

ASSEMBLY BILL NO. 239—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE SUNSET SUBCOMMITTEE
OF THE LEGISLATIVE COMMISSION)

MARCH 2, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to government administration. (BDR 23-896)

FISCAL NOTE: Effect on Local Government: No.
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 governmental administration; creating the Merit Award Account in the State General Fund for purposes of funding awards to certain state employees; eliminating the limitation on awards to certain state employees from being paid from money in the State General Fund; requiring, under certain circumstances, the Advisory Council for Family Engagement to submit to certain appointing authorities a list of persons qualified for membership on the Council; revising the membership of the Committee for the Statewide Alert System; requiring the Committee on Testing for Intoxication to study and make certain recommendations to the Director of the Department of Public Safety relating to driving under the influence; revising the authority of the Committee to adopt certain regulations; revising the term of membership of the Chair of the Appeals Panel for Industrial Insurance; authorizing the Commissioner of Insurance to perform certain actions relating to meetings of the Appeals Panel; revising provisions relating to vacancies in the membership of the Medical Laboratory Advisory Committee; revising provisions relating to meetings of the Credit Union Advisory Council; eliminating the requirement that members of the Advisory Council receive a salary for attendance at meetings; making appropriations; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law creates the Merit Award Program and requires that the Merit
2 Award Board investigate, review and evaluate the merits of certain proposed
3 suggestions of any state employee or group of state employees. (NRS 285.020,
4 285.030, 285.040) Existing law provides that an award made from the Program
5 must, insofar as is practicable, be paid from money other than money in the State
6 General Fund. (NRS 285.070) **Section 1** of this bill creates the Merit Award
7 Account in the State General Fund, to be administered by the Board. **Section 2** of
8 this bill eliminates the limitation on money from the State General Fund being used
9 to pay for an award. **Section 15** of this bill makes an appropriation to the Board for
10 the purpose of funding the administration of the Board during the 2023-2025
11 biennium. **Section 16** of this bill makes an appropriation to the Merit Award
12 Account to provide funding for merit awards to state employees from the Program
13 during the 2023-2025 biennium.

14 Existing law requires the Superintendent of Public Instruction to establish an
15 Advisory Council for Family Engagement, composed of 11 members, that has
16 various duties relating to parental involvement and family engagement in schools.
17 The members of the Advisory Council are appointed by the Superintendent,
18 Speaker of the Assembly and Majority Leader of the Senate. (NRS 385.610)
19 **Section 3** of this bill requires the Advisory Council, at least 30 days before the
20 beginning of any member's term, or within 30 days after a position on the Advisory
21 Council becomes vacant, to submit to the relevant appointing authority the names
22 of at least three persons who are qualified for membership on the Advisory
23 Council.

24 Existing law creates the Statewide Alert System for the Safe Return of
25 Abducted Children, which is composed of a voluntary partnership among certain
26 law enforcement agencies and broadcasters to assist in the search for and safe
27 return of abducted children. (NRS 432.340) The System is overseen, supervised,
28 evaluated, monitored and tested by the Committee for the Statewide Alert System,
29 in consultation with the Attorney General. (NRS 432.360) The Committee consists
30 of 15 members, including, in relevant part, 5 members who represent local law
31 enforcement agencies, appointed by the Governor and 5 members who represent
32 state law enforcement agencies, appointed by the Governor. (NRS 432.350)
33 **Section 4** of this bill provides instead that the Committee consists of 11 members,
34 including, in relevant part, 3 members who represent local law enforcement
35 agencies, appointed by the Governor from among a list of nominees from the
36 Committee and 3 members who represent state law enforcement agencies,
37 appointed by the Governor from among a list of nominees from the Committee.

38 Existing law creates the Committee on Testing for Intoxication, consisting of
39 five members. (NRS 484C.600) The Committee has various duties relating to
40 certifying devices that test a person's breath to determine the concentration of
41 alcohol in the person's breath. (NRS 484C.610) **Section 5** of this bill requires the
42 Committee to also study and make recommendations to the Director of the
43 Department of Public Safety regarding the best practices, technologies and methods
44 of detecting and determining the presence of and the effect of driving under the
45 influence of intoxicating liquor, a controlled substance or other prohibited
46 substance. **Section 5** revises the existing duties of the Committee to include
47 certifying certain devices for the purpose of testing a sample to determine the
48 concentration of a controlled substance or other prohibited substance. **Sections 6-8**
49 of this bill revise the authority of the Committee to adopt certain regulations
50 relating to calibrating certain devices and the certification of persons to operate
51 certain devices to test the concentration of alcohol in a person's body to include
52 testing a sample for a controlled substance or other prohibited substance. **Section 9**
53 of this bill makes a conforming change to clarify that evidence of certain tests are
54 not admissible in a criminal proceeding unless it is shown that the device for testing



55 a person's breath or other sample was certified by the Committee and was
56 calibrated, maintained and operated as provided in such regulations.

57 Existing law creates the Appeals Panel for Industrial Insurance, consisting of
58 seven members, to hear certain grievances related to industrial insurance. (NRS
59 616B.760-616B.787) The Appeals Panel must meet at the times and places
60 specified by a call of the Chair of the Appeals Panel, and the Chair must: (1)
61 schedule meetings and hearings of the Appeals Panel; (2) establish the agenda for
62 each such meeting and hearing; and (3) ensure that such meetings are conducted in
63 an efficient manner. (NRS 616B.765, 616B.767) **Sections 11 and 12** of this bill
64 provide instead that the Chair or Commissioner of Insurance is required to carry out
65 these duties.

66 Existing law creates the Medical Laboratory Advisory Committee to advise the
67 State Board of Health on matters of policy concerning medical laboratories,
68 qualifications of laboratory directions and personnel and certain other matters. The
69 Board is required to appoint various persons to the Advisory Committee. (NRS
70 652.030, 652.160, 652.170) **Section 13** of this bill: (1) provides that if a vacancy in
71 the membership of the Advisory Committee occurs, the Advisory Committee is
72 required to submit a letter to the Board with a recommendation to fill the existing
73 vacancy; and (2) requires the Advisory Committee to determine at least once per
74 year whether any vacancy in its membership exists. **Section 13** also requires the
75 Advisory Committee to meet at least once every year.

76 Existing law creates the Credit Union Advisory Council, consisting of five
77 members appointed by the Governor, to consult with, advise and make
78 recommendations to the Commissioner of Financial Institutions in all matters
79 pertaining to credit unions. (NRS 672.061, 672.290) **Section 14** of this bill: (1)
80 clarifies that the Advisory Council may meet at least once every 6 months; and (2)
81 eliminates the existing provision that council members are entitled to receive a
82 certain salary for attendance at meetings.

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

1 **Section 1.** Chapter 285 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. The Merit Award Account is hereby created in the State*
4 *General Fund.*

5 *2. The Board shall administer the Merit Award Account.*

6 *3. The money in the Merit Award Account may be expended*
7 *only for the purposes of the Merit Award Program established by*
8 *NRS 285.020.*

9 *4. The interest and income earned on the money in the Merit*
10 *Award Account must be credited to the Account.*

11 *5. The balance remaining in the Merit Award Account that*
12 *has not been committed for expenditure on or before June 30 of*
13 *an odd-numbered year reverts to the State General Fund.*

14 **Sec. 2.** NRS 285.070 is hereby amended to read as follows:

15 285.070 1. Except as otherwise provided in this section, after
16 reviewing and evaluating an employee suggestion, the Board, in
17 consultation with the Budget Division of the Office of Finance, may



1 make an award to the state employee or to each state employee of a
2 group of state employees who submitted the employee suggestion.

3 2. If the amount of a proposed award will exceed \$5,000, the
4 award must be approved by the Interim Finance Committee. On a
5 quarterly basis, the Board shall transmit any proposed awards that
6 exceed \$5,000 to the Director of the Legislative Counsel Bureau for
7 transmittal to the Interim Finance Committee. In acting upon such
8 an award, the Interim Finance Committee shall consider, among
9 other things:

10 (a) The reduction, elimination or avoidance of state expenditures
11 or any improvement in the operation of the State Government made
12 possible by the employee suggestion; and

13 (b) The intent of the Legislature in enacting this chapter.

14 3. An award made pursuant to this section may not exceed:

15 (a) Ten percent of the amount of any actual savings to the State,
16 as determined at the end of the second fiscal year after the adoption
17 of the employee suggestion; or

18 (b) A total of \$25,000,

19 ↪ whichever is less, whether distributed to an individual employee
20 or to a group of state employees who submitted the employee
21 suggestion.

22 4. Awards to employees arising out of adopted employee
23 suggestions must, ~~[insofar as is practicable,]~~ be paid from money
24 ~~[other than money]~~ in the ~~[State General Fund.]~~ *Merit Award*
25 *Account created by section 1 of this act.*

26 5. The total amount of an award made pursuant to this section
27 must be paid in two equal installments. The first installment must be
28 paid not later than 90 days after the end of the fiscal year during
29 which the State realized a reduction, elimination or avoidance of
30 state expenditures or any improvement in the operation of State
31 Government as a result of the adoption of the employee suggestion.
32 The second installment must be paid not later than 90 days after the
33 end of the fiscal year immediately following the fiscal year during
34 which the first installment was paid.

35 6. A former state employee is eligible to receive an award
36 pursuant to this section if the person was a state employee at the
37 time he or she submitted an employee suggestion, or was a member
38 of a group of state employees who submitted an employee
39 suggestion, that is subsequently adopted.

40 7. An award may not be made for an employee suggestion
41 pursuant to this section until the State has realized a reduction,
42 elimination or avoidance of state expenditures or any improvement
43 in the operation of the State Government as a result of the adopted
44 employee suggestion.



1 8. Any actual savings to the State resulting from the adoption
2 of an employee suggestion that remains after an award is made
3 pursuant to this section must be distributed as follows:

4 (a) Fifty percent must be transferred to the State General Fund;
5 and

6 (b) After a revision to the appropriate work program pursuant to
7 NRS 353.220, the remaining balance must be used by the state
8 agency that employs the state employee or the group of state
9 employees who submitted the employee suggestion for one-time,
10 nonoperational expenses which do not require ongoing maintenance,
11 including, without limitation, training and equipment.

12 **Sec. 3.** NRS 385.610 is hereby amended to read as follows:

13 385.610 1. The Superintendent of Public Instruction shall
14 establish an Advisory Council for Family Engagement. The
15 Advisory Council is composed of 11 members.

16 2. The Superintendent of Public Instruction shall appoint the
17 following members to the Advisory Council:

18 (a) Two parents or legal guardians of pupils enrolled in public
19 schools;

20 (b) Two teachers in public schools;

21 (c) One administrator of a public school;

22 (d) One representative of a private business or industry;

23 (e) One member of the board of trustees of a school district in a
24 county whose population is 100,000 or more;

25 (f) One member of the board of trustees of a school district in a
26 county whose population is less than 100,000; and

27 (g) One member who is the President of the Board of Managers
28 of the Nevada Parent Teacher Association or its successor
29 organization, or a designee nominated by the President.

30 ↪ The Superintendent of Public Instruction shall, to the extent
31 practicable, ensure that the members the Superintendent appoints to
32 the Advisory Council reflect the ethnic, economic and geographic
33 diversity of this State.

34 3. The Speaker of the Assembly shall appoint one member of
35 the Assembly to the Advisory Council.

36 4. The Majority Leader of the Senate shall appoint one member
37 of the Senate to the Advisory Council.

38 5. The Advisory Council shall elect a Chair and Vice Chair
39 from among its members. The Chair and Vice Chair serve a term of
40 1 year.

41 6. After the initial terms:

42 (a) The term of each member of the Advisory Council who is
43 appointed by the Superintendent of Public Instruction is 3 years.



1 (b) The term of each member of the Advisory Council who is
2 appointed by the Speaker of the Assembly and the Majority Leader
3 of the Senate is 2 years.

4 7. *The Advisory Council shall, at least 30 days before the*
5 *beginning of any member's term, or within 30 days after a position*
6 *on the Advisory Council becomes vacant, submit to the relevant*
7 *appointing authority, as set forth in subsection 2, 3 or 4, as*
8 *applicable, the names of at least three persons qualified for*
9 *membership on the Advisory Council.*

10 8. The Department shall provide:

11 (a) Administrative support to the Advisory Council; and

12 (b) All information that is necessary for the Advisory Council to
13 carry out its duties.

14 ~~8.9.~~ 9. For each day or portion of a day during which a member
15 of the Advisory Council who is a Legislator attends a meeting of the
16 Advisory Council or is otherwise engaged in the business of
17 the Advisory Council, except during a regular or special session of
18 the Legislature, the member is entitled to receive the:

19 (a) Compensation provided for a majority of the members of the
20 Legislature during the first 60 days of the preceding regular session;

21 (b) Per diem allowance provided for state officers generally; and

22 (c) Travel expenses provided pursuant to NRS 218A.655.

23 ➤ The compensation, per diem allowances and travel expenses of
24 the legislative members of the Advisory Council must be paid from
25 the Legislative Fund.

26 ~~9.10.~~ 10. A member of the Advisory Council who is not a
27 Legislator is entitled to receive the per diem allowance and travel
28 expenses provided for state officers and employees generally for
29 each day or portion of a day during which the member attends a
30 meeting of the Advisory Council or is otherwise engaged in the
31 business of the Advisory Council. The per diem allowance and
32 travel expenses for the members of the Advisory Council who are
33 not Legislators must be paid by the Department.

34 ~~10.11.~~ 11. Any costs associated with employing a substitute
35 teacher while a member of the Advisory Council who is a teacher
36 attends a meeting of the Advisory Council must be paid by the
37 school district or charter school that employs the member.

38 **Sec. 4.** NRS 432.350 is hereby amended to read as follows:

39 432.350 1. There is hereby created the Committee for the
40 Statewide Alert System consisting of ~~15~~ 11 members as follows:

41 (a) ~~Five~~ Three members ~~appointed by the Governor~~ who
42 represent local law enforcement agencies ~~;~~, *appointed by the*
43 *Governor from among the names of nominees provided to the*
44 *Governor pursuant to subsection 5;*



1 (b) ~~{Five}~~ *Three* members ~~{appointed by the Governor}~~ who
2 represent state law enforcement agencies ~~{}~~, *appointed by the*
3 *Governor from among the names of nominees provided to the*
4 *Governor pursuant to subsection 5;*

5 (c) One representative of this State's Emergency Alert System,
6 appointed by the Nevada Broadcasters Association or its successor;

7 (d) One representative of the Nevada Broadcasters Association
8 or its successor, appointed by that Association;

9 (e) One representative of the Department of Transportation,
10 appointed by the Director of the Department of Transportation;

11 (f) The Advocate for Missing or Exploited Children, appointed
12 pursuant to NRS 432.157; and

13 (g) One representative of the public at large, appointed by the
14 Governor from among the names of nominees provided to the
15 Governor pursuant to subsection 5.

16 2. The Governor shall select a Chair and Vice Chair of the
17 Committee.

18 3. After the initial terms, each member of the Committee
19 serves a term of 3 years. A vacancy on the Committee must be filled
20 in the same manner as the original appointment.

21 4. Members of the Committee serve without salary or
22 compensation, except that, while engaged in the business of the
23 Committee, each member who is not an officer or employee of the
24 State may receive the per diem allowance and travel expenses
25 provided for state officers and employees generally, to the extent
26 that money is available in the Account for that purpose.

27 5. The Committee shall, at least 30 days before the beginning
28 of the term of any member appointed pursuant to paragraph (a), (b)
29 *or* (g) of subsection 1, or within 30 days after such a position on the
30 Committee becomes vacant, submit to the Governor the names of at
31 least three persons qualified for membership on the Committee
32 pursuant to paragraph (a), (b) *or* (g), *as applicable*, of subsection 1.
33 *In making a list of names, the Committee shall provide nominees*
34 *who represent the demographic diversity of this State.* The
35 Governor shall appoint a new member or fill the vacancy from the
36 list, or request a new list. The Governor may appoint any qualified
37 person who is a resident of this State to the position described in
38 paragraph (g) of subsection 1.

39 **Sec. 5.** NRS 484C.610 is hereby amended to read as follows:

40 484C.610 1. The Committee on Testing for Intoxication
41 shall:

42 (a) *Study and make recommendations to the Director of the*
43 *Department of Public Safety regarding the best practices,*
44 *technologies and methods of detecting and determining the*
45 *presence of and the effect of driving under the influence of*



1 *intoxicating liquor, a controlled substance or other prohibited*
2 *substance;*

3 (b) In the manner set forth in subsection 2, certify a device that
4 the Committee determines is designed and manufactured to be
5 accurate and reliable for the purpose of testing a person's breath *or*
6 *other sample* to determine the concentration of alcohol , *a*
7 *controlled substance or other prohibited substance* in the person's
8 breath ~~{}~~ *or other sample*; and

9 ~~{(b)}~~ (c) Create, maintain and make available to the public, free
10 of charge, a list of those devices certified by the Committee,
11 described by manufacturer and type.

12 2. To determine whether a device is designed and
13 manufactured to be accurate and reliable for the purpose of testing a
14 person's breath *or other sample* to determine the concentration of
15 alcohol , *a controlled substance or another prohibited substance* in
16 the person's breath ~~{}~~ *or other sample*, the Committee may:

17 (a) Use the list of qualified products meeting the requirements
18 for evidential ~~{breath-testing}~~ *testing* devices of the National
19 Highway Traffic Safety Administration; or

20 (b) Establish its own standards and procedures for evaluating
21 those devices and obtain evaluations of the devices from the
22 Director of the Department of Public Safety or the agent of the
23 Director.

24 3. If such a device has been certified by the Committee to be
25 accurate and reliable pursuant to this section, it is presumed that, as
26 designed and manufactured, the device is accurate and reliable for
27 the purpose of testing a person's breath *or other sample* to
28 determine the concentration of alcohol , *a controlled substance or*
29 *another prohibited substance* in the person's breath ~~{}~~ *or other*
30 *sample*.

31 4. This section does not preclude the admission of evidence of
32 the concentration of alcohol , *a controlled substance or another*
33 *prohibited substance* in a ~~{person's-breath}~~ *person's body* where the
34 information is obtained through the use of a device other than one of
35 a type certified by the Committee.

36 **Sec. 6.** NRS 484C.620 is hereby amended to read as follows:

37 484C.620 1. The Committee on Testing for Intoxication shall
38 adopt regulations which:

39 (a) Prescribe standards and procedures for calibrating devices
40 used for testing a person's breath *or other sample* to determine the
41 concentration of alcohol , *a controlled substance or another*
42 *prohibited substance* in the ~~{person's-breath.}~~ *person's body*. The
43 regulations must specify the period within which a law enforcement
44 agency that uses such a device must calibrate it or have it calibrated



1 by the Director of the Department of Public Safety or the agent of
2 the Director.

3 (b) Establish methods for ascertaining the competence of
4 persons to calibrate such devices and provide for the examination
5 and certification of those persons by the Department of Public
6 Safety. A certificate issued by the Department may not be made
7 effective for longer than 3 years.

8 (c) Prescribe the form and contents of records respecting the
9 calibration of such devices which must be kept by a law
10 enforcement agency and any other records respecting the
11 maintenance or operation of those devices which it finds should be
12 kept by such an agency.

13 2. The Director of the Department of Public Safety shall issue a
14 certificate to any person who is found competent to calibrate such a
15 device or examine others on their competence in that calibration.

16 **Sec. 7.** NRS 484C.630 is hereby amended to read as follows:

17 484C.630 1. The Committee on Testing for Intoxication shall
18 adopt regulations which:

19 (a) Establish methods for ascertaining the competence of
20 persons to:

21 (1) Operate devices for testing a person's breath *or other*
22 *sample* to determine the concentration of alcohol , *a controlled*
23 *substance or other prohibited substance* in the ~~[person's breath.]~~
24 *person's body*.

25 (2) Examine prospective operators and determine their
26 competence.

27 (b) Provide for certification of operators and examiners by the
28 Department of Public Safety. A certificate issued by the Department
29 may not be made effective for longer than 3 years.

30 ➔ A person who is certified as an examiner is presumed to be
31 certified as an operator.

32 2. The Director of the Department of Public Safety shall issue a
33 certificate to any person who is found competent to operate such a
34 device or examine others on their competence in that operation.

35 3. A court shall take judicial notice of the certification of a
36 person to operate devices of one of the certified types. If a test to
37 determine the concentration of alcohol in a person's breath *or other*
38 *sample* has been performed with a certified type of device by a
39 person who is certified pursuant to this section, it is presumed that
40 the person operated the device properly.

41 4. This section does not preclude the admission of evidence of
42 a test of a person's breath *or other sample* where the test has been
43 performed by a person other than one who is certified pursuant to
44 this section.



1 **Sec. 8.** NRS 484C.640 is hereby amended to read as follows:
2 484C.640 1. The Committee on Testing for Intoxication may
3 adopt regulations that require:

4 (a) The calibration of devices which are used to test a person's
5 blood, ~~{or}~~ urine *or other sample* to determine the concentration of
6 alcohol or the presence of a controlled substance or another
7 prohibited substance in the ~~{person's blood or urine;} person's body;~~

8 (b) The certification of persons who make those calibrations;

9 (c) The certification of persons who operate devices for testing a
10 person's blood, ~~{or}~~ urine *or other sample* to determine the
11 concentration of alcohol or presence of a controlled substance or
12 another prohibited substance in the ~~{person's blood or urine;}
13 person's body;~~ and

14 (d) The certification of persons who examine those operators.

15 2. The Committee may adopt regulations that prescribe the
16 essential procedures for the proper operation of the various types of
17 devices used to test a person's blood, ~~{or}~~ urine *or other sample* to
18 determine the concentration of alcohol or the presence of a
19 controlled substance or another prohibited substance in the ~~{person's
20 blood or urine;} person's body.~~

21 **Sec. 9.** NRS 488.480 is hereby amended to read as follows:

22 488.480 1. If a person refuses to submit to a required
23 chemical test provided for in NRS 488.450 or 488.460, evidence of
24 that refusal is admissible in any criminal action arising out of acts
25 alleged to have been committed while the person was:

26 (a) Operating or in actual physical control of a vessel under
27 power or sail while under the influence of intoxicating liquor or a
28 controlled substance; or

29 (b) Engaging in any other conduct prohibited by NRS 488.410,
30 488.420 or 488.425.

31 2. Except as otherwise provided in subsection 3 of NRS
32 488.450, a court may not exclude evidence of a required test or
33 failure to submit to such a test if the peace officer or other person
34 substantially complied with the provisions of NRS 488.450 to
35 488.500, inclusive.

36 3. If a person submits to a chemical test provided for in NRS
37 488.450 or 488.460, full information concerning that test must be
38 made available, upon request, to the person or the person's attorney.

39 4. Evidence of a required test is not admissible in a criminal
40 proceeding unless it is shown by documentary or other evidence that
41 the device for testing *a person's* breath *or other sample* was
42 certified pursuant to NRS 484C.610 and was calibrated, maintained
43 and operated as provided by the regulations of the Committee on
44 Testing for Intoxication adopted pursuant to NRS 484C.620,
45 484C.630 or 484C.640.



1 5. If the device for testing *a person's breath or other sample*
2 has been certified by the Committee on Testing for Intoxication to
3 be accurate and reliable pursuant to NRS 484C.610, it is presumed
4 that, as designed and manufactured, the device is accurate and
5 reliable for the purpose of testing a person's breath *or other sample*
6 to determine the concentration of alcohol , *a controlled substance*
7 *or other prohibited substance* in the person's breath ~~[]~~ *or other*
8 *sample*.

9 6. A court shall take judicial notice of the certification by the
10 Director of a person to operate testing devices of one of the certified
11 types. If a test to determine the amount of alcohol *a controlled*
12 *substance or other prohibited substance* in a person's breath *or*
13 *other sample* has been performed with a certified type of device by
14 a person who is certified pursuant to NRS 484C.630 or 484C.640, it
15 is presumed that the person operated the device properly.

16 7. This section does not preclude the admission of evidence of
17 a test of a person's breath *or other sample* where the:

18 (a) Information is obtained through the use of a device other
19 than one of a type certified by the Committee on Testing for
20 Intoxication.

21 (b) Test has been performed by a person other than one who is
22 certified by the Director.

23 8. As used in this section, "Director" means the Director of the
24 Department of Public Safety.

25 **Sec. 10.** NRS 616B.762 is hereby amended to read as follows:

26 616B.762 1. ~~[At its first meeting of each year, the]~~ *The*
27 Appeals Panel shall elect a Chair from among its members.

28 2. The Chair shall hold office for 1 year ~~[]~~ *and until his or her*
29 *successor is elected*.

30 3. If a vacancy occurs in the office of the Chair, the members
31 of the Panel shall elect a Chair from among its members for the
32 remainder of the unexpired term of the Chair.

33 ~~[4. Unless the members agree unanimously to a different date,~~
34 ~~the first meeting of each year must be as soon as practicable after~~
35 ~~July 1.]~~

36 **Sec. 11.** NRS 616B.765 is hereby amended to read as follows:

37 616B.765 1. The Chair of the Appeals Panel *or the*
38 *Commissioner* shall:

39 (a) Schedule the time and place of the meetings and hearings of
40 the Appeals Panel;

41 (b) Establish the agenda for each meeting and hearing of the
42 Appeals Panel; and

43 (c) Ensure that the meetings of the Appeals Panel are conducted
44 in an efficient manner.



1 2. The Chair of the Appeals Panel may appoint from the
2 membership of the Appeals Panel a secretary to whom the Chair
3 may delegate his or her administrative functions.

4 **Sec. 12.** NRS 616B.767 is hereby amended to read as follows:

5 616B.767 1. The Appeals Panel shall meet at the times and
6 places specified by a call of the Chair ~~or~~ *or the Commissioner.*

7 2. Four members of the Appeals Panel constitute a quorum to
8 transact all business, and a majority of those present must concur on
9 any decision.

10 **Sec. 13.** NRS 652.170 is hereby amended to read as follows:

11 652.170 1. The Board shall appoint the members of the
12 Medical Laboratory Advisory Committee.

13 2. After the initial terms, members shall serve for 3-year terms.

14 3. A member may not serve for more than two consecutive
15 terms. Service of 2 or more years in filling an unexpired term
16 constitutes a term.

17 4. The Advisory Committee is composed of:

18 (a) Two pathologists, certified in clinical pathology by the
19 American Board of Pathology.

20 (b) Two medical technologists.

21 (c) One bioanalyst who is a laboratory director.

22 (d) One qualified biochemist from the Nevada System of Higher
23 Education.

24 (e) One licensed physician actively engaged in the practice of
25 clinical medicine in this State.

26 5. No member of the Advisory Committee may have any
27 financial or business arrangement with any other member which
28 pertains to the business of laboratory analysis.

29 6. The Chief Medical Officer or a designated representative of
30 the Chief Medical Officer is an ex officio member of the Advisory
31 Committee.

32 7. *If a vacancy occurs in the membership of the Advisory
33 Committee, the Advisory Committee shall submit a letter to the
34 Board with a recommendation to fill the existing vacancy. The
35 Advisory committee shall, at least once per year, determine
36 whether any vacancy in the membership of the Advisory
37 Committee exists.*

38 8. *The Advisory Committee shall meet at least once every
39 year.*

40 9. Each member of the Advisory Committee is entitled to
41 receive:

42 (a) A salary of not more than \$60, as fixed by the Board, for
43 each day's attendance at a meeting of the Committee; and

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



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

3 ~~[8.]~~ 10. While engaged in the business of the Committee, each
4 employee of the Committee is entitled to receive a per diem
5 allowance and travel expenses at a rate fixed by the Board. The rate
6 must not exceed the rate provided for state officers and employees
7 generally.

8 **Sec. 14.** NRS 672.290 is hereby amended to read as follows:

9 672.290 1. The Credit Union Advisory Council, consisting of
10 five members appointed by the Governor, is hereby created to
11 consult with, advise and make recommendations to the
12 Commissioner in all matters pertaining to credit unions.

13 2. The Governor shall appoint members who have tested credit
14 union experience from a list of recommended names submitted by
15 the Nevada Credit Union League.

16 3. After the initial terms, members serve terms of 4 years,
17 except when appointed to fill unexpired terms.

18 4. The Chair of the Advisory Council must be elected annually
19 by and from the members thereof.

20 5. The meetings of the Advisory Council may be held at such
21 times and places as the Chair or Commissioner determines and may
22 ~~[be held regularly.]~~ meet at least once every 6 months.

23 ~~[6.—Council members are entitled to receive a salary of \$60 for
24 each day's attendance at a meeting of the Council.]~~

25 **Sec. 15.** 1. There is hereby appropriated from the State
26 General Fund to the Merit Award Board described in NRS 285.030
27 the sum of \$3,000 for the purpose of funding the administration of
28 the Board during the 2023-2025 biennium.

29 2. Any remaining balance of the appropriation made by
30 subsection 1 must not be committed for expenditure after June 30,
31 2025, by the entity to which the appropriation is made or any entity
32 to which money from the appropriation is granted or otherwise
33 transferred in any manner, and any portion of the appropriated
34 money remaining must not be spent for any purpose after
35 September 19, 2025, by either the entity to which the money was
36 appropriated or the entity to which the money was subsequently
37 granted or transferred, and must be reverted to the State General
38 Fund on or before September 19, 2025.

39 **Sec. 16.** 1. There is hereby appropriated from the State
40 General Fund to the Merit Award Account created by section 1 of
41 this act the sum of \$25,000 for the purpose of providing merit
42 awards during the 2023-2025 biennium pursuant to the Merit Award
43 Program established by NRS 285.020.

44 2. Any remaining balance of the appropriation made by
45 subsection 1 must not be committed for expenditure after June 30,



1 2025, by the entity to which the appropriation is made or any entity
2 to which money from the appropriation is granted or otherwise
3 transferred in any manner, and any portion of the appropriated
4 money remaining must not be spent for any purpose after
5 September 19, 2025, by either the entity to which the money was
6 appropriated or the entity to which the money was subsequently
7 granted or transferred, and must be reverted to the State General
8 Fund on or before September 19, 2025.

9 **Sec. 17.** 1. This section and sections 1, 15 and 16 become
10 effective upon passage and approval.

11 2. Sections 6 to 9, inclusive, of this act become effective:

12 (a) Upon passage and approval for the purpose of adopting any
13 regulations and performing any other preparatory administrative
14 tasks that are necessary to carry out the provisions of this act; and

15 (b) On January 1, 2024, for all other purposes.

16 3. Sections 2 to 5, inclusive, 10 to 14, inclusive, of this act
17 become effective on July 1, 2023.

