

All bills listed below were passed and signed by the Governor.

The following bills are administrative and will affect the boards duties.

AB 59 - Existing law grants the Administrator of the State Public Works Division of the Department of Administration the authority to lease office space to house state officers, departments, agencies, boards or commissions whenever sufficient space cannot be provided within state buildings. (NRS 331.110) This bill makes it mandatory for the Administrator to lease and equip office rooms outside of state buildings for the use of state officers, departments, agencies, boards and commissions whenever sufficient space cannot be provided within state buildings except state officers and employees of boards that are exempt from the provisions of chapter 353 of NRS. This bill authorizes those exempt boards to request the Administrator to lease office rooms for them. This bill also requires the Administrator, when considering entering into a lease for office rooms, to take into consideration the regulations governing the duties of the Buildings and Grounds Section of the Division, as well as the reasonableness of the applicable agreement and the availability of sufficient space within state buildings.

This bill makes it mandatory for the Administrator to lease and equip office rooms outside of state buildings for the use of state officers, departments, agencies, boards and commissions whenever sufficient space cannot be provided within state buildings except state officers and employees of boards that are exempt from the provisions of chapter **353 of NRS**. This bill authorizes those exempt boards to request the Administrator to lease office rooms for them.

NRS 353.005 Inapplicability of chapter to certain boards. Except as otherwise provided in NRS 353.007, the provisions of this chapter do not apply to boards created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644, inclusive, 648, 654 and 656 of NRS and the officers and employees of those boards.

(Added to NRS by 2001, 1456; A 2003, 908, 2076; 2005, 1138; 2013, 1029)

Comment: The Senate Committee on Government Affairs looked into amending this bill to strike the NRS 353 exception. This did not pass, so our board is exempt from this as we do not garner money from the general fund.

AB60 Revises provisions relating to ethics in government. Under the Nevada Ethics in Government Law, the Commission on Ethics is required to determine whether it has jurisdiction over a request for an opinion. (NRS 281A.280; NAC 281A.360, 281A.405)

The Ethics Law also imposes time limits on the Commission to carry out certain duties. With respect to a request for an opinion regarding the conduct of a public officer or employee which is made by a third party and is more commonly known as a third-party request, the Executive Director of the Commission is required to complete an investigation and make a recommendation regarding the third-party request within ~~70~~ 45 days after receipt of the request, unless the public officer or employee waives the time limit. (NRS 281A.440)

A brief Synopsis of the changes:

Except as otherwise provided in this subsection, if a person who submits a request for an opinion pursuant to paragraph (b) of subsection 2 asks for the person's name to be kept confidential, the Commission: (a) Shall keep the person's name confidential if the person is a

public officer or employee who works for the same public body, agency or employer as the public officer or employee who is the subject of the request. (b) May keep the person's name confidential if the person offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of the person's name will subject the person or a member of the person's household to a bona fide threat of physical force or violence. ☐ If the Commission keeps the person's name confidential, the Commission shall not render an opinion in the matter unless there is sufficient evidence without the person's testimony to consider the propriety of the conduct of the public officer or employee who is the subject of the request. If the Commission intends to present the person's testimony for consideration as evidence in rendering an opinion in the matter, the Commission shall disclose the person's name within a reasonable time before the Commission's hearing on the matter.

Comment: This may not affect the board directly. It is a matter that may present itself in the future if a registrant sends a complaint to the Ethic Commission.

AB135 Revises provisions relating to schedules for the retention and disposal of official state records. The Division of State Library and Archives shall develop and, to the extent that resources are available, conduct a program of education and training on the retention and disposition of official state records for the employees of each agency, board and commission that is required to maintain its official state records in accordance with a schedule for the retention and disposition of official state records that has been developed pursuant to NRS 239.080

Comment: The Division of State Library and Archive will be setting up a schedule for regular training so that all agencies, etc. are using the same method of document archival. No time limit set for this.

AB179 Revises provisions governing personal information. This bill expands the definition of Personal Information to include: medical information, electronic mail address, passwords, access codes, driver authorization numbers, state, local and federal documents. These are to be secured from unauthorized use or dissemination.

Comment: Adding to secured information that is part of our time.

AB236 Enacts provisions related to the promotion of public engagement by state agencies. It is the policy of this State to strengthen and further promote broad, inclusive and meaningful engagement by the general public and interested stakeholders in the activities of the State Government by adopting methods of public participation and public comment that incorporate the use of the Internet and Internet tools. To assist in carrying out this policy each state agency is encouraged, to the extent practicable and within the limits of available money, to develop a policy on public engagement that incorporates the use of the Internet and Internet tools for the purpose of encouraging public participation and soliciting public comments on the activities of the state agency, including, without limitation, the development or adoption of regulations, policies and programs. The Internet tools used by the state agency may include, without limitation, electronic mail, electronic mailing lists, online forums and social media. "Social media" means any electronic service or account or electronic content, including, without limitation, videos, photographs, blogs, video blogs, podcasts, instant and text messages, live chat, mobile applications, online services or Internet website profiles.

"State agency" means every public agency, bureau, board, commission, department or division of the Executive Department of the State Government.

Comment: Using electronic means for participation at meetings and providing the public and registrants to interact with the board over the internet and video conferencing media.

AB364 Revises provisions relating to the state business portal.

If the Secretary of State receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is conducting business in this State as a sole proprietor, and the state business license issued by the Secretary of State to such a person, the Secretary of State shall deem the state business license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Secretary of State receives a letter issued to the holder of the state business license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the state business license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Comment: The Federal and State Laws exist that require the board to submit upon request the names, address and other contact information on persons ordered to pay support for dependent children. This law adds the provision that if the person is found to be in non-compliance with the court order, their occupational registration is to be suspended and the Secretary of State is to suspend the business license. In discussion of this bill, it was asked if a licensing board is to contact the Secretary of State concerning the suspension by court order. It was stated that not all courts may contact licensing boards to advise of the order. It was amended that the Secretary of State would contact boards for information concerning the person or persons under court order. The NSBLA may receive requests along with others to determine if the person is licensed to practice in Nevada.

SB70 Revises provisions governing meetings of public bodies. (BDR 19-155)

The Open Meeting Law specifies a certain number of working days by which a public body is mandated to comply with certain requirements with respect to its meetings, such as providing notice of its meetings and making available minutes or audio recordings of its meetings . (NRS 241.020, 241.033-241.035) **Section 2** defines “working day” for purposes of these requirements as every day of the week except Saturday, Sunday and legal holidays prescribed in existing law. Therefore, if an agency has a 4-day workweek and is closed on Fridays, for example, Friday would nevertheless count as a working day for that agency for purposes of the requirements of the Open Meeting Law unless a particular Friday is a legal holiday.

Under existing law, if a public body will consider whether to take administrative action against a person during a public meeting, the agenda for the meeting is required to include the name of the person against whom the public body may take administrative action. (NRS 241.020) **Section 4** of this bill broadens this requirement for agendas to apply to other types of administrative action that a public body may take that are not adverse to a person, such as, for example, appointment of the person to a position. The Open Meeting Law sets forth the minimum public notice required for meetings of public bodies subject to the Open Meeting Law. (NRS 241.020) **Section 4** of this bill requires such a public body to document in writing its compliance with the requirement for minimum public notice to post a copy of the public notice at required locations for each of its meetings. Under the Open Meeting Law, a member of a public body is prohibited from designating a person to attend a meeting of the public body in the place of the member unless the designation is expressly authorized by the legal authority pursuant to which the public body was created. (NRS 241.025) **Section 5** of this bill extends this prohibition to the public body itself, thereby prohibiting a public body from designating a person to attend a

meeting of the public body in the place of a member of the public body without specific legal authority. Under the Open Meeting Law, a public body is required to keep written minutes of each of its meetings. (NRS 241.035) **Section 6** of this bill requires a public body to approve the minutes of a meeting of the public body within 45 days after the meeting or at the next meeting of the public body, whichever occurs later, unless good cause is shown. With certain exceptions, the Attorney General is required under existing law to investigate and prosecute violations of the Open Meeting Law. (NRS 241.039) Section 7 of this bill authorizes the filing of a complaint alleging a violation of the Open Meeting Law with the Office of the Attorney General. **Section 7** also makes all documents and other information compiled as a result of an investigation of a violation of the Open Meeting Law confidential until the investigation is closed except: (1) the complaint; (2) findings of fact and conclusions of law made by the Attorney General relating to the complaint; and (3) any document or information compiled as a result of the investigation that may be requested for inspection or copying from a governmental entity other than the Office of the Attorney General.

Comment: The four (4) day work week will count Friday as a work day, although it may be a furlough day. The approval of meeting minutes within 45 days or at the next meeting was set for local governments, although it could be used against a board that only meets once a quarter. Thus, the caveat, “ or the next meeting, whichever is later.” Section 7 is a confidentiality clause, which may not be disclosed until after the investigation is complete.

SB83 Designates as confidential certain information that is reported to the Division of Internal Audits of the Department of Administration.

Existing law requires the Director of the Department of Administration to establish a telephone hotline at which a person may report to the Division of Internal Audits of the Department information relating to abuse, fraud or waste with respect to public money received and used by an Executive Branch agency or certain contractors. (NRS 353A.049) **Section 1** of this bill designates as confidential any information reported at the telephone hotline, including the identity of the person who reported the information. **Section 1** further prohibits the Division from disclosing the confidential information with certain limited exceptions.

Section 1 also requires the Division to perform a review upon receipt of any information reported and prepare a report of its findings from the review.

Comment: There will be a hotline set-up that people can call to complain about fraud, waste and abuse of public money. As this board does not use general fund money to operate, it is a grey area, as our registrants pay a fee that operates this board. This hotline could be used to file reports of abuse, etc. about the board operations. Not sure how the Division of Internal Audits will write the regulations for this, if boards that are self-funded will be exempt.

Other bills that were followed, as they concerned boards and work that relate to Landscape Architecture

SB 50 Contractors board to change the requirement for application to install shell buildings. Also, defined the process for administrative disciplinary action. The procedures mirror those in 623A

SB 68 The title for this was: Revises provisions governing professions. As it turns out it was the Medical Board, et. al, changing application and qualifications for reciprocity. With such a broad title, had to watch to see if any other boards were added.

SB 223 dealt with the Contractor’s Board, changed the qualifications to apply for specialty licenses.