
SENATE BILL NO. 349—SENATOR RAWSON

MARCH 17, 2003

Referred to Committee on Finance

SUMMARY—Provides for certification of gambling counselors and course of study and funding of programs for treatment and prevention of problem gambling. (BDR 54-155)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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 problem gambling; creating the Board to Certify Counselors on Problem Gambling; establishing the powers and duties of the Board; requiring persons who provide gambling counseling to be certified by the Board; creating the Fund to Support Programs for the Prevention and Treatment of Problem Gambling; requiring a course of study for pupils; making an appropriation; providing a penalty; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Title 54 of NRS is hereby amended by adding
- 2 thereto a new chapter to consist of the provisions set forth as
- 3 sections 2 to 21, inclusive, of this act.
- 4 **Sec. 2.** *The practice of gambling counseling is hereby*
- 5 *declared to be a learned profession, affecting public health, safety*
- 6 *and welfare and is subject to regulation to protect the public from*
- 7 *the practice of gambling counseling by unqualified persons and*
- 8 *from unprofessional conduct by persons who are certified to*
- 9 *engage in the practice of gambling counseling.*



1 **Sec. 3.** *As used in this chapter, unless the context otherwise*
2 *requires, the words and terms defined in sections 4 to 8, inclusive,*
3 *of this act have the meanings ascribed to them in those sections.*
4 **Sec. 4.** *“Board” means the Board to Certify Gambling*
5 *Counselors.*
6 **Sec. 5.** *“Certificate” means a certificate issued to a person*
7 *who is a certified gambling counselor.*
8 **Sec. 6.** *“Certified gambling counselor” means a person who*
9 *is certified as a gambling counselor pursuant to the provisions of*
10 *this chapter.*
11 **Sec. 7.** *“Practice of gambling counseling” means the*
12 *application of counseling to reduce or eliminate problem*
13 *gambling.*
14 **Sec. 8.** *“Problem gambling” means persistent and recurrent*
15 *maladaptive behavior relating to gambling which causes*
16 *disruptions in any major area of life, including, but not limited to,*
17 *psychological, physical, social or vocational.*
18 **Sec. 9.** 1. *The Board to Certify Gambling Counselors,*
19 *consisting of five members appointed by the Governor, is hereby*
20 *created.*
21 2. *The Governor shall appoint to the Board:*
22 (a) *Two members who are certified gambling counselors and*
23 *licensed pursuant to the provisions of chapter 630, 641, 641A,*
24 *641B or 641C of NRS;*
25 (b) *Two members who are certified gambling counselors and*
26 *are certified pursuant to the provisions of chapter 641C of NRS;*
27 *and*
28 (c) *One member who is a representative of the general public.*
29 **Sec. 10.** 1. *After the initial terms, the members of the*
30 *Board must be appointed to terms of 4 years and may not serve*
31 *more than two consecutive terms.*
32 2. *Upon the expiration of his term, a member continues to*
33 *serve on the Board until a qualified person has been appointed as*
34 *his successor.*
35 3. *The Governor may, after notice and hearing, remove any*
36 *member of the Board for misconduct, incompetence, neglect of*
37 *duty or any other sufficient cause.*
38 4. *The Board shall elect annually from its members a*
39 *President, Vice President and Secretary-Treasurer.*
40 5. *A majority of the members of the Board constitutes a*
41 *quorum to transact the business of the Board.*
42 **Sec. 11.** 1. *All reasonable expenses incurred by the Board*
43 *in carrying out the provisions of this chapter must be paid from*
44 *the fees which it receives, and no part of the salaries or expenses*
45 *of the Board may be paid out of the State General Fund.*



1 2. *The Board may apply for, accept and expend grants, gifts,*
2 *donations, bequests or devises for the purpose of carrying out the*
3 *duties of the Board.*

4 3. *All money received by the Board must be deposited in a*
5 *bank, credit union or savings and loan association in this state*
6 *and must be paid out on its order for its expenses.*

7 **Sec. 12.** 1. *Each member of the Board is entitled to receive:*
8 (a) *A salary of not more than \$80 per day, as fixed by the*
9 *Board, while engaged in the business of the Board; and*
10 (b) *A per diem allowance and travel expenses, at a rate fixed*
11 *by the Board, while engaged in the business of the Board. The rate*
12 *must not exceed the rate provided for officers and employees of*
13 *this state generally.*

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

18 **Sec. 13.** *The Board shall adopt such regulations as it deems*
19 *necessary to carry out the provisions of this chapter, including,*
20 *without limitation, regulations establishing:*

- 21 1. *Standards for the certification of gambling counselors;*
- 22 2. *A procedure for the submission and processing of*
23 *applications, the examination of applicants, and the issuance,*
24 *renewal, suspension, revocation and reinstatement of a certificate;*
- 25 3. *Fees for the examination of applicants and for the*
26 *issuance, renewal and reinstatement of a certificate;*
- 27 4. *A Code of Ethics regulating the professional conduct of*
28 *certified gambling counselors; and*
- 29 5. *The grounds for disciplinary action by the Board.*

30 **Sec. 14.** *The Board may employ or contract with attorneys,*
31 *investigators, consultants who are experts in the field of problem*
32 *gambling and other persons necessary to carry out the duties of*
33 *the Board.*

34 **Sec. 15.** *A certificate issued pursuant to the provisions of this*
35 *chapter is a privilege that may be revoked in accordance with the*
36 *disciplinary procedures set forth in this chapter and in regulations*
37 *adopted by the Board pursuant thereto, and no holder of such a*
38 *certificate acquires thereby any vested right.*

39 **Sec. 16.** *The regulations of the Board adopted pursuant to*
40 *section 13 of this act must require an application for a certificate*
41 *to include the social security number of the applicant.*

42 **Sec. 17.** 1. *An applicant for the issuance, renewal,*
43 *reinstatement or restoration of a certificate shall submit to the*
44 *Board the statement prescribed by the Welfare Division of the*



1 *Department of Human Resources pursuant to NRS 425.520. The*
2 *statement must be completed and signed by the applicant.*

3 2. *The Board shall include the statement required pursuant to*
4 *subsection 1 in:*

5 (a) *The application or any other forms that must be submitted*
6 *for the issuance, renewal or reinstatement of the certificate; or*

7 (b) *A separate form prescribed by the Board.*

8 3. *A certificate may not be issued, renewed or reinstated by*
9 *the Board if the applicant:*

10 (a) *Fails to submit the statement required pursuant to*
11 *subsection 1; or*

12 (b) *Indicates on the statement submitted pursuant to*
13 *subsection 1 that he is subject to a court order for the support of a*
14 *child and is not in compliance with the order or a plan approved*
15 *by the district attorney or other public agency enforcing the order*
16 *for the repayment of the amount owed pursuant to the order.*

17 4. *If an applicant indicates on the statement submitted*
18 *pursuant to subsection 1 that he is subject to a court order for the*
19 *support of a child and is not in compliance with the order or a*
20 *plan approved by the district attorney or other public agency*
21 *enforcing the order for the repayment of the amount owed*
22 *pursuant to the order, the Board shall advise the applicant to*
23 *notify the district attorney or other public agency enforcing the*
24 *order to determine the actions that the applicant may take to*
25 *satisfy the arrearage.*

26 **Sec. 18.** 1. *If the Board receives a copy of a court order*
27 *issued pursuant to NRS 425.540 that provides for the suspension*
28 *of all professional, occupational and recreational licenses,*
29 *certificates and permits issued to a person, the Board shall deem*
30 *the certificate to be suspended at the end of the 30th day after the*
31 *date on which the court order was issued unless the Board*
32 *receives a letter issued to the person by the district attorney or*
33 *other public agency pursuant to NRS 425.550 stating that the*
34 *person has complied with the subpoena or warrant or has satisfied*
35 *the arrearage pursuant to NRS 425.560.*

36 2. *The Board shall reinstate a certificate that has been*
37 *suspended by a district court pursuant to NRS 425.540 if the*
38 *Board receives a letter issued by the district attorney or other*
39 *public agency pursuant to NRS 425.550 to the person stating that*
40 *the person has complied with the subpoena or warrant or has*
41 *satisfied the arrearage pursuant to NRS 425.560.*

42 **Sec. 19.** *A person shall not engage in the practice of*
43 *gambling counseling unless he is a certified gambling counselor.*



- 1 **Sec. 20. 1. A person shall not:**
2 (a) *Hold himself out to the member of the general public as a*
3 *certified gambling counselor;*
4 (b) *Use the title "Certified Gambling Counselor," or any*
5 *similar title in connection with his work; or*
6 (c) *Imply in any way that he is certified by the Board,*
7 *unless he is certified by the Board pursuant to the provisions of*
8 *this chapter.*
9 2. *If the Board believes that any person has violated or is*
10 *about to violate the provisions of subsection 1, the Board may*
11 *bring an action in a court of competent jurisdiction to enjoin that*
12 *person from engaging in or continuing the violation. An*
13 *injunction:*
14 (a) *May be issued without proof of actual damage sustained by*
15 *any person.*
16 (b) *Does not prevent the criminal prosecution and punishment*
17 *of a person who violates the provisions of subsection 1.*
18 **Sec. 21. A person who violates any of the provisions of this**
19 *chapter is guilty of a misdemeanor.*
20 **Sec. 22.** NRS 622.010 is hereby amended to read as follows:
21 622.010 As used in this chapter, unless the context otherwise
22 requires, "occupational licensing board" includes, without
23 limitation:
24 1. The State Board of Architecture, Interior Design and
25 Residential Design.
26 2. The State Board of Landscape Architecture.
27 3. The State Contractors' Board.
28 4. The State Board of Professional Engineers and Land
29 Surveyors.
30 5. The Board of Registered Environmental Health Specialists.
31 6. The Nevada State Board of Accountancy.
32 7. The Board of Medical Examiners.
33 8. The Board of Homeopathic Medical Examiners.
34 9. The Board of Dental Examiners of Nevada.
35 10. The State Board of Nursing.
36 11. The State Board of Osteopathic Medicine.
37 12. The Chiropractic Physicians' Board of Nevada.
38 13. The State Board of Oriental Medicine.
39 14. The State Board of Podiatry.
40 15. The Nevada State Board of Optometry.
41 16. The Board of Dispensing Opticians.
42 17. The Board of Hearing Aid Specialists.
43 18. The Board of Examiners for Audiology and Speech
44 Pathology.
45 19. The Nevada State Board of Veterinary Medical Examiners.



- 1 20. The State Board of Pharmacy.
- 2 21. The State Board of Physical Therapy Examiners.
- 3 22. The Board of Occupational Therapy.
- 4 23. The Board of Psychological Examiners.
- 5 24. The Board of Examiners for Marriage and Family
- 6 Therapists.
- 7 25. The Board of Examiners for Social Workers.
- 8 26. The Board of Examiners for Alcohol and Drug Abuse
- 9 Counselors.
- 10 27. *The Board to Certify Gambling Counselors.*
- 11 28. The State Board of Funeral Directors, Embalmers and
- 12 Operators of Cemeteries and Crematories.
- 13 ~~28.~~ 29. The State Barbers' Health and Sanitation Board.
- 14 ~~29.~~ 30. The State Board of Cosmetology.
- 15 ~~30.~~ 31. The Real Estate Division of the Department of
- 16 Business and Industry.
- 17 ~~31.~~ 32. The Commissioner of Financial Institutions.
- 18 ~~32.~~ 33. The Private Investigator's Licensing Board.
- 19 ~~33.~~ 34. The Health Division of the Department of Human
- 20 Resources.
- 21 ~~34.~~ 35. The Nevada State Board of Examiners for
- 22 Administrators of Facilities for Long-Term Care.
- 23 ~~35.~~ 36. The Certified Court Reporters' Board of Nevada.
- 24 **Sec. 23.** NRS 218.825 is hereby amended to read as follows:
- 25 218.825 1. Each of the boards and commissions created by
- 26 the provisions of chapters 623 to 625A, inclusive, 628 to 644,
- 27 inclusive, and 641C, 654 and 656 of NRS *and sections 2 to 21,*
- 28 *inclusive, of this act* shall engage the services of a certified public
- 29 accountant or public accountant, or firm of either of such
- 30 accountants, to audit all its fiscal records once each year for the
- 31 preceding fiscal year or once every other year for the 2 preceding
- 32 fiscal years. The cost of the audit must be paid by the board or
- 33 commission audited.
- 34 2. A report of each such audit must be filed by the board or
- 35 commission with the Legislative Auditor and the ~~Director of the~~
- 36 ~~Budget~~ *Chief of the Budget Division of the Department of*
- 37 *Administration* on or before December 1 of each year in which an
- 38 audit is conducted. All audits must be conducted in accordance with
- 39 generally accepted auditing standards , and all financial statements
- 40 must be prepared in accordance with generally accepted principles
- 41 of accounting for special revenue funds.
- 42 3. The Legislative Auditor shall audit the fiscal records of any
- 43 such board or commission whenever directed to do so by the
- 44 Legislative Commission. When the Legislative Commission directs



1 such an audit, it shall also determine who is to pay the cost of the
2 audit.

3 **Sec. 24.** NRS 284.013 is hereby amended to read as follows:

4 284.013 1. Except as otherwise provided in subsection 4, this
5 chapter does not apply to:

6 (a) Agencies, bureaus, commissions, officers or personnel in the
7 Legislative Department or the Judicial Department of State
8 Government, including the Commission on Judicial Discipline;

9 (b) Any person who is employed by a board, commission,
10 committee or council created in chapters 590, 623 to 625A,
11 inclusive, 628, 630 to 644, inclusive, 648, 652, 654 and 656 of NRS
12 *and sections 2 to 21, inclusive, of this act*; or

13 (c) Officers or employees of any agency of the Executive
14 Department of the State Government who are exempted by specific
15 statute.

16 2. Except as otherwise provided in subsection 3, the terms and
17 conditions of employment of all persons referred to in subsection 1,
18 including salaries not prescribed by law and leaves of absence,
19 including, without limitation, annual leave and sick and disability
20 leave, must be fixed by the appointing or employing authority
21 within the limits of legislative appropriations or authorizations.

22 3. Except as otherwise provided in this subsection, leaves of
23 absence prescribed pursuant to subsection 2 must not be of lesser
24 duration than those provided for other state officers and employees
25 pursuant to the provisions of this chapter. The provisions of this
26 subsection do not govern the Legislative Commission with respect
27 to the personnel of the Legislative Counsel Bureau.

28 4. Any board, commission, committee or council created in
29 chapters 590, 623 to 625A, inclusive, 628, 630 to 644, inclusive,
30 648, 652, 654 and 656 of NRS *and sections 2 to 21, inclusive, of*
31 *this act* which contracts for the services of a person, shall require the
32 contract for those services to be in writing. The contract must be
33 approved by the State Board of Examiners before those services
34 may be provided.

35 **Sec. 25.** NRS 353A.020 is hereby amended to read as follows:

36 353A.020 1. The Director, in consultation with the
37 Committee and Legislative Auditor, shall adopt a uniform system of
38 internal accounting and administrative control for agencies. The
39 elements of the system must include, without limitation:

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

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



- 1 (c) Procedures for authorizations and recordkeeping which
- 2 effectively control accounting of assets, liabilities, revenues and
- 3 expenses;
- 4 (d) A system of practices to be followed in the performance of
- 5 the duties and functions of each agency; and
- 6 (e) An effective system of internal review.
- 7 2. The Director, in consultation with the Committee and
- 8 Legislative Auditor, may modify the system whenever he considers
- 9 it necessary.
- 10 3. Each agency shall develop written procedures to carry out
- 11 the system of internal accounting and administrative control adopted
- 12 pursuant to this section.
- 13 4. For the purposes of this section, "agency" does not include:
- 14 (a) A board created by the provisions of chapters 623 to 625A,
- 15 inclusive, 628, 630 to 640A, inclusive, 641 to 644, inclusive, 654
- 16 and 656 of NRS *and sections 2 to 21, inclusive, of this act.*
- 17 (b) The University and Community College System of Nevada.
- 18 (c) The Public Employees' Retirement System.
- 19 (d) The Housing Division of the Department of Business and
- 20 Industry.
- 21 (e) The Colorado River Commission of Nevada.
- 22 **Sec. 26.** NRS 353A.025 is hereby amended to read as follows:
- 23 353A.025 1. The head of each agency shall periodically
- 24 review the agency's system of internal accounting and
- 25 administrative control to determine whether it is in compliance with
- 26 the uniform system of internal accounting and administrative control
- 27 for agencies adopted pursuant to subsection 1 of NRS 353A.020.
- 28 2. On or before July 1 of each even-numbered year, the head of
- 29 each agency shall report to the Director whether the agency's
- 30 system of internal accounting and administrative control is in
- 31 compliance with the uniform system adopted pursuant to subsection
- 32 1 of NRS 353A.020. The reports must be made available for
- 33 inspection by the members of the Legislature.
- 34 3. For the purposes of this section, "agency" does not include:
- 35 (a) A board created by the provisions of chapters 623 to 625A,
- 36 inclusive, 628, 630 to 640A, inclusive, 641 to 644, inclusive, 654
- 37 and 656 of NRS *and sections 2 to 21, inclusive, of this act.*
- 38 (b) The University and Community College System of Nevada.
- 39 (c) The Public Employees' Retirement System.
- 40 (d) The Housing Division of the Department of Business and
- 41 Industry.
- 42 (e) The Colorado River Commission of Nevada.
- 43 4. The Director shall, on or before the first Monday in
- 44 February of each odd-numbered year, submit a report on the status
- 45 of internal accounting and administrative controls in agencies to the:



- 1 (a) Director of the Legislative Counsel Bureau for transmittal to
2 the:
- 3 (1) Senate Standing Committee on Finance; and
 - 4 (2) Assembly Standing Committee on Ways and Means;
 - 5 (b) Governor; and
 - 6 (c) Legislative Auditor.
- 7 5. The report submitted by the Director pursuant to subsection
8 4 must include, without limitation:
- 9 (a) The identification of each agency that has not complied with
10 the requirements of subsections 1 and 2;
 - 11 (b) The identification of each agency that does not have an
12 effective method for reviewing its system of internal accounting and
13 administrative control; and
 - 14 (c) The identification of each agency that has weaknesses in its
15 system of internal accounting and administrative control, and the
16 extent and types of such weaknesses.
- 17 **Sec. 27.** NRS 353A.045 is hereby amended to read as follows:
18 353A.045 The Chief shall:
- 19 1. Report to the Director.
 - 20 2. Develop long-term and annual work plans to be based on the
21 results of periodic documented risk assessments. The annual work
22 plan must list the agencies to which the Division will provide
23 training and assistance and be submitted to the Director for
24 approval. Such agencies must not include:
 - 25 (a) A board created by the provisions of chapters 623 to 625A,
26 inclusive, 628, 630 to 640A, inclusive, 641 to 644, inclusive, 654
27 and 656 of NRS *and sections 2 to 21, inclusive, of this act.*
 - 28 (b) The University and Community College System of Nevada.
 - 29 (c) The Public Employees' Retirement System.
 - 30 (d) The Housing Division of the Department of Business and
31 Industry.
 - 32 (e) The Colorado River Commission of Nevada.
 - 33 3. Provide a copy of the approved annual work plan to the
34 Legislative Auditor.
 - 35 4. In consultation with the Director, prepare a plan for auditing
36 executive branch agencies for each fiscal year and present the plan
37 to the Committee for its review and approval. Each plan for auditing
38 must:
 - 39 (a) State the agencies which will be audited, the proposed scope
40 and assignment of those audits and the related resources which will
41 be used for those audits; and
 - 42 (b) Ensure that the internal accounting, administrative controls
43 and financial management of each agency are reviewed periodically.
 - 44 5. Perform the audits of the programs and activities of the
45 agencies in accordance with the plan approved pursuant to



1 subsection 5 of NRS 353A.038 and prepare audit reports of his
2 findings.

3 6. Review each agency that is audited pursuant to subsection 5
4 and advise those agencies concerning internal accounting,
5 administrative controls and financial management.

6 7. Submit to each agency that is audited pursuant to subsection
7 5 analyses, appraisals and recommendations concerning:

8 (a) The adequacy of the internal accounting and administrative
9 controls of the agency; and

10 (b) The efficiency and effectiveness of the management of the
11 agency.

12 8. Report any possible abuses, illegal actions, errors, omissions
13 and conflicts of interest of which the Division becomes aware
14 during the performance of an audit.

15 9. Adopt the standards of the Institute of Internal Auditors for
16 conducting and reporting on audits.

17 10. Consult with the Legislative Auditor concerning the plan
18 for auditing and the scope of audits to avoid duplication of effort
19 and undue disruption of the functions of agencies that are audited
20 pursuant to subsection 5.

21 11. Appoint a Manager of Internal Controls.

22 **Sec. 28.** NRS 389.0185 is hereby amended to read as follows:

23 389.0185 The State Board shall adopt regulations establishing
24 courses of study and the grade levels for which the courses of study
25 apply for:

26 1. The academic subjects set forth in NRS 389.018.

27 2. Citizenship and physical training for pupils enrolled in high
28 school.

29 3. Physiology, hygiene and cardiopulmonary resuscitation.

30 4. The prevention of suicide.

31 5. Instruction relating to child abuse.

32 6. The economics of the American system of free enterprise.

33 7. American Sign Language.

34 8. Environmental education.

35 9. Adult roles and responsibilities.

36 **10. *The prevention of problem gambling.***

37 A course of study established for subsection 1 may include one or
38 more of the subjects listed in subsections 2 to ~~9~~ **10**, inclusive.

39 **Sec. 29.** Title 40 of NRS is hereby amended by adding thereto
40 a new chapter to consist of the provisions set forth as sections 30 to
41 39, inclusive, of this act.

42 **Sec. 30.** *As used in this chapter, unless the context otherwise*
43 *requires, the words and terms defined in sections 31, 32 and 33 of*
44 *this act have the meanings ascribed to them in those sections.*



- 1 **Sec. 31.** *“Fund” means the Fund to Support Programs for*
2 *the Prevention and Treatment of Problem Gambling created by*
3 *section 34 of this act.*
- 4 **Sec. 32.** *“Director” means the Director of the Department of*
5 *Human Resources.*
- 6 **Sec. 33.** *“Problem gambling” means persistent and recurrent*
7 *maladaptive behavior relating to gambling which causes*
8 *disruptions in any major area of life, including, but not limited to,*
9 *psychological, physical, social or vocational.*
- 10 **Sec. 34.** *The Fund to Support Programs for the Prevention*
11 *and Treatment of Problem Gambling is hereby created in the State*
12 *Treasury as a special revenue fund.*
- 13 **Sec. 35.** *1. The Director shall administer the Fund.*
14 *2. All money collected by the Director to prevent or treat*
15 *problem gambling must be deposited in the State Treasury for*
16 *credit to the Fund.*
17 *3. The interest and income earned on the money in the Fund*
18 *must be credited to the Fund.*
19 *4. Any money in the Fund must remain in the Fund and does*
20 *not revert to the State General Fund at the end of any fiscal year.*
- 21 **Sec. 36.** *The Director may apply for and accept any money*
22 *for the prevention or treatment of problem gambling, including,*
23 *but not limited to, a grant, donation or bequest.*
- 24 **Sec. 37.** *1. The Director shall expend the money in the*
25 *Fund by providing grants of money to local, state or otherwise*
26 *qualified organizations to prevent and treat problem gambling.*
27 *2. The Director shall adopt by regulation a definition of*
28 *“otherwise qualified organization.”*
- 29 **Sec. 38.** *The Director shall adopt regulations to administer*
30 *the provisions of sections 30 to 37, inclusive, of this act, including,*
31 *but not limited to:*
32 *1. Establishing the procedure for a local, state or otherwise*
33 *qualified organization to apply for a grant from the Fund; and*
34 *2. Establishing the criteria for a grant to a local, state or*
35 *otherwise qualified organization.*
- 36 **Sec. 39.** *All claims against the fund must be paid as other*
37 *claims against the state are paid.*
- 38 **Sec. 40.** NRS 608.0116 is hereby amended to read as follows:
39 608.0116 “Professional” means pertaining to an employee who
40 is licensed or certified by the State of Nevada for and engaged in the
41 practice of law or any of the professions regulated by chapters 623
42 to 645, inclusive, and 656A of NRS *and sections 2 to 21, inclusive,*
43 *of this act.*



1 **Sec. 41.** There is hereby appropriated from the State General
2 Fund to the Fund to Support Programs for the Prevention and
3 Treatment of Problem Gambling created pursuant to section 34 of
4 this act the sum of \$250,000.

5 **Sec. 42.** 1. The initial appointments by the Governor to the
6 Board to Certify Gambling Counselors must be made without regard
7 to whether the appointee is a certified gambling counselor.

8 2. After the initial appointments pursuant to subsection 1, the
9 Governor shall only appoint to the Board to Certify Gambling
10 Counselors a person qualified to serve as a member pursuant to
11 section 10 of this act, including, without limitation, a person
12 appointed to a second term.

13 **Sec. 43.** As soon as practicable after July 1, 2003, the
14 Governor shall appoint the members of the Board to Certify
15 Gambling Counselors to staggered terms.

16 **Sec. 44.** 1. This section and sections 30 to 39, inclusive, and
17 41 of this act become effective upon passage and approval.

18 2. Sections 1 to 29, inclusive, 40, 42 and 43 of this act become
19 effective on July 1, 2003.

20 3. Sections 16, 17 and 18 of this act expire by limitation on the
21 date on which the provisions of 42 U.S.C. § 666 requiring each state
22 to establish procedures under which the state has authority to
23 withhold or suspend, or to restrict the use of professional,
24 occupational and recreational licenses of persons who:

25 (a) Have failed to comply with a subpoena or warrant relating to
26 a procedure to determine the paternity of a child or to establish or
27 enforce an obligation for the support of a child; or

28 (b) Are in arrears in the payment for the support of one or more
29 children,

30 are repealed by the Congress of the United States.

