term of 2 years, except that each
32 member continues to serve until a successor is appointed. A member
33 may be reappointed for additional terms of 2 years in the same
34 manner as the original appointment.

35 (c) Appointed pursuant to subsection 2 serves a term of 1 year.
36 A member may be reappointed for additional terms of 1 year in the
37 same manner as the original appointment.

38 8. If a vacancy occurs during the term of:

39 (a) A member who was elected pursuant to paragraph (a) *or* (b)
40 of subsection 1, the Governor shall appoint a member to fill the
41 vacancy until the next general election, at which election a member
42 must be chosen for the balance of the unexpired term. The appointee
43 must be a qualified elector of ~~[the]~~ *either congressional* district
44 where the vacancy occurs.



(b) A voting member appointed pursuant to paragraph ~~[(b)]~~ (c), ~~for~~ (d) *or* (e) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

Sec. 40. NRS 385.610 is hereby amended to read as follows:

385.610 1. The Superintendent of Public Instruction shall establish an Advisory Council for Family Engagement. The Advisory Council is composed of ~~[[1]]~~ *seven* members.

2. The Superintendent of Public Instruction shall appoint the following members to the Advisory Council:

(a) Two parents or legal guardians of pupils enrolled in public schools;

(b) ~~[[Two teachers]]~~ *One teacher* in a public ~~[[schools:]]~~ *school*;

(c) One administrator of a public school;

(d) ~~[[One representative of a private business or industry;~~

~~-(e)]~~ One member of the board of trustees of a school district in a county whose population is 100,000 or more;

~~[[f]]~~ (e) One member of the board of trustees of a school district in a county whose population is less than 100,000; and

~~[[g]]~~ (f) One member who is the President of the Board of Managers of the Nevada Parent Teacher Association or its successor organization, or a designee nominated by the President.

➤ The Superintendent of Public Instruction shall, to the extent practicable, ensure that the members the Superintendent appoints to the Advisory Council reflect the ethnic, economic and geographic diversity of this State.

~~3. [[The Speaker of the Assembly shall appoint one member of the Assembly to the Advisory Council.~~

~~—4. The Majority Leader of the Senate shall appoint one member of the Senate to the Advisory Council.~~

~~—5.]~~ The Advisory Council shall elect a Chair and Vice Chair from among its members. The Chair and Vice Chair serve a term of 1 year.

~~[[6.]~~ 4. After the initial terms ~~[[~~

~~-(a) The]~~, *the* term of each member of the Advisory Council ~~[[who is appointed by the Superintendent of Public Instruction is 3 years.~~

~~-(b) The term of each member of the Advisory Council who is appointed by the Speaker of the Assembly and the Majority Leader of the Senate]~~ is 2 years. *A member may not serve more than two terms.*

~~[[7.]~~ 5. The Advisory Council shall, at least 30 days before the beginning of any member's term, or within 30 days after a position on the Advisory Council becomes vacant, submit to the ~~[[relevant~~



1 ~~appointing authority, as set forth in subsection 2, 3 or 4, as~~
2 ~~applicable.]~~ *Superintendent of Public Instruction* the names of at
3 least three persons qualified for membership on the Advisory
4 Council.

5 ~~[8.—The]~~

6 *6. Except as otherwise provided in section 11 of this act, the*
7 Department shall provide:

8 (a) Administrative support to the Advisory Council; and

9 (b) All information that is necessary for the Advisory Council to
10 carry out its duties.

11 ~~[9.—For each day or portion of a day during which a member of~~
12 ~~the Advisory Council who is a Legislator attends a meeting of the~~
13 ~~Advisory Council or is otherwise engaged in the business of the~~
14 ~~Advisory Council, except during a regular or special session of~~
15 ~~the Legislature, the member is entitled to receive the:~~

16 ~~—(a) Compensation provided for a majority of the members of the~~
17 ~~Legislature during the first 60 days of the preceding regular session;~~

18 ~~—(b) Per diem allowance provided for state officers generally; and~~

19 ~~—(c) Travel expenses provided pursuant to NRS 218A.655.~~

20 ~~→ The compensation, per diem allowances and travel expenses of~~
21 ~~the legislative members of the Advisory Council must be paid from~~
22 ~~the Legislative Fund.~~

23 ~~—10.]~~ *7.* A member of the Advisory Council ~~[who is not a~~
24 ~~Legislator]~~ is entitled to receive the per diem allowance and travel
25 expenses provided for state officers and employees generally for
26 each day or portion of a day during which the member attends a
27 meeting of the Advisory Council or is otherwise engaged in the
28 business of the Advisory Council. The per diem allowance and
29 travel expenses for the members of the Advisory Council ~~[who are~~
30 ~~not Legislators]~~ must be paid by the Department.

31 ~~[11.]~~ *8.* Any costs associated with employing a substitute
32 teacher while a member of the Advisory Council who is a teacher
33 attends a meeting of the Advisory Council must be paid by the
34 school district or charter school that employs the member.

35 **Sec. 41.** NRS 385.760 is hereby amended to read as follows:

36 385.760 1. The Nevada Commission on Mentoring is hereby
37 created. The Commission consists of the following ~~[13]~~ *seven*
38 members:

39 (a) One member appointed by the ~~[Governor]~~ *Superintendent of*
40 *Public Instruction* who is a representative of business and industry
41 with a vested interest in supporting mentorship programs in this
42 State.

43 (b) One member appointed by the ~~[Governor]~~ *Superintendent of*
44 *Public Instruction* who represents an employment and training
45 organization located in this State.



1 (c) ~~One member appointed by the Governor who is a resident~~
2 ~~of a county whose population is less than 100,000.~~

3 ~~—(d)~~ One member *appointed by the Superintendent of Public*
4 *Instruction* who is the superintendent of a school district in a county
5 whose population is 700,000 or more.

6 ~~[(e)]~~ (d) One member *appointed by the Superintendent of*
7 *Public Instruction* who is the superintendent of a school district in a
8 county whose population is 100,000 or more but less than 700,000.

9 ~~[(f)]~~ (e) One member, who is not a Legislator, appointed by the
10 Majority Leader of the Senate.

11 ~~[(g)]~~ (f) One member, who is not a Legislator, appointed by the
12 Speaker of the Assembly.

13 ~~[(h)]~~ One member, who is not a Legislator, appointed by the
14 Minority Leader of the Senate.

15 ~~—(i) One member, who is not a Legislator, appointed by the~~
16 ~~Minority Leader of the Assembly.~~

17 ~~—(j) Four members]~~

18 (g) *One member* appointed ~~[to the Commission pursuant to~~
19 ~~subsection 2.~~

20 ~~—2.—The]~~ *by the* members of the Commission appointed pursuant
21 to paragraphs (a) to ~~[(i).]~~ (f), inclusive, ~~[of subsection 1 shall, at the~~
22 ~~first meeting of the Commission, appoint to the Commission four~~
23 ~~additional voting members:~~

24 ~~—(a) One of whom must be a member of the state advisory group~~
25 ~~appointed by the Governor pursuant to 34 U.S.C. § 11133 and~~
26 ~~operating in this State as the Juvenile Justice Commission under the~~
27 ~~Division of Child and Family Services of the Department of Health~~
28 ~~and Human Services;~~

29 ~~—(b) One of whom must be a representative of business and~~
30 ~~industry with a vested interest in supporting mentorship programs in~~
31 ~~this State; and~~

32 ~~—(c) Two members]~~ *who is* between the ages of 16 years and 24
33 years *and* who ~~[have]~~ *has* a vested interest in supporting mentorship
34 programs in this State.

35 ~~[(3.)]~~ 2. After the initial terms, each member of the Commission
36 appointed pursuant to ~~[subsections]~~ *subsection* 1 ~~[and 2]~~ serves a
37 term of 2 years. A member of the Commission may be reappointed,
38 except that no member may serve more than two ~~[consecutive]~~
39 terms.

40 ~~[(4.)]~~ 3. Any vacancy occurring in the membership of the
41 Commission must be filled in the same manner as the original
42 appointment not later than 30 days after the vacancy occurs. A
43 member appointed to fill a vacancy shall serve as a member of the
44 Commission for the remainder of the original term of appointment.



1 ~~[5.]~~ 4. If a member of the Commission fails to attend two
2 consecutive meetings of the Commission, the Commission shall,
3 within 5 days after the second consecutive meeting that the member
4 fails to attend, provide notice of that fact, in writing, to the
5 appointing authority who appointed that member. Upon receipt of
6 the notice, the appointing authority shall appoint a person to replace
7 the member in the same manner as filling a vacancy on the
8 Commission pursuant to subsection ~~[4.]~~ 3.

9 ~~[6.]~~ 5. Each member of the Commission:

10 (a) Serves without compensation; and
11 (b) While engaged in the business of the Commission, is entitled
12 to receive the per diem allowance and travel expenses provided for
13 state officers and employees generally.

14 ~~[7.—The]~~

15 6. *Except as otherwise provided in section 11 of this act, the*
16 Department shall provide the Commission with such administrative
17 support as is necessary to assist the Commission in carrying out its
18 duties pursuant to NRS 385.780.

19 **Sec. 42.** NRS 387.1246 is hereby amended to read as follows:

20 387.1246 1. The Commission on School Funding, consisting
21 of ~~[4]~~ *seven* members, is hereby created.

22 2. The Commission consists of the following members, who
23 may not be Legislators:

24 (a) One member appointed by the ~~[Governor,]~~ *Superintendent*
25 *of Public Instruction*, who serves as Chair;

26 (b) ~~[Two members]~~ *One member* appointed by the Majority
27 Leader of the Senate;

28 (c) ~~[Two members]~~ *One member* appointed by the Speaker of
29 the Assembly;

30 (d) One member appointed by the Minority Leader of the
31 Senate;

32 (e) One member appointed by the Minority Leader of the
33 Assembly;

34 (f) ~~[Two members]~~ *One member* appointed by the ~~[Governor,~~
35 ~~each of whom]~~ *Superintendent of Public Instruction, who* is the
36 chief financial officer of a school district in this State which has
37 more than 40,000 pupils enrolled in its public schools, nominated by
38 the Nevada Association of School Superintendents or its successor
39 organization; and

40 (g) ~~[Two members]~~ *One member*, appointed by the ~~[Governor,~~
41 ~~each of whom]~~ *Superintendent of Public Instruction, who* is the
42 chief financial officer of a school district in this State which has
43 40,000 or fewer pupils enrolled in its public schools, nominated by
44 the Nevada Association of School Superintendents or its successor
45 organization.



1 ↪ In making appointments to the Commission, the appointing
2 authorities shall consider whether the membership generally reflects
3 the geographic distribution of pupils in the State.

4 3. Each member of the Commission must:

5 (a) Be a resident of this State;

6 (b) Not have been registered as a lobbyist pursuant to NRS
7 218H.200 for a period of at least 2 years immediately preceding
8 appointment to the Commission;

9 (c) Have relevant experience in public education;

10 (d) Have relevant experience in fiscal policy, school finance or
11 similar or related financial activities;

12 (e) Have the education, experience and skills necessary to
13 effectively execute the duties and responsibilities of a member of
14 the Commission; and

15 (f) Have demonstrated ability in the field of economics, taxation
16 or other discipline necessary to school finance and be able to bring
17 knowledge and professional judgment to the deliberations of the
18 Commission.

19 4. Each member of the Commission serves a term of ~~3~~ 2
20 years and may be reappointed ~~to additional~~, *except that a member*
21 *may not serve more than two* terms.

22 5. Each member may be removed by the appointing authority
23 for good cause. A vacancy on the Commission must be filled in the
24 same manner as the original appointment.

25 6. The Commission shall:

26 (a) Elect a Vice Chair from among its members at its first
27 meeting for a term of ~~3~~ 2 years. A vacancy in the office of Vice
28 Chair must be filled by the Commission by election for the
29 remainder of the existing term.

30 (b) Adopt such rules governing the conduct of the Commission
31 as it deems necessary.

32 ~~[(c) Meet at least once each month and hold such number of~~
33 ~~meetings as may be necessary to accomplish the tasks assigned to it.~~

34 ~~—(d) Meet in person or, at the discretion of the Chair in~~
35 ~~consultation with the Superintendent of Public Instruction based on~~
36 ~~the items on the agenda for a meeting, by use of a remote~~
37 ~~technology system, as defined in NRS 241.015.]~~

38 7. A majority of the members of the Commission constitutes a
39 quorum and a majority of those present must concur in any decision.

40 8. ~~[The]~~ *Except as otherwise provided in section 11 of this*
41 *act, the* Department shall provide the Commission with meeting
42 rooms, data processing services and administrative and clerical
43 assistance and undertake any research, analysis, study or other work
44 required by the Commission to carry out its duties pursuant to NRS
45 387.12463. ~~[The]~~ *Except as otherwise provided in section 11 of this*



1 *act, the* Superintendent of Public Instruction and Office of Finance
2 shall jointly provide the Commission with professional staff
3 services.

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

7 10. The Commission may meet only:

8 (a) Between July 1 of an odd-numbered year and December 31
9 of the subsequent even-numbered year; or

10 (b) During any regular or special session of the Legislature, if
11 requested to do so by the chair of the:

12 (1) Senate Standing Committee on Education;

13 (2) Assembly Standing Committee on Education;

14 (3) Senate Standing Committee on Finance;

15 (4) Assembly Standing Committee on Ways and Means; or

16 (5) Interim Finance Committee.

17 **Sec. 43.** Chapter 388 of NRS is hereby amended by adding
18 thereto a new section to read as follows:

19 *1. The Advisory Committee on School and Staff Safety is*
20 *hereby created within the Department.*

21 *2. The Committee consists of:*

22 *(a) The State Fire Marshal.*

23 *(b) The Director of the Office for a Safe and Respectful*
24 *Learning Environment.*

25 *(c) The following members appointed by the Superintendent of*
26 *Public Instruction:*

27 *(1) Two members who are licensed pursuant to chapter 391*
28 *of NRS, employed by a school district in this State and teach in the*
29 *classroom.*

30 *(2) One member who is an administrator of an elementary*
31 *school or high school in this State.*

32 *(3) One member who is the superintendent of a school*
33 *district in this State.*

34 *(4) One member who is a school psychologist employed by*
35 *a school in this State.*

36 *(5) One member who is the parent or legal guardian of a*
37 *pupil enrolled in a school in this State.*

38 *(6) One member who is a school resource officer assigned*
39 *to a school in this State.*

40 **Sec. 44.** NRS 388.1326 is hereby amended to read as follows:

41 388.1326 1. The Committee on Responses to Power-Based
42 Violence in Schools is hereby created within the Department.

43 2. The Committee consists of the following members,
44 appointed by the chair of the committee on statewide school safety
45 created pursuant to NRS 388.1324:



1 (a) Two members who are representatives of a nonprofit
2 organization that assists victims of power-based violence;

3 (b) One member who is the parent of a pupil who identifies as a
4 victim of power-based violence;

5 (c) One member who is a pupil who identifies as a victim of
6 power-based violence;

7 (d) ~~Two members~~ *One member* who ~~are~~ *is a* Title IX
8 ~~coordinators~~ *coordinator* for *a* public ~~schools~~ *school* in this
9 State;

10 (e) One member who is an employee of the Office for a Safe and
11 Respectful Learning Environment;

12 (f) One member who is a school resource officer assigned to a
13 school in this State;

14 (g) ~~One member who is employed as a school psychologist at a
15 school in this State;~~

16 ~~(h)~~ One member who is a licensed teacher in this State;

17 ~~(i)~~ *and*

18 (h) One member who is employed as a school social worker at a
19 school in this State . ~~f~~;

20 ~~(j) One member who is an administrator of a school in this State;
21 and~~

22 ~~(k) One member who is the superintendent of a school district in
23 this State.]~~

24 3. Any vacancy occurring in the membership of the Committee
25 must be filled in the same manner as the original appointment not
26 later than 30 days after the vacancy occurs.

27 4. The Committee shall elect a Chair and Vice Chair from
28 among its members at the first meeting of the Committee and at the
29 first meeting of the calendar year each year thereafter. The Chair
30 and Vice Chair serve a term of 1 year.

31 5. Each member of the Committee serves a term of 2 years and
32 may be reappointed ~~f~~, *except that a member may not serve more
33 than two terms.*

34 6. A majority of the members of the Committee constitutes a
35 quorum for the transaction of business, and a majority of a quorum
36 present at any meeting is sufficient for any official action taken by
37 the Committee.

38 7. The Committee shall review, study and make
39 recommendations regarding power-based violence in schools. In
40 performing its duties, the Committee shall:

41 (a) Consider the experiences of pupils relating to power-based
42 violence and pupil safety;

43 (b) Examine current procedures and protocols for responding to
44 power-based violence that are used in public schools in this State;



1 (c) Identify emerging trends and best practices for responding to
2 and preventing power-based violence;

3 (d) Identify possible gaps in the services that are available for
4 victims of power-based violence; and

5 (e) Make recommendations for procedures that will focus on
6 preventing and intervening in disclosures of power-based violence.

7 8. The Committee shall, not later than August 1 of each odd-
8 numbered year, submit to the Joint Interim Standing Committee on
9 Education any recommendations for legislation relating to power-
10 based violence in schools.

11 9. The members of the Committee serve without compensation
12 but are entitled to receive the per diem allowance and travel
13 expenses provided for state officers and employees generally.

14 10. A member of the Committee who is an officer or employee
15 of this State or a political subdivision of this State must be relieved
16 from his or her duties without loss of regular compensation to
17 prepare for and attend meetings of the Committee and perform any
18 work necessary to carry out the duties of the Committee in the most
19 timely manner practicable. A state agency or political subdivision of
20 this State shall not require an officer or employee who is a member
21 of the Committee to:

22 (a) Make up the time he or she is absent from work to carry out
23 his or her duties as a member of the Committee; or

24 (b) Take annual leave or compensatory time for the absence.

25 11. As used in this section, "power-based violence" has the
26 meaning ascribed to it in NRS 396.1285.

27 **Sec. 45.** NRS 388.5175 is hereby amended to read as follows:

28 388.5175 1. The Superintendent of Public Instruction shall
29 establish within the Department the Advisory Committee on
30 Language Development for Children Who Are Deaf, Hard of
31 Hearing, Blind or Visually Impaired.

32 2. The Superintendent shall appoint to the Committee ~~13~~ **nine**
33 members who are the parents of pupils who are deaf, hard of
34 hearing, blind or visually impaired, including, without limitation,
35 pupils who are both deaf and blind, specialize in teaching or
36 providing services to such children or perform research in a field
37 relating to such children. The Committee must ~~include, without~~
38 ~~limitation;~~ **consist of:**

39 (a) ~~At least seven~~ **Five** members who are deaf, hard of hearing,
40 blind or visually impaired;

41 (b) ~~Members~~ **Two members** who communicate verbally using
42 both American Sign Language and spoken English; and

43 (c) ~~Members~~ **Two members** who communicate verbally using
44 only spoken English.



1 3. The Superintendent of Public Instruction shall appoint a
2 Chair of the Committee. ~~[/The Committee shall meet at the call of
3 the Chair.]~~ A majority of the members of the Committee constitutes
4 a quorum and is required to transact any business of the Committee.

5 4. The members of the Committee serve without compensation
6 ~~[/and are not/] but are~~ entitled to receive the per diem allowance and
7 travel expenses provided for state officers and employees generally.

8 5. A member of the Committee who is an officer or employee
9 of this State or a political subdivision of this State must be relieved
10 from his or her duties without loss of regular compensation to
11 prepare for and attend meetings of the Committee and perform any
12 work necessary to carry out the duties of the Committee in the most
13 timely manner practicable. A state agency or political subdivision of
14 this State shall not require an officer or employee who is a member
15 of the Committee to:

16 (a) Make up the time he or she is absent from work to carry out
17 his or her duties as a member of the Committee; or

18 (b) Take annual leave or compensatory time for the absence.

19 **Sec. 46.** NRS 388.5966 is hereby amended to read as follows:

20 388.5966 1. The State Financial Literacy Advisory Council is
21 hereby created. The Council consists of:

22 (a) ~~[/The following ex officio members:~~

23 ~~—(1) The Superintendent of Public Instruction or his or her
24 designee; and~~

25 ~~—(2) The Chancellor of the Nevada System of Higher
26 Education or his or her designee;~~

27 ~~—(b) Three] Two~~ members appointed by the ~~[/Governor;~~

28 ~~—(c) Two members]~~

29 ~~Superintendent of Public Instruction;~~

30 (b) *One member* appointed by the Majority Leader of the
31 Senate;

32 ~~[(d) Two members]~~

33 (c) *One member* appointed by the Speaker of the Assembly;

34 ~~[(e)] (d)~~ One member appointed by the Minority Leader of the
35 Senate;

36 ~~[(f)] (e)~~ One member appointed by the Minority Leader of the
37 Assembly; and

38 ~~[(g)] (f)~~ One member appointed by the Chancellor of the
39 Nevada System of Higher Education who has a background in
40 economics or financial literacy.

41 2. The ~~[/Governor,] Superintendent of Public Instruction,~~ the
42 Majority Leader and the Minority Leader of the Senate, the Speaker
43 and Minority Leader of the Assembly and the Chancellor of the
44 Nevada System of Higher Education shall coordinate their
45 respective appointments of members to the Council to ensure that, to



1 the extent practicable, the members appointed to the Council reflect
2 the gender, ethnic and geographic diversity of this State and that:

3 (a) ~~Three members of the Council are members of the business~~
4 ~~community with a background in economics;~~

5 ~~(b)~~ One member of the Council is a member of the business
6 community who is employed in the banking industry;

7 ~~(e)~~ (b) One member of the Council is a member of the
8 business community who is employed by a credit union;

9 ~~(d)~~ (c) Three members of the Council are teachers who hold a
10 license to teach elementary, middle or junior high school or
11 secondary education, respectively, and who:

12 (1) Teach in an elementary, middle or junior high or high
13 school, respectively;

14 (2) Have received training in financial literacy; and

15 (3) Are responsible for teaching courses relating to financial
16 literacy;

17 ~~(e)~~ (d) One member of the Council is an administrator of a
18 public school; and

19 ~~(f)~~ (e) One member of the Council is an administrator of a
20 school district.

21 3. Any vacancy occurring in the membership of the Council
22 must be filled in the same manner as the original appointment not
23 later than 30 days after the vacancy occurs.

24 4. The Council shall elect a Chair and Vice Chair from among
25 its members at the first meeting of the Council and at the first
26 meeting of the calendar year each year thereafter. The Chair and
27 Vice Chair serve a term of 1 year.

28 5. Each member of the Council serves a term of 2 years and
29 may be reappointed ~~[]~~, *except that a member may not serve more*
30 *than two terms.*

31 6. ~~The Council shall meet at least four times a year at the call~~
32 ~~of the Chair. One meeting of the Council must be held in person and~~
33 ~~any other meeting may be held by videoconference.~~

34 ~~7.]~~ A majority of the members of the Council constitutes a
35 quorum for the transaction of business, and a majority of those
36 members present at any meeting is sufficient for any official action
37 taken by the Council.

38 ~~[8.]~~ 7. The Chair may appoint such subcommittees of the
39 Council as the Chair determines necessary to carry out the duties of
40 the Council.

41 ~~[9.]~~ 8. The members of the Council serve without
42 compensation, except that each member is entitled to receive the per
43 diem allowance and travel expenses provided for state officers and
44 employees generally while engaged in the official business of the
45 Council.



1 ~~{10.}~~ 9. Each member of the Council who is an officer or
2 employee of the State or a local government must be relieved from
3 his or her duties without loss of his or her regular compensation so
4 that the member may prepare for and attend meetings of the Council
5 and perform any work necessary to carry out the duties of the
6 Council in the most timely manner practicable. A state agency or
7 local government shall not require an officer or employee who is a
8 member of the Council to make up the time the member is absent
9 from work to carry out his or her duties as a member, and shall not
10 require the member to take annual vacation or compensatory time
11 for the absence.

12 ~~{11.}~~ 10. Any costs associated with employing a substitute
13 teacher while a member of the Council who is a teacher attends a
14 meeting of the Council must be paid by the school district that
15 employs the member.

16 ~~{12. To}~~
17 11. *Except as otherwise provided in section 11 of this act, to*
18 *the extent that money is available, the Department shall provide*
19 *administrative support to the Council.*

20 **Sec. 47.** NRS 388F.020 is hereby amended to read as follows:
21 388F.020 1. In furtherance of the provisions contained in the
22 Interstate Compact on Educational Opportunity for Military
23 Children, there is hereby created a State Council for the
24 Coordination of the Interstate Compact on Educational Opportunity
25 for Military Children, consisting of the following members:

26 (a) One representative of the Nevada National Guard, appointed
27 by the ~~{Governor.}~~ *Superintendent of Public Instruction.*

28 (b) One representative of each military installation in this State,
29 appointed by the commanding officer of that military installation.

30 (c) The Superintendent of Public Instruction.

31 (d) ~~{The superintendent}~~ *Two members who are*
32 *superintendents of [each] a school district in which a military*
33 *installation is located [], appointed by the Superintendent of*
34 *Public Instruction.*

35 (e) One Legislator or other person appointed by the Legislative
36 Commission to represent the interests of the Legislature.

37 (f) One person appointed by the ~~{Governor to represent the~~
38 ~~interests of the Governor.}~~ *Superintendent of Public Instruction.*

39 2. A member of the State Council serves a term of 2 years and
40 until his or her successor is appointed. A member may be
41 reappointed [] *but may not serve more than two terms.*

42 3. A member of the State Council may be removed from office
43 by the appointing authority at any time.

44 4. A vacancy on the State Council must be filled in the same
45 manner as the original appointment.



1 5. The members of the State Council serve without
2 compensation ~~[and]~~ but are ~~[not]~~ entitled to ~~[any]~~ *receive the* per
3 diem ~~[or]~~ *allowance and* travel expenses ~~[-~~

4 ~~—6. The State Council shall meet at least twice per year, with at~~
5 ~~least one meeting held before the beginning of each school semester,~~
6 ~~and may meet at other times upon the call of the Commissioner~~
7 ~~appointed pursuant to NRS 388F.040.] provided for state officers~~
8 ~~and employees generally.~~

9 **Sec. 48.** Chapter 391 of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 *1. The Nevada Commission on Professional Standards and*
12 *Regional Education Training, consisting of nine members*
13 *appointed by the Governor, is hereby created within the*
14 *Department.*

15 *2. The Governor shall appoint to the Commission:*

16 *(a) One member who holds a license to teach secondary*
17 *education and teaches in a secondary school.*

18 *(b) One member who holds a license to teach elementary*
19 *education and teaches in an elementary school.*

20 *(c) One member who holds a license to teach special education*
21 *and teaches special education.*

22 *(d) One member who is a school counselor, school*
23 *psychologist or other specialist who is licensed pursuant to this*
24 *chapter and employed by a school district or charter school.*

25 *(e) One member who is an administrator of a school who is*
26 *employed by a school district or charter school to provide*
27 *administrative service at an individual school. Such an*
28 *administrator must not provide service at the district level.*

29 *(f) One member who is the parent or legal guardian of a pupil*
30 *enrolled in a public school.*

31 *(g) One member who is the superintendent of schools of a*
32 *school district.*

33 *(h) Two members who represent the broader public interest or*
34 *other critical viewpoints.*

35 **Sec. 49.** NRS 391.455 is hereby amended to read as follows:

36 391.455 1. There is hereby created the Teachers and Leaders
37 Council of Nevada consisting of the following ~~[6]~~ *nine* members:

38 (a) The Superintendent of Public Instruction, or his or her
39 designee, who serves as an ex officio member of the Council.

40 (b) The Chancellor of the Nevada System of Higher Education,
41 or his or her designee, who serves as an ex officio member of the
42 Council.

43 (c) ~~[Four teachers]~~ *One teacher* in a public ~~[schools]~~ *school*
44 appointed by the ~~[Governor]~~ *Superintendent of Public Instruction*
45 from a list of nominees submitted by the Nevada State Education



1 Association. ~~{The members appointed pursuant to this paragraph~~
2 ~~must represent the geographical diversity of the school districts in~~
3 ~~this State.}~~

4 (d) One school counselor, psychologist, speech-language
5 pathologist, audiologist or social worker who is licensed pursuant to
6 chapter 391 of NRS appointed by the ~~{Governor}~~ *Superintendent of*
7 *Public Instruction* from a list of nominees submitted by the Nevada
8 State Education Association. ~~{The persons nominated pursuant to~~
9 ~~this paragraph must represent the geographical diversity of school~~
10 ~~districts in this State.}~~

11 (e) ~~{Two administrators}~~ *One administrator* in a public
12 ~~{schools}~~ *school* appointed by the ~~{Governor}~~ *Superintendent of*
13 *Public Instruction* from a list of nominees submitted by the Nevada
14 Association of School Administrators . ~~{and one superintendent of~~
15 ~~schools of a school district appointed by the Governor from a list of~~
16 ~~nominees submitted by the Nevada Association of School~~
17 ~~Superintendents. The members appointed pursuant to this paragraph~~
18 ~~must represent the geographical diversity of the school districts in~~
19 ~~this State.}~~

20 (f) ~~{Two persons}~~ *One person* who ~~{are members}~~ *is a member*
21 of ~~{boards}~~ *the board* of trustees of a school ~~{districts}~~ *district* and
22 who ~~{are}~~ *is* appointed by the ~~{Governor}~~ *Superintendent of Public*
23 *Instruction* from a list of nominees submitted by the Nevada
24 Association of School Boards.

25 (g) One representative of the regional training programs for the
26 professional development of teachers and administrators created by
27 NRS 391A.120 appointed by the ~~{Governor}~~ *Superintendent of*
28 *Public Instruction* from a list of nominees submitted by the Nevada
29 Association of School Superintendents.

30 (h) One parent or legal guardian of a pupil enrolled in public
31 school appointed by the ~~{Governor}~~ *Superintendent of Public*
32 *Instruction* from a list of nominees submitted by the Nevada Parent
33 Teacher Association.

34 (i) ~~{Two persons}~~ *One person* with expertise in the development
35 of public policy relating to education appointed by the
36 Superintendent of Public Instruction. The ~~{members}~~ *member*
37 appointed pursuant to this paragraph must not otherwise be eligible
38 for appointment pursuant to paragraphs (a) to (h), inclusive.

39 2. After the initial terms, each appointed member of the
40 Council serves a term of ~~{3}~~ *2* years commencing on July 1 and may
41 be reappointed to one additional ~~{3-year}~~ *2-year* term following his
42 or her initial term. If any appointed member of the Council ceases to
43 be qualified for the position to which he or she was appointed, the
44 position shall be deemed vacant and the appointing authority shall
45 appoint a replacement for the remainder of the unexpired term. A



1 vacancy must be filled in the same manner as the original
2 appointment.

3 3. The Council shall, at its first meeting and annually
4 thereafter, elect a Chair from among its members.

5 4. ~~The Council shall meet at least semiannually and may meet~~
6 ~~at other times upon the call of the Chair or a majority of the~~
7 ~~members of the Council.]~~ Nine members of the Council constitute a
8 quorum, and a quorum may exercise all the power and authority
9 conferred on the Council.

10 5. Members of the Council serve without compensation, except
11 that for each day or portion of a day during which a member of the
12 Council attends a meeting of the Council or is otherwise engaged in
13 the business of the Council, the member is entitled to receive the per
14 diem allowance and travel expenses provided for state officers and
15 employees generally.

16 6. A member of the Council who is a public employee must be
17 granted administrative leave from the member's duties to engage in
18 the business of the Council without loss of his or her regular
19 compensation. Such leave does not reduce the amount of the
20 member's other accrued leave.

21 7. Any costs associated with employing a substitute teacher
22 while a member of the Council who is a teacher attends a meeting of
23 the Council must be:

24 (a) Paid by the school district or charter school that employs the
25 member; or

26 (b) Reimbursed to the school district or charter school that
27 employs the member by the organization that submitted the name of
28 the member to the ~~Governor~~ *Superintendent of Public Instruction*
29 for appointment pursuant to paragraph (c), (d), (e), (f), (g) or (h) of
30 subsection 1.

31 8. ~~The~~ *Except as otherwise provided in section 11 of this*
32 *act, the* Department shall provide administrative support to the
33 Council.

34 9. The Council may apply for and accept gifts, grants,
35 donations and contributions from any source for the purpose of
36 carrying out its duties pursuant to NRS 391.460.

37 **Sec. 50.** NRS 394.383 is hereby amended to read as follows:

38 394.383 1. The Commission on Postsecondary Education is
39 hereby created within the ~~Employment Security Division of the~~
40 Department of ~~Employment, Training and Rehabilitation.]~~
41 *Business and Industry*. The Commission consists of:

42 (a) An employee of the Department of ~~Employment, Training~~
43 ~~and Rehabilitation~~ *Business and Industry* designated by the
44 Director of the Department of ~~Employment, Training and~~



1 ~~Rehabilitation~~ *Business and Industry* to serve as a nonvoting
2 member; and

3 (b) Seven voting members appointed by the Governor.

4 2. The voting members of the Commission are entitled to
5 receive a salary of not more than ~~[\$80.]~~ *\$150*, as fixed by the
6 ~~[Commission.]~~ *Deputy Director of the Office of Nevada Boards,*
7 *Commissions and Councils Standards of the Department of*
8 *Business and Industry and approved by the Director of the*
9 *Department of Business and Industry* for each day's attendance at
10 a meeting of the Commission.

11 3. The nonvoting member of the Commission designated
12 pursuant to paragraph (a) of subsection 1 must be relieved from his
13 or her duties with the Department of ~~[Employment, Training and~~
14 ~~Rehabilitation]~~ *Business and Industry* without loss of regular
15 compensation so that he or she may prepare for and attend meetings
16 of the Commission and perform any work necessary to carry out the
17 duties of the Commission in the most timely manner practicable.
18 The Department may not require the member to make up time or
19 take annual vacation or compensatory time for the time that he or
20 she is absent from work to carry out his or her duties as a member of
21 the Commission.

22 4. While engaged in the business of the Commission, each
23 member of the Commission is entitled to receive ~~[the]~~ *a* per diem
24 allowance and travel expenses *at a rate fixed by the Deputy*
25 *Director of the Office of Nevada Boards, Commissions and*
26 *Councils Standards of the Department of Business and Industry*
27 *and approved by the Director of the Department of Business and*
28 *Industry. The rate must not exceed the rate* provided for state
29 officers and employees generally.

30 **Sec. 51.** Chapter 407A of NRS is hereby amended by adding
31 thereto a new section to read as follows:

32 *1. The State Outdoor Recreation and Education Advisory*
33 *Council is hereby created within the Department.*

34 *2. The Council consists of:*

35 *(a) The Administrator of the Division of State Parks of the*
36 *Department.*

37 *(b) The Chair of the Nevada Indian Commission.*

38 *(c) Seven members appointed by the Director as follows:*

39 *(1) One member who is a representative of the Division of*
40 *Outdoor Recreation of the Department.*

41 *(2) One member who is a representative of the Department*
42 *of Wildlife.*

43 *(3) One member who is a teacher.*

44 *(4) One member who is a nature-based education provider.*



1 (5) *One member who is a representative of the outdoor*
2 *recreation industry.*

3 (6) *One member who is a representative of the United*
4 *States Department of the Interior from the Bureau of Land*
5 *Management, National Park Service or United States Fish and*
6 *Wildlife Service.*

7 (7) *One member who is a representative of the United*
8 *States Department of Agriculture from the United States Forest*
9 *Service or Rural Development.*

10 **Sec. 52.** Chapter 414 of NRS is hereby amended by adding
11 thereto a new section to read as follows:

12 1. *The Nevada Emergency Response and Disaster*
13 *Coordination Board is hereby created.*

14 2. *The Board consists of:*

15 (a) *The Chief, who serves as Chair of the Board; and*

16 (b) *The following members appointed by the Chief:*

17 (1) *One member who is a representative of the Nevada*
18 *National Guard;*

19 (2) *One member who is a representative of the Nevada*
20 *Sheriffs' and Chiefs' Association or its legal successor;*

21 (3) *One member who is a representative of a tribal*
22 *government;*

23 (4) *One member who is a representative of the Division of*
24 *Forestry of the State Department of Conservation and Natural*
25 *Resources;*

26 (5) *One member who is a representative of the Division of*
27 *Public and Behavioral Health of the Department of Health and*
28 *Human Services;*

29 (6) *One member who is a representative of the Nevada Fire*
30 *Chiefs Association or its legal successor;*

31 (7) *One member who is a representative of the Nevada*
32 *Hospital Association or its legal successor; and*

33 (8) *One member who is a representative of a county*
34 *coroner's office.*

35 **Sec. 53.** NRS 417.0191 is hereby amended to read as follows:

36 417.0191 1. The Interagency Council on Veterans Affairs is
37 hereby created. The Council consists of:

38 (a) The Director of the Department of Business and Industry;

39 (b) ~~The Director of the Department of Corrections;~~

40 ~~—(c)—~~ The Director of the Department of Employment, Training
41 and Rehabilitation;

42 ~~—(d)—~~ (c) The Director of the Department of Health and Human
43 Services;

44 ~~—(e)—~~ The Director of the Department of Public Safety;

45 ~~—(f)—~~ (d) The Director of the Department of Veterans Services;



1 ~~[(g)]~~ (e) The Adjutant General;
2 ~~[(h)]~~ (f) The Chancellor of the Nevada System of Higher
3 Education;
4 ~~[(i)]~~ (g) The Executive Director of the Office of Economic
5 Development;
6 ~~[(j)]~~ (h) The Executive Director of the Department of Native
7 American Affairs;
8 ~~[(k)] The Administrator of the Division of Human Resource~~
9 ~~Management of the Department of Administration;~~
10 ~~—(l) The Attorney General;~~
11 ~~—(m) The Superintendent of Public Instruction;~~
12 ~~—(n) The Executive Director of the Governor’s Office of~~
13 ~~Workforce Innovation; and~~
14 ~~—(o) Any other persons]~~
15 (i) *One member* appointed by the ~~[Governor, including,]~~
16 *Director, who may be*, without limitation, ~~[representatives]~~ *a*
17 *representative of a federal [and] or local governmental [agencies*
18 *and] agency or private [entities] entity that [provide] provides*
19 services to veterans. ~~[Members]~~ *The member* appointed pursuant to
20 this paragraph ~~[serve]~~ *serves* at the pleasure of the ~~[Governor.]~~
21 *Director.*

22 2. A member of the Council may designate a person to
23 represent him or her at any meeting of the Council. The person
24 designated may exercise all the duties, rights and privileges of the
25 member that he or she represents.

26 **Sec. 54.** NRS 417.150 is hereby amended to read as follows:

27 417.150 1. The Nevada Veterans Services Commission,
28 consisting of ~~[[H]]~~ *seven* members, is hereby created.

29 2. The ~~[Governor]~~ *Director* shall appoint:

30 (a) Three members who are representatives of veterans’
31 organizations recognized nationally or in this State and who possess
32 honorable discharges from some branch of the Armed Forces of the
33 United States.

34 (b) One member who is a member of the Women Veterans
35 Advisory Committee created by NRS 417.320.

36 (c) One member who is ~~[enrolled as a student at an institution of~~
37 ~~higher education in this State in a program for a baccalaureate or~~
38 ~~higher degree and who possesses an honorable discharge from some~~
39 ~~branch of the Armed Forces of the United States.]~~

40 ~~—(d) Two members who are representatives]~~ *a representative* of
41 the general public.

42 3. The Chair of the Advisory Committee for a Veterans
43 Cemetery in Northern Nevada and the Chair of the Advisory
44 Committee for a Veterans Cemetery in Southern Nevada shall each
45 appoint one member from their respective committees to serve as a



1 member of the Commission. Each member so appointed must be a
2 representative of a veterans' organization recognized nationally or
3 in this State and possess an honorable discharge from some branch
4 of the Armed Forces of the United States.

5 ~~4. [The Majority Leader of the Senate shall appoint one~~
6 ~~member of the Senate to serve as a member of the Commission.~~

7 ~~—5. The Speaker of the Assembly shall appoint one member of~~
8 ~~the Assembly to serve as a member of the Commission.~~

9 ~~—6.]~~ The ~~[Governor]~~ *Director* may remove a member of the
10 Commission at any time for failure to perform his or her duties,
11 malfeasance or other good cause.

12 ~~[7.]~~ 5. The term of office of each member is ~~[3]~~ 2 years.

13 ~~[8. If a vacancy occurs in the membership of those members~~
14 ~~appointed pursuant to paragraph (a) of subsection 2, the Governor~~
15 ~~shall fill the vacancy from among the names of qualified nominees~~
16 ~~provided to the Governor in writing by the Director.]~~ *A member*
17 *may not serve more than two terms.*

18 **Sec. 55.** Chapter 422 of NRS is hereby amended by adding
19 thereto a new section to read as follows:

20 *1. The Beneficiary Advisory Council is hereby created within*
21 *the Division to advise the Director on matters of concern related to*
22 *policy development and matters related to the effective*
23 *administration of the Medicaid program and carry out any other*
24 *duties imposed on a Beneficiary Advisory Council by 42 C.F.R.*
25 *§ 431.12.*

26 *2. The Director shall appoint such number of members of the*
27 *Council as he or she determines is appropriate to carry out the*
28 *duties of the Council. The Council must consist of persons who*
29 *are currently or have been Medicaid beneficiaries and persons*
30 *with direct experience supporting Medicaid beneficiaries,*
31 *including, without limitation, a family member of a Medicaid*
32 *beneficiary and a paid or unpaid caregiver of a person enrolled in*
33 *Medicaid.*

34 *3. A member of the Beneficiary Advisory Council serves a*
35 *term of 2 years. A member may not serve:*

36 *(a) More than two terms; and*

37 *(b) Two consecutive terms.*

38 **Sec. 56.** NRS 422.151 is hereby amended to read as follows:

39 422.151 1. The ~~[Medical—Care]~~ *Medicaid* Advisory
40 Committee is hereby created within the Division.

41 2. The function of the ~~[Medical—Care]~~ *Medicaid* Advisory
42 Committee is to:

43 (a) Advise the Division regarding the provision of services for
44 the health and medical care of welfare recipients.



1 (b) Participate, and increase the participation of welfare
2 recipients, in the development of policy and the administration of
3 programs by the Division.

4 (c) *Advise the Director on matters of concern related to policy*
5 *development and matters related to the effective administration of*
6 *the Medicaid program and carry out any other duties imposed on*
7 *a Medicaid Advisory Committee by 42 C.F.R. § 431.12.*

8 (d) *Carry out the duties set forth in NRS 422.205.*

9 **Sec. 57.** NRS 422.153 is hereby amended to read as follows:

10 422.153 1. The ~~Medical—Care~~ *Medicaid* Advisory
11 Committee consists of ~~[the Chief Medical Officer and:]~~ *nine*
12 *members as follows:*

13 (a) ~~[A person who:~~

14 ~~— (1) Holds a license to practice medicine in this state; and~~

15 ~~— (2) Is certified by the Board of Medical Examiners in a~~
16 ~~medical specialty.]~~ *The Administrator, who serves as an ex officio,*
17 *nonvoting member.*

18 (b) ~~[A person who holds a license to practice dentistry in this~~
19 ~~state.]~~ *Two officers or employees of an agency in the Executive*
20 *Department of the State Government that serves Medicaid*
21 *beneficiaries, who serve as ex officio, nonvoting members.*

22 (c) ~~[A person who holds a certificate of registration as a~~
23 ~~pharmacist in this state.~~

24 ~~— (d) A member of a profession in the field of health care who is~~
25 ~~familiar with the needs of persons of low income, the resources~~
26 ~~required for their care and the availability of those resources.~~

27 ~~— (e) An administrator of a hospital or a clinic for health care.~~

28 ~~— (f) An administrator of a facility for intermediate care or a~~
29 ~~facility for skilled nursing.~~

30 ~~— (g) A member of an organized group that provides assistance,~~
31 ~~representation or other support to recipients of]~~ *Six voting members,*
32 *appointed by the Director as follows:*

33 (1) *The following number of members who are also*
34 *members of the Beneficiary Advisory Council within the Division*
35 *created by section 55 of this act:*

36 (I) *During the period beginning on July 1, 2025, and*
37 *ending on July 9, 2026, one member.*

38 (II) *During the period beginning on July 10, 2026, and*
39 *ending on July 10, 2027, two members.*

40 (III) *After July 10, 2027, three members.*

41 (2) *At least one member who is a representative of a state or*
42 *local consumer advocacy group or other community-based*
43 *organization that represents the interests of, or provides direct*
44 *service to, Medicaid [*

45 ~~— (h) A recipient of]~~ *beneficiaries.*



1 (3) *At least one member who is a representative of clinical*
2 *providers or administrators, including, without limitation,*
3 *providers of administrators of primary care, specialty care or long-*
4 *term care, who is familiar with the health and social needs of*
5 *Medicaid* ~~[]~~ *beneficiaries.*

6 (4) *At least one member who is a representative of a*
7 *participating Medicaid managed care organization, prepaid*
8 *inpatient health plan, prepaid ambulatory health plan, primary*
9 *care case management entity or primary care case manager, as*
10 *those terms are defined in 42 C.F.R. § 438.2, or a health plan*
11 *association representing more than one such plan.*

12 2. ~~[The]~~ *Except as otherwise provided in this subsection, the*
13 *Director shall appoint each member required by subsection 1 to*
14 *serve for a term of 2 years. The Director may appoint a member to*
15 *a shorter term to satisfy the requirements of subsection 1. A*
16 *member may not serve:*

17 (a) *More than two terms; and*

18 (b) *Two consecutive terms.*

19 3. Members of the ~~[Medical-Care]~~ *Medicaid* Advisory
20 *Committee serve without compensation, except that while engaged*
21 *in the business of the Advisory Committee, each member is entitled*
22 *to receive the per diem allowance and travel expenses provided for*
23 *state officers and employees generally.*

24 **Sec. 58.** NRS 422.205 is hereby amended to read as follows:

25 422.205 1. ~~[A-reinvestment-advisory-committee]~~ *The*
26 *Medicaid Advisory Committee* shall:

27 (a) Solicit and review reports from the Division and Medicaid
28 managed care organizations concerning the reinvestment of funds
29 by those Medicaid managed care organizations in the communities
30 served by the Medicaid managed care organizations.

31 (b) Report to the Division and Medicaid managed care
32 organizations concerning initiatives of local governments in ~~[the]~~
33 *each* county *whose population is 700,000 or more* to address
34 homelessness, housing issues and social determinants of health.

35 (c) Make recommendations based on the reports reviewed
36 pursuant to paragraph (a) to the Division and Medicaid managed
37 care organizations concerning the reinvestment of funds by those
38 Medicaid managed care organizations in the communities served by
39 the Medicaid managed care organizations. Those recommendations
40 must include, without limitation, recommendations for the use of
41 such funds for the purposes of:

42 (1) Developing innovative partnerships with community
43 development organizations and providers of housing services; and



1 (2) Supporting the initiatives of local governments in ~~[the]~~
2 *each* county *whose population is 700,000 or more* to address
3 homelessness, housing issues and social determinants of health.

4 2. On or before December 31 of each year, ~~[a reinvestment~~
5 ~~advisory committee]~~ *the Medicaid Advisory Committee* shall:

6 (a) Compile a report concerning:

7 (1) The uses of funds reinvested by Medicaid managed care
8 organizations in the communities served by those Medicaid
9 managed care organizations, including, without limitation, efforts to
10 address homelessness, disparities in health care and social
11 determinants of health; and

12 (2) The activities of the ~~[reinvestment advisory committee]~~
13 *Medicaid Advisory Committee* during the calendar year, including,
14 without limitation, the recommendations made by the ~~[reinvestment~~
15 ~~advisory committee]~~ *Medicaid Advisory Committee* pursuant to
16 paragraph (c) of subsection 1.

17 (b) Submit the report to:

18 (1) The Director of the Legislative Counsel Bureau for
19 transmittal to:

20 (I) In odd-numbered years, the Joint Interim Standing
21 Committee on Health and Human Services; and

22 (II) In even-numbered years, the next regular session of
23 the Legislature.

24 (2) The Director of the Department.

25 3. As used in this section, "Medicaid managed care
26 organization" means a managed care organization that provides
27 health care services to recipients of Medicaid who reside in ~~[the] a~~
28 county ~~[for which a reinvestment advisory committee is~~
29 ~~established.]~~ *whose population is 700,000 or more.*

30 **Sec. 59.** NRS 425.610 is hereby amended to read as follows:

31 425.610 1. The Committee to Review Child Support
32 Guidelines is hereby created. The Committee consists of:

33 (a) The presiding judge of the Family Division of the Second
34 Judicial District Court or his or her designee;

35 (b) The presiding judge of the Family Division of the Eighth
36 Judicial District Court or his or her designee;

37 (c) ~~[One member who is a district court judge or master from a~~
38 ~~judicial district other than the Second or Eighth Judicial District,~~
39 ~~appointed by the Chief Justice of the Supreme Court;~~

40 ~~—(d) One member who is a justice or retired justice of the~~
41 ~~Supreme Court, appointed by the Chief Justice of the Supreme~~
42 ~~Court;~~

43 ~~—(e)]~~ One member who is a district attorney in Clark County ~~[,]~~
44 *or Washoe County*, appointed by the governing body of the Nevada
45 District Attorneys Association, or his or her designee;



1 ~~[(f) One member who is a district attorney in Washoe County,~~
2 ~~appointed by the governing body of the Nevada District Attorneys~~
3 ~~Association, or his or her designee;~~

4 ~~—(g)]~~ (d) One member who is a district attorney in a county other
5 than Clark or Washoe County, appointed by the governing body of
6 the Nevada District Attorneys Association, or his or her designee;

7 ~~[(h) Two members]~~

8 (e) *One member* who ~~[are members]~~ *is a member* of the Family
9 Law Section of the State Bar of Nevada, appointed by the Executive
10 Council of the Family Law Section;

11 ~~[(i)]~~ (f) One member who is an employee of the Division,
12 appointed by the Administrator;

13 ~~[(j)]~~ (g) One member who has expertise in economics and child
14 support, appointed by the Administrator;

15 ~~[(k) Two members]~~

16 (h) *One member* who ~~[are Senators, one of whom]~~ *is a Senator,*
17 *jointly* appointed by the Majority Leader of the Senate and ~~[one of~~
18 ~~whom is appointed by]~~ the Minority Leader of the Senate; and

19 ~~[(l) Two members]~~

20 (i) *One member* who ~~[are members]~~ *is a member* of the
21 Assembly ~~[, one of whom is]~~ *jointly* appointed by the Speaker of the
22 Assembly and ~~[one of whom is appointed by]~~ the Minority Leader
23 of the Assembly.

24 ➤ If any association listed in this subsection ceases to exist, the
25 appointment required by this subsection must be made by the
26 association's successor in interest or, if there is no successor in
27 interest, by the ~~[Governor.]~~ *Director of the Department of Health*
28 *and Human Services.*

29 2. Each appointed member serves a term of ~~[4]~~ *2* years.
30 Members may be reappointed for *one* additional ~~[terms]~~ *term* of ~~[4]~~
31 *2* years in the same manner as the original appointments. Any
32 vacancy occurring in the membership of the Committee must be
33 filled in the same manner as the original appointment not later than
34 30 days after the vacancy occurs.

35 3. At the first regular meeting every ~~[4]~~ *2* years, the members
36 of the Committee shall elect a Chair by majority vote who shall
37 serve until the next Chair is elected.

38 4. ~~[The Committee shall convene on or before September 1,~~
39 ~~2017, and shall meet at least once every 4 years thereafter. The~~
40 ~~Committee may also meet at such further times as deemed necessary~~
41 ~~by the Chair.~~

42 ~~—5.]~~ A majority of the members of the Committee constitutes a
43 quorum for the transaction of business, and a majority of those
44 members present at any meeting is sufficient for any official action
45 taken by the Committee.



1 **Sec. 60.** Chapter 427A of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The Nevada Commission on Aging and Cognitive Health,*
4 *consisting of seven members, is hereby created.*

5 2. *The Commission consists of:*

6 (a) *The following members appointed by the Director:*

7 (1) *Two members who are 55 years of age or older and who*
8 *have experience with or an interest in and knowledge of the*
9 *problems of and services for the aging.*

10 (2) *One member who is a representative of the Nevada*
11 *System of Higher Education and who has expertise in cognitive*
12 *disorders.*

13 (3) *One member who is a representative of caregivers for*
14 *person with cognitive disorders.*

15 (4) *One member who is a representative of the general*
16 *public.*

17 (b) *One member who is a member of the Senate and one*
18 *member who is a member of the Assembly appointed by the*
19 *Legislative Commission with appropriate regard for his or her*
20 *experience with and knowledge of matters relating to older*
21 *persons.*

22 **Sec. 61.** NRS 433.428 is hereby amended to read as follows:

23 433.428 ~~[Five]~~ *Three* behavioral health regions are hereby
24 created as follows:

25 1. The Northern Behavioral Health Region consisting of
26 Carson City and the counties of Churchill, Douglas, Lyon , ~~[and]~~
27 Storey ~~[;]~~ *and Washoe;*

28 2. ~~[The Washoe Behavioral Health Region consisting of the~~
29 ~~county of Washoe;~~

30 ~~—3.]~~ The Rural Behavioral Health Region consisting of the
31 counties of Elko, Eureka, Humboldt, Lander, Pershing and White
32 Pine; *and*

33 ~~[4.]~~ 3. The Southern Behavioral Health Region consisting of
34 the counties of *Clark*, Esmeralda, Lincoln , ~~[and]~~ Mineral and ~~[the~~
35 ~~portion of the county of]~~ Nye . ~~[that is north of the 38th parallel of~~
36 ~~north latitude; and~~

37 ~~—5.—~~ ~~The Clark Behavioral Health Region consisting of the~~
38 ~~county of Clark and the portion of the county of Nye that is south of~~
39 ~~the 38th parallel of north latitude.]~~

40 **Sec. 62.** NRS 433.429 is hereby amended to read as follows:

41 433.429 1. A regional behavioral health policy board is
42 hereby created for each behavioral health region.

43 2. Each policy board consists of ~~[not less than 7]~~ *seven*
44 members ~~[and not more than 13 members]~~ appointed pursuant to
45 this section.



1 3. The Speaker of the Assembly shall appoint to each policy
2 board one member who represents the criminal justice system.

3 4. The Majority Leader of the Senate shall appoint to each
4 policy board one member who represents law enforcement agencies
5 and who has experience with and knowledge of matters relating to
6 persons in need of behavioral health services.

7 ~~5. The Governor shall appoint to each policy board one~~
8 ~~member who has extensive experience in the delivery of social~~
9 ~~services in the field of behavioral health, including, without~~
10 ~~limitation, directors or officers of social service agencies in the~~
11 ~~behavioral health region.~~

12 ~~—6. The~~ Legislative Commission shall appoint to each policy
13 board one member who is a Legislator.

14 ~~[7.]~~ 6. The ~~[Administrator]~~ *Director of the Department* shall
15 appoint to each policy board:

16 (a) One member who ~~[represents the interests of hospitals,~~
17 ~~residential long term care facilities or facilities that provide acute~~
18 ~~inpatient behavioral health services;~~

19 ~~—(b) One member who represents the interests of administrators~~
20 ~~or counselors who are employed at facilities for the treatment of~~
21 ~~alcohol or other substance use disorders; and~~

22 ~~—(c) One member who represents providers of emergency~~
23 ~~medical services or fire services and who has experience providing~~
24 ~~emergency services to behavioral health patients, which may~~
25 ~~include, without limitation, a paramedic or physician.~~

26 ~~—8. The members appointed to a policy board pursuant to~~
27 ~~subsections 2 to 7, inclusive, may appoint to the policy board:~~

28 ~~—(a) One member who represents the interests of community-~~
29 ~~based organizations which provide] *has extensive experience in the*~~
30 ~~*delivery of social services in the field of* behavioral health~~
31 ~~*[services.] , including, without limitation, directors or officers of*~~
32 ~~*social service agencies in the behavioral health region.*~~

33 (b) One member who represents the interests of owners or
34 administrators of residential treatment facilities, transitional housing
35 or other housing for persons with a mental illness or persons who
36 have an alcohol or other substance use disorder.

37 ~~[(c) One member who is a health officer of a county or who~~
38 ~~holds a position with similar duties or, if no such person is available,~~
39 ~~an employee of a city, county or Indian tribe who has experience in~~
40 ~~the field of public health.~~

41 ~~—(d)]~~ (c) One member who is a psychiatrist or a psychologist
42 who holds the degree of doctor of psychology, has clinical
43 experience and is licensed to practice in this State or, if no such
44 person is available, a provider of health care, as defined in NRS
45 629.031, who has experience working with persons with a mental



1 illness or persons who have an alcohol or other substance use
2 disorder.

3 ~~[(e) One member who represents private or public insurers who~~
4 ~~offer coverage for behavioral health services or, if no such person is~~
5 ~~available, another person who has experience in the field of~~
6 ~~insurance or working with insurers.~~

7 ~~—(f)]~~ (d) One member who has received behavioral health
8 services in this State, including, without limitation, services for
9 substance use disorders, or a family member of such a person or, if
10 such a person is not available, a person who represents the interests
11 of behavioral health patients or the families of behavioral health
12 patients.

13 ~~[9. If the members of a policy board described in subsections 2~~
14 ~~to 7, inclusive, appoint both a member described in paragraph (a) of~~
15 ~~subsection 8 and a member described in paragraph (b) of subsection~~
16 ~~8, at least one of those members must be a behavioral health~~
17 ~~professional who has experience in evaluating and treating children.~~

18 ~~—10.]~~ 7. In making appointments, preference must be given to
19 persons who reside in the behavioral health region served by the
20 policy board.

21 ~~[(11.)~~ 8. Each member of the policy board serves ~~[without~~
22 ~~compensation]~~ for a term of 2 years and may be reappointed ~~[]~~ ,
23 *except that a member may not serve more than two terms.* The
24 appointing authority may remove a member from the policy board if
25 the appointing authority determines the member has neglected his or
26 her duties.

27 ~~[(12.)~~ 9. If a vacancy occurs during the term of:

28 (a) A member who was appointed pursuant to subsection ~~[2.]~~ 3,
29 ~~[]~~ *or* 5, ~~[or 6.]~~ the vacancy must be filled in the same manner as
30 the original appointment for the remainder of the unexpired term.

31 (b) A member who was appointed pursuant to subsection ~~[7.]~~ 6,
32 the policy board shall, by majority vote, appoint a member to fill the
33 vacancy for the remainder of the unexpired term.

34 ~~[(c) A member who was appointed pursuant to subsection 8, the~~
35 ~~policy board may, by majority vote, appoint a member to fill the~~
36 ~~vacancy for the remainder of the unexpired term.~~

37 ~~—13.]~~ 10. Each policy board shall meet not later than 60 days
38 after all appointments to such board have been made and elect one
39 member of the policy board to act as the Chair for the biennium.
40 The Director of the Department or his or her designee shall preside
41 over the election of the Chair for each policy board at each board's
42 first meeting. ~~[Except as otherwise provided in subsection 14, each~~
43 ~~policy board shall thereafter meet at least quarterly at the call of the~~
44 ~~Chair.]~~



1 ~~[H4.]~~ **II.** A policy board is not required to meet during any
2 legislative session. If a policy board meets during a legislative
3 session, the member of the policy board who is a Legislator is
4 excused from attendance.

5 ~~[H5.]~~ **12.** As used in this section, “social services agency”
6 means any public agency or organization that provides social
7 services in this State, including, without limitation, welfare and
8 health care services.

9 **Sec. 63.** NRS 433.726 is hereby amended to read as follows:

10 433.726 1. The Advisory Committee for a Resilient Nevada
11 is hereby created within the Department.

12 2. The Attorney General shall appoint to the Advisory
13 Committee ~~[]~~ **five members, including, without limitation:**

14 (a) One member who possesses knowledge, skills and
15 experience working with youth in the juvenile justice system;

16 (b) One member who possesses knowledge, skills and
17 experience working with persons in the criminal justice system;

18 (c) One member who possesses knowledge, skills and
19 experience in the surveillance of overdoses; and

20 (d) ~~[One member]~~ **Two members** who:

21 (1) ~~[Resides]~~ **Reside** in a county other than Clark or Washoe
22 County; and

23 (2) ~~[Has]~~ **Have** experience having a substance use disorder or
24 having a family member who has a substance use disorder.

25 3. The Office shall appoint to the Advisory Committee:

26 (a) One member who:

27 (1) Resides in Clark County; and

28 (2) Has experience having a substance use disorder or having
29 a family member who has a substance use disorder;

30 (b) One member who possesses knowledge, skills and
31 experience in public health;

32 (c) One member who is the director of an agency which
33 provides child welfare services or his or her designee;

34 (d) One member who represents a program that specializes in
35 the prevention of substance use by youth;

36 (e) One member who represents a faith-based organization that
37 specializes in recovery from substance use disorders; and

38 (f) One member who represents a program for substance use
39 disorders that is operated by a nonprofit organization and certified
40 pursuant to NRS 458.025.

41 4. ~~[The Director of the Department shall appoint to the~~
42 ~~Advisory Committee:~~

43 ~~—(a) One member who:~~

44 ~~—(1) Resides in Washoe County; and~~



1 ~~— (2) Has experience having a substance use disorder or having~~
2 ~~a family member who has a substance use disorder;~~

3 ~~— (b) One member who is a physician certified in the field of~~
4 ~~addiction medicine by the American Board of Addiction Medicine~~
5 ~~or its successor organization;~~

6 ~~— (c) One member who represents a nonprofit, community-~~
7 ~~oriented organization that specializes in peer-led recovery from~~
8 ~~substance use disorders;~~

9 ~~— (d) One member who has survived an opioid overdose;~~

10 ~~— (e) One member who represents a program to prevent overdoses~~
11 ~~or otherwise reduce the harm caused by the use of substances;~~

12 ~~— (f) One member who represents an organization that specializes~~
13 ~~in housing; and~~

14 ~~— (g) One member who possesses knowledge, skills and~~
15 ~~experience with the education of pupils in kindergarten through 12th~~
16 ~~grade.~~

17 ~~— 5.]~~ In appointing the members of the Advisory Committee
18 pursuant to subsections 2 ~~[,]~~ and 3 , ~~[and 4.]~~ the appointing
19 authorities shall coordinate the appointments when practicable so
20 that the members of the Advisory Committee represent the diversity
21 of:

22 (a) This State; and

23 (b) The communities within this State that are disproportionately
24 affected by opioid use disorder and disparities in access to care and
25 health outcomes.

26 ~~[6.]~~ 5. The term of each member of the Advisory Committee is
27 2 years. A member may be reappointed for an additional term of 2
28 years in the same manner as the original appointment. *A member*
29 *may not serve more than two terms.* A vacancy occurring in the
30 membership of the Advisory Committee must be filled in the same
31 manner as the original appointment.

32 ~~[7.]~~ 6. To the extent that money is available for these purposes
33 ~~[:~~

34 ~~— (a) Each member of the Advisory Committee who is not an~~
35 ~~officer or employee of this State is entitled to receive a salary of not~~
36 ~~more than \$80, as fixed by the Department, for each day or portion~~
37 ~~of a day spent on the business of the Advisory Committee.~~

38 ~~— (b) Each]~~ , *each* member of the Advisory Committee is entitled
39 to receive the per diem allowance and travel expenses provided for
40 state officers and employees generally while engaged in the business
41 of the Advisory Committee.

42 ~~[8.]~~ 7. A member of the Advisory Committee who is an officer
43 or employee of this State or a political subdivision of this State must
44 be relieved from his or her duties without loss of regular
45 compensation to prepare for and attend meetings of the Advisory



1 Committee and perform any work necessary to carry out the duties
2 of the Advisory Committee in the most timely manner practicable.
3 A state agency or political subdivision of this State shall not require
4 an officer or employee who is a member of the Advisory Committee
5 to:

6 (a) Make up the time he or she is absent from work to carry out
7 his or her duties as a member of the Advisory Committee; or

8 (b) Take annual leave or compensatory time for the absence.

9 **Sec. 64.** Chapter 433B of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 *1. The Nevada Children's Mental and Behavioral Health*
12 *Consortium consisting of nine members appointed by the Director*
13 *of the Department is hereby created within the Department.*

14 *2. The Director of the Department shall appoint:*

15 *(a) One member who is a representative of the Division of*
16 *Public and Behavioral Health of the Department.*

17 *(b) One member who is a representative of an agency in a*
18 *county in this State which provides child welfare services.*

19 *(c) One member who is a representative of the Division of*
20 *Health Care Financing and Policy of the Department.*

21 *(d) One member who is a representative of the board of*
22 *trustees of a school district.*

23 *(e) One member who is a representative of a local juvenile*
24 *probation department.*

25 *(f) One member who is a private provider of mental health*
26 *care.*

27 *(g) One member who is a provider of foster care.*

28 *(h) One member who is the parent of a child with an emotional*
29 *disturbance.*

30 *(i) One member who is a representative of an agency which*
31 *provides services for the treatment and prevention of substance*
32 *use disorders.*

33 **Sec. 65.** Chapter 439 of NRS is hereby amended by adding
34 thereto a new section to read as follows:

35 *1. The Wellness and Prevention Advisory Council consisting*
36 *of 11 members is hereby created.*

37 *2. The Council consists of:*

38 *(a) The Chief Medical Officer or his or her designee.*

39 *(b) The following members appointed by the Director:*

40 *(1) Three members who are physicians who practice in the*
41 *area of cardiology, emergency care, neurology, oncology,*
42 *orthopedics, pediatrics or primary care and provide care to*
43 *patients with rare diseases.*

44 *(2) One member who is a registered nurse who provides*
45 *care to patients with rare diseases.*



1 (3) *One member who is the administrator of a hospital that*
2 *provides care to patients with rare diseases.*

3 (4) *One member who is 18 years of age or older and who*
4 *has suffered from or is currently suffering from a rare disease.*

5 (5) *One member who is a representative of an organization*
6 *dedicated to providing services to patients suffering from rare*
7 *diseases in this State.*

8 (6) *One member who is a member of a racial or ethnic*
9 *minority group appointed from a list of persons submitted to the*
10 *Director by the Advisory Committee of the Office of Minority*
11 *Health and Equity of the Department.*

12 (7) *Two members who are licensed as dietitians pursuant to*
13 *chapter 640E of NRS.*

14 **Sec. 66.** NRS 439.2792 is hereby amended to read as follows:

15 439.2792 1. There is hereby created within the Department
16 the Advisory Committee on the State Program for Oral Health to
17 advise and make recommendations to the Department concerning
18 the Program.

19 2. The Director shall appoint to the Advisory Committee ~~[13]~~
20 *nine* members ~~[, including, without limitation, one or more persons~~
21 ~~who are representatives of:]~~ *as follows:*

22 (a) ~~[Public]~~ *Two members who are representatives of public*
23 *health care professionals and educators;*

24 (b) ~~[Providers]~~ *Three members who are representatives of*
25 *providers of oral health care;*

26 (c) ~~[Persons]~~ *Two members who are representatives of persons*
27 *knowledgeable in promoting and educating the public on oral health*
28 *issues; and*

29 (d) ~~[National]~~ *Two members who are representatives of dental*
30 ~~[and] or~~ other oral health organizations ~~[and] or~~ their local or state
31 chapters.

32 3. After the initial terms, the members of the Advisory
33 Committee serve terms of 2 years commencing on July 1. A
34 member may be reappointed ~~[]~~, *except that a member may not*
35 *serve more than two terms.*

36 4. Members of the Advisory Committee serve without
37 compensation, except that each member is entitled, while engaged in
38 the business of the Advisory Committee, to the per diem allowance
39 and travel expenses provided for state officers and employees
40 generally.

41 5. Any member of the Advisory Committee who is a public
42 employee must be granted administrative leave from his or her
43 duties to engage in the business of the Advisory Committee without
44 loss of his or her regular compensation. Such leave does not reduce
45 the amount of the member's other accrued leave.



1 6. A majority of the members of the Advisory Committee
2 constitutes a quorum for the transaction of business, and a majority
3 of a quorum present at any meeting is sufficient for any official
4 action taken by the Advisory Committee.

5 7. The Advisory Committee shall:

6 (a) At its first meeting and annually thereafter, elect a Chair
7 from among its members; *and*

8 (b) ~~Meet at the call of the Director, the Chair or a majority of its~~
9 ~~members as necessary and within the budget of the Advisory~~
10 ~~Committee; and~~

11 ~~(c)~~ On or before July 1 of each year, submit a written report to
12 the Director summarizing the activities of the Advisory Committee
13 and any recommendations of the Advisory Committee.

14 **Sec. 67.** NRS 445B.200 is hereby amended to read as follows:

15 445B.200 1. The State Environmental Commission is hereby
16 created within the Department. The Commission consists of:

17 (a) The Director of the Department of Wildlife;

18 (b) The State Forester Firewarden;

19 (c) The State Engineer;

20 (d) The Director of the State Department of Agriculture;

21 (e) The Administrator of the Division of Minerals of the
22 Commission on Mineral Resources;

23 (f) A member of the State Board of Health to be designated by
24 that Board; and

25 (g) ~~Five~~ *Three* members appointed by the Governor:

26 (1) One of whom is a general engineering contractor or a
27 general building contractor licensed pursuant to chapter 624 of
28 NRS;

29 (2) One of whom possesses expertise in performing mining
30 reclamation; and

31 (3) One of whom possesses experience and expertise in
32 advocating issues relating to conservation.

33 2. The Governor shall appoint the Chair of the Commission
34 from among the members of the Commission.

35 3. A majority of the members constitutes a quorum, and a
36 majority of those present must concur in any decision.

37 4. Each member who is appointed by the Governor is entitled
38 to receive a salary of not more than \$80, as fixed by the
39 Commission, for each day's attendance at a meeting of the
40 Commission.

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



1 6. Any person who receives or has received during the
2 previous 2 years a significant portion of his or her income, as
3 defined by any applicable state or federal law, directly or indirectly
4 from one or more holders of or applicants for a permit required by
5 NRS 445A.300 to 445A.730, inclusive, is disqualified from serving
6 as a member of the Commission. The provisions of this subsection
7 do not apply to any person who receives, or has received during the
8 previous 2 years, a significant portion of his or her income from any
9 department or agency of State Government which is a holder of or
10 an applicant for a permit required by NRS 445A.300 to 445A.730,
11 inclusive.

12 7. The Department shall provide technical advice, support and
13 assistance to the Commission. All state officers, departments,
14 commissions and agencies, including the Department of
15 Transportation, the Department of Health and Human Services, the
16 Nevada System of Higher Education, the State Public Works Board,
17 the Department of Motor Vehicles, the Department of Public Safety,
18 the Public Utilities Commission of Nevada, the Nevada
19 Transportation Authority and the State Department of Agriculture
20 may also provide technical advice, support and assistance to the
21 Commission.

22 **Sec. 68.** NRS 450B.151 is hereby amended to read as follows:
23 450B.151 1. The ~~{Committee—on}~~ Emergency Medical
24 Services ~~{}~~ *Subcommittee of the State Board of Health*, consisting
25 of 11 members appointed by the State Board of Health, is hereby
26 created.

27 2. Upon request of the State Board of Health, employee
28 associations that represent persons that provide emergency medical
29 services, including, without limitation, physicians and nurses that
30 provide emergency medical services, emergency medical
31 technicians, ambulance attendants, firefighters, fire chiefs and
32 employees of rural hospitals, shall submit to the State Board of
33 Health written nominations for appointments to the ~~{Committee.}~~
34 *Subcommittee.*

35 3. After considering the nominations submitted pursuant to
36 subsection 2, the State Board of Health shall appoint to the
37 ~~{Committee.}~~ *Subcommittee:*

38 (a) One member who is a physician licensed pursuant to chapter
39 630 or 633 of NRS and who has experience providing emergency
40 medical services;

41 (b) One member who is a registered nurse and who has
42 experience providing emergency medical services;

43 (c) One member who is a volunteer for an organization that
44 provides emergency medical services pursuant to this chapter;



1 (d) One member who is employed by a fire-fighting agency at
2 which some of the firefighters and persons who provide emergency
3 medical services for the agency are employed and some serve as
4 volunteers;

5 (e) One member who is employed by an urban fire-fighting
6 agency;

7 (f) One member who is employed by or serves as a volunteer
8 with a medical facility that is located in a rural area and that
9 provides emergency medical services;

10 (g) One member who is employed by an organization that
11 provides emergency medical services in an air ambulance and
12 whose duties are closely related to such emergency medical
13 services;

14 (h) One member who is employed by or serves as a volunteer
15 with a local governmental agency that provides emergency medical
16 services but which is not a part of a fire-fighting agency or law
17 enforcement agency;

18 (i) One member who is employed by a privately owned entity
19 that provides emergency medical services; and

20 (j) One member who is employed by an operator of a service
21 which is:

22 (1) Provided for the benefit of the employees of an industry
23 who become sick or are injured at the industrial site; and

24 (2) Staffed by employees who are licensed attendants and
25 perform emergency medical services primarily for the industry.

26 4. The ~~{Committee}~~ *Subcommittee* shall solicit and accept
27 applications from persons who are employed by or volunteer with
28 an agency, organization or other operator that provides emergency
29 medical services on tribal land. After considering the applications
30 submitted pursuant to this subsection, the ~~{Committee}~~
31 *Subcommittee* shall recommend and the State Board of Health shall
32 appoint to the ~~{Committee}~~ *Subcommittee* one member who is
33 employed by or volunteers with an agency, organization or other
34 operator that provides emergency medical services on tribal land.

35 5. In addition to the members set forth in subsections 3 and 4,
36 the following persons are ex officio members of the ~~{Committee};~~
37 *Subcommittee*:

38 (a) An employee of the Division, appointed by the
39 Administrator of the Division, whose duties relate to administration
40 and enforcement of the provisions of this chapter;

41 (b) The county health officer appointed pursuant to NRS
42 439.290 in each county whose population is 100,000 or more, or the
43 county health officer's designee;



1 (c) A physician who is a member of a committee which consists
2 of directors of trauma centers in this State and who is nominated by
3 that committee; and

4 (d) A representative of a committee or group which focuses on
5 the provision of emergency medical services to children in this State
6 and who is nominated by that committee or group.

7 6. The term of each member appointed by the State Board of
8 Health is 2 years. A member may not serve more than two
9 consecutive terms but may serve more than two terms if there is a
10 break in service of not less than 2 years.

11 7. The State Board of Health shall not appoint to the
12 ~~{Committee}~~ *Subcommittee* two persons who are employed by or
13 volunteer with the same organization, except the State Board of
14 Health may appoint a person who is employed by or volunteers with
15 the same organization of which a member who serves ex officio is
16 an employee.

17 8. Each member of the ~~{Committee}~~ *Subcommittee* shall
18 appoint an alternate to serve in the member's place if the member is
19 temporarily unable to perform the duties required of him or her
20 pursuant to NRS 450B.151 to 450B.154, inclusive.

21 9. A position on the ~~{Committee}~~ *Subcommittee* that becomes
22 vacant before the end of the term of the member must be filled in
23 the same manner as the original appointment.

24 **Sec. 69.** NRS 490.067 is hereby amended to read as follows:

25 490.067 1. The Commission on Off-Highway Vehicles is
26 hereby created in the State Department of Conservation and Natural
27 Resources.

28 2. The Commission consists of:

29 (a) ~~{One member who is an authorized dealer, appointed by the~~
30 ~~Governor;~~

31 ~~—(b)}~~ One member who is a sportsman, appointed by the
32 ~~{Governor}~~ *Director of the State Department of Conservation and*
33 *Natural Resources* from a list of persons submitted by the Director
34 of the Department of Wildlife;

35 ~~{(e)}~~ ~~One member who is a rancher, appointed by the Governor~~
36 ~~from a list of persons submitted by the Director of the State~~
37 ~~Department of Agriculture;~~

38 ~~—(d)}~~ (b) One member who is a representative of the Nevada
39 Association of Counties, appointed by the ~~{Governor}~~ *Director of*
40 *the State Department of Conservation and Natural Resources* from
41 a list of persons submitted by the Executive Director of the
42 Association;

43 ~~{(e)}~~ (c) One member who is a representative of law
44 enforcement, appointed by the ~~{Governor}~~ *Director of the State*



1 *Department of Conservation and Natural Resources* from a list of
2 persons submitted by the Nevada Sheriffs' and Chiefs' Association;

3 ~~[(f)]~~ (d) One member who is actively engaged in and possesses
4 experience and expertise in advocating for issues relating to
5 conservation, appointed by the ~~[Governor; and]~~ *Director of the*
6 *State Department of Conservation and Natural Resources*;

7 ~~[(g)] Three members;~~

8 (e) *One member*, appointed by the ~~[Governor;]~~ *Director of the*
9 *State Department of Conservation and Natural Resources*, who
10 ~~[reside]~~ *resides* in the State of Nevada and ~~[have participated]~~ *has*
11 *experience* in recreational activities for *at least one of the following*
12 *types of* off-highway vehicles : ~~[for at least 5 years using the type of~~
13 ~~off-highway vehicle owned or operated by the persons they will~~
14 ~~represent, as follows:]~~

15 (1) ~~[One member who represents persons who own or~~
16 ~~operate all-terrain]~~ *All-terrain* vehicles . ~~[-];~~

17 (2) ~~[One member who represents persons who own or~~
18 ~~operate all-terrain motorcycles and who is involved with or~~
19 ~~participates in the racing of off-highway motorcycles; and]~~
20 *Motorcycles.*

21 (3) ~~[One member who represents persons who own or~~
22 ~~operate snowmobiles.]~~ *Snowmobiles.*

23 ~~[3. The following are nonvoting, ex officio members of the~~
24 ~~Commission:~~

25 ~~—(a)]~~ (f) The State Director of the Nevada State Office of the
26 Bureau of Land Management; *and*

27 ~~[(b)]~~ ~~The Forest Supervisor for the Humboldt Toiyabe National~~
28 ~~Forest;~~

29 ~~—(c)]~~ (g) The Director of the Department of Tourism and Cultural
30 Affairs . ~~[-]; and~~

31 ~~—(d)]~~ ~~The Director of the Department of Motor Vehicles.~~

32 ~~—4.]~~ 3. A ~~[nonvoting, ex officio]~~ member of the Commission
33 *specified in paragraph (f) or (g) of subsection 2* may appoint, in
34 writing, an alternate to serve in his or her place on the Commission.

35 ~~[(5.)~~ 4. The ~~[Governor]~~ *Director of the State Department of*
36 *Conservation and Natural Resources* shall not appoint to the
37 Commission ~~[any]~~ *the* member described in paragraph ~~[(g)]~~ (e) of
38 subsection 2 unless the member has been recommended to the
39 ~~[Governor]~~ *Director* by an off-highway vehicle organization. As
40 used in this subsection, “off-highway vehicle organization” means a
41 profit or nonprofit corporation, association or organization formed
42 pursuant to the laws of this State and which promotes off-highway
43 vehicle recreation or racing.

44 ~~[(6.)~~ 5. After the initial terms, each member of the Commission
45 appointed pursuant to subsection 2 serves for a term of ~~[3]~~ 2 years.



1 A vacancy on the Commission must be filled in the same manner as
2 the original appointment.

3 ~~{7. Except as otherwise provided in this subsection, a}~~

4 ~~6. A member of the Commission who is appointed may not~~
5 ~~serve more than two {consecutive} terms on the Commission. {A~~
6 ~~member who has served two consecutive terms on the Commission~~
7 ~~may be reappointed if the Governor does not receive any~~
8 ~~applications for that member's seat or if the Governor determines~~
9 ~~that no qualified applicants are available to fill that member's seat.~~

10 ~~—8.}~~ 7. The ~~{Governor}~~ *Director of the State Department of*
11 *Conservation and Natural Resources* shall ensure that, insofar as
12 practicable, the members appointed to the Commission pursuant to
13 subsection 2 reflect the geographical diversity of this State.

14 ~~{9.}~~ 8. Each member of the Commission:

15 (a) Is entitled to receive, if money is available for that purpose,
16 the per diem allowance and travel expenses provided for state
17 officers and employees generally.

18 (b) ~~{Who is not an officer or employee of the State of Nevada is~~
19 ~~entitled to receive, if money is available for that purpose, a salary of~~
20 ~~not more than \$80 per day for each day of attendance at a meeting~~
21 ~~of the Commission.~~

22 ~~—(c)}~~ Shall swear or affirm that he or she will work to create and
23 promote responsible off-highway vehicle recreation in the State.

24 ~~{10.}~~ 9. A member of the Commission who is appointed by the
25 ~~{Governor}~~ *Director of the State Department of Conservation and*
26 *Natural Resources* and who fails to attend at least three consecutive
27 meetings of the Commission is subject to replacement. The
28 Commission shall notify the appointing authority or group who
29 recommended the member for appointment, if any, and the
30 appointing authority or group may recommend a person to replace
31 that member of the Commission. The replacement of a member
32 pursuant to this subsection must be conducted in the same manner as
33 the original appointment.

34 **Sec. 70.** NRS 561.045 is hereby amended to read as follows:

35 561.045 There is hereby created in the Department a State
36 Board of Agriculture composed of ~~{13}~~ *nine* members appointed by
37 the Governor.

38 **Sec. 71.** NRS 561.055 is hereby amended to read as follows:

39 561.055 1. The membership of the Board consists of:

40 (a) ~~{Two members}~~ *One member* who ~~{are}~~ *is* actively engaged
41 in range or semirange cattle *or sheep* production.

42 (b) One member who is actively engaged in dairy production.

43 (c) ~~{One member who is actively engaged in range or semirange~~
44 ~~sheep production.~~

45 ~~—(d)}~~ One member who is actively engaged in general agriculture.



1 ~~[(e) Two members]~~
2 (d) *One member* who ~~[are]~~ *is* actively engaged in growing
3 crops, at least one of which is a specialty crop.

4 ~~[(f)]~~ (e) One member who is actively engaged in the control of
5 pests.

6 ~~[(g)]~~ (f) One member who is actively engaged in the petroleum
7 industry ~~[-~~

8 ~~-(h)]~~ *or who is working in the field of supplemental nutrition*
9 *distribution or a similar field.*

10 (g) One member who is actively engaged in raising nursery
11 stock.

12 ~~[(i) One member who is working in the field of supplemental~~
13 ~~nutrition distribution.~~

14 ~~-(j)]~~ (h) One member who is actively engaged in food
15 manufacturing or animal processing.

16 ~~[(k)]~~ (i) One member who has veterinary experience in a mixed-
17 animal or large-animal practice and is licensed to practice veterinary
18 medicine pursuant to chapter 638 of NRS.

19 2. Not more than two members may be residents of the same
20 county.

21 **Sec. 72.** NRS 610.030 is hereby amended to read as follows:
22 610.030 There is hereby created the State Apprenticeship
23 Council composed of:

24 1. The following ~~[voting]~~ members, appointed by the Governor
25 upon recommendation of the Labor Commissioner:

26 (a) ~~[(Two members)]~~ *One member* who ~~[represent]~~ *represents*
27 management and ~~[have,] has,~~ or ~~[have] has~~ had, a defined role in a
28 jointly administered apprenticeship program . ~~[-, one of whom must~~
29 ~~be from northern Nevada and one of whom must be from southern~~
30 ~~Nevada.]~~

31 (b) ~~[(Two members)]~~ *One member* who ~~[represent]~~ *represents*
32 labor and ~~[have,] has,~~ or ~~[have] has~~ had, a defined role in a jointly
33 administered apprenticeship program . ~~[-, one of whom must be from~~
34 ~~northern Nevada and one of whom must be from southern Nevada.]~~

35 (c) ~~[(Two members, one)]~~ *One member* who represents
36 management and one *member* who represents labor, who have, or
37 have had, a defined role or job in a statewide, jointly administered
38 apprenticeship program.

39 (d) One member who is a representative of the general public.

40 2. ~~[(The following nonvoting members:~~
41 ~~-(a)]~~ The Executive Director of the Office of Economic
42 Development or his or her designee.

43 ~~[(b)]~~ 3. The Superintendent of Public Instruction or his or her
44 designee.



1 ~~[(e)]~~ 4. One representative of a community college ~~[located in~~
2 ~~a county whose population is 700,000 or more,]~~ appointed by the
3 Chancellor of the Nevada System of Higher Education.

4 ~~[(d) One representative of a community college located in a~~
5 ~~county whose population is less than 700,000, appointed by the~~
6 ~~Chancellor of the Nevada System of Higher Education.]~~

7 **Sec. 73.** NRS 612.220 is hereby amended to read as follows:
8 612.220 The Administrator:

9 1. Shall administer this chapter.

10 2. ~~[Is responsible for the administration, through the~~
11 ~~Administrator of the Commission on Postsecondary Education, of~~
12 ~~the provisions of NRS 394.383 to 394.560, inclusive.~~

13 ~~—3.]~~ Has power and authority to adopt, amend or rescind such
14 rules and regulations consistent with the provisions of federal law,
15 to employ, in accordance with the provisions of this chapter, such
16 persons, make such expenditures, require such reports, make such
17 investigations, and take such other action as the Administrator
18 deems necessary or suitable to that end.

19 ~~[(4)]~~ 3. Shall determine his or her own organization and
20 methods of procedure for the Division in accordance with the
21 provisions of this chapter.

22 ~~[(5)]~~ 4. To the extent allowed by federal law, may, by
23 regulation, suspend, modify, amend or waive any requirement of
24 this chapter for the duration of a state of emergency or declaration
25 of disaster proclaimed pursuant to NRS 414.070 and for any
26 additional period of time during which the emergency or disaster
27 directly affects the requirement of this chapter if:

28 (a) The Administrator determines the action is:

29 (1) In the best interest of the Division, this State or the
30 general health, safety and welfare of the citizens of this State; or

31 (2) Necessary to comply with instructions received from the
32 Department of Labor; and

33 (b) The action of the Administrator is approved by the
34 Governor.

35 **Sec. 74.** NRS 616B.554 is hereby amended to read as follows:

36 616B.554 1. There is hereby created in the Fund for
37 Workers' Compensation and Safety in the State Treasury the
38 Subsequent Injury Account for Self-Insured Employers, which may
39 be used only to make payments in accordance with the provisions of
40 NRS 616B.557 and 616B.560. The ~~[Board]~~ **Administrator** shall
41 administer the Account. ~~[based upon recommendations made by the~~
42 ~~Administrator pursuant to subsection 8.]~~

43 2. All assessments, penalties, bonds, securities and all other
44 properties received, collected or acquired by the ~~[Board for the~~
45 ~~Subsequent Injury Account for Self-Insured Employers]~~



1 *Administrator pursuant to this section, NRS 616B.557 and*
2 *616B.560* must be delivered to the custody of the State Treasurer.

3 3. All money and securities in the Account must be held by the
4 State Treasurer as custodian thereof to be used solely for workers'
5 compensation for employees of self-insured employers.

6 4. The State Treasurer may disburse money from the Account
7 only upon written order of the ~~{Board.}~~ *Administrator.*

8 5. The State Treasurer shall invest money of the Account in the
9 same manner and in the same securities in which the State Treasurer
10 is authorized to invest State General Funds which are in the custody
11 of the State Treasurer. Income realized from the investment of the
12 assets of the Account must be credited to the Fund.

13 6. The ~~{Board}~~ *Administrator* shall adopt regulations for the
14 establishment and administration of assessment rates, payments and
15 penalties. Assessment rates must result in an equitable distribution
16 of costs among the self-insured employers and must be based upon
17 expected annual expenditures for claims for payments from the
18 Subsequent Injury Account for Self-Insured Employers.

19 7. The Commissioner shall assign an actuary to review the
20 establishment of assessment rates. The rates must be filed with the
21 Commissioner 30 days before their effective date. Any self-insured
22 employer who wishes to appeal the rate so filed must do so pursuant
23 to NRS 679B.310.

24 8. The Administrator shall ~~{~~
25 ~~—(a) Evaluate}~~ *evaluate* any claim submitted to the ~~{Board}~~
26 *Administrator* for payment or reimbursement from the Subsequent
27 Injury Account for Self-Insured Employers and ~~{recommend to the~~
28 ~~Board any}~~ *determine the* appropriate action to be taken concerning
29 the claim. ~~{; and~~

30 ~~—(b) Submit to the Board any other recommendations relating to~~
31 ~~the Account.}~~

32 **Sec. 75.** NRS 616B.557 is hereby amended to read as follows:
33 616B.557 Except as otherwise provided in NRS 616B.560:

34 1. If an employee of a self-insured employer has a permanent
35 physical impairment from any cause or origin and incurs a
36 subsequent disability by injury arising out of and in the course of his
37 or her employment which entitles the employee to compensation for
38 disability that is substantially greater by reason of the combined
39 effects of the preexisting impairment and the subsequent injury than
40 that which would have resulted from the subsequent injury alone,
41 the compensation due must be charged to the Subsequent Injury
42 Account for Self-Insured Employers in accordance with regulations
43 adopted by the ~~{Board.}~~ *Administrator.*

44 2. If the subsequent injury of such an employee results in his or
45 her death and it is determined that the death would not have



1 occurred except for the preexisting permanent physical impairment,
2 the compensation due must be charged to the Subsequent Injury
3 Account for Self-Insured Employers in accordance with regulations
4 adopted by the ~~[Board.]~~ *Administrator*.

5 3. As used in this section, “permanent physical impairment”
6 means any permanent condition, whether congenital or caused by
7 injury or disease, of such seriousness as to constitute a hindrance or
8 obstacle to obtaining employment or to obtaining reemployment if
9 the employee is unemployed. For the purposes of this section, a
10 condition is not a “permanent physical impairment” unless it would
11 support a rating of permanent impairment of 6 percent or more of
12 the whole person if evaluated according to the American Medical
13 Association’s Guides to the Evaluation of Permanent Impairment as
14 adopted and supplemented by the Division pursuant to
15 NRS 616C.110.

16 4. To qualify under this section for reimbursement from the
17 Subsequent Injury Account for Self-Insured Employers, the self-
18 insured employer must establish by written records that the self-
19 insured employer had knowledge of the “permanent physical
20 impairment” at the time the employee was hired or that the
21 employee was retained in employment after the self-insured
22 employer acquired such knowledge.

23 5. A self-insured employer must submit to the ~~[Board]~~
24 *Administrator* a claim for reimbursement from the Subsequent
25 Injury Account for Self-Insured Employers.

26 6. The ~~[Board]~~ *Administrator* shall adopt regulations
27 establishing procedures for submitting claims against the
28 Subsequent Injury Account for Self-Insured Employers. The
29 ~~[Board]~~ *Administrator* shall notify the self-insured employer of its
30 decision on such a claim within 120 days after the claim is received.

31 7. An appeal of any decision made concerning a claim against
32 the Subsequent Injury Account for Self-Insured Employers must be
33 submitted directly to the ~~[district court.]~~ *appeals officer*.

34 **Sec. 76.** NRS 616B.572 is hereby amended to read as follows:

35 616B.572 ~~[1. The members of the Board may meet
36 throughout each year at the times and places specified by a call of
37 the Chair or a majority of the Board. The Board may prescribe rules
38 and regulations for its own management and government. Three
39 members of the Board constitute a quorum, and a quorum may
40 exercise all the power and authority conferred on the Board. If a
41 member of the Board submits a claim against the Subsequent Injury
42 Account for Associations of Self-Insured Public or Private
43 Employers, that member shall not vote on or otherwise participate in
44 the decision of the Board concerning that claim.]~~



1 —2.] The ~~{Board}~~ *Administrator* shall administer the Subsequent
2 Injury Account for Associations of Self-Insured Public or Private
3 Employers in accordance with the provisions of NRS 616B.575,
4 616B.578 and 616B.581.

5 **Sec. 77.** NRS 616B.575 is hereby amended to read as follows:

6 616B.575 1. There is hereby created in the Fund for
7 Workers' Compensation and Safety in the State Treasury the
8 Subsequent Injury Account for Associations of Self-Insured Public
9 or Private Employers, which may be used only to make payments in
10 accordance with the provisions of NRS 616B.578 and 616B.581.

11 The ~~{Board}~~ *Administrator* shall administer the Account . ~~{based~~
12 ~~upon recommendations made by the Administrator pursuant to~~
13 ~~subsection 8.}~~

14 2. All assessments, penalties, bonds, securities and all other
15 properties received, collected or acquired by the ~~{Board for the~~
16 ~~Subsequent Injury Account for Associations of Self-Insured Public~~
17 ~~or Private Employers}~~ *Administrator pursuant to this section, NRS*
18 *616B.578 and 616B.581* must be delivered to the custody of the
19 State Treasurer.

20 3. All money and securities in the Account must be held by the
21 State Treasurer as custodian thereof to be used solely for workers'
22 compensation for employees of members of Associations of Self-
23 Insured Public or Private Employers.

24 4. The State Treasurer may disburse money from the Account
25 only upon written order of the ~~{Board}~~ *Administrator*.

26 5. The State Treasurer shall invest money of the Account in the
27 same manner and in the same securities in which the State Treasurer
28 is authorized to invest State General Funds which are in the custody
29 of the State Treasurer. Income realized from the investment of the
30 assets of the Account must be credited to the Account.

31 6. The ~~{Board}~~ *Administrator* shall adopt regulations for the
32 establishment and administration of assessment rates, payments and
33 penalties. Assessment rates must result in an equitable distribution
34 of costs among the associations of self-insured public or private
35 employers and must be based upon expected annual expenditures for
36 claims for payments from the Subsequent Injury Account for
37 Associations of Self-Insured Public or Private Employers.

38 7. The Commissioner shall assign an actuary to review the
39 establishment of assessment rates. The rates must be filed with the
40 Commissioner 30 days before their effective date. Any association
41 of self-insured public or private employers that wishes to appeal the
42 rate so filed must do so pursuant to NRS 679B.310.

43 8. The Administrator shall ~~{~~

44 —(a) ~~Evaluate}~~ *evaluate* any claim submitted to the ~~{Board}~~
45 *Administrator* for payment or reimbursement from the Subsequent



1 Injury Account for Associations of Self-Insured Public or Private
2 Employers and ~~recommend to the Board any~~ *determine the*
3 appropriate action to be taken concerning the claim. ~~[- and~~

4 ~~—(b) Submit to the Board any other recommendations relating to~~
5 ~~the Account.]~~

6 **Sec. 78.** NRS 618.605 is hereby amended to read as follows:

7 618.605 1. Upon the receipt of any written appeal or notice
8 of contest under NRS 618.475, the Division shall within 15 working
9 days ~~notify the Board of such an~~ *assign a hearing officer to hear*
10 *the* appeal or contest.

11 2. The ~~Board~~ *hearing officer assigned pursuant to*
12 *subsection 1* shall hold a formal fact-finding hearing and render its
13 decision based on the evidence presented at the hearing.

14 3. Prior to any formal fact-finding hearing involving a citation
15 for an accident or motor vehicle crash occurring in the course of
16 employment which is fatal to one or more employees, the ~~Board~~
17 *Division* shall notify the immediate family of each deceased
18 employee of:

19 (a) The time and place of the hearing; and

20 (b) The fact that the hearing is open to the public.

21 4. Any employee of an employer or representative of the
22 employee may participate in and give evidence at the hearing,
23 subject to rules and regulations of the ~~Board~~ *Division* governing
24 the conduct of such hearings.

25 **Sec. 79.** NRS 622A.300 is hereby amended to read as follows:

26 622A.300 1. To initiate the prosecution of a contested case,
27 the prosecutor shall file a charging document with the regulatory
28 body and serve the licensee with the charging document.

29 2. ~~The~~ *Except as otherwise provided in this subsection, a*
30 *regulatory body shall determine whether the case will be heard by*
31 *the regulatory body or a hearing panel or officer. If the regulatory*
32 *body is a professional or occupational licensing board under the*
33 *purview of the Office of Nevada Boards, Commissions and*
34 *Councils Standards of the Department of Business and Industry*
35 *pursuant to subsection 2 of NRS 232.8415, the case must be heard*
36 *by a hearing officer employed by the Office.*

37 3. The regulatory body or hearing panel or officer shall provide
38 the licensee with written notice of the case pursuant to NRS
39 233B.121 and 241.0333.

40 4. If the case is heard by a hearing panel or officer, the hearing
41 panel or officer shall follow the procedures established by this
42 chapter and any other applicable statutory and regulatory provisions
43 governing the case. The hearing panel or officer shall prepare
44 written findings and recommendations and serve the findings and



1 recommendations on the parties and the regulatory body for its
2 review.

3 5. The findings and recommendations of the hearing panel or
4 officer do not become final unless they are approved by the
5 regulatory body after review. In reviewing the findings and
6 recommendations of the hearing panel or officer, the regulatory
7 body may:

8 (a) Approve the findings and recommendations, with or without
9 modification;

10 (b) Reject the findings and recommendations and remand the
11 case to the hearing panel or officer;

12 (c) Reject the findings and recommendations and order a hearing
13 de novo before the regulatory body; or

14 (d) Take any other action that the regulatory body deems
15 appropriate to resolve the case.

16 6. If the case is heard by the regulatory body, the regulatory
17 body shall follow the procedures established by this chapter and any
18 other applicable statutory and regulatory provisions governing the
19 case.

20 7. The regulatory body or the hearing panel or officer, with the
21 approval of the regulatory body, may consolidate two or more cases
22 if it appears that the cases involve common issues of law or fact and
23 the interests of the parties will not be prejudiced by the
24 consolidation.

25 **Sec. 80.** Chapter 623 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 *1. The Nevada Board of Professional Design and*
28 *Environmental Specialist is hereby created.*

29 *2. The Board consists of:*

30 *(a) The Chief Medical Officer or his or her designee.*

31 *(b) Twelve members appointed by the Governor as follows:*

32 *(1) One member who is registered as a registered*
33 *residential designer pursuant to this chapter.*

34 *(2) One member who is registered as a registered interior*
35 *designer pursuant to this chapter.*

36 *(3) One member who is registered as an architect pursuant*
37 *to this chapter and who has been in the active practice of*
38 *architecture in this State for not less than 3 years immediately*
39 *preceding his or her appointment.*

40 *(4) Two members who:*

41 *(I) Are registered as landscape architects pursuant to*
42 *chapter 623A of NRS;*

43 *(II) Have been engaged in the practice of landscape*
44 *architecture in this State for not less than 3 years immediately*
45 *preceding their appointments; and*



1 (III) *Have not been the subject of any disciplinary*
2 *action by the Board in the 3 years immediately preceding their*
3 *appointment.*

4 (5) *Two members engaged in the practice or teaching of*
5 *professional engineering who are licensed pursuant to chapter 625*
6 *of NRS.*

7 (6) *Two members engaged in the practice or teaching of*
8 *professional land surveying who are licensed pursuant to chapter*
9 *625 of NRS.*

10 (7) *One member who is employed by the health district*
11 *containing Clark County and one member who is employed by the*
12 *health district containing Washoe County, each of whom:*

13 (I) *Holds a current registration issued pursuant to NRS*
14 *625A.110 that is in good standing; and*

15 (II) *Has practiced in the field of environmental health*
16 *for the 3 years immediately preceding his or her appointment.*

17 (8) *One member who represents the interests of the general*
18 *public and who:*

19 (I) *Does not hold a license or registration issued by the*
20 *Board;*

21 (II) *Is not the spouse or the parent or child, by blood,*
22 *marriage or adoption, of a person who holds a license or*
23 *registration issued by the Board; and*

24 (III) *Does not have a pecuniary interest in any matter*
25 *pertaining to the professions and occupations regulated by the*
26 *Board, except as a client or potential client.*

27 3. *Each member of the Board must be a resident of this State.*

28 **Sec. 81.** NRS 624.070 is hereby amended to read as follows:

29 624.070 1. *Each member of the Board serves a term of 4*
30 *years. A member of the Board may not serve more than two terms.*

31 2. *Each member of the Board shall:*

32 ~~1-1~~ (a) *Receive a certificate of appointment from the Governor.*

33 ~~1-2~~ (b) *Before entering upon the discharge of the duties of his*
34 *or her office, take the constitutional oath of office.*

35 **Sec. 82.** NRS 624.570 is hereby amended to read as follows:

36 624.570 1. *The Commission on Construction Education is*
37 *hereby created.*

38 2. *The Commission consists of one member who is a member*
39 *of the Board and ~~six~~ four members appointed by the Governor as*
40 *follows:*

41 (a) ~~Four~~ *Two members who are representatives of the*
42 *construction industry ~~;~~ and who are not residents of the same*
43 *county; and*

44 (b) *Two members who have knowledge of construction*
45 *education programs.*



1 3. Each member of the Commission serves a term of ~~[3]~~ 4
2 years. *A member may not serve more than two terms.*

3 4. ~~[The members]~~ *Each member* of the Commission ~~[who are~~
4 ~~appointed by the Governor serve without compensation,]~~ *is entitled*
5 *to:*

6 (a) *A salary of not more than \$150 per day, as fixed by the*
7 *Deputy Director of the Office of Nevada Boards, Commissions and*
8 *Councils Standards of the Department of Business and Industry*
9 *and approved by the Director of the Department, while engaged in*
10 *the business of the Commission; and*

11 (b) *A per diem allowance* ~~[or reimbursement for]~~ *and* travel
12 expenses ~~[. While engaged in the business of the Commission, the~~
13 ~~member who is a member of the Board shall receive from the Board~~
14 ~~the same salary, per diem allowance and reimbursement for travel~~
15 ~~expenses the member receives]~~ *at a rate fixed by the Deputy*
16 *Director of the Office of Nevada Boards, Commissions and*
17 *Councils Standards of the Department of Business and Industry*
18 *and approved by the Director of the Department* while engaged in
19 the business of the ~~[Board.]~~ *Commission. The rate must not exceed*
20 *the rate provided for state officers and employees generally.*

21 5. The Commission shall review programs of education which
22 relate to building construction and distribute grants from the
23 Construction Education Account created pursuant to NRS 624.580
24 for programs that the Commission determines qualify for such a
25 grant.

26 6. The Board may adopt regulations which establish the rules
27 of procedure for meetings of the Commission.

28 7. The Commission shall adopt regulations providing:

29 (a) Procedures for applying for a grant of money from the
30 Construction Education Account;

31 (b) Procedures for reviewing an application for a grant from the
32 Construction Education Account; and

33 (c) Qualifications for receiving a grant from the Construction
34 Education Account.

35 **Sec. 83.** NRS 628.090 is hereby amended to read as follows:

36 628.090 1. Annually the Board shall elect a President and a
37 Secretary-Treasurer from among its members.

38 2. The Board may employ such personnel, including
39 ~~[attorneys,]~~ investigators and other professional consultants, and
40 arrange for such assistance as the Board may require for the
41 performance of its duties.

42 **Sec. 84.** NRS 628.130 is hereby amended to read as follows:

43 628.130 The Board shall:

44 1. Have a seal of which judicial notice must be taken.



1 2. Keep records of its proceedings. In any proceedings in court,
2 civil or criminal, arising out of or founded upon any provision of
3 this chapter, copies of those records certified as correct under the
4 seal of the Board are admissible in evidence as tending to prove the
5 contents of the records.

6 3. ~~["Maintain a website on the Internet or its successor and post]~~
7 *Post on [its] the Internet website [:] maintained by the Office of*
8 *Nevada Boards, Commissions and Councils Standards of the*
9 *Department of Business and Industry pursuant to section 15 of*
10 *this act:*

11 (a) The names arranged alphabetically by classifications of all
12 accountants and business entities holding certificates, registrations
13 or permits under this chapter.

14 (b) The names of the members of the Board.

15 (c) Such other matter as may be deemed proper by the Board.

16 **Sec. 85.** NRS 629.031 is hereby amended to read as follows:
17 629.031 Except as otherwise provided by a specific statute:

18 1. "Provider of health care" means:

19 (a) A physician licensed pursuant to chapter 630 ~~["630A"]~~ or 633
20 of NRS;

21 (b) A physician assistant;

22 (c) An anesthesiologist assistant;

23 (d) A dentist;

24 (e) A dental therapist;

25 (f) A dental hygienist;

26 (g) A licensed nurse;

27 (h) A person who holds a license as an attendant or who is
28 certified as an emergency medical technician, advanced emergency
29 medical technician or paramedic pursuant to chapter 450B of NRS
30 or authorized to practice as an emergency medical technician,
31 advanced emergency medical technician or paramedic in this State
32 under the Recognition of Emergency Medical Services Personnel
33 Licensure Interstate Compact ratified by NRS 450B.145;

34 (i) A dispensing optician;

35 (j) An optometrist;

36 (k) A speech-language pathologist;

37 (l) An audiologist;

38 (m) A practitioner of respiratory care;

39 (n) A licensed physical therapist;

40 (o) An occupational therapist;

41 (p) A podiatric physician;

42 (q) A licensed psychologist;

43 (r) A licensed marriage and family therapist;

44 (s) A licensed clinical professional counselor;

45 (t) ~~["A music therapist;"]~~



- 1 —~~(u)~~ A chiropractic physician;
- 2 ~~[(v)]~~ (u) An athletic trainer;
- 3 ~~[(w)]~~ (v) A perfusionist;
- 4 ~~[(x)]~~ (w) A doctor of Oriental medicine in any form;
- 5 ~~[(y)]~~ (x) A medical laboratory director or technician;
- 6 ~~[(z)]~~ (y) A pharmacist;
- 7 ~~[(aa)]~~ (z) A licensed dietitian;
- 8 ~~[(bb)]~~ (aa) An associate in social work, a social worker, a
- 9 master social worker, an independent social worker or a clinical
- 10 social worker licensed pursuant to chapter 641B of NRS;
- 11 ~~[(ee)]~~ (bb) An alcohol and drug counselor or a problem
- 12 gambling counselor who is certified pursuant to chapter 641C of
- 13 NRS;
- 14 ~~[(dd)]~~ (cc) An alcohol and drug counselor or a clinical alcohol
- 15 and drug counselor who is licensed pursuant to chapter 641C of
- 16 NRS;
- 17 ~~[(ee)]~~ (dd) A behavior analyst, assistant behavior analyst or
- 18 registered behavior technician;
- 19 ~~[(ff)]~~ (ee) A naprapath; or
- 20 ~~[(gg)]~~ (ff) A medical facility as the employer of any person
- 21 specified in this subsection.

22 2. For the purposes of NRS 629.400 to 629.490, inclusive, the
23 term includes a person who holds a current license or certificate to
24 practice his or her respective discipline pursuant to the applicable
25 provisions of law of another state or territory of the United States.

26 **Sec. 86.** Chapter 630 of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 *1. The Nevada Medical Board, consisting of 11 members*
29 *appointed by the Governor, is hereby created.*

30 *2. The Governor shall appoint:*

31 *(a) Four members who are licensed as physicians pursuant to*
32 *this chapter.*

33 *(b) Four members who are licensed as osteopathic physicians*
34 *pursuant to chapter 633 of NRS.*

35 *(c) One member who is licensed as a physician assistant*
36 *pursuant to this chapter or chapter 633 of NRS.*

37 *(d) One member who is licensed as a practitioner of*
38 *respiratory care pursuant to this chapter.*

39 *(e) One member who represents the interests of the general*
40 *public and who:*

41 *(1) Does not hold a license issued by the Board;*

42 *(2) Is not the spouse or the parent or child, by blood,*
43 *marriage or adoption, of a person who holds a license issued by*
44 *the Board; and*



1 (3) *Does not have a pecuniary interest in any matter*
2 *pertaining to the professions and occupations regulated by the*
3 *Board, except as a patient or potential patient.*

4 **Sec. 87.** Chapter 631 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *The Board may, by regulation, defer the expiration of a license*
7 *issued pursuant this chapter of a person who is on active duty in*
8 *any branch of the Armed Forces of the United States upon such*
9 *terms and conditions as it may prescribe. The Board may similarly*
10 *defer the expiration of a license of the spouse or dependent child*
11 *of that person if the spouse or child is residing with the person.*

12 **Sec. 88.** NRS 632.060 is hereby amended to read as follows:

13 632.060 1. Each year at a meeting of the Board, to be held in
14 accordance with NRS 632.070, the Board shall elect from its
15 members a President, a Vice President and a Secretary.

16 2. The ~~[Board]~~ *Director of the Department of Business and*
17 *Industry* may appoint an Executive Director *of the Board* who need
18 not be a member of the Board. ~~[The Executive Director appointed~~
19 ~~by the Board must be a professional nurse licensed to practice~~
20 ~~nursing in the State of Nevada.]~~ The Executive Director ~~[shall]~~ :

21 (a) *Is in the unclassified service of the State and serves at the*
22 *pleasure of the Director.*

23 (b) *Shall perform such duties as* ~~[the Board may direct and]~~ *are*
24 *directed by the Deputy Director of the Office of Nevada Boards,*
25 *Commissions and Councils Standards of the Department of*
26 *Business and Industry, as advised by the Board.*

27 3. *The Executive Director* is entitled to receive compensation
28 as set by the ~~[Board.]~~ *Deputy Director of the Office of Nevada*
29 *Boards, Commissions and Councils Standards.* The Executive
30 Director is entitled to receive a per diem allowance and travel
31 expenses at a rate fixed by the ~~[Board.]~~ *Deputy Director* while
32 engaged in the business of the Board. The rate must not exceed the
33 rate provided for state officers and employees generally.

34 **Sec. 89.** Chapter 634 of NRS is hereby amended by adding
35 thereto a new section to read as follows:

36 1. *The Nevada Board of Healing and Rehabilitative Practice,*
37 *consisting of 13 members appointed by the Governor, is hereby*
38 *created.*

39 2. *The Governor shall appoint to the Board:*

40 (a) *One member who is licensed as an athletic trainer*
41 *pursuant to chapter 640B of NRS and who has engaged in the*
42 *practice of athletic training or taught or conducted research*
43 *concerning the practice of athletic training for the 5 years*
44 *immediately preceding his or her appointment.*



1 (b) *Three members who are licensed as physical therapists*
2 *pursuant to chapter 640 of NRS.*

3 (c) *Three members who are licensed as massage therapists*
4 *pursuant to chapter 640C of NRS, one of whom must be a resident*
5 *of Clark County, one of whom must be a resident of Washoe*
6 *County and one of whom must be a resident of a county other*
7 *than Clark County or Washoe County.*

8 (d) *Two members who are licensed as occupational therapists*
9 *pursuant to chapter 640A of NRS.*

10 (e) *Two members who are licensed as chiropractic physicians*
11 *pursuant to this chapter.*

12 (f) *One member who is licensed pursuant to chapter 634A of*
13 *NRS and engaged in the practice of Oriental medicine in this*
14 *State.*

15 (g) *One member who represents the interests of the general*
16 *public and who:*

17 (1) *Does not hold a license issued by the Board;*

18 (2) *Is not the spouse or the parent or child, by blood,*
19 *marriage or adoption, of a person who holds a license issued by*
20 *the Board; or*

21 (3) *Does not have a pecuniary interest in any matter*
22 *pertaining to the professions and occupations regulated by the*
23 *Board, except as a patient or potential patient.*

24 **Sec. 90.** NRS 634B.100 is hereby amended to read as follows:

25 634B.100 1. The Naprapathic Practice Advisory **[Board]**
26 **Subcommittee of the Board** is hereby created.

27 2. The **[Governor] Board** shall appoint to the Advisory
28 **[Board:] Subcommittee:**

29 (a) Three members who are licensed as naprapaths in this State
30 or any other state; and

31 (b) Two members who are representatives of the public.

32 3. Each member of the Advisory **[Board:] Subcommittee:**

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

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

35 4. After the initial terms, the members of the Advisory **[Board]**
36 **Subcommittee** must be appointed to terms of 4 years. A member:

37 (a) Serves until a replacement is appointed; and

38 (b) May not serve more than two full terms.

39 5. A vacancy on the Advisory **[Board] Subcommittee** must be
40 filled in the same manner as the original appointment for the
41 remainder of the unexpired term.

42 6. The **[Governor] Board** may remove a member of the
43 Advisory **[Board] Subcommittee** for incompetence, neglect of duty,
44 moral turpitude or malfeasance in office.



1 7. The members of the Advisory ~~[Board]~~ *Subcommittee* are not
2 entitled to receive a salary. While engaged in the business of the
3 Advisory ~~[Board.]~~ *Subcommittee*, each member of the Advisory
4 ~~[Board]~~ *Subcommittee* is entitled to receive a per diem allowance
5 and travel expenses at a rate fixed by the ~~[State]~~ Board. ~~[of Health.]~~
6 The rate must not exceed the rate provided for officers and
7 employees of this State generally.

8 **Sec. 91.** Chapter 635 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 *1. The Nevada Board of Vision, Speech and Mobility*
11 *Professions, consisting of 11 members appointed by the Governor,*
12 *is hereby created.*

13 *2. The Governor shall appoint to the Board:*

14 *(a) Two members who are licensed as speech-language*
15 *pathologists pursuant to chapter 637B of NRS;*

16 *(b) Two members who are licensed as podiatric physicians*
17 *pursuant to this chapter.*

18 *(c) One member who is licensed as an audiologist pursuant to*
19 *chapter 637B of NRS.*

20 *(d) Two members who are licensed to practice optometry*
21 *pursuant to chapter 636 of NRS.*

22 *(e) Two members who are licensed as dispensing opticians*
23 *pursuant to chapter 637 of NRS.*

24 *(f) One member who is licensed as a hearing aid specialist*
25 *pursuant to chapter 637B of NRS.*

26 *(g) One member who represents the interests of the general*
27 *public and who:*

28 *(1) Does not hold a license issued by the Board;*

29 *(2) Is not the spouse or the parent or child, by blood,*
30 *marriage or adoption, a person who holds a license issued by the*
31 *Board; and*

32 *(3) Does not have a pecuniary interest in any matter*
33 *pertaining to the professions and occupations regulated by the*
34 *Board, except as a patient or potential patient.*

35 **Sec. 92.** NRS 639.050 is hereby amended to read as follows:

36 639.050 1. The Board shall hold a meeting at least once in
37 every 6 months.

38 2. Four members of the Board constitute a quorum.

39 3. Meetings of the Board which are held to prepare, grade or
40 administer examinations are closed to the public.

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

42 (a) A salary of not more than \$150 per day, as fixed by the
43 ~~[Board,]~~ *Deputy Director of the Office of Nevada Boards,*
44 *Commissions and Councils Standards of the Department of*



1 *Business and Industry and approved by the Director of the*
2 *Department* 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,]~~ *Deputy Director of the Office of Nevada Boards,*
5 *Commissions and Councils Standards of the Department of*
6 *Business and Industry and approved by the Director of the*
7 *Department* 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 5. 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. 93.** Chapter 641 of NRS is hereby amended by adding
15 thereto a new section to read as follows:

16 1. *The Nevada Behavioral Wellness Alliance Board,*
17 *consisting of 13 members appointed by the Governor, is hereby*
18 *created.*

19 2. *The Governor shall appoint to the Board:*

20 (a) *One member who is licensed as a behavioral analyst or*
21 *assistant behavior analyst pursuant to chapter 641D of NRS.*

22 (b) *Two members who are licensed as marriage and family*
23 *therapists pursuant to chapter 641A of NRS.*

24 (c) *One member who is licensed as a clinical professional*
25 *counselor pursuant to chapter 641A of NRS.*

26 (d) *Two members who are licensed as social workers pursuant*
27 *to chapter 641B of NRS.*

28 (e) *One member who is licensed as a psychologist pursuant to*
29 *this chapter.*

30 (f) *One member who is licensed as a clinical alcohol and drug*
31 *counselor or alcohol and drug counselor pursuant to chapter*
32 *641C of NRS.*

33 (g) *One member who is certified as a problem gambling*
34 *counselor pursuant to chapter 641C of NRS.*

35 (h) *One member who holds any license or certificate issued by*
36 *the Board.*

37 (i) *One member who represents an academic or training*
38 *institution that provides training necessary for a person to become*
39 *licensed by the Board.*

40 (j) *One member who represents persons who are indigent,*
41 *uninsured or unable to afford health care.*

42 (k) *One member who represents the interests of the general*
43 *public and who:*

44 (1) *Does not hold a license issued by the Board;*



1 (2) *Is not the spouse or the parent or child, by blood,*
2 *marriage or adoption, of a person who holds a license issued by*
3 *the Board; and*

4 (3) *Does not have a pecuniary interest in any matter*
5 *pertaining to the professions and occupations regulated by the*
6 *Board, except as a patient of potential patient.*

7 **Sec. 94.** NRS 643.020 is hereby amended to read as follows:

8 643.020 1. The State Barbers' Health and Sanitation Board,
9 consisting of four members, is hereby created.

10 2. The Board consists of the Chief Medical Officer, or a
11 member of his or her staff designated by the Chief Medical Officer,
12 and three members who are licensed barbers appointed by the
13 Governor for terms of 4 years. Of the barbers, one barber must be
14 from Clark County, one barber must be from Washoe County and
15 one barber must be from any county in the State. Each of the barbers
16 must have been a resident of this State and a practicing licensed
17 barber for at least 5 years immediately before his or her
18 appointment. An appointed member of the Board shall not serve
19 more than ~~three~~ two terms.

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

21 **Sec. 95.** NRS 652.170 is hereby amended to read as follows:

22 652.170 1. The Board shall appoint the members of the
23 Medical Laboratory Advisory ~~Committee.~~ *Subcommittee of the*
24 *Board.*

25 2. After the initial terms, members shall serve for 3-year terms.

26 3. A member may not serve for more than two consecutive
27 terms. Service of 2 or more years in filling an unexpired term
28 constitutes a term.

29 4. The ~~Advisory Committee~~ *Subcommittee* is composed of:

30 (a) Two pathologists, certified in clinical pathology by the
31 American Board of Pathology.

32 (b) Two medical technologists.

33 (c) One bioanalyst who is a laboratory director.

34 (d) One qualified biochemist from the Nevada System of Higher
35 Education.

36 (e) One licensed physician actively engaged in the practice of
37 clinical medicine in this State.

38 5. No member of the ~~Advisory Committee~~ *Subcommittee*
39 may have any financial or business arrangement with any other
40 member which pertains to the business of laboratory analysis.

41 6. The Chief Medical Officer or a designated representative of
42 the Chief Medical Officer is an ex officio member of the ~~Advisory~~
43 ~~Committee.~~ *Subcommittee.*

44 7. If a vacancy occurs in the membership of the ~~Advisory~~
45 ~~Committee.~~ *Subcommittee,* the ~~Advisory Committee~~



1 *Subcommittee* shall submit a letter to the Board with a
2 recommendation to fill the existing vacancy. The ~~{Advisory~~
3 ~~Committee}~~ *Subcommittee* shall, at least once per year, determine
4 whether any vacancy in the membership of the ~~{Advisory~~
5 ~~Committee}~~ *Subcommittee* exists.

6 8. The ~~{Advisory Committee}~~ *Subcommittee* shall meet at least
7 once every year.

8 9. Each member of the ~~{Advisory Committee}~~ *Subcommittee* is
9 entitled to receive:

10 (a) A salary of not more than \$60, as fixed by the Board, for
11 each day's attendance at a meeting of the ~~{Committee;}~~
12 *Subcommittee*; and

13 (b) A per diem allowance and travel expenses at a rate fixed by
14 the Board, while engaged in the business of the ~~{Committee.}~~
15 *Subcommittee*. The rate must not exceed the rate provided for state
16 officers and employees generally.

17 10. While engaged in the business of the ~~{Committee,}~~
18 *Subcommittee*, each employee of the ~~{Committee}~~ *Subcommittee*
19 is entitled to receive a per diem allowance and travel expenses at a rate
20 fixed by the Board. The rate must not exceed the rate provided for
21 state officers and employees generally.

22 **Sec. 96.** NRS 653.450 is hereby amended to read as follows:

23 653.450 1. The Radiation Therapy and Radiologic Imaging
24 Advisory ~~{Committee}~~ *Subcommittee of the Board* is hereby
25 created.

26 2. The ~~{Committee}~~ *Subcommittee* consists of seven members,
27 all of whom are voting members, appointed by the ~~{Governor.}~~
28 *Board*. The ~~{Governor}~~ *Board* shall ensure that the members of the
29 ~~{Committee}~~ *Subcommittee* represent the geographic diversity of
30 this State. The ~~{Governor}~~ *Board* shall appoint to the ~~{Committee.}~~
31 *Subcommittee*:

32 (a) One member who holds a license and is certified by the
33 American Registry of Radiologic Technologists, or its successor
34 organization, to practice in the area of radiography.

35 (b) One member who holds a license and is certified by the
36 American Registry of Radiologic Technologists, or its successor
37 organization, to practice in the area of nuclear medicine technology.

38 (c) One member who holds a license and is certified by the
39 American Registry of Radiologic Technologists, or its successor
40 organization, to practice in the area of radiation therapy.

41 (d) One member who holds a limited license.

42 (e) One member who is a physician specializing in radiology.

43 (f) One member who is a physician specializing in an area other
44 than radiology, or a dentist, chiropractic physician or podiatrist.



1 (g) One member who is certified to provide clinical professional
2 services in a field of medical physics.

3 3. After the initial terms, the members of the ~~{Committee}~~
4 *Subcommittee* serve terms of 3 years. A vacancy on the
5 ~~{Committee}~~ *Subcommittee* must be filled in the same manner as
6 the initial appointment. No member may serve more than two
7 consecutive terms.

8 4. Members of the ~~{Committee}~~ *Subcommittee* serve without
9 compensation, except that each member of the ~~{Committee}~~
10 *Subcommittee* is entitled to receive the per diem allowance and
11 travel expenses provided for state officers and employees generally.

12 5. The ~~{Committee}~~ *Subcommittee* shall annually select a
13 Chair from among the members appointed pursuant to paragraphs
14 (a) to (d), inclusive, of subsection 2, and a Vice Chair from among
15 its members.

16 6. The ~~{Committee}~~ *Subcommittee* shall meet at least once
17 each year and such other times as requested by the Administrator of
18 the Division. The ~~{Committee}~~ *Subcommittee* may meet by
19 telephone, videoconference or other electronic means in accordance
20 with the provisions of chapter 241 of NRS. The Administrator shall
21 prescribe the agenda for each meeting. The ~~{Committee}~~
22 *Subcommittee* may submit items to the Administrator to consider
23 for inclusion on the agenda for a meeting.

24 7. The ~~{Committee}~~ *Subcommittee* shall:

25 (a) Recommend to the Board a national professional
26 organization against which the scope of practice will be measured
27 pursuant to paragraph (b) of subsection 1 of NRS 653.460; and

28 (b) Make such other recommendations to the Board, the
29 Division and the Legislature concerning radiation therapy and
30 radiologic imaging as it deems proper.

31 **Sec. 97.** This act becomes effective on July 1, 2026.

