

ASSEMBLY BILL NO. 373—ASSEMBLYWOMEN SWANK AND COHEN

MARCH 20, 2017

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to certain boards and commissions of the Executive Department of the State Government. (BDR 18-192)

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

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

AN ACT relating to State Government; revising provisions governing the membership of certain boards and commissions of the Executive Department of the State Government; authorizing the State Board of Education to conduct meetings via teleconference; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the five members of the Real Estate Commission are
2 required to be appointed by the Governor from three specified regions of Nevada to
3 provide approximately proportional regional representation on the Commission to
4 the residents of Nevada based on the last decennial census conducted by the Bureau
5 of the Census of the United States Department of Commerce. (NRS 645.050,
6 645.100) To maintain proportional representation, existing law requires
7 reconsideration of the apportionment of the Commission’s membership after each
8 national decennial census. (NRS 645.100) Existing law also prescribes the method
9 of appointment, number of members and criteria for selection of members of the
10 Commission on Tourism, the State Public Works Board, the Nevada Tax
11 Commission, the State Board of Education, the Board of Directors of the
12 Department of Transportation and the Board of Wildlife Commissioners. (NRS
13 231.170, 341.020, 360.030, 385.021, 408.106, 501.171) Existing law also provides
14 criteria for the Legislature to consider before changing a classification in statute
15 that is based on population as determined by the last preceding national decennial
16 census. (NRS 218D.370)

17 **Sections 1, 3-6, 8 and 9** of this bill extend the same requirement for
18 approximately proportional regional representation of the population of Nevada that
19 applies to members of the Real Estate Commission to the members appointed by
20 the Governor to the Commission on Tourism, the State Public Works Board, the
21 Nevada Tax Commission, the State Board of Education, the Board of Directors of
22 the Department of Transportation and the Board of Wildlife Commissioners. For



23 purposes of appointing those members, **section 2** of this bill divides the State into
24 three regions: (1) Clark County; (2) Washoe, Storey and Lyon Counties and Carson
25 City; and (3) the remainder of the State. **Section 10** of this bill makes a conforming
26 change with respect to the regions for members of the Real Estate Commission.
27 **Section 2** also sets forth a procedure for appointment of a member if no qualified
28 person is willing to serve from the applicable region. Finally, **section 2** requires
29 reconsideration of the apportionment of the membership of those boards and
30 commissions following each decennial census to maintain approximately
31 proportional regional representation of Nevada's population.

32 Under existing law, the Commission on Tourism consists of 11 voting
33 members, including eight members appointed by the Governor who are informed
34 on and have experience in travel and tourism. (NRS 231.170) Of the eight members
35 appointed by the Governor, **section 1** of this bill requires that two members be
36 actively engaged in the ecotourism industry.

37 Under existing law, the Governor is required to appoint four members to the
38 State Public Works Board as follows: (1) one member with education or experience
39 in the principles of engineering or architecture; (2) one member who is a licensed
40 attorney with experience in construction law; and (3) two members who are
41 licensed general contractors. (NRS 341.020) **Section 3** of this bill removes the
42 specified qualification for each member and instead requires that the four members
43 appointed by the Governor possess one of those three existing qualifications or the
44 additional new qualification of education or experience, or both, regarding
45 principles of sustainable architecture or adaptive reuse.

46 Five of the eight commissioners on the Nevada Tax Commission are required
47 under existing law to have at least 10 years' experience in specific fields and the
48 remaining three commissioners are required to be versed in other areas of property
49 taxation. (NRS 360.020) **Section 4** of this bill requires that the three remaining
50 commissioners have at least 10 years' experience in the field of property taxation.

51 Under existing law, the State Board of Education consists of seven voting
52 members and four nonvoting members. The Governor is required to appoint three
53 of the voting members. (NRS 385.021) **Section 6** of this bill requires the Governor
54 to appoint an additional voting member.

55 Under existing law, the Board of Wildlife Commissioners consists of: (1) one
56 member who has experience in advocating issues relating to conservation; (2) one
57 member who is actively engaged in farming; (3) one member who is actively
58 engaged in ranching; (4) one member who represents the interests of the general
59 public; and (5) five members who during at least 3 of the 4 years preceding their
60 appointment held a resident license to fish or hunt, or both, in Nevada. (NRS
61 501.171) **Section 9** of this bill changes the qualifications for membership on the
62 Board to require that the nine members possess one of the following qualifications:
63 (1) be actively engaged in farming or ranching; (2) during 2 of the 4 years before
64 appointment have held a pass which authorizes access to state or national parks; or
65 (3) holds a resident license to fish or hunt in Nevada.

66 Existing law requires that members of the State Public Works Board, the
67 Nevada Tax Commission, the Board of Directors of the Department of
68 Transportation and the Board of Wildlife Commissioners possess specific
69 qualifications regarding education, experience, expertise or interests. (NRS
70 341.020, 360.020, 408.106, 501.171) **Sections 3, 4, 8 and 9** of this bill prohibit the
71 Governor, to the extent practicable, from appointing a certain number of members
72 to these boards and commissions with the same qualification to ensure diversity of
73 qualification among the membership.

74 Existing law prescribes requirements relating to meetings of the State Board of
75 Education. (NRS 385.040) **Section 7** of this bill authorizes the State Board of
76 Education to conduct meetings by means of an audio or video teleconference.



77 **Section 11** of this bill authorizes the members appointed by the Governor who
78 are serving on the Commission on Tourism, the State Public Works Board, the
79 Nevada Tax Commission, the State Board of Education, the Board of Directors of
80 the Department of Transportation, the Board of Wildlife Commissioners and the
81 Real Estate Commission on July 1, 2017, to complete their terms.

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

- 1 **Section 1.** NRS 231.170 is hereby amended to read as follows:
2 231.170 1. The Commission on Tourism is composed of:
3 (a) Eleven voting members as follows:
4 (1) The Lieutenant Governor, who is its Chair;
5 (2) Eight members, appointed by the Governor, who are
6 informed on and have experience in travel and tourism, including
7 the business of gaming ~~and~~, *and two of whom are actively engaged*
8 *in the ecotourism industry;* and
9 (3) The chief administrative officers of the county fair and
10 recreation boards or, if there is no county fair and recreation board
11 in the county, the chair of the board of county commissioners, of the
12 two counties that paid the largest amount of the proceeds from the
13 taxes imposed on the revenue from the rental of transient lodging to
14 the Department of Taxation for deposit with the State Treasurer for
15 credit to the Fund for the Promotion of Tourism created by NRS
16 231.250 for the previous fiscal year.
17 (b) The following ex officio, nonvoting members:
18 (1) The Chair of the Board of Museums and History;
19 (2) The Chair of the Nevada Indian Commission; and
20 (3) The Chair of the Board of the Nevada Arts Council.
21 2. A change in any member of the Commission who serves
22 pursuant to subparagraph (3) of paragraph (a) of subsection 1 that is
23 required because of a change in the amount of the proceeds paid to
24 the Department of Taxation by each county must be effective on
25 January 1 of the calendar year immediately following the fiscal year
26 in which the proceeds were paid to the Department of Taxation.
27 3. ~~101~~ *Except as otherwise provided in section 2 of this act,*
28 *of* the members appointed by the Governor pursuant to
29 subparagraph (2) of paragraph (a) of subsection 1:
30 (a) ~~At least one member must be a resident of a county whose~~
31 ~~population is 700,000 or more.~~ *Five members must reside in the*
32 *region specified in paragraph (a) of subsection 2 of section 2 of*
33 *this act;*
34 (b) ~~At least one member must be a resident of a county whose~~
35 ~~population is 100,000 or more but less than 700,000.~~ *Two members*



1 *must reside in the region specified in paragraph (b) of subsection*
2 *2 of section 2 of this act; and*

3 ~~(c) [At least two members must be residents of counties whose~~
4 ~~population is less than 100,000.~~

5 ~~—(d) Four members must be residents of any county in this State.]~~
6 *One member must reside in the region specified in paragraph (c)*
7 *of subsection 2 of section 2 of this act.*

8 *4. As used in this section, “ecotourism” means visiting or*
9 *otherwise experiencing the natural and cultural resources of this*
10 *State while ensuring the protection of those natural and cultural*
11 *resources and generating economic activity which directly benefits*
12 *the residents of this State without compromising the options of*
13 *future generations.*

14 **Sec. 2.** Chapter 232A of NRS is hereby amended by adding
15 thereto a new section to read as follows:

16 *1. By this section, the Legislature intends that the members*
17 *appointed by the Governor to the Commission on Tourism, the*
18 *State Public Works Board, the Nevada Tax Commission, the State*
19 *Board of Education, the Board of Directors of the Department of*
20 *Transportation, the Board of Wildlife Commissioners and the Real*
21 *Estate Commission represent approximately the proportional*
22 *regional distribution of the population of the residents of this*
23 *State.*

24 *2. The regions from which members must be appointed by the*
25 *Governor pursuant to NRS 231.170, 341.020, 360.010, 385.021,*
26 *408.106, 501.171 and 645.050 are:*

27 *(a) Clark County.*

28 *(b) Washoe, Lyon or Storey County or Carson City.*

29 *(c) Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt,*
30 *Lander, Lincoln, Mineral, Nye, Pershing or White Pine County.*

31 *3. For purposes of appointing a member pursuant to NRS*
32 *231.170, 341.020, 360.010, 385.021, 408.106, 501.171 and 645.050*
33 *or filling a vacancy in such a seat, if no qualified person is willing*
34 *to serve on the applicable public body from the region prescribed*
35 *in:*

36 *(a) Paragraph (a) of subsection 2, the Governor shall appoint*
37 *a qualified person who is willing to serve on the public body from*
38 *the region prescribed in paragraph (c) of subsection 2 or, if there*
39 *is no such person, a qualified person who is willing to serve on the*
40 *public body from the region prescribed in paragraph (b) of*
41 *subsection 2.*

42 *(b) Paragraph (b) of subsection 2, the Governor shall appoint*
43 *a qualified person who is willing to serve on the public body from*
44 *the region prescribed in paragraph (a) of subsection 2 or, if there*
45 *is no such person, a qualified person who is willing to serve on the*



1 *public body from the region prescribed in paragraph (c) of*
2 *subsection 2.*

3 *(c) Paragraph (c) of subsection 2, the Governor shall appoint a*
4 *qualified person who is willing to serve on the public body from*
5 *the region prescribed in paragraph (b) of subsection 2 or, if there*
6 *is no such person, a qualified person who is willing to serve on the*
7 *public body from the region prescribed in paragraph (a) of*
8 *subsection 2.*

9 *↳ If there is no qualified person willing to be appointed or to fill a*
10 *vacancy on the public body from any region, the seat must be left*
11 *vacant.*

12 *4. At the expiration of the term of a member who is appointed*
13 *from outside a prescribed region pursuant to paragraph (a), (b) or*
14 *(c) of subsection 3 or if that member vacates the seat, the*
15 *Governor shall appoint a qualified person from the prescribed*
16 *region or, if no qualified person is willing to serve on the*
17 *applicable public body from that region, appoint a qualified*
18 *person pursuant to paragraph (a), (b) or (c) of subsection 3, as*
19 *applicable.*

20 *5. In each regular legislative session following the*
21 *completion of a decennial census conducted by the Bureau of*
22 *the Census of the United States Department of Commerce, the*
23 *apportionment of members among the regions prescribed in*
24 *subsection 2 must be reconsidered in accordance with NRS*
25 *218D.370 to ensure that approximately proportional regional*
26 *representation of the residents of this State is maintained. Any*
27 *reapportionment of a seat that results from such reconsideration*
28 *does not become effective until the expiration of the term of the*
29 *member who holds the seat immediately preceding the date of the*
30 *reapportionment.*

31 **Sec. 3.** NRS 341.020 is hereby amended to read as follows:

32 341.020 1. The State Public Works Board is hereby created.

33 2. The Board consists of the Director of the Department and six
34 members appointed as follows:

35 (a) The Governor shall appoint ~~+~~

36 ~~—(1) One member who has education~~ *four members who*
37 *possess one of the following qualifications:*

38 *(1) Education* or experience, or both, regarding the
39 principles of engineering or architecture;

40 *(2) ~~One member who is licensed~~ Education or experience,*
41 *or both, regarding the principles of sustainable architecture or*
42 *adaptive reuse;*

43 *(3) A license* to practice law in this State and who has
44 experience in the practice of construction law; ~~and~~

45 ~~—(3) Two members who are licensed~~ *or*



1 **(4) A license** in this State as a general building contractor or
2 general engineering contractor pursuant to chapter 624 of NRS.

3 **↳ To the extent practicable, the Governor shall not appoint more**
4 **than one member with the same qualification set forth in**
5 **subparagraph (1), (2), (3) or (4).**

6 (b) The Majority Leader of the Senate shall appoint one member
7 who is licensed in this State as a general building contractor or
8 general engineering contractor pursuant to chapter 624 of NRS.

9 (c) The Speaker of the Assembly shall appoint one member who
10 is licensed in this State as a general building contractor or general
11 engineering contractor pursuant to chapter 624 of NRS.

12 3. **Except as otherwise provided in section 2 of this act, of the**
13 **members appointed by the Governor to the Board pursuant to**
14 **subsection 2:**

15 **(a) Two members must reside in the region specified in**
16 **paragraph (a) of subsection 2 of section 2 of this act;**

17 **(b) One member must reside in the region specified in**
18 **paragraph (b) of subsection 2 of section 2 of this act; and**

19 **(c) One member must reside in the region specified in**
20 **paragraph (c) of subsection 2 of section 2 of this act.**

21 4. Each member of the Board who is appointed serves at the
22 pleasure of the appointing authority.

23 ~~4. A~~

24 **5. Except as otherwise provided in section 2 of this act, a**
25 **vacancy on the Board in an appointed position must be filled by the**
26 **appointing authority in the same manner as the original**
27 **appointment.**

28 **Sec. 4.** NRS 360.020 is hereby amended to read as follows:

29 360.020 1. Five of the commissioners must have at least 10
30 years' experience, respectively, in **one of** the following fields:

31 (a) Real property.

32 (b) Utility business.

33 (c) Agriculture and livestock business.

34 (d) Finance.

35 (e) Mining.

36 **↳ To the extent practicable, the Governor shall not appoint more**
37 **than one commissioner with experience in the same field set forth**
38 **in this subsection.**

39 2. The remaining commissioners must ~~be versed in other~~
40 ~~areas~~ **have at least 10 years' experience in the field** of property
41 taxation and must be sufficiently experienced in business generally
42 to be able to bring knowledge and sound judgment to the
43 deliberations of the Nevada Tax Commission.



1 **Sec. 5.** NRS 360.030 is hereby amended to read as follows:

2 360.030 1. *Except as otherwise provided in section 2 of this*
3 *act, of the members appointed by the Governor to the Nevada Tax*
4 *Commission pursuant to NRS 360.010:*

5 (a) *Five members must reside in the region specified in*
6 *paragraph (a) of subsection 2 of section 2 of this act;*

7 (b) *Two members must reside in the region specified in*
8 *paragraph (b) of subsection 2 of section 2 of this act; and*

9 (c) *One member must reside in the region specified in*
10 *paragraph (c) of subsection 2 of section 2 of this act.*

11 2. Not more than five of the eight commissioners may be ~~+~~

12 ~~—(a) Appointed from any one county in this State.~~

13 ~~—(b) Of~~ of the same political party.

14 ~~12-1~~ 3. After the initial terms, members serve terms of 4 years,
15 except when appointed to fill unexpired terms.

16 ~~13-1~~ 4. Any commissioner may be removed by the Governor if,
17 in his or her opinion, that commissioner is guilty of malfeasance in
18 office or neglect of duty.

19 **Sec. 6.** NRS 385.021 is hereby amended to read as follows:

20 385.021 1. The State Board of Education is hereby created.
21 The State Board consists of the following voting members:

22 (a) One member elected by the registered voters of each
23 congressional district described in NRS 304.060 to 304.120,
24 inclusive;

25 ~~1~~ (b) ~~One member~~ *Two members* appointed by the Governor;

26 (c) One member appointed by the Governor, nominated by the
27 Majority Leader of the Senate; and

28 (d) One member appointed by the Governor, nominated by the
29 Speaker of the Assembly.

30 2. In addition to the voting members described in subsection 1,
31 the State Board consists of the following four nonvoting members:

32 (a) One member appointed by the Governor who is a member of
33 a board of trustees of a school district, nominated by the Nevada
34 Association of School Boards;

35 (b) One member appointed by the Governor who is the
36 superintendent of schools of a school district, nominated by the
37 Nevada Association of School Superintendents;

38 (c) One member appointed by the Governor who represents the
39 Nevada System of Higher Education, nominated by the Board of
40 Regents of the University of Nevada; and

41 (d) One member appointed by the Governor who is a pupil
42 enrolled in a public school in this State, nominated by the Nevada
43 Association of Student Councils or its successor organization and in
44 consultation with the Nevada Youth Legislature. After the initial



1 term, the term of the member appointed pursuant to this paragraph
2 commences on June 1 and expires on May 31 of the following year.

3 3. Each member of the State Board elected pursuant to
4 paragraph (a) of subsection 1 must be a qualified elector of the
5 district from which that member is elected.

6 4. ~~Each member appointed pursuant to paragraphs (b), (c) and~~
7 ~~(d) of subsection 1 and each~~ *Except as otherwise provided in*
8 *section 2 of this act, of the voting members appointed by the*
9 *Governor to the State Board pursuant to paragraphs (b), (c) and*
10 *(d) of subsection 1:*

11 (a) *Two members must reside in the region specified in*
12 *paragraph (a) of subsection 2 of section 2 of this act;*

13 (b) *One member must reside in the region specified in*
14 *paragraph (b) of subsection 2 of section 2 of this act; and*

15 (c) *One member must reside in the region specified in*
16 *paragraph (c) of subsection 2 of section 2 of this act.*

17 5. *Each* member appointed pursuant to subsection 2 must be a
18 resident of this State.

19 ~~5.~~ 6. Except as otherwise provided in paragraphs (a) and (c)
20 of subsection 2, a person who is elected to serve as an officer of this
21 State or any political subdivision thereof or a person appointed to
22 serve for the unexpired term of such an office may not serve or
23 continue to serve on the State Board.

24 ~~6.~~ 7. The Governor shall ensure that the members appointed
25 pursuant to paragraphs (b), (c) and (d) of subsection 1 ~~represent the~~
26 ~~geographic diversity of this State and that.~~ *include:*

27 (a) One member is a teacher at a public school selected from a
28 list of three candidates provided by the Nevada State Education
29 Association.

30 (b) One member is the parent or legal guardian of a pupil
31 enrolled in a public school.

32 (c) One member is a person active in a private business or
33 industry of this State.

34 ~~7.~~ 8. After the initial terms, each member:

35 (a) Elected pursuant to paragraph (a) of subsection 1 serves a
36 term of 4 years. A member may be elected to serve not more than
37 three terms but may be appointed to serve pursuant to paragraph (b),
38 (c) or (d) of subsection 1 or subsection 2 after service as an elected
39 member, notwithstanding the number of terms the member served as
40 an elected member.

41 (b) Appointed pursuant to paragraphs (b), (c) and (d) of
42 subsection 1 serves a term of 2 years, except that each member
43 continues to serve until a successor is appointed. ~~A~~ *Except as*
44 *otherwise provided in section 2 of this act, a* member may be



1 reappointed for additional terms of 2 years in the same manner as
2 the original appointment.

3 (c) Appointed pursuant to subsection 2 serves a term of 1 year.
4 A member may be reappointed for additional terms of 1 year in the
5 same manner as the original appointment.

6 ~~8~~ 9. If a vacancy occurs during the term of:

7 (a) A member who was elected pursuant to paragraph (a) of
8 subsection 1, the Governor shall appoint a member to fill the
9 vacancy until the next general election, at which election a member
10 must be chosen for the balance of the unexpired term. The appointee
11 must be a qualified elector of the district where the vacancy occurs.

12 (b) ~~1A~~ *Except as otherwise provided in section 2 of this act, a*
13 *voting member appointed pursuant to paragraph (b), (c) or (d) of*
14 *subsection 1 or a nonvoting member appointed pursuant to*
15 *subsection 2, the vacancy must be filled in the same manner as the*
16 *original appointment for the remainder of the unexpired term.*

17 **Sec. 7.** NRS 385.040 is hereby amended to read as follows:

18 385.040 1. The State Board shall hold at least 9 but not more
19 than 12 regular meetings annually at the State Capital. The Secretary
20 shall call all regular meetings.

21 2. At least one of the meetings of the State Board must include
22 a discussion with the superintendents of the school districts,
23 presidents of the boards of trustees of the school districts,
24 representatives of the governing bodies of charter schools,
25 representatives of the governing bodies of university schools for
26 profoundly gifted pupils and the chairs of all boards, commissions
27 and councils in the public education system in this State to discuss:

28 (a) The goals and benchmarks of the State for improving the
29 academic achievement of pupils enrolled in public schools;

30 (b) The effects of those goals and benchmarks on the school
31 districts and public schools;

32 (c) The status of the school districts and public schools in
33 achieving the goals and benchmarks; and

34 (d) The status of any corrective actions imposed on a school
35 district or public school.

36 3. The State Board may hold special meetings at such other
37 times and places as the State Board may direct. The Secretary shall
38 call special meetings upon the written request of the President or
39 any three voting members of the State Board.

40 4. *The State Board may conduct regular or special meetings*
41 *by means of an audio or video teleconference to one or more*
42 *locations if the audio or video technology used at the meeting*
43 *provides the persons present at each location with the ability to*
44 *hear and communicate with the persons present at each other*
45 *location.*



1 5. A majority of the voting members of the State Board
2 constitutes a quorum for the transaction of business, and no action
3 of the State Board is valid unless that action receives, at a legally
4 called meeting, the approval of a majority of all voting members.

5 **Sec. 8.** NRS 408.106 is hereby amended to read as follows:

6 408.106 1. There is hereby created a Department of
7 Transportation, administered by a seven-member Board of Directors
8 consisting of the Governor, the Lieutenant Governor, and the State
9 Controller, who serve ex officio, and four members who are
10 appointed by the Governor. If one of the three constitutional offices
11 is vacant, the Secretary of State shall serve ex officio on the Board
12 until the vacancy is filled.

13 2. ~~The Governor shall appoint as members of the Board four~~
14 ~~persons who are residents of Nevada, informed on and interested in~~
15 ~~the construction and maintenance of highways and other matters~~
16 ~~relating to transportation. The members so appointed must be~~
17 ~~residents of Nevada as follows:~~

18 ~~—(a) Two members who must reside in a highway district that~~
19 ~~includes a county whose population is 700,000 or more;~~

20 ~~—(b) One member who must reside in a highway district that~~
21 ~~includes a county whose population is 100,000 or more but less than~~
22 ~~700,000; and~~

23 ~~—(c) One member who must reside in a highway district that does~~
24 ~~not include a county whose population is 100,000 or more.]~~ *Of the*
25 *members appointed to the Board by the Governor:*

26 *(a) Two members must reside in the region specified in*
27 *paragraph (a) of subsection 2 of section 2 of this act;*

28 *(b) One member must reside in the region specified in*
29 *paragraph (b) of subsection 2 of section 2 of this act; and*

30 *(c) One member must reside in the region specified in*
31 *paragraph (c) of subsection 2 of section 2 of this act.*

32 3. All the members appointed pursuant to subsection 2 must be
33 informed on and interested in the construction and maintenance of
34 highways and other matters relating to transportation, and must
35 possess at least one of the following qualifications:

36 (a) Knowledge of engineering evidenced by the possession of a
37 bachelor of science degree in civil or structural engineering and
38 licensure in this State as a professional engineer.

39 (b) Demonstrated expertise in financial matters and business
40 administration.

41 (c) Demonstrated expertise in the business of construction
42 evidenced by the possession of a license as a general contractor and
43 experience as a principal officer of a firm licensed in this State.

44 ***↳ To the extent practicable, the Governor shall not appoint to the***
45 ***Board more than two members with the same qualification set***



1 *forth in paragraph (a), (b) or (c).* The Governor shall not appoint to
2 the Board any person who is currently employed in the field of or
3 has a substantial financial interest in the construction or
4 maintenance of highways in this State.

5 4. The Governor shall serve as the Chair of the Board and the
6 members of the Board shall elect annually a Vice Chair.

7 5. Each member of the Board who is not a public officer is
8 entitled to receive as compensation \$80 for each day or portion of a
9 day during which the member attends a meeting of the Board or is
10 otherwise engaged in the business of the Board plus the per diem
11 allowance and travel expenses provided for state officers and
12 employees generally.

13 6. After the initial terms, the appointed members of the Board
14 shall serve terms of 4 years.

15 ~~{7. As used in this section, "highway district" means a portion~~
16 ~~of this State designated by the Board as a highway district for the~~
17 ~~purposes of carrying out the duties of the Board.}~~

18 **Sec. 9.** NRS 501.171 is hereby amended to read as follows:

19 501.171 1. A county advisory board to manage wildlife shall
20 submit written nominations for appointments to the Commission
21 upon the request of the Governor and may submit nominations at
22 any other time.

23 2. ~~{After}~~ *Except as otherwise provided in this subsection,*
24 *after* consideration of the written nominations submitted by a county
25 advisory board to manage wildlife and any additional candidates for
26 appointment to the Commission, the Governor shall appoint to the
27 Commission ~~{}~~ *nine members who must possess at least one of the*
28 *following qualifications:*

29 (a) ~~{One member who is actively engaged in and possesses~~
30 ~~experience and expertise in advocating issues relating to~~
31 ~~conservation;~~

32 ~~—(b) One member who is actively}~~ *Actively* engaged in farming ~~{}~~

33 ~~—(c) One member who is actively engaged in}~~ *or* ranching;

34 ~~{(d) One member who represents the interests of the general~~
35 ~~public; and~~

36 ~~—(e) Five members who}~~

37 (b) *Has held* during *at least 2 of the 4 years immediately*
38 *preceding his or her appointment a pass which authorizes access*
39 *to state or national parks; and*

40 (c) *Has held* during *at least* ~~{}~~ *2* of the 4 years immediately
41 preceding ~~{their}~~ *his or her* appointment ~~{held}~~ a resident license to
42 fish or hunt, or both, in Nevada.

43 *↳ To the extent practicable, the Governor shall not appoint more*
44 *than four members with the same qualification set forth in*
45 *paragraph (a), (b) or (c).*



1 3. The Governor shall not appoint to the Commission any
2 person who has been convicted of:

3 (a) A felony or gross misdemeanor for a violation of
4 NRS 501.376;

5 (b) A gross misdemeanor for a violation of NRS 502.060;

6 (c) A felony or gross misdemeanor for a violation of NRS
7 504.395; or

8 (d) Two or more violations of the provisions of chapters 501 to
9 504, inclusive, of NRS,

10 ~~↳~~ during the previous 10 years.

11 4. ~~Not more than three members may be from the same county
12 whose population is 700,000 or more, not more than two members
13 may be from the same county whose population is 100,000 or more
14 but less than 700,000, and not more than one member may be from
15 the same county whose population is less than 100,000.~~

16 ~~—5.—~~ *Except as otherwise provided in section 2 of this act, of the
17 members appointed to the Commission pursuant to subsection 2:*

18 (a) *Five members must reside in the region specified in
19 paragraph (a) of subsection 2 of section 2 of this act;*

20 (b) *Two members must reside in the region specified in
21 paragraph (b) of subsection 2 of section 2 of this act; and*

22 (c) *Two members must reside in the region specified in
23 paragraph (c) of subsection 2 of section 2 of this act.*

24 5. The Commission shall annually select a Chair and a Vice
25 Chair from among its members. A person shall not serve more than
26 two consecutive terms as Chair.

27 **Sec. 10.** NRS 645.100 is hereby amended to read as follows:

28 645.100 ~~H.—Of~~

29 *Except as otherwise provided in section 2 of this act, of the
30 ~~five~~ members appointed to the Commission pursuant to
31 NRS 645.050:*

32 ~~{(a)}~~ 1. Three members must reside in ~~for have a principal
33 place of business located in Clark County;~~

34 ~~—(b)}~~ *the region specified in paragraph (a) of subsection 2 of
35 section 2 of this act;*

36 2. One member must reside in ~~for have a principal place of
37 business located in Washoe County;}~~ *the region specified in
38 paragraph (b) of subsection 2 of section 2 of this act; and*

39 ~~{(c)}~~ 3. One member must reside in ~~for have a principal place
40 of business located in Carson City or Churchill, Douglas, Elko,
41 Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral,
42 Nye, Pershing, Storey or White Pine County.~~

43 ~~—2.—~~ *For purposes of appointing a member or filling a vacancy in
44 the membership of the Commission, if no qualified person is willing
45 to serve on the Commission from the region prescribed in:*



1 ~~—(a) Paragraph (a) of subsection 1, the Governor must appoint a~~
2 ~~qualified person who is willing to serve on the Commission from~~
3 ~~the region prescribed in paragraph (c) of subsection 1 or, if there is~~
4 ~~no such person, a qualified person who is willing to serve on the~~
5 ~~Commission from the region prescribed in paragraph (b) of~~
6 ~~subsection 1.~~

7 ~~—(b) Paragraph (b) of subsection 1, the Governor must appoint a~~
8 ~~qualified person who is willing to serve on the Commission from~~
9 ~~the region prescribed in paragraph (a) of subsection 1 or, if there is~~
10 ~~no such person, a qualified person who is willing to serve on the~~
11 ~~Commission from the region prescribed in paragraph (c) of~~
12 ~~subsection 1.~~

13 ~~—(c) Paragraph (c) of subsection 1, the Governor must appoint a~~
14 ~~qualified person who is willing to serve on the Commission from~~
15 ~~the region prescribed in paragraph (b) of subsection 1 or, if there is~~
16 ~~no such person, a qualified person who is willing to serve on the~~
17 ~~Commission from the region prescribed in paragraph (a) of~~
18 ~~subsection 1.~~

19 ~~➔ If there is no qualified person willing to be appointed or to fill a~~
20 ~~vacancy on the Commission from any region, the seat must be left~~
21 ~~vacant.~~

22 ~~—3. At the expiration of the term of a member who is appointed~~
23 ~~from outside a prescribed region pursuant to paragraph (a), (b) or (c)~~
24 ~~of subsection 2 or if that member vacates the seat, the Governor~~
25 ~~must appoint a qualified person from the prescribed region or, if no~~
26 ~~qualified person is willing to serve on the Commission from that~~
27 ~~region, appoint a qualified person pursuant to paragraph (a), (b) or~~
28 ~~(c) of subsection 2, as applicable.~~

29 ~~—4. The apportionment of members pursuant to subsection 1 is~~
30 ~~intended to give approximately proportional regional representation~~
31 ~~on the Commission to the residents of this State. In each regular~~
32 ~~legislative session following the completion of a decennial census~~
33 ~~conducted by the Bureau of the Census of the United States~~
34 ~~Department of Commerce, the apportionment of members on the~~
35 ~~Commission must be reconsidered to ensure approximately~~
36 ~~proportional regional representation is maintained. Any~~
37 ~~reapportionment of a seat pursuant to this subsection does not~~
38 ~~become effective until the expiration of the term of the member who~~
39 ~~holds the seat immediately preceding the date of the~~
40 ~~reapportionment.] *the region specified in paragraph (c) of*~~
41 ~~*subsection 2 of section 2 of this act.*~~

42 **Sec. 11.** Notwithstanding the amendatory provisions of this
43 act, a member of the Commission on Tourism, the State Public
44 Works Board, the Nevada Tax Commission, the State Board of
45 Education, the Board of Directors of the Department of



1 Transportation, the Board of Wildlife Commissioners or the Real
2 Estate Commission who was appointed by the Governor pursuant to
3 NRS 231.170, 341.020, 360.010, 385.021, 408.106, 501.171 or
4 645.050 as those sections existed on June 30, 2017, and who is
5 serving his or her term on July 1, 2017, is, if the member is
6 otherwise qualified to serve in that capacity, entitled to serve the
7 remainder of the term to which he or she was appointed.

8 **Sec. 12.** This act becomes effective on July 1, 2017.

