

BULLETIN 19-2

Summary Bulletin of Reports of the Legislative Commission to the 80th Session of the Nevada Legislature



Legislative Counsel Bureau

MARCH 2019

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BULLETIN 19-2

SUMMARY BULLETIN OF REPORTS OF THE LEGISLATIVE COMMISSION TO THE 80TH SESSION OF THE NEVADA LEGISLATURE

INTRODUCTION

This bulletin summarizes 19 study reports that were completed during the 2017–2018 Interim for consideration by the 2019 Nevada Legislature. The *Summary Bulletin* serves two primary purposes:

1. It provides a brief outline of the work of each interim committee or subcommittee so that legislators and interested parties may become familiar with the various studies, issues, and resulting recommendations; and
2. It is a reference tool to facilitate and encourage the use and understanding of the individual reports it summarizes.

Interim studies included in this bulletin were mandated by one of four methods: (1) by an act of the Legislature; (2) by a concurrent or joint resolution adopted by both the Senate and the Assembly; (3) by a law appearing in the *Statutes of Nevada* or *Nevada Revised Statutes*; or (4) by direction of the Legislative Commission.

For each study, an abstract and summary of the recommendations, if any, are provided. Some committee summaries are more detailed than others, depending upon the nature of the study. The bill, resolution, or statutory provisions that mandated the studies are included where applicable. In addition, committee members and staff are listed to assist legislators and others in identifying those who may help in their understanding of issues or recommendations.

The *Summary Bulletin* is a guide to the contents of the regular study reports. For additional information regarding a particular study, interested parties should refer to the bulletin number cited on the initial page of each section. These publications are identified by bulletin number and may be obtained from the Legislative Counsel Bureau's Gift Shop and Publications Office (telephone: 775/684-6835) or on the Nevada Legislature's website at: <https://www.leg.state.nv.us/Division/Research/Publications/InterimReports/index.html>.

LEGISLATIVE COMMISSION

Nevada Revised Statutes 218E.150

Members

Assemblyman Jason Frierson, Chair
Assemblywoman Teresa Benitez-Thompson, Vice Chair

Senate

Senator Kelvin D. Atkinson*
Senator Nicole J. Cannizzaro
Senator Moises (Mo) Denis
Senator Scott T. Hammond
Senator Ben Kieckhefer
Senator Heidi Seevers Gansert
Senator Joyce Woodhouse

Assembly

Assemblywoman Maggie Carlton
Assemblyman Chris Edwards
Assemblyman Al Kramer
Assemblyman Jim Wheeler

**Senator Kelvin D. Atkinson resigned from office on March 5, 2019, and was replaced on the Legislative Commission by Senator Joyce Woodhouse.*

Note: The “Previous Members” represent the composition of the Legislative Commission up until the November 6, 2018, General Election.

Previous Members

Assemblyman Jason Frierson, Chair
Assemblywoman Teresa Benitez-Thompson, Vice Chair

Senate

Senator Kelvin D. Atkinson
Senator Moises (Mo) Denis
Senator Patricia Farley
Senator Aaron D. Ford
Senator Scott T. Hammond
Senator Ben Kieckhefer

Assembly

Assemblyman D. Paul Anderson*
Assemblywoman Maggie Carlton
Assemblyman James Oscarson
Assemblyman Keith Pickard
Assemblyman Jim Wheeler

**Assemblyman D. Paul Anderson resigned from office on September 22, 2017, and was replaced on the Legislative Commission by Assemblyman James Oscarson.*

BULLETIN 19-3

**COMMITTEE TO STUDY THE ADVISABILITY AND FEASIBILITY OF TREATING
CERTAIN TRAFFIC AND RELATED VIOLATIONS AS CIVIL INFRACTIONS**

Assembly Concurrent Resolution 9
(File 41, *Statutes of Nevada 2017*)

Members

Assemblyman Steve Yeager, Chair
Senator Kelvin D. Atkinson
Senator Donald Gustavson
Senator Tick Segerblom
Assemblyman John Ellison
Assemblywoman Dina Neal

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Assembly Concurrent Resolution 9
(File 41, Statutes of Nevada 2017)

Assembly Concurrent Resolution No. 9—
Assemblyman Yeager

FILE NUMBER.....

ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to appoint a committee to conduct an interim study concerning the advisability and feasibility of treating certain traffic and related violations as civil infractions.

WHEREAS, Under existing law, violations of traffic laws and laws relating to drivers' licenses and to the registration of and insurance for motor vehicles are treated as criminal offenses; and

WHEREAS, As a result, residents of this State and visitors may find themselves entangled in the criminal justice system for relatively minor misconduct; and

WHEREAS, Other states treat violations of their traffic and related laws as civil infractions; and

WHEREAS, Among the purposes for which the Legislature establishes traffic laws is to minimize the differences between the traffic laws of this State and those of other states; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislative Commission is hereby directed to appoint a committee to conduct an interim study concerning the advisability and feasibility of treating certain criminal violations of traffic laws and laws relating to drivers' licenses and to the registration of and insurance for motor vehicles as civil infractions; and be it further

RESOLVED, That the committee must be composed of six Legislators as follows:

1. Three members of the Assembly, at least one of whom represents a district no part of which is in Clark County; and

2. Three members of the Senate, at least one of whom represents a district no part of which is in Clark County; and be it further

RESOLVED, Of the members appointed to the committee who represent a district no part of which is in Clark County, at least one member must represent a district no part of which is in Clark County or Washoe County; and be it further

RESOLVED, That the Legislative Commission shall designate one of the members appointed to the committee to serve as the chair of the committee; and be it further



79th Session (2017)

RESOLVED, That in performing the study, the committee shall consider issues relating to:

1. The existing laws of this State concerning the violation of traffic laws and laws relating to drivers' licenses and to the registration of and insurance for motor vehicles, and the treatment of violations of such laws as criminal offenses;

2. The related laws of other states concerning violations of such laws and their treatment of violations of such laws as criminal offenses or civil infractions;

3. The appropriate and necessary elements of a system to treat violations of such laws as civil infractions in this State, including, without limitation, computer systems, court procedures, training and staffing; and

4. The anticipated fiscal effects of a system to treat violations of such laws as civil infractions in this State, including, without limitation, the effects on this State and its political subdivisions; and be it further

RESOLVED, That any recommended legislation proposed by the committee must be approved by a majority of the members of the Assembly and a majority of the members of the Senate appointed to the committee; and be it further

RESOLVED, That the Legislative Commission submit a report of the results of the study and any recommended legislation to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Governor, the Director of the Department of Public Safety, the Director of the Department of Motor Vehicles and the Director of the Administrative Office of the Courts.



ABSTRACT

COMMITTEE TO STUDY THE ADVISABILITY AND FEASIBILITY OF TREATING CERTAIN TRAFFIC AND RELATED VIOLATIONS AS CIVIL INFRACTIONS

Assembly Concurrent Resolution 9
(File 41, *Statutes of Nevada 2017*)

In 2017, the Nevada Legislature adopted Assembly Concurrent Resolution 9, which established the Committee to Study the Advisability and Feasibility of Treating Certain Traffic and Related Violations as Civil Infractions. The Committee's primary responsibilities included conducting a study to consider: (1) how existing laws in this State treat the violation of traffic laws and certain related laws as criminal offenses; (2) the related laws in other states and their treatment of violations of such laws as criminal offenses or civil infractions; (3) the appropriate and necessary elements of a system which treats violations of such laws as civil infractions; and (4) the anticipated fiscal effects of treating violations of such laws as civil infractions.

The Committee held five meetings and received formal presentations from representatives from state and local agencies, justice and municipal courts of this state, and representatives from other states and heard public testimony to consider issues related to treating the violation of traffic laws and other related laws as criminal offenses or civil infractions. Discussion topics included, but were not limited to: (1) the handling of traffic and certain related violations and the handling of warrants for the arrest of persons who commit traffic and certain related violations in this state by law enforcement, prosecuting attorneys, the courts and other agencies of this state; (2) the handling of records of criminal violations of traffic and certain related laws; (3) the collection and use of revenue received from administrative assessments imposed for traffic and certain related violations; and (4) the handling of traffic and certain related violations in other states.

During its final meeting and work session, the Committee considered ten total recommendations and voted to approve four recommendations for the drafting of legislation and six recommendations for the drafting of a letter.

SUMMARY OF RECOMMENDATIONS

COMMITTEE TO STUDY THE ADVISABILITY AND FEASIBILITY OF TREATING CERTAIN TRAFFIC AND RELATED VIOLATIONS AS CIVIL INFRACTIONS

Assembly Concurrent Resolution 9
(File 41, *Statutes of Nevada 2017*)

The Committee to Study the Advisability and Feasibility of Treating Certain Traffic and Related Violations as Civil Infractions held a final work session on August 24, 2018. At that work session the Committee considered ten total recommendations and voted to approve four recommendations for the drafting of legislation and six recommendations for the drafting of a letter. A summary of each recommendation is identified below:

PROPOSALS RELATING TO THE CONVERSION OF MINOR TRAFFIC AND RELATED VIOLATIONS TO CIVIL INFRACTIONS

1. Propose legislation to impose civil penalties for minor traffic and related violations. Such legislation would include, without limitation:
 - a. Establish one or more categories of civil infraction based on the severity of the violation. Serious traffic and related violations will continue to be criminal matters;
 - b. The removal of discretion to make an arrest solely for a minor traffic or related violation unless other grounds for arrest arose during a traffic stop and the service of a civil complaint on the person alleged to have committed the minor traffic or related violation;
 - c. Procedures whereby a defendant who does not wish to challenge the complaint may enter a plea and make a payment over the Internet, by mail, or in person at the court and whereby a defendant that wants to challenge the complaint may enter a plea or challenge a ticket over the Internet or by mail or by appearing in court personally or through an attorney for a contested hearing;
 - d. Encourage the early payment of citations for traffic or related violations by authorizing a reduction of the charge if payment is made prior to a court appearance;
 - e. Revise the uses of fees paid by persons who have been issued a citation for a traffic or related violation to obtain a reduction in the severity of a violation;
 - f. The applicability of the rules of evidence that are applicable in other civil cases;
 - g. A standard of proof that requires the violation to be proved by a preponderance of the evidence;
 - h. The entry of a default civil judgment upon failure to appear in court with the opportunity to file a motion to set aside the judgment in exceptional circumstances;

- i. Upon the failure to pay a civil penalty within the time required by the court, the court will analyze whether the civil penalty is within the ability of the defendant to pay and collectible. If the civil penalty is within the ability of the defendant to pay and collectible, the court will enter a civil judgment against the defendant. If the civil judgment is not paid within the time established by the court, the following collection actions may be taken: attachment or garnishment of the defendant's property, wages, or other money; or the suspension of the defendant's driver's license. If a defendant has the ability to pay a civil penalty and willfully avoids paying the civil penalty, the court may hold the defendant in civil contempt of court; and
- j. The creation of a model form for default judgment to be used by courts when entering a civil judgment. **(BDR 43–426)**

PROPOSALS CONCERNING MINOR TRAFFIC AND RELATED VIOLATIONS IF SUCH VIOLATIONS REMAIN CRIMINAL VIOLATIONS

- 2. Propose legislation to revise the procedure followed in cases involving minor traffic and related violations as summarized below:
 - a. Amend [Nevada Revised Statutes \(NRS\) 484A.610](#) to authorize traffic enforcement agencies in this state to use a model format for traffic citations that are designed in a manner that uses behavioral science to reduce failures to appear;
 - b. Amend [NRS 484A.630](#) to authorize a peace officer to collect from a person halted for a traffic or related violation the person's email address and cell phone number to enable the court to communicate with the person via email or cell phone;
 - c. Amend [NRS 481.063](#) to authorize the Department of Motor Vehicles to share with a court, upon request of the court, the mailing address and contact information of persons who have been issued traffic citations for the purpose of enabling the court to provide notifications concerning the traffic citation to such persons;
 - d. Amend [NRS 484A.630](#) to remove the ability of a person who has been issued a traffic citation to request a hearing on the violation earlier than five days after the alleged violation;
 - e. Amend [NRS 484A.710](#), [484A.720](#), [484A.730](#), [484A.740](#), and [484A.760](#) to clarify the procedure to be followed by a court when a person who has allegedly committed a traffic violation is arrested and either authorized or required to be brought before a magistrate "without unnecessary delay";
 - f. Amend [NRS 484A.700](#) to prohibit the issuance of a bench warrant when a person fails to appear in response to a citation for a parking violation when notice of the violation was returned to the court as undeliverable; and

- g. Authorize a person who has been issued a citation for a minor traffic or related violation to enter a plea and make a statement of his or her case by mail or electronic means. **(BDR 43–427)**
- 3. Draft legislation to revise provisions governing the penalties, assessments, and fees imposed in connection with minor traffic and related violations as summarized below:
 - a. Create a separate class of misdemeanor for minor traffic and related violations to reduce the maximum penalty for minor traffic and related violations, which is currently six months' imprisonment in jail or a fine of not more than \$1,000;
 - b. Create a uniform range of fines for minor traffic and related violations for use throughout the state;
 - c. Amend [NRS 176.065](#) and [176.075](#) to increase the amount of credit that an offender receives against his or her fine for each day of incarceration served by the offender. Under existing law, an offender receives \$75 in credit against his or her fine for each day of incarceration;
 - d. Amend [NRS 176.087](#) to require a court to provide a credit toward a fine of at least \$10/hour for each hour of community service performed by an offender;
 - e. Specifically authorize a court to allow a person who has committed a minor traffic or related violation to attend traffic school to obtain a fine or charge reduction;
 - f. Specify the order in which payments by an offender with multiple violations or multiple cases are to be applied to outstanding fines, assessments, and fees;
 - g. Revise the order in which payments are applied to fines and administrative assessments to specify the order in which payments are applied to fees imposed by a court, including, without limitation, warrant fees and collection fees;
 - h. Amend [NRS 176.065](#) and [176.075](#) to define when a person is indigent such that the court may not order the imprisonment of the person for failure to pay certain amounts due;
 - i. Amend NRS to specify that if a person is cited for a traffic or related violation which a local government is prohibited from enacting into its ordinances pursuant to subsection 3 of [NRS 484A.400](#), any fine or bail forfeiture paid by the person for that violation must be remitted to the state and placed in the State Permanent School Fund;
 - j. Encourage the early payment of citations for traffic or related violations by authorizing a reduction of the charge if payment is made prior to a court appearance; and
 - k. Revise the uses of fees paid by persons who have been issued a citation for a traffic or related violation to obtain a reduction in the severity of a violation. **(BDR 14–428)**

4. Draft legislation to revise provisions relating to the collection of unpaid fines, assessments, and fees imposed on persons who commit minor traffic and related violations as summarized below:
 - a. Amend [NRS 176.064](#) to:
 - i. Clarify the order in which the collection remedies specified in the section must be undertaken;
 - ii. Revise the collection fee which a court is authorized to charge when a person who has committed a minor traffic or related violation has failed to pay a fine, assessment, fee, or restitution within the time required by the court;
 - iii. Remove the authority of a court to request that the prosecuting attorney undertake collection efforts by attaching or garnishing the offender's property, wage, or other money receivable;
 - iv. Comply with federal law by removing the authority to report a delinquent fine, assessment, fee, or restitution to a credit reporting agency;
 - v. Remove the authority of a court to order the suspension of the driver's license of a person who is delinquent in the payment of a fine, assessment, fee, or restitution; and
 - vi. Create a model form for a confession of civil judgment and order of confinement; and
 - b. Establish criteria for determining when an unpaid fine, assessment, or fee is uncollectible and the consequences of finding that a fine, assessment, or fee is uncollectible.
(BDR 14-429)

PROPOSALS CONCERNING CURRENT HANDLING OF MINOR TRAFFIC AND RELATED VIOLATIONS

5. Draft a letter for distribution to municipal and justice courts in this state encouraging those courts to update or configure information systems to enable the court to report, as sought in the survey to the courts.
6. Draft a letter for distribution to municipal and justice courts in this state asking those courts to consider the impropriety of imposing fines and commencing collection activity against a defendant who has not yet appeared in court to make a plea and thus has not yet been adjudicated guilty of an offense.
7. Draft a letter for distribution to municipal and justice courts in this state asking those courts to examine the fees charged by the courts in connection with minor traffic and related violations, including, without limitation, fees to enter into a payment plan, credit card processing fees, collection fees, and warrant fees, to ensure that the amount of the fees

charged by the courts are not excessive in relation to the actual cost of taking the action for which the fee is imposed.

8. Draft a letter for distribution to municipal and justice courts in this state stating that under [NRS 484A.400](#), local governments are prohibited from enacting ordinances related to certain traffic and related violations and, thus, courts must consider those offenses violations of state law and the fines paid for those violations must be remitted to the state and placed in the State Permanent School Fund for the financial benefit of public education in Nevada.
9. Draft a letter for distribution to traffic enforcement agencies in this state to encourage any traffic enforcement agency that issues handwritten citations for traffic and related violations to issue electronic citations for those violations to allow for faster transmission of the citation to the appropriate court.
10. Draft a letter for distribution to municipal and justice courts, traffic enforcement agencies, and district attorneys in this state encouraging these entities to form working groups after the 2019 Legislative Session to consider the implementation of a program to allow a person cited for a minor traffic or related violation to pay the citation at the time the citation is issued and any changes in the laws of this state needed to implement such a program.

BULLETIN 19-4

**COMMITTEE TO CONDUCT A STUDY CONCERNING THE COST AND
AFFORDABILITY OF HIGHER EDUCATION**

Assembly Bill 202
(Chapter 150, *Statutes of Nevada 2017*)

Members

Assembly Member Amber Joiner, Chair
Senator Moises (Mo) Denis, Vice Chair
Senator Yvanna D. Cancela
Senator Ben Kieckhefer
Assemblyman Chris Edwards
Assemblywoman Heidi Swank

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Assembly Bill 202
(Chapter 150, Statutes of Nevada 2017)

Section 1. 1. The Legislative Commission shall appoint a committee to conduct an interim study concerning the cost and affordability of higher education in the State of Nevada for students.

2. The committee must be composed of:

- (a) Two voting members of the Legislature appointed by the Majority Leader of the Senate;
- (b) Two voting members of the Legislature appointed by the Speaker of the Assembly;
- (c) One voting member of the Legislature appointed by the Minority Leader of the Senate;
- (d) One voting member of the Legislature appointed by the Minority Leader of the Assembly;
- (e) One nonvoting member of the general public who is a faculty member in the Nevada System of Higher Education appointed by the Chair of the Legislative Commission from among the names of nominees submitted by the Board of Regents of the University of Nevada pursuant to subsection 3; and

- (f) One nonvoting member of the general public who is a student enrolled in the Nevada System of Higher Education appointed by the Chair of the Legislative Commission from among the names of nominees submitted by the Board of Regents of the University of Nevada pursuant to subsection 3.

3. The Board of Regents of the University of Nevada shall submit to the Legislative Commission the names of at least three:

- (a) Faculty members in the Nevada System of Higher Education qualified for membership on the committee.

- (b) Students enrolled in the Nevada System of Higher Education qualified for membership on the committee.

4. The Speaker of the Assembly shall appoint a Chair and a Vice Chair of the committee.

5. The committee shall consult with and solicit input from persons and organizations with expertise in matters relevant to the cost of higher education in this State and funding methods for higher education in this State.

6. The committee shall submit a report of its findings, including, without limitation, any recommendations for legislation, to the 80th Session of the Nevada Legislature.

ABSTRACT

COMMITTEE TO CONDUCT A STUDY CONCERNING THE COST AND AFFORDABILITY OF HIGHER EDUCATION

Assembly Bill 202
(Chapter 150, *Statutes of Nevada 2017*)

The Committee to Conduct a Study Concerning the Cost and Affordability of Higher Education was established per the enactment of [AB 202](#). The Committee was comprised of six legislators, three from each house, and two nonvoting members, one who is a faculty member in the Nevada System of Higher Education (NSHE) and one who is a student enrolled in NSHE. Per the enabling legislation, the Legislative Counsel Bureau and NSHE were charged with providing administrative and technical assistance to the committee as requested by the chair.

The Committee held four meetings during the 2017–2018 Interim. All four meetings were held in the Legislative Building in Carson City, Nevada, with videoconferencing to the Great Basin College in Elko, Nevada, and the Grant Sawyer State Office Building in Las Vegas, Nevada. Each meeting focused primarily on specific areas as follows:

1. March 22, 2018—Affordability and costs of higher education;
2. April 17, 2018—Programs of higher education;
3. May 8, 2018—Compensation for faculty; and
4. June 4, 2018—Final work session.

This was a multifaceted study regarding the cost and affordability of higher education. To this end, the Committee studied programs, policies, and funding to make higher education more financially accessible to residents of this state. The Office of Economic Development and the Office of Workforce Innovation, within the Office of the Governor, participated along with NSHE in the Committee’s evaluation of the need for higher education programs to ensure economic progress and workforce development in Nevada. The system of compensation for faculty was carefully reviewed in order to recruit and retain quality faculty that will further programs of higher education and research. At its final work session, the Committee voted on recommendations for bill draft requests (BDRs), letters, and statements for the Committee’s final report.

The Committee voted to forward four recommendations as BDRs to the 80th Session of the Nevada Legislature in 2019 addressing the following topics: (1) professional employee and faculty compensation; (2) the Governor Guinn Millennium Scholarship Program; (3) creating a new state-funded grant program for qualified students enrolled in universities within NSHE; and (4) the Silver State Opportunity Grant Program.

SUMMARY OF RECOMMENDATIONS

COMMITTEE TO CONDUCT A STUDY CONCERNING THE COST AND AFFORDABILITY OF HIGHER EDUCATION

Assembly Bill 202
(Chapter 150, *Statutes of Nevada 2017*)

This summary presents the recommendations approved by the Committee to Conduct a Study Concerning the Cost and Affordability of Higher Education at its June 4, 2018, meeting. The Committee voted to forward four recommendations as bill draft requests (BDRs) to the 80th Session of the Nevada Legislature in 2019, send several letters expressing support for a specific issue or encouraging certain action, and include several statements in the Committee's final report.

During the drafting process, specific details of the following proposals for legislation and letters may be further clarified by staff in consultation with the chair or others, as appropriate.

RECOMMENDATIONS FOR LEGISLATION

1. The Committee voted to request legislation to establish the structure for a comprehensive and sustainable faculty compensation system, including regular in-rank salary increases. The BDR should address compression in faculty salaries in order to promote the recruitment and retention of high-quality faculty for the Nevada System of Higher Education (NSHE).

The intent of the legislation would be that if the Board of Regents and NSHE do establish a compensation plan for its professional employees, in line with statutory parameters and with certain reporting requirements, then the additional cost of the in-rank salary increases would be part of the cost of continuing NSHE's operations at the current level of service, rather than as an enhancement or separate line item for the purpose of creating the *Executive Budget*. The legislation should continue to allow institutional flexibility according to the needs of research universities, two-year colleges, four-year universities, the Desert Research Institute, and other statewide programs, with oversight by the Board of Regents explicitly authorized by statute. **(BDR 32–382)**

2. The Committee voted to request legislation to revise statutory provisions concerning the Governor Guinn Millennium Scholarship (GGMS) Program to:
 - a. Establish one grade point average (GPA) for all students in all semesters that they receive the GGMS, as a requirement to maintain eligibility for the GGMS. To do so, the Committee voted to increase the first-year GPA from 2.60 to 2.75, which is the current GPA requirement for students in their second and subsequent years.

- b. Revise the “two strikes” provision in Section 5 of [Nevada Revised Statutes \(NRS\) 396.934](#) to provide that a student may continue to receive the GGMS in the student’s succeeding semester of enrollment after failing to meet the continuing eligibility requirement during a semester of enrollment, since more students may fail to meet the increased GPA requirement. However, if the student fails to meet the requirements during a second semester at any time during the student’s enrollment, the student is no longer eligible for the GGMS.
 - c. Propose an effective date of July 1, 2020, for these revisions to provide students and institutions adequate notice of the change in the GPA requirements. The proposed revisions in the eligibility requirements would be applied to all students in the GGMS program on July 1, 2020. **(BDR 34–383)**
- 3. The Committee voted to request legislation to establish a separate, state-funded grant program for qualified students enrolled in universities within NSHE with a similar structure and qualifications as the Silver State Opportunity Grant (SSOG) Program ([NRS 396.950 through 396.960](#)). **(BDR 34–384)**
 - 4. The Committee voted to request legislation to revise statutory provisions concerning the SSOG Program as follows:
 - a. Expand eligibility to students enrolled in 30 credits in an academic year utilizing fall, spring, and summer terms. Currently, under [NRS 396.952](#), to be eligible for the SSOG, a student must enroll in at least 15 credit hours each semester (fall and spring semesters only);
 - b. Amend NRS 396.952 to allow students to enroll in fewer than 30 credit hours in the final academic year of his or her program of study and remain eligible for the program;
 - c. Include in the report to the Legislature relevant to the SSOG, per [NRS 396.960](#), credit load data indicating how students met the 30 credit hour requirement each academic year. **(BDR 34–385)**

RECOMMENDATIONS FOR COMMITTEE LETTERS AND STATEMENTS IN THE COMMITTEE’S FINAL REPORT

- 5. The Committee voted to send a letter to the governor, Board of Regents, chairs of the Senate Committee on Finance and the Assembly Committee on Ways and Means, and legislative leadership, and include a statement in the Committee’s final report encouraging the development of plans and options to:
 - a. Support the Board of Regents’ efforts to revise the faculty compensation structure, creating a competitive but sustainable compensation system that addresses salary compression and provides for in-rank salary advancement;

- b. Support the allocation of State General Fund appropriations to address professional compensation, including in-rank salary adjustments, in addition to student registration fees, miscellaneous student fees, nonresident tuition charges, and state-allocated revenues;
 - c. Support regular funding in every fiscal year (FY) for in-rank salary advancement for NSHE professional employees at a level comparable, as a percentage of the total personnel budget, to funding for the in-grade steps for classified personnel in the state; and
 - d. Fund a one-time, base-pay salary adjustment in FY 2019–2020 to partially address equity, salary compression, and inversion issues. It should be noted that an independent study was conducted for the Board of Regents, and the findings of the study were later presented to the Committee during its May 8, 2018, meeting. Gallagher Benefit Services, Inc., testified the one-time costs to address this issue could total as much as \$38.4 million for administrative faculty and \$49 million for academic faculty.
- 6. The Committee voted to send a letter to the Board of Regents recommending that each NSHE educational institution participate in the American Association of University Professors' annual faculty compensation survey, in order to provide valid comparative salary data year after year.
 - 7. The Committee voted to send a letter to the governor, Board of Regents, chairs of the Senate Committee on Finance and the Assembly Committee on Ways and Means, and legislative leadership supporting the concept of an increased/shared grant writing and management infrastructure for Nevada's community and state colleges for the purpose of obtaining private and federal grant funding.
 - 8. The Committee voted to send a letter to NSHE encouraging its promotion of various student loan forgiveness programs, perhaps coupled with public service for rural and underserved populations.
 - 9. The Committee voted to send a letter to the governor, Board of Regents, chairs of the Senate Committee on Finance and the Assembly Committee on Ways and Means, and legislative leadership indicating that the Committee sees the need for dedicated, permanent funding for the GGMS Program and supports its continuation.
 - 10. The Committee voted to send a letter to local school districts encouraging them to ensure each district policy on mentoring better coincides with the mentoring provisions required of Nevada Promise Scholarship recipients.
 - 11. The Committee voted to send a letter to the United Way of Northern Nevada and the Sierra and similar service organizations encouraging such institutions to make available for students age-appropriate volunteer opportunities that do not conflict with school schedules.

12. The Committee voted to send a letter to the 2017–2018 Interim Legislative Committee on Education (LCE) noting that at the March 22, 2018, meeting of the Committee to Conduct a Study Concerning the Cost and Affordability of Higher Education, NSHE institution representatives provided detailed testimony related to the Nevada Promise Scholarship. The feedback from the institutions may be helpful if any statutory revisions to the scholarship are contemplated by the LCE for the 2019 Legislature.
13. The Committee voted to send a letter to the governor, Board of Regents, chairs of the Senate Committee on Finance and the Assembly Committee on Ways and Means, and legislative leadership expressing the Committee’s support for increased funding for the Nevada Regents’ Service Program, which is the only state-supported work study program in NSHE.
14. The Committee voted to include a statement in its final report supporting increased outreach and education to students and parents regarding the value of training for middle skills jobs. Middle skills jobs require more than a high school education but less than a four-year college degree. According to testimony, there is a gap of roughly 28,000 workers in middle skills jobs in the state, and community colleges play a vital role in addressing this gap. Some examples of middle skills jobs include: electrical and electronic engineering technicians, mechanical engineering technicians, medical and clinical laboratory technicians, licensed practical and licensed vocational nurses, web developers, and welders.
15. The Committee voted to include a statement in its final report expressing support for increased development of youth apprenticeship programs for students in Nevada.
16. The Committee voted to include a statement in the Committee’s final report supporting improvements to the health workforce supply in Nevada. Mary Tabor Griswold, Ph.D., Health Services Research Analyst, Office of Statewide Initiatives, University of Nevada, Reno, School of Medicine, suggested the following policy levers for such improvements:
 - a. Introduce students to health career opportunities through associated K–12 pipeline programs and the work of National Area Health Education Centers Organization (developed by the United States Congress in 1971 to recruit, train, and retain a health professions workforce committed to underserved populations);
 - b. Expand awareness of state and federal scholarships and student loan repayment programs to students, especially the National Health Service Corps, Health Resources and Services Administration, United States Department of Health and Human Services (offers loan repayment and scholarships to primary care providers and students); and
 - c. Increase state and federal support for graduate medical education, a targeted residency, and fellowship program development.
17. The Committee voted to include a statement in the Committee’s final report to encourage future legislatures and governors to consider the demands that will be placed on community colleges and other higher education institutions to educate the workforce when providing tax abatements for companies to encourage economic development.

BULLETIN 19-5

COMMITTEE TO STUDY ISSUES REGARDING AFFORDABLE HOUSING

Senate Concurrent Resolution 1
(File 40, *Statutes of Nevada 2017*)

Members

Senator Julia Ratti, Chair
Assemblyman Tyrone Thompson, Vice Chair
Senator Yvanna D. Cancela
Senator Ben Kieckhefer
Assemblyman Edgar Flores
Assemblywoman Sandra Jauregui

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Senate Concurrent Resolution 1
(File 40, Statutes of Nevada 2017)

Senate Concurrent Resolution No. 1—Senator Ratti

FILE NUMBER.....

SENATE CONCURRENT RESOLUTION—Directing the
Legislative Commission to appoint a committee to conduct
an interim study relating to affordable housing within the
State of Nevada.

WHEREAS, The United States Department of Housing and Urban Development defines affordable housing as housing for which an occupant is paying no more than 30 percent of his or her income for gross housing costs, including utilities; and

WHEREAS, Families who pay more than 30 percent of their income for housing may have difficulty affording essentials such as food, clothing, transportation and medical care; and

WHEREAS, According to statistics from the American Community Survey conducted by the United States Census Bureau, of units occupied by persons paying rent in Nevada, an estimated 46.8 percent of occupants spent more than 30 percent of their household income on rent and utilities in 2015; and

WHEREAS, According to statistics from the Housing Division of the Department of Business and Industry, rent for affordable housing units in Nevada increased by 11 percent between 2013 and 2015, while average wages in Nevada increased by only 3 percent during that same period and average vacancy rates for affordable housing units decreased to 4 percent; and

WHEREAS, The shortage of affordable housing has forced thousands of seniors, veterans, families and children in Nevada to occupy motels that typically have minimal or no facilities for the preparation and storage of food and which serve as an inadequate substitute for stable, long-term housing; and

WHEREAS, Various research studies on the impact of housing on children's academic success indicate that the availability of adequate, safe, affordable housing can provide children with enhanced opportunities for academic success by reducing the frequency of unwanted moves which disrupt both the continuity of educational instruction and the social bonds and networks that support learning; and

WHEREAS, Increasing the availability of adequate, safe, affordable housing may also assist the State in meeting its economic development goals, increase the ability of the State to attract and retain a skilled workforce and improve educational outcomes for children in Nevada; now, therefore, be it



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RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative Commission is hereby directed to appoint a committee composed of three members of the Assembly and three members of the Senate, one of whom must be appointed by the Legislative Commission as Chair of the committee, to conduct an interim study of affordable housing within the State of Nevada; and be it further

RESOLVED, That the study must include, without limitation, an examination of:

1. The present and prospective need for affordable housing in the State, including, without limitation, affordable housing that is accessible to persons with disabilities;
2. Any impediments to the development of affordable housing in the State;
3. Methods to increase the availability of affordable housing in rural, suburban and urban areas of the State; and
4. Any other matters which are deemed relevant to the issue of affordable housing; and be it further

RESOLVED, That the committee solicit the input of interested stakeholders, including, without limitation, agencies and organizations that provide access to affordable housing and affordable housing assistance; and be it further

RESOLVED, That any recommended legislation proposed by the committee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the committee; and be it further

RESOLVED, That the Legislative Commission submit a report of the results of the study and any recommended legislation to the 80th Session of the Nevada Legislature; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Administrator of the Housing Division of the Department of Business and Industry.



ABSTRACT

COMMITTEE TO STUDY ISSUES REGARDING AFFORDABLE HOUSING

Senate Concurrent Resolution 1
(File 40, *Statutes of Nevada 2017*)

Nevada faces an affordable housing crisis. As the state experiences growth in both economic development and population, housing costs are also rapidly increasing while incomes are not keeping pace. According to the United States Census Bureau, 35 percent of Nevada households spend more than 30 percent of their income for housing and are considered housing cost burdened. The National Low Income Housing Coalition estimates that in Nevada, 80 percent of extremely low-income renters are severely cost burdened. In addition, 209,635 affordable housing units are needed across the state, creating a shortage of rentals available to low-income households according to Nevada's Housing Division, Department of Business and Industry.

In 2017, the Nevada Legislature adopted [Senate Concurrent Resolution 1](#), which established the Committee to Study Issues Regarding Affordable Housing. The Committee's primary responsibilities include conducting a study to examine the present and prospective need for affordable housing in Nevada, any impediments to the development of affordable housing, methods to increase the availability of affordable housing, and other relevant matters relating to affordable housing.

The committee held four meetings and heard from representatives from state and local agencies, businesses, community groups, nonprofit and professional organizations, and the public to provide insight and solutions to Nevada's affordable housing problem.

During the first meeting, on January 23, 2018, the Committee heard testimony related to the critical need for affordable housing in Nevada, including the current housing stock, the shortage of affordable and available rentals for low-income households, an overview of affordable housing initiatives at the federal, state, and local level, an evaluation of the housing database, and possible solutions to the affordable housing problem. Chair Ratti also invited stakeholders, interested parties, and the public to join working groups to help in providing the Committee with recommendations to consider. The following working groups were suggested: Financing, Definitions, Local Government, and Housing Data.

At the second meeting, on March 13, 2018, the Committee focused on supportive housing and the link between housing and health. The Committee heard testimony on regional efforts to provide a continuum of care for homeless families and individuals, how other states are providing supportive services, and the strategic goals related to housing, homelessness prevention, and intervention from the Interagency Council on Homelessness, Division of Public and Behavioral Health, Department of Health and Human Services.

Testimony during the third meeting, on May 15, 2018, examined workforce housing and the various programs available to help both new and struggling homeowners. Nevada's increasing population and shifting demographics lead to a demand for a wider variety of housing types.

According to a [presentation](#) at the meeting by Nevada HAND, a nonprofit organization dedicated to providing affordable housing solutions in southern Nevada, it is estimated that over the next ten years, the lack of affordable housing is projected to worsen for renter households earning up to \$47,000, particularly those among Nevada’s workforce, also referred to as the “missing middle” households.

At its work session in Las Vegas, Nevada, on May 31, 2018, the Committee approved five proposals for drafting legislation and three proposals for letters or final report statements. The topics covered include:

- Definitions of affordable housing;
- Housing data collection;
- Local government development fees;
- Supportive housing;
- Financing for affordable housing;
- Urban and transit-oriented development; and
- Consumer tenant protections.

More information about the Committee’s activities—including minutes, recordings, and copies of presentations and other exhibits—may be accessed on the Legislature’s [website](#) for the 2017–2018 Interim.

SUMMARY OF RECOMMENDATIONS

COMMITTEE TO STUDY ISSUES REGARDING AFFORDABLE HOUSING

Senate Concurrent Resolution 1
(File 40, *Statutes of Nevada 2017*)

This summary presents the recommendations approved by the Committee to Study Issues Regarding Affordable Housing at its meeting on May 31, 2018. The bill draft requests (BDRs) will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Definitions of Affordable Housing

1. Draft legislation to revise certain definitions of affordable housing to provide consistency within the *Nevada Revised Statutes* (NRS). **(BDR 22–377)**

Housing Data Collection

2. Draft legislation linking [NRS 278.235](#) (Annual Housing Progress Report) to [NRS 319.143](#) (Low-Income Housing Database) to clarify the connection between the two sections and support current practices of Nevada’s Housing Division (NHD), Department of Business and Industry, and local governments. **(BDR 25–378)**

Local Government Development Fees

3. Draft legislation to amend NRS 278.235 to enable local governments to assist affordable housing developments by allowing them to reduce or subsidize building fees, impact fees, and/or enterprise fees without having to be reimbursed from the local government’s general fund (GF) or without having to borrow and pay back enterprise funds from the GF. Local governments must provide for a public review of the fiscal stability of the GF or enterprise fund, as appropriate, if such fees are either reduced or subsidized. **(BDR 22–379)**

Supportive Housing

4. Draft legislation directing Nevada’s Department of Health and Human Services to expand the Medicaid 1915(i) State Plan Option. This would allow Nevada to offer a variety of services under a state plan for home- and community-based services benefit that would facilitate housing as health care. **(BDR 38–380)**

Financing for Affordable Housing

5. Draft legislation to create a Nevada affordable housing tax credit program to encourage the development and preservation of low-income residential housing projects statewide.

The proposed program is a four-year pilot program, which authorizes up to \$10 million of transferrable tax credits per fiscal year, not to exceed a total of \$40 million, to be administered by NHD. **(BDR 32–381)**

RECOMMENDATIONS FOR COMMITTEE ACTION

6. Send a letter to Nevada’s Congressional Delegation advocating for the support and passage of [S.548/H.R.1661](#) (Affordable Housing Credit Improvement Act of 2017), 115th Congress, also known as the Cantwell-Hatch Act, introduced by Senators Maria Cantwell (D-Washington) and Orrin G. Hatch (R-Utah).
7. Include a statement in the final report supporting the comments submitted by Joshua J. Hicks, on behalf of the Nevada Homebuilders Association, the Southern Nevada Homebuilders Association, and the Builders Association of Northern Nevada, to the Committee encouraging urban land development, transit-oriented development, comprehensive planning, workforce training, flexibility on permitting and enterprise fund fees, and opposing federal tariffs on construction material.
8. Include a statement in the final report supporting the comments submitted by James Conway, on behalf of Statewide Legal Services Coalition, to the Committee to strengthen consumer protections for tenants, including, without limitation, allowing additional time for tenants to locate new housing in the case of an eviction or a displacement due to rising rents, to help in mitigating the affordable housing crisis in Nevada.

BULLETIN 19-6

**COMMITTEE TO STUDY THE SALARIES OF CERTAIN POSITIONS IN THE
UNCLASSIFIED AND NONCLASSIFIED SERVICE OF THE STATE**

Senate Concurrent Resolution 6
(File 45, *Statutes of Nevada 2017*)

Members

Senator David Parks, Chair
Assemblywoman Maggie Carlton, Vice Chair
Senator Pete Goicoechea
Senator Joyce Woodhouse
Assemblyman Chris Brooks
Assemblyman Al Kramer

Nonvoting
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Senate Concurrent Resolution 6
(File 45, Statutes of Nevada 2017)

Senate Concurrent Resolution No. 6—
Committee on Finance

FILE NUMBER.....

SENATE CONCURRENT RESOLUTION—Directing the
Legislative Commission to appoint a committee to conduct
an interim study concerning salaries for certain positions in
the unclassified and nonclassified service of the State.

WHEREAS, The Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officers created by NRS 281.1571 makes its recommendations concerning the appropriate salaries to be paid to elected officers after comparing the current salaries of persons with similar qualifications who are employed by the State of Nevada and in the public sector and determining the minimum salary required to attract and retain experienced and competent persons; and

WHEREAS, The Administrator of the Division of Human Resource Management of the Department of Administration is authorized pursuant to NRS 284.175 to make recommendations to the Legislature concerning the appropriate salaries to be paid to employees in the classified service of the State after considering factors such as surveys of salaries of comparable jobs in government and private industry within the State of Nevada and western states, where appropriate, changes in the cost of living, the rate of turnover and difficulty of recruitment for particular positions and maintaining an equitable relationship among classifications; and

WHEREAS, There is no comparable mechanism for considering the appropriate salaries to be paid to state officers and employees who occupy positions in the unclassified and nonclassified service of the State; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative Commission is hereby directed to appoint a committee to conduct an interim study, as described herein, which is composed of:

1. Three members of the Senate, two of whom are appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate;
2. Three members of the Assembly, two of whom are appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly; and



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3. The Administrator of the Division of Human Resource Management of the Department of Administration, who shall serve as a nonvoting member of the committee; and be it further

RESOLVED, That the Legislative Commission shall designate one of the members appointed to the committee to serve as the Chair of the committee; and be it further

RESOLVED, That, the committee shall conduct an interim study concerning the appropriate salaries for certain positions in the unclassified and nonclassified service of the State, which must, without limitation:

1. Include a review of any position within the Judicial Department of the State Government, the Commission on Ethics, the Nevada Gaming Control Board, the Public Utilities Commission of Nevada and any other department, commission or agency of the State of Nevada as determined by the committee;

2. Include selection of the positions in the unclassified and nonclassified service of the State in each department, commission or agency of the State of Nevada which are to be included in the interim study;

3. Include a review of the salary paid to the state officer or employee in each position selected for review by the committee; and

4. Provide for a market salary analysis for each position selected for review by the committee to be performed in a manner determined by the committee; and be it further,

RESOLVED, That, in conducting the interim study, the committee may consider whether any position that is currently designated as within the classified, unclassified or nonclassified service of the State should be redesignated; and be it further

RESOLVED, That any recommended legislation proposed by the committee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the committee; and be it further

RESOLVED, That the Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Governor, the Administrator of the Division of Human Resource Management of the Department of Administration and the Director of the Administrative Office of the Courts.



ABSTRACT

COMMITTEE TO STUDY THE SALARIES OF CERTAIN POSITIONS IN THE UNCLASSIFIED AND NONCLASSIFIED SERVICE OF THE STATE

Senate Concurrent Resolution 6
(File 45, *Statutes of Nevada 2017*)

The Committee to Study the Salaries of Certain Positions in the Unclassified and Nonclassified Service of the State was established per the enactment of [Senate Concurrent Resolution 6](#) in 2017 by the 79th Session of the Nevada Legislature. The Committee was comprised of six legislators, three from each house, and one nonvoting member who is the Administrator of the Division of Human Resource Management in the Department of Administration. Per the enabling legislation, the Legislative Counsel Bureau was charged with providing administrative and technical assistance to the Committee as requested by the chair.

The Committee held three meetings during the 2017–2018 Interim. All three meetings were held in the Grant Sawyer State Office Building in Las Vegas, Nevada, with videoconference to the Legislative Building in Carson City, Nevada. Each meeting focused primarily on the specific areas as follows:

1. January 31, 2018—Role of the Committee and criteria for selecting positions for market salary analysis;
2. February 8, 2018—Selection of positions for market salary analysis; and
3. June 1, 2018—Results of market salary analysis.

The study determined how the salaries of certain unclassified positions in state service compare to similar positions in comparable public service organizations and the private sector through a market salary analysis performed by the Division of Human Resource Management (DHRM). Accordingly, the Committee considered the definitions, roles, and pay structures for unclassified positions in the state. The Committee learned that 15 positions in the Judicial Department would be reviewed through a market salary analysis performed by an outside consultant, and therefore, Judicial Department positions would not require review by the Committee.

The Committee selected 34 unclassified positions for inclusion in the study after considering information provided by the DHRM, the Public Utilities Commission of Nevada, the Nevada Gaming Control Board, the Commission on Ethics, and the Legislative Counsel Bureau's Fiscal Analysis Division staff. At its final meeting, the Committee received presentations and information regarding the analysis performed by DHRM, as well as a presentation of the analysis commissioned by the Supreme Court of Nevada.

The Committee concluded by recommending transmittal of the corresponding Committee report to the Legislative Commission for submittal to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature, in accordance with SCR 6. In addition, the Committee recommended transmittal of the report to the Office of the Governor and to the Interim Finance Committee at a meeting prior to the beginning of the 2019 Session.

SUMMARY OF RECOMMENDATIONS

COMMITTEE TO STUDY THE SALARIES OF CERTAIN POSITIONS IN THE UNCLASSIFIED AND NONCLASSIFIED SERVICE OF THE STATE

Senate Concurrent Resolution 6
(File 45, *Statutes of Nevada 2017*)

This summary presents the recommendations approved by the Committee to Study the Salaries of Certain Positions in the Unclassified and Nonclassified Service of the State at its meeting on June 1, 2018. The resulting report will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

The Committee elected not to submit a bill draft request due to the nature of the Committee's work and the fact that unclassified salaries are set by each Legislature through passage and approval of legislation.

RECOMMENDATIONS FOR COMMITTEE ACTION

1. In order to convey the Committee's efforts with respect to the requirements as set forth in SCR 6, the Committee voted to direct Fiscal Analysis Division staff to compile a report describing the Committee's activities and the results of the market salary analysis performed by the Division of Human Resource Management of the Department of Administration at the Committee's direction.
2. The Committee voted to distribute the report to the Legislative Commission for submittal to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature, in accordance with the provisions of SCR 6. In addition, the Committee voted to transmit a copy of the report to the Governor's Office and to the Interim Finance Committee for inclusion at a meeting prior to the start of the 2019 Legislative Session.

BULLETIN 19-7

NEVADA TASK FORCE ON FINANCIAL SECURITY

Senate Bill 118
(Chapter 220, *Statutes of Nevada 2017*)

Members

Assemblywoman Irene Bustamante Adams, Chair
Senator Julia Ratti, Vice Chair
Senator Pete Goicoechea
Senator Joyce Woodhouse
Assemblyman Al Kramer
Assemblywoman Ellen B. Spiegel
Nancy E. Brune, Ph.D.
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Senate Bill 118
(Chapter 220, Statutes of Nevada 2017)

Section 1. 1. The Nevada Task Force on Financial Security is hereby created. The Task Force consists of the following voting members:

- (a) Two members of the Senate appointed by the Majority Leader of the Senate;
- (b) Two members of the Assembly appointed by the Speaker of the Assembly;
- (c) One member of the Senate appointed by the Minority Leader of the Senate;
- (d) One member of the Assembly appointed by the Minority Leader of the Assembly;
- (e) Two members appointed by the Majority Leader of the Senate as follows:
 - (1) A representative of a statewide organization that is currently engaged in activities concerning the financial security and financial education of individuals and families; and
 - (2) A representative of an organization which is exempt from taxation pursuant to 26 U.S.C. § 501(c)(3) who has expertise in policies for building financial assets; and
- (f) One member appointed by the Speaker of the Assembly who is a representative of a statewide organization approved by the United States Department of Housing and Urban Development as a housing counseling agency.

2. A vacancy occurring in the appointed voting membership of the Task Force must be filled in the same manner as the original appointment.

3. At its first meeting, the voting members of the Task Force shall elect a Chair and a Vice Chair from among the voting members who are Legislators.

4. A majority of the voting members of the Task Force may appoint nonvoting advisory members to the Task Force.

5. The members of the Task Force serve without compensation or per diem allowance. A member may receive reimbursement for travel expenses if sufficient money collected pursuant to subsection 8 or 9 for the Task Force to carry out its duties is available.

6. The Task Force shall hold its first meeting by not later than September 1, 2017, and shall meet at least four times.

7. The Task Force shall consult with and solicit input from persons and entities with expertise in matters relevant to the Task Force in carrying out its duties pursuant to this section.

8. The Task Force may apply for any available grants and accept any gifts, grants or donations, including, without limitation, administrative support, to assist the Task Force in carrying out its duties pursuant to this section.

9. The Task Force shall select an organization which is exempt from taxation pursuant to 26 U.S.C. § 501(c)(3) to serve as the fiscal agent of the Task Force. As fiscal agent, that organization may accept money from private persons and entities and expend such money for the expenses incurred by the Task Force in carrying out its duties pursuant to this section.

10. The Task Force shall conduct an examination of the financial security of the residents of this State, including, without limitation, the causes, extent and consequences of financial insecurity in this State, with the goal of identifying concrete strategies and recommendations for improving the financial condition of Nevadans. The study must include, without limitation:

- (a) An identification and review of programs that are currently available to further the economic advancement of residents of this State and the manner in which the impact of those programs is measured;

- (b) A review of best practices implemented around the United States to increase the financial education of individuals and families, their access to banking and other resources to assist in

building assets and strategies for reducing their debt and recommendations for implementation for such practices in this State;

(c) Recommendations of methods to increase the economic mobility of residents of this State to strengthen and support a resilient and growing middle class;

(d) Recommendations of concrete strategies and measurable goals to increase economic opportunities and reduce financial insecurity of residents of this State, particularly low-income families and communities of color; and

(e) Recommendations of concrete steps to develop a competitive workforce in this State that can meet the demands of the globally competitive market of the 21st century.

11. On or before September 1, 2018, the Task Force shall submit a report of its findings and recommendations to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Legislature.

12. The Task Force shall carry out the duties of this section only to the extent that money is available to do so from private persons and entities, including, without limitation, gifts, grants and donations.

ABSTRACT

NEVADA TASK FORCE ON FINANCIAL SECURITY

Senate Bill 118
(Chapter 220, *Statutes of Nevada 2017*)

The Nevada Task Force on Financial Security was created by the 2017 Legislature to examine the financial security of the residents of Nevada and the causes, extent, and consequences of financial insecurity in this state. The Task Force was charged with identifying concrete strategies and recommendations for improving the financial condition of Nevada.

The Task Force held six meetings during the 2017–2018 Interim and heard from representatives of local, state, and national organizations, businesses, state agencies, and the public to gather information about Nevada’s financial landscape. The Task Force considered a number of topics relating to financial security and received presentations regarding asset limits in public benefit programs, child care affordability, community development financial institutions (CDFIs), financial education, the financial health of diverse households in Nevada, medical debt; retirement security programs, short-term lending and consumer protections, and the state of financial security in Nevada.

The Task Force identified key legislative and policy changes in three areas: (1) increasing the economic mobility of Nevada residents and strengthening and supporting a resilient and growing middle class; (2) increasing economic opportunities and reducing financial insecurity for Nevada’s residents; and (3) developing a competitive workforce.

At its work session on August 29, 2018, the Task Force approved 11 recommendations for legislation and another 8 proposals for issuing correspondence or including position statements in its final report. Recommendations for legislation relate to the following topics:

- Apprenticeship programs;
- Asset limits for Temporary Aid for Needy Families;
- CDFIs;
- Database of all deferred deposit loans, title loans, and high-interest loans;
- Document preparation services;
- Medical debt;
- Preschool Development Grants program; and
- Retirement security program.

More information about the Task Force’s activities, including minutes, recordings, and copies of presentations and other exhibits, may be accessed on the [Task Force’s website](#) for the 2017–2018 Interim.

SUMMARY OF RECOMMENDATIONS

NEVADA TASK FORCE ON FINANCIAL SECURITY

Senate Bill 118
(Chapter 220, *Statutes of Nevada 2017*)

This summary presents the recommendations approved by the Nevada Task Force on Financial Security at its meeting on August 29, 2018. The Task Force was not allocated any bill draft requests (BDRs); therefore, recommendations for legislative action may be requested by a legislator for introduction during the 80th Legislative Session. Members of the Task Force noted that recommendations related to legislative action were approved as policy recommendations only. Support of those recommendations do not imply support or opposition of the language that may be contained in a BDR.

RECOMMENDATIONS RELATING TO INCREASING THE ECONOMIC MOBILITY OF NEVADA RESIDENTS AND STRENGTHENING AND SUPPORTING A RESILIENT AND GROWING MIDDLE CLASS

Legislative Action

1. Create a Nevada Employee Savings Trust. The Trust would provide a state-supported retirement program for private sector employees who do not have access to an employer-sponsored retirement program.
2. Establish a statewide database for all loans made pursuant to [Chapter 604A](#) of *Nevada Revised Statutes* (NRS).
3. Amend [Chapter 240A](#) of NRS, which relates to tax preparers, so that it no longer conflicts with federal law.

Other Action

4. Include a statement in the Task Force's final report necessitating the need for data at the state and national level in order to improve the financial security of high-risk populations in Nevada, which would include data on access to integrated day care, asset limits in determining eligibility for Temporary Assistance for Needy Families (TANF), and employment for parents and caregivers of persons with disabilities.
5. Include a statement in the final report supporting existing financial coaching programs and encouraging the growth of such programs, which ensures that financially underserved individuals and communities have a voice in the policies that impact their lives.
6. Include a statement in the final report supporting funding for professional development to expand teaching financial literacy in schools.

RECOMMENDATIONS TO INCREASE ECONOMIC OPPORTUNITIES AND REDUCE FINANCIAL INSECURITY FOR NEVADA’S RESIDENTS

Legislative Action

1. Change savings penalties for TANF.
2. Consider patient protections:
 - a. Uniformly apply the prudent layperson standard to all insurance products. [*Nevada Revised Statutes 695G.170*](#) requires managed care organizations to pay for “medically necessary emergency services” if a prudent person would have considered his or her symptoms to be of such severity as to constitute a medical emergency. State law does not apply this requirement to other insurance products. It should be noted that self-funded plans would be governed by federal law not state law.
 - b. Apply the adequacy of network laws to all licensed insurance products and, at a minimum, how they address and deal with emergent services.
 - c. Require the Legislature to study the laws and other programs that may help all Nevadans, including undocumented immigrants, to access health insurance.
3. Provide funding for ongoing support of loans under [*Senate Bill 126*](#) (2017), which requires the Office of Economic Development, Office of the Governor, to develop and carry into effect a program which a business certified as a small business enterprise, minority-owned business enterprise, woman-owned business enterprise, or disadvantaged business enterprise may obtain a loan to finance the expansion of its business in this state. Note: SB 126 appropriated \$1 million to the Small Business Enterprise Loan Account.

Other Action

4. Send a letter to the governor of the State of Nevada encouraging him to support the SaverLife Program in the State of Nevada. The SaverLife Program promotes positive financial behavior through an easy-to-use tool, backed by monetary incentives. Savers enroll in the program online or via their mobile phone, link their own savings account to SaverLife, set a personal savings goal, make deposits, and earn rewards. SaverLife links to more than 9,000 financial institutions.
5. Send a letter to the Governor’s Office of Economic Development to encourage state support for loan loss reserve and collateral support programs for community development financial institutions.

RECOMMENDATIONS RELATING TO DEVELOPING A COMPETITIVE WORK FORCE

Legislative Action

1. Allow the Department of Employment, Training and Rehabilitation or the Office of Workforce Innovation, Office of the Governor, to provide incentive funding, if available, directly to an apprentice to cover his or her education and/or personal expenses. In order to be eligible for such funding, a person must meet certain criteria including income and county of residence.
2. Allocate approximately \$26 million to continue the Preschool Development Grants program once federal funding ends on December 31, 2018, if state funding is available. Nevada's Department of Education has requested an extension to June 30, 2019. If the extension is approved, state funding will be needed beginning July 1, 2019.
3. Allocate \$13 million to serve an additional 1,500 students under the Preschool Development Grants program if the funding is not provided for in the 2019–2020 *Executive Budget* and money is available to fund the program.

Other Action

4. Include a statement in the final report to ensure Nevadans are aware of apprenticeship opportunities, the wages they pay, and the qualifications for the program. Also, all prospective apprentices should be aware of supportive services, such as child care, as they apply for or obtain an apprenticeship.
5. Send a letter to the governor of the State of Nevada to support the Steps to Stars rating system for child care centers and the need to provide funding for more system staff, which includes coaches and assessors.
6. Send a letter to the governor of the State of Nevada supporting an allocation in the *Executive Budget* to enhance veteran service programs, which may include collaborating with the Department of Corrections when incarcerated offenders are veterans.

BULLETIN 19-8

**COMMITTEE TO STUDY THE NEEDS RELATED TO THE BEHAVIORAL AND
COGNITIVE CARE OF OLDER PERSONS**

Senate Bill 121
(Chapter 522, *Statutes of Nevada 2017*)

Members

Senator Joyce Woodhouse, Chair
Assemblywoman Teresa Benitez-Thompson, Vice Chair
Senator Pete Goicoechea
Senator Julia Ratti
Assemblyman Richard (Skip) Daly
Assemblyman Jim Wheeler

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Senate Bill 121
(Chapter 522, Statutes of Nevada 2017)

Section 2. 1. The Legislative Commission shall appoint a committee to conduct an interim study concerning the needs related to the behavioral and cognitive care of older persons in this State.

2. The interim committee appointed by the Legislative Commission to conduct the study must be composed of six Legislators as follows:

- (a) Two members appointed by the Majority Leader of the Senate;
- (b) Two members appointed by the Speaker of the Assembly;
- (c) One member appointed by the Minority Leader of the Senate; and
- (d) One member appointed by the Minority Leader of the Assembly.

3. The Legislative Commission shall appoint a Chair and a Vice Chair from among the members of the interim committee.

4. In conducting the study, the interim committee shall consult with and solicit input from natural persons and organizations with expertise in matters relevant to the behavioral and cognitive care of older persons in this State, including, without limitation:

(a) An employee or other person selected or otherwise designated by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services.

(b) A representative from an association that provides services to persons with Alzheimer's disease.

(c) A medical professional with expertise in cognitive disorders, including without limitation, a neurologist, gerontologist, geropsychiatrist or geropsychologist.

(d) A representative of the Nevada System of Higher Education with expertise in cognitive disorders.

(e) A representative from a nonprofit community agency that provides caregiver support and services to older persons in this State with behavioral or cognitive health issues, including without limitation, a representative with experience or knowledge of suicide awareness, education and prevention as it relates to suicide among older persons.

(f) The Administrator of the Aging and Disability Services Division of the Department of Health and Human Services or other person from the Division designated by the Administrator.

5. The interim committee shall examine, research and identify:

(a) Potential sources of state funding available to support evidence-based statewide community programs to aid caregivers who are caring for older persons with behavioral and cognitive health issues, including, without limitation:

(1) Offering information about programs and services designed to aid caregivers who are caring for older persons with behavioral and cognitive health issues;

(2) The provision of training in select evidence-based community programs for caregivers, social service providers, health care workers and family members;

(3) The creation of a sliding fee scale to address the affordability of mental health services;

(4) Providing a substitute caregiver to ensure the safety and well-being of an older person who has behavioral or cognitive health issues while the family attends training; and

(5) The creation of a sliding fee scale to address the affordability of respite services;

(b) Potential sources of state funding to assist Nevada Care Connection and Nevada 2-1-1 in the creation of a "No Wrong Door" program to assist caregivers of older persons with behavioral and cognitive health issues;

(c) The potential for establishing a higher rate of reimbursement by Medicaid for nursing facilities prepared and trained to support older persons with behavioral and cognitive health issues, thereby allowing such older persons to remain in their own communities rather than being placed in out-of-state facilities; and

(d) The provision of education and training for health care professionals in the screening, diagnosis and treatment of behavioral and cognitive diseases prevalent in older persons.

6. The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature.

ABSTRACT

COMMITTEE TO STUDY THE NEEDS RELATED TO THE BEHAVIORAL AND COGNITIVE CARE OF OLDER PERSONS

Senate Bill 121
(Chapter 522, *Statutes of Nevada 2017*)

[Senate Bill 121](#), approved by the Legislature during the 2017 Session, requires the Legislative Commission to appoint a committee to conduct a study during the 2017–2018 Interim concerning issues regarding the behavioral and cognitive care needs of older persons in Nevada. The committee was comprised of three members of the Senate and three members of the Assembly. The committee was required to examine, research, and identify:

- Potential sources of state funding available to assist and support caregivers who are caring for older persons with behavioral and cognitive health issues;
- The potential for establishing a higher rate of reimbursement by Medicaid for nursing facilities;
- The potential sources of state funding to assist Nevada Care Connection and Nevada 2-1-1 in the creation of a “No Wrong Door” program to assist caregivers; and
- The provision of education and training for health care professionals in the screening, diagnosis, and treatment of behavioral and cognitive diseases prevalent in older persons.

The Legislative Commission is requested to submit a report of the results of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 80th Session of the Nevada Legislature.

SUMMARY OF RECOMMENDATIONS

COMMITTEE TO STUDY THE NEEDS RELATED TO THE BEHAVIORAL AND COGNITIVE CARE OF OLDER PERSONS

Senate Bill 121
(Chapter 522, *Statutes of Nevada 2017*)

On June 14, 2018, during the fourth and final meeting of the Committee to Study the Needs Related to the Behavioral and Cognitive Care of Older Persons, the members conducted a work session and voted to forward four recommendations as bill draft requests (BDRs) to the 2019 Legislature. In addition, Committee members recommended composing ten letters and seven statements of support in the Committee's final report expressing their support for specific issues and encouraging certain actions.

During the drafting process, specific details of the following proposals for legislation and letters may be further clarified by staff in consultation with the chair or others, as appropriate. If a proposal for legislation or a letter includes reference to specific chapters or statutes of *Nevada Revised Statutes* (NRS), as part of the drafting process, amendments to other related chapters or sections of NRS may be made to fully implement the proposals.

A summary of each BDR, letter, and statement of support recommended by the Committee has been provided below.

RECOMMENDATIONS FOR LEGISLATION

1. Submit a BDR making an appropriation to fund the participation of certain students who participate through the Western Regional Education Compact with a focus on certain health-related fields that include geriatric training. **(BDR S-98)**
2. Submit a BDR to change guardianship laws so individuals with dementia can make decisions on their own for as long as they can make decisions. The BDR would allow individuals with dementia to designate specific people who can assist them in supportive decision making.

This BDR would also include language to amend the applicable provisions in [Chapter 253](#) of NRS to require a public guardian, upon referral from law enforcement, adult/elder protective services, or a judge, to investigate the financial status, assets, and medical, personal, and family history of the referred individual. In addition, it would require the public guardian to receive otherwise confidential medical, personal, and/or financial records in conjunction with a referral for possible guardianship made by law enforcement, adult/elder protective services, or a judge. **(BDR 13-99)**

3. Submit a BDR making an appropriation for a pilot program in a rural county to expand access to community-based services for respite, adult day care, and assisted living. **(BDR 38-100)**

4. Submit a BDR making an appropriation to increase the Independent Living Grant vouchers from up to \$1,000 to up to \$1,200 and make an additional appropriation to expand the amount of funding available for the Independent Living Grant to eliminate the existing waitlist for this grant. **(BDR –101)**

RECOMMENDATIONS FOR COMMITTEE LETTERS

5. Submit a letter to the governor of the State of Nevada and the Office of Grant Procurement, Coordination and Management within the Department of Administration encouraging the Executive Branch to research grants that support pilot projects targeted to deliver better care to older persons, and incorporate pilot programs determined to be efficacious into the state's healthcare delivery model.
6. Submit a letter to the governor of the State of Nevada, the director of the Department of Health and Human Services, and the chairs of the Senate Committee on Finance, Senate Committee on Health and Human Services, Assembly Committee on Ways and Means, and the Assembly Committee on Health and Human Services, during the 2019 Legislative Session, recommending and expressing support for the evaluation of Medicaid rates reimbursed to community-based providers serving behaviorally complex older adults in comparison to Medicaid rates reimbursed to skilled nursing facilities, also serving behaviorally complex older adults, in order to determine if the rates provided for the types of facilities are comparable with the level of services being provided.
7. Submit a letter to the director of the Department of Health and Human Services and the administrator of the Division of Health Care Financing and Policy encouraging the Division to conduct an analysis on potential cost savings that could result from providing a Medicaid premium reimbursement for providers and facilities that employ professionals who are required to receive evidence-based education and training in the management of individuals with behavioral and cognitive health issues. The letter should encourage the Division to determine if the training would result in lower levels of assistance (in-home or community-based care as opposed to skilled nursing facilities), and consequently, lower costs.
8. Submit a letter to the director of the Department of Health and Human Services encouraging the Department to evaluate how the addition of a fourth-tier Medicaid reimbursement rate for assisted living service providers that care for individuals who are behaviorally complex, as approved by the 2017 Legislature, has impacted the relocation of hard-to-place individuals to out-of-state facilities for specialized care.
9. Submit a letter to the director of the Department of Health and Human Services encouraging the Department to review staffing levels of health professionals and other staff in skilled nursing facilities to determine if the levels are appropriate.
10. Submit a letter to the chancellor of the Nevada System of Higher Education (NSHE), as well as the deans that oversee NSHE's Schools of Medicine, encouraging the System to research

different ways to expand the pipeline of students receiving higher education in health-related fields specializing in geriatric care.

11. Send a letter to the chancellor of the Nevada System of Higher Education and the dean of the University of Nevada, Las Vegas Boyd School of Law encouraging the provision of programs that include specific training related to Alzheimer's disease and other forms of dementia to educate law students and the legal community on issues such as competency and guardianship.
12. Submit a letter to the State Bar of Nevada encouraging it to promote awareness and education related to Alzheimer's disease and other forms of dementia through the Board of Continuing Legal Education.
13. Submit a letter to the Board of Medical Examiners encouraging the Board to direct primary care physicians to use the guidelines developed by the Alzheimer's Association to diagnose dementia and Alzheimer's disease.
14. Submit a letter to the Nevada Association of Counties encouraging the counties to consider expanding the role of their community paramedicine services to include routine health services for persons with mobility limitations.

RECOMMENDATIONS FOR STATEMENTS IN THE FINAL REPORT

15. Include a statement in the final report encouraging health care provider training in programs focused on recognizing, diagnosing, treating, and preventing behavioral and cognitive problems in older persons, as well as support for courses in evidence-based, caregiver-implemented interventions for cognitive and behavioral care for older persons.
16. Include a statement in the final report encouraging the creation of a mobile crisis unit trained to treat people with dementia in the person's home or in a facility setting to minimize the need to hospitalize or relocate the person to an unfamiliar, and often more costly, service setting.
17. Include a statement in the final report promoting collaboration between health care organizations and homeless shelters to ensure homeless people with dementia are receiving the proper treatment.
18. Include a statement in the final report supporting the Task Force on Alzheimer's Disease to develop recommendations for caregiver training to identify the root causes of difficult behaviors demonstrated by individuals with dementia.
19. Include a statement in the final report encouraging the enhancement of telehealth capabilities and the inclusion of remote monitoring and distance education for health professionals and nonprofessional caregivers. This statement should also encourage the expansion of telemedicine services provided by individuals with training, experience, and expertise in cognitive and behavioral care for older persons.

20. Include a statement in the final report supporting the expansion of community-based residential facilities (group homes) located in rural communities that have the ability to provide long-term care for a small number of individuals with dementia.
21. Include a statement in the final report encouraging the expansion of community-based services for older persons with cognitive and behavioral health issues, such as in-home personal care services and homemaker services.

BULLETIN 19-9

NEVADA SENTENCING COMMISSION

Senate Bill 451
(Chapter 583, *Statutes of Nevada 2017*)

Members

Justice James W. Hardesty, Nevada Supreme Court, Chair
Senator Nicole J. Cannizzaro
Senator Ben Kieckhefer
Assemblyman Ozzie Fumo
Assemblywoman Jill Tolles
Scott Burton, Gubernatorial Appointee
Chuck Callaway, Police Director, Las Vegas Metropolitan Police Department
Dennis Cameron, State Bar of Nevada
Christopher DeRicco, Chair, State Board of Parole Commissioners, Department of Public Safety
James Dzurenda, Director, Department of Corrections
Judge Scott Freeman, Second Judicial District Court
Chris Hicks, Washoe County District Attorney
Magann Jordan, Victims' Rights Advocate
Karin Kreizenbeck, State Public Defender
Adam Paul Laxalt, Attorney General
Keith Logan, Sheriff, Eureka County
Tegan Machnich, Chief Deputy Public Defender, Clark County
John McCormick, Assistant Court Administrator
Elizabeth Neighbors, Ph.D., Division of Public and Behavioral Health,
Department of Health and Human Services
Stephanie O'Rourke, Major, Division of Parole and Probation, Department of Public Safety
Jon Ponder, Representative, Offender Reentry
Jeff Segal, Bureau Chief, Office of the Attorney General
Donald Soderberg, Director, Department of Employment, Training and Rehabilitation
Judge Jennifer Togliatti, Eighth Judicial District Court
Holly Welborn, Policy Director, ACLU of Nevada, Inmate Advocate

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Senate Bill 451
(Chapter 583, Statutes of Nevada 2017)

Section 5. 1. The Nevada Sentencing Commission is hereby created. The Sentencing Commission consists of:

- (a) One member appointed by the Governor;
- (b) One member who is a justice of the Supreme Court of Nevada or a retired justice of the Supreme Court of Nevada, appointed by the Chief Justice of the Supreme Court of Nevada;
- (c) Two members who are judges appointed by the Chief Justice of the Supreme Court of Nevada;
- (d) One member who is a representative of the Administrative Office of the Courts appointed by the Chief Justice of the Supreme Court of Nevada;
- (e) The Director of the Department of Corrections;
- (f) The Attorney General;
- (g) One member who is a representative of the Office of the Attorney General, appointed by the Attorney General;
- (h) One member who is a district attorney, appointed by the governing body of the Nevada District Attorneys Association;
- (i) The State Public Defender;
- (j) One member who is a representative of the office of a county public defender, appointed by the governing body of the State Bar of Nevada;
- (k) One member who is an attorney in private practice, experienced in defending criminal actions, appointed by the governing body of the State Bar of Nevada;
- (l) One member who has been a victim of a crime or is a representative of an organization supporting the rights of victims of crime, appointed by the Governor;
- (m) One member who is a member of the State Board of Parole Commissioners, appointed by the State Board of Parole Commissioners;
- (n) One member who is a representative of the Division of Parole and Probation of the Department of Public Safety, appointed by the Governor;
- (o) One member who is a representative of the Nevada Sheriffs' and Chiefs' Association, appointed by the Nevada Sheriffs' and Chiefs' Association;
- (p) One member who is a representative of the Las Vegas Metropolitan Police Department, appointed by the Sheriff of Clark County;
- (q) One member who is a representative of the Division of Public and Behavioral Health of the Department of Health and Human Services;
- (r) One member who is a representative of an organization that advocates on behalf of inmates, appointed by the Governor;
- (s) Two members who are Senators, one of whom is appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate;
- (t) Two members who are members of the Assembly, one of whom is appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly;
- (u) The Director of the Department of Employment, Training and Rehabilitation; and
- (v) One member who is a representative of an organization that works with offenders upon release from incarceration to assist in reentry into the community appointed by the Chair of the Legislative Commission.

2. If any organization listed in subsection 1 ceases to exist, the appointment required pursuant to that subsection must be made by the association's successor in interest, or, if there is no successor in interest, by the Governor.

3. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Sentencing Commission must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. The Legislators who are members of the Sentencing Commission are entitled to receive the salary provided for a majority of the members of the Legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the Sentencing Commission.

5. At the first regular meeting of each odd-numbered year, the members of the Sentencing Commission shall elect a Chair by majority vote who shall serve until the next Chair is elected.

6. The Sentencing Commission shall meet at least once every 3 months and may meet at such further times as deemed necessary by the Chair.

7. A member of the Sentencing Commission may designate a nonvoting alternate to attend a meeting in his or her place.

8. A majority of the members of the Sentencing Commission constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Sentencing Commission. A nonvoting alternate designated by a member pursuant to subsection 7 who attends a meeting of the Sentencing Commission for which the alternate is designated shall be deemed to be a member of the Sentencing Commission for the purpose of determining whether a quorum exists.

9. While engaged in the business of the Sentencing Commission, to the extent of legislative appropriation, each member of the Sentencing Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

10. To the extent of legislative appropriation, the Director of the Legislative Counsel Bureau shall provide the Sentencing Commission with such staff as is necessary to carry out the duties of the Sentencing Commission.

ABSTRACT

NEVADA SENTENCING COMMISSION

Senate Bill 451
(Chapter 583, *Statutes of Nevada 2017*)

The Nevada Sentencing Commission is statutorily required, among other duties, to advise the Legislature on proposed legislation and make recommendations on all matters relating to criminal justice which affect the sentences imposed for felonies and gross misdemeanors. Prior to the next regular session of the Legislature, the Sentencing Commission must prepare and submit to the director of the Legislative Counsel Bureau a comprehensive report including the Sentencing Commission's findings and any recommendations for proposed legislation. Additionally, the Sentencing Commission is statutorily authorized to request the drafting of not more than one legislative measure for each regular session of the Legislature.

Historically, the current incarnation of the Sentencing Commission evolved from the former Advisory Commission on Sentencing. The Advisory Commission on Sentencing was originally established by statute in 1995 after the Legislature enacted "truth in sentencing," which required a defendant to serve 100 percent of his or her minimum sentence. However, the original Advisory Commission on Sentencing, whose membership was limited, laid largely dormant for many years. In 2007, the Legislature formed the Advisory Commission on the Administration of Justice ([Nevada Revised Statutes \[NRS\] 176.0123](#)) and gradually expanded the scope of the Advisory Commission's duties beyond sentencing, to include a myriad of issues related to criminal justice. Then in 2017, the Legislature enacted [Senate Bill 451](#), which newly created and broadened the membership, duties, and scope of the Sentencing Commission to resemble its current form. The 25 members of the Sentencing Commission are appointed each interim and serve for a two-year term between biennial sessions of the Nevada Legislature.

Throughout the interim period between legislative sessions, the Sentencing Commission holds numerous public meetings to review the criminal justice system and all matters related to sentencing of criminal offenders in Nevada. During the 2017–2018 Interim, the Sentencing Commission held three substantive meetings, a joint meeting with the Advisory Commission on the Administration of Justice, and a work session. The Sentencing Commission diligently and proficiently addressed each of the statutory duties prescribed pursuant to [NRS 176.0134](#). Through the efforts of the Sentencing Commission and with the support and concurrence of the governor, Legislature, and Supreme Court of Nevada, the Sentencing Commission was instrumental in Nevada being selected as a Justice Reinvestment Initiative site for nonpartisan policy analysis and technical assistance in the area of criminal justice reform. The technical assistance, data analysis, and policy recommendations of the Justice Reinvestment Initiative was conducted by staff of the Crime and Justice Institute of the Community Resources for Justice. The primary oversight and coordination of the Justice Reinvestment Initiative was undertaken by the Advisory Commission on the Administration of Justice, with additional joint meetings and briefings of the members of the Sentencing Commission when the subject matter related to criminal sentencing.

The Sentencing Commission received formal presentations from interested stakeholders and national experts and heard public testimony on a broad range of topics involving the sentencing of convicted offenders in the state. Discussion topics included, but were not limited to: (1) an overview from the Robina Institute of Criminal Law and Justice concerning state sentencing commissions and the use of criminal history in other states; (2) a review of Nevada's felony sentencing structure; (3) a presentation on inmate status and population by Nevada's Department of Corrections; (4) presentations by the Virginia Criminal Sentencing Commission, North Carolina Sentencing and Policy Advisory Commission, Oregon Criminal Justice Commission, Connecticut Sentencing Commission, and Utah Sentencing Commission; (5) a report on specialty court funding; (6) a review on the accounting and application of sentencing credits; and (7) a presentation on the presentencing investigation report process from Nevada's Division of Parole and Probation, Department of Public Safety. At the joint meeting with the Advisory Commission on the Administration of Justice, the Sentencing Commission also received testimony regarding: (1) criminal procedure in Nevada; (2) the Central Repository for Nevada Records of Criminal History; and (3) an overview and timeline of the Justice Reinvestment Initiative.

The 2017–2018 Sentencing Commission held a final work session on August 29, 2018. At the work session, the Sentencing Commission considered seven recommendations relating to: (1) data oversight; (2) criminal justice impact statements; (3) justice reinvestment initiatives and sentencing credits; (4) recidivism; (5) funding for the Central Repository for Nevada Records of Criminal History; (6) funding for the Division of Parole and Probation, the Department of Corrections, and the State Board of Parole Commissioners; and (7) funding for the specialty court program. The Sentencing Commission voted to approve one recommendation for the drafting of legislation relating to the organization, duties, and staffing of the Sentencing Commission and three recommendations for the drafting of letters to urge support from the governor and Legislature for additional funding for criminal justice agencies. Given the ongoing coordination of the Justice Reinvestment Initiative through the Advisory Commission on the Administration of Justice, the Sentencing Commission chose to defer a number of recommendations until after the final report by the Crime and Justice Institute is prepared and presented.

SUMMARY OF RECOMMENDATIONS

NEVADA SENTENCING COMMISSION

Senate Bill 451
(Chapter 583, *Statutes of Nevada 2017*)

The 2017–2018 Sentencing Commission held a final work session on August 29, 2018. At the work session, the Sentencing Commission considered seven total recommendations and voted to approve one recommendation for the drafting of legislation and three recommendations for the drafting of a letter. A summary of each recommendation is identified below:

RECOMMENDATION TO DRAFT LEGISLATION

1. Draft legislation to statutorily create an independent Office of the Nevada Sentencing Commission. The legislation would revise the duties of the Nevada Sentencing Commission to statutorily require the Commission to function as an independent and standalone analytic and oversight body for sentencing and related criminal justice data. The Commission staff would be required to facilitate the collection and aggregation of data deliverables (from the courts, corrections, parole and probation, and other agencies of criminal justice) in an effort to further enable the Commission to efficiently and effectively evaluate criminal justice practices across the state. The legislation may include the identification of certain variables or data sets not currently collected or shared across Nevada’s criminal justice agencies, along with requirements and timelines for their definition, collection, and aggregation. Once in place, the Commission will have the necessary data to perform its statutory duties, including, without limitation: the evaluation of statewide sentencing practices, the potential use of sentencing guidelines, the use of mandatory sentencing, enhanced penalties for habitual criminals, and the identification of other sentencing and corrections practices.

This legislation would serve to further the legislative findings and declarations contained in [Nevada Revised Statutes \(NRS\) 176.0131](#) in an effort to ensure that sentencing and corrections policies embody fairness, consistency, proportionality, and opportunity. It would also enable a coordinated and systematic approach by the Commission to make data driven sentencing and corrections policy recommendations to the Nevada Legislature.

Additionally, this legislation would provide that the Commission staff function as an independent agency located in the Executive Branch of state government. The Commission membership would have the same statutory membership pursuant to [NRS 176.0133](#) but would be staffed by newly established full-time independent nonpartisan staff. **(BDR 14–469)**

RECOMMENDATIONS TO DRAFT A LETTER

2. Draft a letter to the governor and the chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the governor and the Legislature to provide budgetary funding for staffing and technology for the Central Repository for Nevada Records

of Criminal History. The letter would specifically request dedicated General Fund revenue, rather than the implementation of any new fees or court assessments.

3. Draft a letter to the governor and the chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the governor and the Legislature to consider additional General Fund appropriations for criminal justice agencies throughout the state, including: the Division of Parole and Probation of the Department of Public Safety; the Department of Corrections; and the State Board of Parole Commissioners. The letter would specifically request dedicated General Fund revenue, rather than the implementation of any new fees or court assessments.
4. Draft a letter to the governor and the chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the governor and the Legislature to provide dedicated budgetary funding of \$6 million to the specialty court program. Past budgets have included \$3 million in specialty court funding; this request would increase that amount to \$6 million total, as there is currently a \$15 million need for the specialty court program. The letter would specifically request dedicated General Fund revenue, rather than the implementation of any new fees or court assessments.

BULLETIN 19-10

ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE

Nevada Revised Statutes 176.0123

Members

Assemblyman Steve Yeager, Chair
Justice James W. Hardesty, Nevada Supreme Court, Vice Chair
Senator Aaron Ford (Resigned)
Senator Becky Harris (Resigned)
Senator James Ohrenschall
Assemblywoman Lisa Krasner
Paola Armeni, Representative, State Bar of Nevada
Judge Sam Bateman, Henderson Justice Court
Connie Bisbee, Chair, State Board of Parole Commissioners (Resigned)
Christine Jones Brady, Deputy Public Defender, Washoe County
Julie Butler, Representative, Central Repository for Nevada Records of Criminal History
Chuck Callaway, Police Director, Las Vegas Metropolitan Police Department
Christopher DeRicco, Chair, State Board of Parole Commissioners
James Dzurenda, Director, Department of Corrections
Aaron D. Ford, Attorney General
Kymberli Helms, Victims' Rights Advocate
Mark Jackson, Douglas County District Attorney
Adam Laxalt, Attorney General (through November 6, 2018)
Al McNeil, Sheriff, Lyon County
Amy Rose, ACLU of Nevada, Inmate Advocate
Judge Jim Wilson, Carson City District Court
Natalie Wood, Chief, Division of Parole and Probation, Department of Public Safety

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Angela Hartzler, Secretary
Jordan Haas, Secretary
(775) 684-6830

Nevada Revised Statutes 176.0123

NRS 176.0123 Creation; members and appointing authorities; Chair; terms; vacancies; salaries and per diem; staff.

1. The Advisory Commission on the Administration of Justice is hereby created. The Commission consists of:

(a) One member who is a municipal judge or justice of the peace, appointed by the governing body of the Nevada Judges of Limited Jurisdiction;

(b) One member who is a district judge, appointed by the governing body of the Nevada District Judges Association;

(c) One member who is a justice of the Supreme Court of Nevada or a retired justice of the Supreme Court of Nevada, appointed by the Chief Justice of the Supreme Court of Nevada;

(d) One member who is a district attorney, appointed by the governing body of the Nevada District Attorneys Association;

(e) One member who is an attorney in private practice, experienced in defending criminal actions, appointed by the governing body of the State Bar of Nevada;

(f) One member who is a public defender, appointed by the governing body of the State Bar of Nevada;

(g) One member who is a representative of a law enforcement agency, appointed by the Governor;

(h) One member who is a representative of the Division of Parole and Probation of the Department of Public Safety, appointed by the Governor;

(i) One member who is a representative of the Central Repository for Nevada Records of Criminal History, appointed by the Governor;

(j) One member who has been a victim of a crime or is a representative of an organization supporting the rights of victims of crime, appointed by the Governor;

(k) One member who is a representative of an organization that advocates on behalf of inmates, appointed by the Governor;

(l) One member who is a representative of the Nevada Sheriffs' and Chiefs' Association, appointed by the Nevada Sheriffs' and Chiefs' Association;

(m) One member who is a member of the State Board of Parole Commissioners, appointed by the State Board of Parole Commissioners;

(n) The Director of the Department of Corrections;

(o) Two members who are Senators, one of whom is appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate; and

(p) Two members who are members of the Assembly, one of whom is appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly.

↪ If any association listed in this subsection ceases to exist, the appointment required by this subsection must be made by the association's successor in interest or, if there is no successor in interest, by the Governor.

2. The Attorney General is an ex officio voting member of the Commission.

3. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Commission must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. The Legislators who are members of the Commission are entitled to receive the salary provided for a majority of the members of the Legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the Commission.

5. At the first regular meeting of each odd-numbered year, the members of the Commission shall elect a Chair by majority vote who shall serve until the next Chair is elected.

6. The Commission shall meet at least once every 3 months and may meet at such further times as deemed necessary by the Chair.

7. A majority of the members of the Commission constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Commission.

8. While engaged in the business of the Commission, to the extent of legislative appropriation, each member of the Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

9. To the extent of legislative appropriation, the Director of the Legislative Counsel Bureau shall provide the Commission with such staff as is necessary to carry out the duties of the Commission.

(Added to NRS by [1995, 1353](#); A [2001, 2568](#); [2005, 581](#); [2007, 2818](#); [2009, 2569](#); [2015, 236](#); [2017, 435](#), [492](#))

ABSTRACT

ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE

Nevada Revised Statutes (NRS) 176.0123

The Advisory Commission on the Administration of Justice is statutorily tasked with examining various aspects of the criminal justice system, except for aspects of the criminal justice system that affect the sentences imposed for felonies and gross misdemeanors which are tasked to the Nevada Sentencing Commission. Prior to the next regular session of the Legislature, the Advisory Commission must prepare and submit to the director of the Legislative Counsel Bureau a comprehensive report including the Advisory Commission's findings and any recommendations for proposed legislation. Although the Advisory Commission does not have statutory authority to request bill drafts, individual legislators and the chairs of the Senate and Assembly Committees on Judiciary may choose to sponsor the Advisory Commission's recommendations for legislation.

By way of background, the Advisory Commission evolved from the former Advisory Commission on Sentencing. The Sentencing Commission was originally established by statute in 1995 after the Legislature enacted "truth in sentencing," which required a defendant to serve 100 percent of his or her minimum sentence. However, the Sentencing Commission, whose membership was limited, laid largely dormant for many years. Then in 2007, the Legislature enacted [Assembly Bill 508](#), which reconstituted and broadened the membership, duties, and scope of the Sentencing Commission to resemble its most recent form as the Advisory Commission. Throughout the years following its establishment, the duties and membership of the Advisory Commission have been expanded by the Legislature as the criminal justice policy demands in the State have grown. Finally, in 2017, the Legislature enacted [Senate Bill 451](#) which established the Nevada Sentencing Commission and tasked the new commission with duties related to the sentencing of offenders convicted of a crime and repealed such duties from the Advisory Commission.

Members of the Advisory Commission are appointed each interim and serve for a two-year term between biennial sessions of the Nevada Legislature.

Throughout the interim period between legislative sessions, the Advisory Commission holds numerous public meetings to review the criminal justice system in Nevada. During the 2017–2018 Interim, the Advisory Commission held nine substantive meetings, which included two work sessions and a joint meeting with the Nevada Sentencing Commission. The Advisory Commission diligently and proficiently addressed each of the statutory duties prescribed to it pursuant to [NRS 176.0125](#). During the first four meetings the Advisory Commission received formal presentations from interested stakeholders and heard public testimony on a broad range of topics involving criminal justice in the state. Discussion topics included, but were not limited to: (1) budgetary and substantive presentations on the Department of Corrections, the Division of Parole and Probation of the Department of Public Safety, and the State Board of Parole Commissioners; (2) topics related to arrestee DNA; (3) witness and custodial interrogations; (4) updates on the funding and use of specialty courts; (5) technology and information sharing in the criminal justice system; and (6) victim notification and domestic and sexual violence programs and prevention. Then, Nevada was selected for technical assistance through the Justice

Reinvestment Initiative (JRI), conducted by the Crime and Justice Institute (CJI) at Community Resources for Justice. The goal of the JRI process is to provide local, state, and national criminal justice organizations with nonpartisan policy analysis and technical assistance to reduce recidivism, cut costs, and promote public safety. The staff of CJI met with Nevada criminal justice stakeholders and conducted extensive data collection, research analysis, and policy analysis. The staff of CJI presented their data, research, and policy findings during the last four meetings of the interim. Finally, the staff of CJI assisted the members of the Advisory Commission in compiling recommendations based upon the data and analysis presentations.

The Advisory Commission also complied with the statutory mandate to appoint a Subcommittee on Criminal Justice Information Sharing pursuant to [NRS 176.01248](#).

The 2017–2018 Advisory Commission held two work sessions on October 10, 2018, and November 8, 2018. Additionally, the Advisory Commission held a final meeting on January 11, 2019, to approve the final report of the Justice Reinvestment Initiative. At the work sessions the Advisory Commission considered and voted to approve six total recommendations, which included two recommendations for the drafting of legislation, two recommendations for the drafting of a letter, and two recommendations to include a policy statement in the final report of the Advisory Commission. At the final meeting, the Advisory Commission voted to include the final report of the Justice Reinvestment Initiative in the final report of the Advisory Commission.

SUMMARY OF RECOMMENDATIONS

ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE

Nevada Revised Statutes (NRS) 176.0123

The 2017–2018 Advisory Commission on the Administration of Justice held two work sessions on October 10, 2018, and November 8, 2018. Additionally, the Advisory Commission held a final meeting on January 11, 2019, to approve the final report of the Justice Reinvestment Initiative. At the work sessions, the Advisory Commission considered and voted to approve six total recommendations, which included two recommendations for the drafting of legislation, two recommendations for the drafting of a letter, and two recommendations to include a policy statement in the final report of the Advisory Commission. At the final meeting, the Advisory Commission voted to include the final report of the Justice Reinvestment Initiative in the final report of the Advisory Commission. A summary of each recommendation is identified below:

RECOMMENDATIONS TO DRAFT LEGISLATION

1. Draft legislation to require the recording of custodial interrogations.
2. Draft legislation to revise provisions of NRS governing the issues examined by the Commission, the subcommittees of the Advisory Commission, and the attendance at meetings by members of the Advisory Commission.

RECOMMENDATIONS TO DRAFT A LETTER

3. Draft a letter to the governor and the chairs of the Assembly Committee on Ways and Means and the Senate Committee on Finance, urging the governor and the Legislature to consider additional budgetary funding for criminal justice agencies throughout the state, including: the Division of Parole and Probation of the Department of Public Safety, the Department of Corrections, the State Board of Parole Commissioners, and the Division of Records, Communications and Compliance of the Department of Public Safety.
4. Draft a letter to the director of the Department of Public Safety to express support for the plan of implementation under the Federal Fix National Instant Criminal Background Check System Act of 2017 by the Records, Communication and Compliance Division of the Department of Public Safety.

RECOMMENDATIONS TO INCLUDE A POLICY STATEMENT

5. Include a policy statement in the final report supporting a proposal from the Subcommittee on Criminal Justice Sharing proposing a statewide process to vet the policies regulating access, use, security, and compliance related to Criminal Justice Information Systems.

6. Include a policy statement in the final report supporting a proposal from the Subcommittee on Criminal Justice Information Sharing to add the ability to enter into Justice Link site security.

RECOMMENDATIONS TO INCLUDE THE FINAL REPORT OF THE
JUSTICE REINVESTMENT INITIATIVE

7. Include the final report of the Justice Reinvestment Initiative in the final report of the Advisory Commission which contained 25 various policy recommendations to improve public safety by: (1) holding offenders accountable; (2) reducing recidivism; and (3) increasing resources available to combat the behavioral health crisis of the State.

BULLETIN 19-11

LEGISLATIVE COMMITTEE ON PUBLIC LANDS

Nevada Revised Statutes 218E.510

Members

Assemblywoman Heidi Swank, Chair
Senator Julia Ratti, Vice Chair
Senator Pete Goicoechea
Senator Donald (Don) G. Gustavson
Senator David R. Parks
Assemblyman John C. Ellison
Assemblyman Al Kramer
Assemblyman William McCurdy II
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Nevada Revised Statutes 218E.510

NRS 218E.510 Creation; membership; budget; officers; terms; vacancies; alternates.

1. There is hereby established a Legislative Committee on Public Lands consisting of four members of the Senate, four members of the Assembly and one elected officer representing the governing body of a local political subdivision, appointed by the Legislative Commission with appropriate regard for their experience with and knowledge of matters relating to public lands. The members who are Legislators must be appointed to provide representation from the various geographical regions of the State.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The members of the Committee shall select a Chair from one House and a Vice Chair from the other House. Each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the office of Chair or Vice Chair, the members of the Committee shall select a replacement for the remainder of the unexpired term.

4. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. Vacancies on the Committee must be filled in the same manner as original appointments.

6. The Legislative Commission may appoint alternates for members of the Committee. The Chair of the Committee:

(a) May designate an alternate appointed by the Legislative Commission to serve in place of a regular member who is unable to attend a meeting; and

(b) Shall appoint an alternate who is a member of the same House and political party as the regular member to serve in place of the regular member if one is available.

(Added to NRS by 1979, 5; A 1983, 209; [1985, 589](#); [2009, 1150,1561](#); [2011, 3224](#))—
(Substituted in revision for NRS 218.5363)

ABSTRACT

LEGISLATIVE COMMITTEE ON PUBLIC LANDS

Nevada Revised Statutes (NRS) 218E.510

The Legislative Committee on Public Lands is a permanent committee of the Nevada Legislature created in 1983. [Chapter 218E](#) of NRS sets forth the Committee's authority and duties.

Nevada's Legislative Committee on Public Lands monitors natural resource and public lands matters crucial to the state's economy, lifestyles, and traditions. The Committee considers a wide range of subjects, covering all facets of forest and range science, methods of public land management and oversight, public services, resources associated with public lands, rural infrastructure, and water resources. Because most of Nevada's lands (more than 85 percent) are under federal management, issues associated with public lands are an important topic for the Nevada Legislature.

The Committee held six meetings during the 2017–2018 Interim. The meetings took place in the following cities in Nevada: Battle Mountain, Carson City, Hawthorne, Las Vegas, Laughlin, and Pioche.

The Committee received presentations and discussed reports from numerous agencies, individuals, local community representatives, and organizations, including:

- The Nevada State Office and several district offices of the Bureau of Land Management, United States Department of the Interior (DOI);
- The Humboldt-Toiyabe National Forest and several ranger districts and recreation areas of the U.S. Forest Service, U.S. Department of Agriculture;
- The Bureau of Reclamation, DOI, Lower Colorado River area;
- The southern Nevada office of the U.S. Fish and Wildlife Service, DOI;
- Representatives from Clark, Elko, Eureka, Humboldt, Lander, Lincoln, Mineral, Nye, Pershing, and White Pine Counties;
- Nellis Air Force Base;
- Hawthorne Army Depot Base;
- The Colorado River Commission of Nevada;
- Various water authorities and districts including the Carson Water Subconservancy District, the Central Nevada Regional Water Authority, the Humboldt River Basin Water Authority, the Southern Nevada Water Authority, the Truckee-Carson Irrigation District, the

Truckee Meadows Water Authority, the Virgin Valley Water District, and the Walker River Irrigation District;

- Nevada's Office of the State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources (DCNR);
- Division of State Lands, DCNR;
- Division of State Parks, DCNR;
- Nevada Farm Bureau Federation;
- Nevada Pinyon-Juniper Partnership;
- Nevada Mining Association;
- Nevada's Department of Wildlife;
- Nevada's Division of Minerals, Commission on Mineral Resources;
- Conservation groups including the Bi-State Partnership, Friends of Gold Butte and Friends of Basin and Range National Monuments, Friends of Nevada Wilderness, Nevada Association of Conservation Districts, Stewardship Alliance of Northeast Elko, The Nature Conservancy, and Walker Basin Conservancy;
- Community and economic development specialists from the University of Nevada Cooperative Extension; and
- Several rural economic development authorities.

At its final meeting and work session, the Committee approved ten proposals for drafting legislation, six proposals for letters, and seven proposals for position statements to be included in its final report. The topics addressed at the work session included:

- Biomass management;
- General public lands issues;
- Water resources;
- Wildfires; and
- Wildlife.

SUMMARY OF RECOMMENDATIONS
LEGISLATIVE COMMITTEE ON PUBLIC LANDS

Nevada Revised Statutes 218E.510

This summary presents the recommendations approved by the Legislative Committee on Public Lands during the 2017–2018 Legislative Interim at the Committee’s final meeting held on September 7, 2018, in Carson City, Nevada. The bill draft requests (BDRs) will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

1. Request the drafting of a bill to provide for an interim study regarding the growing wildfire danger and issues in Nevada. Topics to be addressed by the interim study include, but are not limited to, wildfire fuels reduction and early response issues. **(BDR R–509)**
2. Request the drafting of a bill to provide that in the event the Office of the State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources (DCNR), issues an order that would curtail existing domestic wells, instead of receiving no water, an owner of an existing domestic well must still be allowed a duty of 0.5 acre feet of water, provided a meter is installed on the well. **(BDR 48–504)**
3. Request the drafting of a resolution supporting [H.R. 4647](#) (Recovering America’s Wildlife Act), 115th Congress, introduced by United States Representative Jeff Fortenberry (R-Nebraska). House Bill 4647 implements the [recommendations](#) of the Blue Ribbon Panel on Sustaining America’s Diverse Fish and Wildlife Resources to provide funding for wildlife conservation as prioritized within state wildlife action plans. **(BDR R–507)**
4. Request the drafting of a bill to require the DCNR to create, by regulation, a competitive grant program for purpose of providing funds to be used by local communities and conservation groups for the matching of federal funds and provide an appropriation of \$500,000 for that purpose. **(BDR 26–510)**
5. Request the drafting of a bill to require the Office of Historic Preservation, DCNR, to establish a historic sites passport program. **(BDR 33–505)**
6. Request the drafting of a bill to appropriate funds for five members of the Legislative Committee on Public Lands (including one legislator from each house and party and the local government representative) and one member of its staff to travel to Washington, D.C., and meet with the federal delegation. **(BDR S–508)**
7. Request the drafting of a resolution opposing any potential elimination of the Nevada State Office of the Bureau of Land Management (BLM), U.S. Department of the Interior (DOI). **(BDR R–506)**

8. Request the drafting of a bill revising provisions related to public lands. **(BDR R–511)**
9. Request the drafting of a bill revising provisions related to public lands. **(BDR –512)**
10. Request the drafting of a bill revising provisions related to public lands. **(BDR –513)**

RECOMMENDATIONS FOR COMMITTEE LETTERS

11. Send a letter to the Office of the State Engineer encouraging the Division of Water Resources to complete adjudication of water basins in order to help bring finality to claims to water and reduce conflicts.
12. Send a letter to the federal delegation supporting [H.R. 4647](#) (Recovering America’s Wildlife Act), 115th Congress, introduced by United States Representative Jeff Fortenberry (R-Nebraska). H.R. 4647 implements the [recommendations](#) of the Blue Ribbon Panel on Sustaining America’s Diverse Fish and Wildlife Resources to provide funding for wildlife conservation as prioritized within state wildlife action plans.
13. Send a letter to the Nevada Collaborative Conservation Network indicating the Committee’s support of a Nevada policy prioritizing community-based conservation of public lands that integrates local knowledge of natural resources. The purpose of the letter is to underscore the Committee’s acknowledgement of the importance of creating and maintaining partnerships between local stakeholders, private landowners, and vested interest groups in collaboration with federal, state, county, local, and private land managers in a shared effort to maintain thriving ecosystems and the associated wildlife, communities, and economies they support.
14. Send a letter to the U.S. Secretary of Agriculture, the U.S. Secretary of the Interior, and the governor of the State of Nevada, that recognizes the irreplaceable biological, cultural, recreational, and scenic value of the Ruby Mountains to Nevadans; emphasizes the importance of public involvement in the decision making process; and opposes any leasing of areas within the Ruby Mountains for oil and gas development.
15. Send a letter to the Nevada State Office of the BLM urging it to seek additional resources and staffing for the Ely District Office to implement completed watershed restoration plans. Watershed restoration projects are needed to restore vegetative health, improve wildlife habitat, and reduce the risk of catastrophic wildfire in various locations within the Ely District.
16. Send a letter to the U.S. Secretary of Energy, U.S. Department of Energy (DOE), urging the DOE not to move forward with its proposal to store weapons-grade plutonium at the Nevada National Security Site without fully evaluating the economic, environmental, health, and safety impact on Nevada.

RECOMMENDATIONS FOR POSITION STATEMENTS IN FINAL REPORT

17. Include a position statement in the final report expressing the Committee's support of efforts to implement landscape scale projects utilizing pinyon-juniper woodland biomass in a way that benefits economic stability, energy production, hydrologic function, rangeland health, and wildlife habitat.
18. Include a position statement in the final report calling for local government land-use plans to be based on identified sustainable water resources and for coordination between local governments and the Office of the State Engineer to assure there is an accurate accounting of water needed for all future land developments.
19. Include a position statement in the final report expressing the Committee's support for the exploration of desalination technology and options as a water resource for Nevada.
20. Include a position statement in the final report expressing the Committee's support for continued funding of cloud seeding activities in Nevada as a longer-term water management tool to enhance snowfall from winter storms and increase the snowpack and runoff water in several rivers across Nevada.
21. Include a position statement in the final report expressing the Committee's support for continued funding for competitive "Drought Initiative" grants administered by the State Department of Agriculture to implement projects that improve water efficiency for agricultural and livestock production including, but not limited to, installing new equipment or technology, implementing best management practices, laser leveling, and riparian improvement (planting soil stabilizers, leaching/run-off control).
22. Include a position statement in the final report expressing the Committee's support of thoughtful examination prior to any retirement of grazing permits on federal land.
23. Include a position statement in the final report encouraging Congress to make payment in lieu of taxes (PILT) a mandatory, fully funded program. The purpose of the statement is to express that the Committee finds that because local governments are unable to tax the property values or products derived from federal lands, PILT payments are necessary to support essential local government services. The provision of services by local governments requires predictable full funding of PILT.

BULLETIN 19-12

**LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT
OF THE TAHOE REGIONAL PLANNING AGENCY AND
THE MARLETTE LAKE WATER SYSTEM**

Nevada Revised Statutes 218E.555

Members

Assemblyman Michael C. Sprinkle, Chair
Senator Julia Ratti, Vice Chair
Senator David R. Parks
Senator James A. Settelmeyer
Assemblywoman Sandra Jauregui
Assemblyman Al Kramer

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Nevada Revised Statutes 218E.555

NRS 218E.555 Creation; membership; budget; officers; terms; vacancies; reports.

1. There is hereby created the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System consisting of three members of the Senate and three members of the Assembly, appointed by the Legislative Commission with appropriate regard for their experience with and knowledge of matters relating to the management of natural resources. The members must be appointed to provide representation from the various geographical regions of the State.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The members of the Committee shall elect a Chair from one House and a Vice Chair from the other House. Each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year.

4. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. Vacancies on the Committee must be filled in the same manner as original appointments.

6. The Committee shall report annually to the Legislative Commission concerning its activities and any recommendations.

(Added to NRS by [2003, 2504](#); A [2009, 1152](#), [1562](#); [2011, 3227](#), [3734](#); [2013, 2367](#))

ABSTRACT

LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TAHOE REGIONAL PLANNING AGENCY AND THE MARLETTE LAKE WATER SYSTEM

Nevada Revised Statutes (NRS) 218E.555

Nevada's Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System (MLWS) is a permanent committee of the Nevada Legislature whose authorization and duties are set forth in [NRS 218E.550](#) through [218E.570](#). Created in 2003 with the enactment of [Senate Bill 216](#), the Committee provides oversight and review of the activities, budget, programs, and responsiveness of the TRPA and the MLWS.

The Committee held six meetings during the 2017–2018 Interim; three in Carson City and three in the Lake Tahoe Basin. The meetings addressed a variety of activities, issues, and programs pertaining specifically to the TRPA and MLWS and relating generally to the Lake Tahoe Basin. Issues specifically addressed during the meetings included environmental improvement, forest restoration, nearshore ecosystems, needed funding for improvements to the MLWS, shoreline development, and transportation.

The Committee voted to forward six recommendations as bill draft requests to the 80th Session of the Nevada Legislature in 2019, addressing the following topics: (1) environmental improvement programs in the Lake Tahoe Basin; (2) California-Nevada jurisdiction at Lake Tahoe and Topaz Lake; (3) the Tahoe-Douglas Visitor's Authority; and (4) transportation in the Lake Tahoe Basin.

More information about the Committee's activities—including minutes, recordings, and copies of presentations and other exhibits—may be accessed on the Committee's [meeting page](#) for the 2017–2018 Interim.

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TAHOE REGIONAL PLANNING AGENCY AND THE MARLETTE LAKE WATER SYSTEM

Nevada Revised Statutes (NRS) 218E.555

This summary presents the recommendations approved by the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System (MLWS) at its meetings held in Carson City on June 5, 2018, and August 28, 2018. The bill draft requests (BDRs) will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

1. Request the drafting of a bill to release the next phase of bonds in an amount of \$8 million to carry out Nevada's portion of the Lake Tahoe Environmental Improvement Program for the 2019–2021 Biennium. **(BDR S–435)**
2. Request the drafting of a bill to allow nonprofit organizations to receive grant funding from the proceeds generated from the sale of Lake Tahoe license plates for programs for the restoration of the natural environment of the Lake Tahoe Basin ([NRS 321.5951](#)). **(BDR 26–437)**
3. Request the drafting of a resolution expressing the Nevada Legislature's support for the critical role of science in guiding environmental protection and restoration efforts in the Lake Tahoe Basin. The resolution also recognizes the role of the Tahoe Science Advisory Council in providing the best available science to help guide natural resource planning decisions and implementation of environmental improvement projects in the Lake Tahoe Basin. **(BDR –438)**
4. Request the drafting of a bill to amend [NRS 171.077](#) to reflect current technology being utilized by law enforcement to identify geographic locations on Lake Tahoe and Topaz Lake. The recommendation also allows law enforcement officers to conduct follow-up investigations and bookings and arrest offenders for prohibited conduct committed on any land mass within ten air miles of Lake Tahoe and Topaz Lake. **(BDR –439)**
5. Request the drafting of a bill to amend the [Tahoe-Douglas Visitor's Authority Act](#) (Chapter 496, *Statutes of Nevada 1997*) to clarify that the convention center the Tahoe-Douglas Visitor's Authority is authorized to plan, construct, and operate is a multiuse event and convention center that can accommodate other events besides conventions. **(BDR S–440)**
6. Request the drafting of a resolution expressing the Nevada Legislature's support for finding innovative transportation solutions in the Lake Tahoe Basin to help protect Lake Tahoe and

the surrounding ecosystem from the increasing impacts of congestion and other transportation related challenges. The resolution also expresses support for the efforts of the Bi-State Transportation Consultation Group, which is focused on identifying solutions to improve mobility, increase recreational access, protect the environment, and improve the quality of life for the visitors to, and residents of, the Lake Tahoe Basin. **(BDR –441)**

RECOMMENDATIONS FOR COMMITTEE ACTION

7. Send a letter to Nevada's Office of Grant Procurement, Coordination and Management, Department of Administration, to express the Committee's support of the MLWS's request for assistance to solicit the federal government for financial resources to make improvements and needed repairs to the system, including the Marlette Lake and Hobart Reservoir Dams.
8. Send a letter to Nevada's federal delegation expressing support for a Federal Fiscal Year 2019 budget appropriation to fund the Lake Tahoe Restoration Act of 2015.
9. Send a letter to the Tahoe-Douglas Visitor's Authority expressing the Committee's support of the Authority's efforts to plan, construct, and operate a multiuse event and convention center.
10. Provide a letter to the MLWS expressing the Committee's support of the MLWS's efforts to obtain grant funding to make improvements and needed repairs to the system, including the Marlette Lake and Hobart Reservoir Dams.

BULLETIN 19-13

LEGISLATIVE COMMITTEE ON EDUCATION

Nevada Revised Statutes 218E.605

Members

Senator Moises (Mo) Denis, Chair
Assemblyman Tyrone Thompson, Vice Chair
Senator Donald (Don) G. Gustavson
Senator Patricia (Pat) Spearman
Senator Joyce Woodhouse
Assemblywoman Teresa Benitez-Thompson
Assemblywoman Brittney Miller
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Nevada Revised Statutes 218E.605

NRS 218E.605 Creation; membership; budget; officers; terms; vacancies.

1. The Legislative Committee on Education, consisting of eight legislative members, is hereby created. The membership of the Committee consists of:

(a) Four members appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party.

(b) Four members appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. Each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of Chair of the Committee must alternate each biennium between the Houses. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

4. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment for the remainder of the unexpired term.

(Added to NRS by [1997, 1775](#); A [2009, 1150, 1560](#); [2011, 3230](#)) — (Substituted in revision for NRS 218.5352)

ABSTRACT

LEGISLATIVE COMMITTEE ON EDUCATION

Nevada Revised Statutes (NRS) 218E.605

Nevada's Legislative Committee on Education (LCE) is a permanent committee of the Nevada Legislature whose authorization and duties are set forth in [Chapter 218E](#) of NRS. Created in 1997 with the enactment of [Senate Bill 482](#), known as the Nevada Education Reform Act, the LCE reviews and monitors the condition of public elementary and secondary education. It may recommend legislation in a number of areas, including statewide programs in accountability, student performance, teacher preparation, compliance with federal requirements, the statewide student information system, class-size reduction, and any other fiscal or policy concerns associated with public education. The creation of the LCE, its membership, and powers and duties are codified in [NRS 218E.600 through 218E.615](#).

The LCE held seven meetings during the 2017–2018 Interim. The first six meetings were held at the Grant Sawyer State Office Building in Las Vegas, Nevada, and videoconferenced to the Legislative Building in Carson City, Nevada. The final interim LCE meeting was held at the Legislative Building in Carson City and videoconferenced to the Grant Sawyer State Office Building in Las Vegas.

Pursuant to the LCE's charge as provided in [NRS 218E.615](#), the LCE considered a number of topics relating to elementary and secondary education and received presentations regarding:

- Approaches to education systems in high-performing states and countries, especially in the areas of career and technical education (CTE);
- Early childhood education (ECE);
- The teaching profession;
- School discipline practices and data;
- ECE quality and access;
- Teacher recruitment, retention, preparation, licensure, compensation, and induction;
- Issues concerning students with disabilities;
- Issues related to charter schools;
- Updates related to the Clark County School District (CCSD) reorganization plan;
- Student assessments;

- Student safety and well-being;
- School district funding strategies;
- Several K–12 education programs created or expanded by the 2017 Legislature;
- Recommendations for policy action by the LCE; and
- Issues relating to postsecondary education, including CTE, teacher preparation, and scholarship programs.

At its work session on August 9, 2018, the LCE approved 13 proposals for legislation to be considered by the 80th Session of the Nevada Legislature and another 24 proposals for issuing correspondence or including position statements in its final report. Topics of bill draft requests include: Nevada’s education system; budgeting and funding of education; educational and other school-based personnel; student health and safety; and miscellaneous matters related to education including, but not limited to, charter schools and the English Mastery Council.

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON EDUCATION

Nevada Revised Statutes (NRS) 218E.605

This summary presents the recommendations approved by the Legislative Committee on Education (LCE) at its meeting on August 9, 2018. The bill draft requests (BDRs) will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Study of Nevada's Education System

1. **Study of Nevada's Education System**—Propose legislation to create a long-term stakeholder group, whose makeup would be similar to Maryland's Commission on Innovation and Excellence in Education, to develop a statewide vision and implementation plan to create a world-class education system, so that Nevada's students can match the performance of the world's best. The group would:
 - a. Oversee a benchmarking or gap analysis study comparing Nevada's education policies to those of high-performing international and domestic education systems to enable Nevada to reach high student performance with equity. As part of the gap analysis, make recommendations on how to adapt international domestic education policies into a coherent system that works for Nevada's context;
 - b. Review the findings of any previous or ongoing studies related to funding in order to meet identified objectives;
 - c. Develop cost analyses and an implementation plan for the recommendations; and
 - d. Consider hiring the National Center on Education and the Economy or an organization with similar expertise and qualifications to perform the technical work. **(BDR 34–386)**

Funding of Education

2. **Equity Allocation Model**—Propose legislation to require the superintendent of public instruction to review and present the revisions to the equity allocation model to the LCE by May 1 of each even-numbered year, and prohibit adoption of those revisions prior to July 1 of that year, in order to provide the LCE with the opportunity to provide recommendations. **(BDR 34–387)**

Educational Personnel

3. **Alternative Route to Licensure (ARL)**—Propose legislation to allow military personnel, veterans, and their spouses, who have completed another state’s ARL coursework and testing, to be issued a Nevada ARL license in order to complete two to three years of successful classroom teaching required for issuance of a renewable professional license. **(BDR 34–388)**
4. **Expedited Licensure of Military Spouses**—Propose legislation to require the expediting of all teaching licensure and school district employment applications for spouses of active duty personnel. **(BDR 34–388)**
5. **Veteran Employment in School Districts**—Propose legislation to allow a United States Department of Defense Joint Service transcript, when available, to be considered for training and experience credit for veterans who are seeking skilled trade licenses to qualify for jobs with school districts. **(BDR 34–388)**
6. **Tiered License Structure**—Propose legislation to create a task force comprised of current practicing teachers, persons with expertise in systems design, and a representative of Nevada’s Department of Education (NDE), the Nevada System of Higher Education (NSHE), the Office of Workforce Innovation within the Office of the Governor, and a collective bargaining unit to develop a tiered career pathway for educators. The task force would study professional designations and employment designations (including those of paraprofessionals and early childhood educators) within the state and make recommendations to the Commission on Professional Standards in Education, NDE, for the implementation of a tiered license structure connected to and informed by formalized and specified scopes of practice. In the course of the study, the task force would also consider:
 - a. The incorporation of research methods training and professional development requirements; and
 - b. The development of rigorous student teaching standards and a licensure endorsement for supervising teachers. **(BDR 34–389)**

Student Health and Safety

7. **Data Collection and Distribution Related to School Discipline**—Propose legislation to provide for the collection and reporting through Infinite Campus of all school discipline data by student subgroups, including suspension and expulsion counts as separate incidents. Include a mandate to require NDE to:
 - a. Develop and provide guidance to the districts on expanding data collection;
 - b. Standardize definitions of offense types and sanctions in order to ensure consistency across schools and districts; and

- c. Provide training and professional development to build staff capacity to utilize Infinite Campus to create reports, interpret results, and develop responsive action plans. **(BDR 34–390)**
8. **School Climate and Discipline Data Reports**—Propose legislation to require NDE to provide an annual report to the Legislature on school discipline metrics and identified areas in which NDE is to provide support or attention to address school discipline data trends. Further, require NDE to include school discipline metrics in its regular report to the State Board of Education. **(BDR 34–390)**

Miscellaneous Matters in Education

9. **Charter School Contracts**—Propose legislation to provide charter school authorizers discretion with regard to the term of renewal contracts between three and ten years, retaining a six-year term for the initial license. **(BDR 34–391)**
10. **Charter School Regulation**—Propose legislation to develop a statutory framework specific to online charter schools. **(BDR 34–392)**
11. **English Mastery Council**—Propose legislation to extend the English Mastery Council for three years (spring 2022) to enable the Council to continue its work in a format that allows for legislative recommendations and provides a voice for English learners in this state. **(BDR 34–393)**
12. **English Mastery Council**—Propose legislation to expand the English Mastery Council to improve the quality of education for all students who are least proficient in English. This will help reduce the proficiency gap and support districts to serve the least proficient subgroups, as required by Nevada’s plan approved under the federal Every Student Succeeds Act. **(BDR 34–393)**
13. **Support for Homeless and Foster Students**—Propose legislation to increase school districts’ flexibility to award credits for diplomas, while in abidance of state standards, in order to increase high school graduation rates for students experiencing homelessness and those in foster care. **(BDR 34–394)**

RECOMMENDATIONS FOR COMMITTEE ACTION

Education Budget and Funding

14. **Budgeting**—Include a statement in the Committee’s final report expressing support for continued discussion between the Clark County School District (CCSD) and Legislative Counsel Bureau staff concerning budgetary timelines.

15. **Equity Allocation Model**—Send a letter to NDE explaining that due to the lack of time to hear, review, and make recommendations related to the equity allocation model prior to its adoption, the LCE will not make a formal recommendation related to the equity allocation model changes presented on June 21, 2018.
16. **Increase Education Funding From Certain Revenue Sources**—Send a letter to the governor and members of the 80th Nevada Legislature expressing support for funding streams to increase the level of overall K–12 education funding, that includes:
 - a. Allowing [Initiative Petition 1](#) of the 2009 Session, otherwise known as the Room Tax Initiative, to go into effect as written and submitted by Nevada voters;
 - b. Dedicating funding from the 10 percent retail excise tax on recreational marijuana, gained from the enactment of [Senate Bill 487](#) in 2017, to increase, and not supplant, K–12 education funding; and
 - c. Ensuring, beginning in Fiscal Year 2020, revenue from the 15 percent excise tax on wholesale marijuana, established through the approval of [Ballot Question 2 of the 2016 General Election](#), increases K–12 education funding, rather than supplants the state’s contribution to the K–12 education budget.

Nevada’s System of Higher Education

17. **Education Preparation Programs**—Send a letter to the Board of Regents of the University of Nevada, with a copy to the superintendent of public instruction, requesting NSHE study and provide information to the members of the Senate and Assembly Standing Committees on Education and the LCE no later than the first day of the 80th Session of the Nevada Legislature on the following:
 - a. The potential creation of professional teaching schools, which may include:
 - i. A clinical master’s degree program that is guided by professional standards of practice and is research-based and oriented;
 - ii. Learning in practice with expert mentors and professional teaching school partnerships; and
 - iii. State of the art clinical or residency-type education, with tightly linked coursework to allow for the development of new curriculum and conduct of research;
 - b. The addition of appropriate courses and capstone projects as graduation requirements that demonstrate how students know research methods, enable them to determine the effectiveness of their own work, and develop and implement improved curriculum, instruction, and assessment in their schools;

- c. Requiring interviews and other highly selective criteria for all education program applicants, including an assessment of an applicant's aptitude for successful program completion;
 - d. Rigorous coursework requirements that include classroom management and culturally responsive teaching practices;
 - e. The cost to provide a stipend or salary to student teachers;
 - f. The potential cost to provide full scholarships for students who plan to attend NSHE institutions who:
 - i. Are in the top of their high school graduating class anywhere in the country or have otherwise demonstrated the potential to be a high-performing teacher;
 - ii. Choose education as a major; and
 - iii. Agree to a five-year service commitment that includes claw back provisions in a Nevada public school as repayment; and
 - g. The potential cost of a scholarship and outreach program targeted at paraprofessionals who already work directly with students and who have been recognized by school administrators as having an aptitude for teaching to incentivize them to become licensed teachers, with a specific focus on paraprofessionals who speak Spanish.
18. **School-Based Mental Health Pipeline**—Send a letter to the Board of Regents requesting NSHE study and provide information to the members of the Senate and Assembly Standing Committees on Education and the LCE no later than the first day of the 80th Session of the Nevada Legislature on the creation of a school-based mental health pipeline, that includes:
- a. Incentives for students to enter and stay in Nevada to practice in the fields of psychology and social work through loan forgiveness programs;
 - b. Expansion of higher education training programs for school psychology and social work;
 - c. Creation of stacked degree programs for school psychologists and other school-based mental health professions; and
 - d. Requirements for coursework in cultural competence.

Career and Technical Education

19. **Career and Technical Education Funding**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for additional funding to increase capacity in CTE programs, particularly those

programs that focus on at-risk students living in areas where CTE programs are scarce or not currently offered.

20. **Career Pathways**—Send a letter to the State Board of Education and the superintendent of public instruction requesting NDE to examine recognizing additional pathways in the arts, audio/visual technology, and communications career cluster.
21. **Dual Credit Coursework**—Send a letter to the board of trustees and superintendent of each school district, the State Board of Education, the superintendent of public instruction, and the Board of Regents encouraging school districts to expand dual credit coursework opportunities, including coursework that provides a certificate, credential, certification, or other recognition of career or technical skills earned by the student, as well as credit for internships, apprenticeships, and cooperative employment.
22. **Jobs for America’s Graduates Funding**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for additional funding for the Jobs for America’s Graduates (JAG) Nevada program to implement the JAG program in more Nevada schools, including middle schools.

Early Childhood Education

23. **Early Childhood Education and Care Funding**—Send a letter to the governor, members of the Senate Committee on Finance and Assembly Committee on Ways and Means, State Board of Education, and superintendent of public instruction expressing support for an increase in funding to allow Nevada families to access high-quality early childhood education and care. The letter will include the following recommendations:
 - a. Increase the child care development fund contribution to allow more families access to early childhood education programs, include the use of current market rates to reimburse providers, and expand access to the program for parents attending school or training;
 - b. Develop and expand pre-kindergarten (pre-K) programs offered in both public and private sectors through inclusion in the state education funding formula and/or enhancement of the Nevada State Funded Pre-K Program;
 - c. Increase access to early childhood programs in high poverty areas and increase funding for the child care subsidy program for seats in 4- and 5-star rated child care centers;
 - d. Prioritize students for whom pre-K will close the opportunity gap the fastest (e.g., students enrolled in free and reduced-price lunch and English learners); and
 - e. Provide funding for parental involvement and family engagement classes and other professional development opportunities for early childhood education and care workers.

Educational Personnel

24. **Peer Assistance and Review**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for additional funding to expand peer assistance and review (PAR) programs statewide, including:
- a. Funding for PAR programs and high-quality induction programs throughout the state;
 - b. Setting a goal, vision, and timeline for all new teachers and any teacher new to a district to have access to a robust induction program in the State of Nevada, regardless of the district in which they work;
 - c. Working with the Commission on Professional Standards in Education to develop a certification or credential standard and process for PAR, consulting teachers and/or equivalent supervising teachers to participate in induction programs in the state, and to incentivize districts to use the definition;
 - d. Setting out evaluation criteria for induction programs;
 - e. Once defined, financially incentivizing districts to require any consulting teacher or equivalent professional to maintain certification and obtain ongoing professional development specifically for being a consulting teacher; and
 - f. Integrating PAR into other professional frameworks, including formal career pathways.

Student Health and Safety

25. **School Police**—Send a letter to the governor expressing support for legislation to include school police in the statutory definition of “school resource officer” and allow expanded jurisdiction for school police to conduct investigations, engage in crime prevention programs, and participate in joint task forces.
26. **School Discipline Data Availability**—Send a letter requesting NDE to:
- a. Establish a clear pathway to school discipline data on its website, making it more intuitive and user-friendly;
 - b. Consider including school discipline and climate data on the [Nevada Report Card](#) website; and
 - c. Explore opportunities to develop more customized reports for discipline data so schools and districts can drill down to their particular needs.

27. **Restorative Justice Programs Funding**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for funding for restorative justice programs, that includes the following:
- a. Implementation of programs on a statewide basis to address childhood trauma;
 - b. Evidence-based restorative justice options to improve school culture, climate, safety, and student outcomes (e.g., multi-tiered support systems, early warning systems, positive behavioral interventions and supports, social workers in schools, social emotional learning curriculum, and trauma informed practices) and implementing policy changes to create aligned statewide expectations to ensure return on investment and create funding streams through state grants;
 - c. State juvenile assessment center models that focus on assessment and assistance to youth and families such as The Harbor in Clark and Washoe Counties; and
 - d. School justice partnerships that incorporate restorative justice approaches to divert children from the juvenile justice system and school justice pilot programs with cross agency stakeholder commitment.
28. **School Police Funding**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for funding for mental health supports, school resource officers, and school police officers in middle schools.
29. **School Climate Surveys**—Send a letter requesting NDE to identify a subset of school climate survey questions to be asked across the state so the results can be compared across schools and districts and make the climate survey data publicly available. The Department should consider whether school climate surveys should include one or more additional categories for gender to address the rights and needs of persons with diverse gender identities or expressions.
30. **Sexual Harassment in Schools**—Send a letter requesting NDE to examine:
- a. Adopting policies that allow students to report incidents of sexual harassment anonymously, particularly for students who do not have access to a device to report incidents through SafeVoice; and
 - b. Providing group therapy for victims of sexual harassment.
31. **Social and Emotional Learning**—Send a letter to the board of trustees of each school district encouraging the use of social emotional learning and programming as part of a multi-tiered system of support.

32. **Student Behavioral Health**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for the legislative priorities of the Nevada Children’s Behavioral Health Consortium related to education, that includes the following:
- a. Recommend the Nevada Office for Suicide Prevention, Division of Public and Behavioral Health, Department of Health and Human Services, in collaboration with the CCSD and the Nevada Institute for Children’s Research and Policy, conduct a comprehensive survey of Clark County public, charter, and private schools that will determine the degree to which mental health and/or suicide prevention screening has been implemented. Nevada’s Department of Education’s Social Workers in Schools Program should support the implementation of an effective model of school-based mental health and suicide prevention screening that is evidence-based, is cost-effective, utilizes active parental consent, and includes procedures and resources to link identified students with needed services;
 - b. Expand school-based services in rural counties for mental health programs, support the Social Workers in Schools Program, and allow expansion into more rural schools; and
 - c. Increase supportive services to address children’s mental health needs in the Washoe County School District, such as the Safe School Professionals program and additional training from the Office for Suicide Prevention.

Miscellaneous Matters in Education

33. **Data Collection for Fund Recipients**—Send a letter requesting NDE to create a system to track teachers in receipt of state funds for financial assistance and incentive bonuses regarding where recipients teach, what subjects they teach, classroom performance, and reasons for exiting their original placement or the profession. The system should include the tracking of preservice teachers, completers, and graduates in state-approved NSHE and non-NSHE ARL and traditional preparation programs.
34. **Disproportionality in Access**—Send a letter requesting NDE to research and report to the members of the Senate and Assembly Standing Committees on Education and the LCE no later than the first day of the 80th Session of the Nevada Legislature on: (1) the availability of magnet and CTE schools and programs at the district level; and (2) NDE’s assessment of issues related to disproportionality of access.
35. **Disproportionality in Access**—Send a letter to the board of trustees of each school district encouraging the examination of a policy to require students who meet proficiency and aptitude requirements to be automatically opted in to honors or advanced coursework placement in order to reduce disproportionality in the student population participating in those courses.

36. **Students With Disabilities Funding**—Include a statement in the Committee’s final report expressing support for additional inquiry concerning transition services provided to students with disabilities who are pursuing a standard diploma.
37. **Students With Disabilities Funding**—Send a letter to the governor and members of the Senate Committee on Finance and Assembly Committee on Ways and Means expressing support for additional funding to allow more students with disabilities to be placed in internships and other work opportunities and to provide for early intervention services.

BULLETIN 19-14

LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE

Nevada Revised Statutes 218E.705

Members

Assemblywoman Daniele Monroe-Moreno, Chair
Senator Patricia Farley, Vice Chair
Senator Pete Goicoechea
Senator Tick Segerblom
Assemblyman Ozzie Fumo
Assemblyman John Hambrick

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Nevada Revised Statutes 218E.705

NRS 218E.705 Creation; membership; budget; officers; terms; vacancies.

1. The Legislative Committee on Child Welfare and Juvenile Justice is hereby created. The membership of the Committee consists of three members of the Senate and three members of the Assembly, appointed by the Legislative Commission.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. After the initial selection, each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of Chair of the Committee must alternate each biennium between the Houses. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

4. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment for the remainder of the unexpired term.

(Added to NRS by [2009, 2545](#); A [2011, 3233](#))

ABSTRACT

LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE

Nevada Revised Statutes 218E.705

The Legislative Committee on Child Welfare and Juvenile Justice was established in 2009 with the Nevada Legislature’s passage of [Senate Bill 3](#). During the course of the 2017–2018 Interim, the Committee held four meetings, including one work session. The meetings were held at the Grant Sawyer State Office Building in Las Vegas, Nevada, with simultaneous videoconferencing to the Legislative Building in Carson City, Nevada.

During each meeting, the Committee received formal presentations and expert and public testimony on a broad range of topics involving child welfare and juvenile justice. Issues included:

- Revision of laws related to the protection of children;
- Improvements to programs designed to assist Nevada’s foster youth population;
- Crossover populations in the child welfare and juvenile justice systems;
- Prevention of the commercial sexual exploitation of children;
- Sentencing and incarceration of juvenile offenders, with special focus on female offenders;
- Reviewing the work and priorities of several child welfare related organizations;
- Alternative and diversionary programs for at-risk youth; and
- Challenges in securing consistent funding for specialized foster care providers, fictive kin, foster youth under court supervision, and foster youth entering secondary education.

At its final meeting and work session, the Committee adopted six recommendations for bill draft requests (BDRs) to be considered by the 2019 Nevada Legislature. These BDRs concern the funding apparatus and quality of data systems for child welfare, various elements of juvenile detention, foster youth education, financial resources for fictive kin and foster youth, and preventing commercial sexual exploitation of children.

More information about the Committee’s activities—including minutes, recordings, and copies of presentations and other exhibits—may be accessed on the Committee’s [meeting page](#) for the 2017–2018 Interim.

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON CHILD WELFARE AND JUVENILE JUSTICE

Nevada Revised Statutes (NRS) 218E.705

This summary presents the recommendations approved by the Legislative Committee on Child Welfare and Juvenile Justice at its meeting on August 24, 2018. The bill draft requests (BDRs) will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Juvenile Detention

1. Draft legislation requesting an interim study of juvenile detention in Nevada to be conducted by the Legislative Committee on Child Welfare and Juvenile Justice. The study is to include research on utilizing a regional approach to housing children locally, as well as other issues regarding placement of children, including bed space, educational and wellness programming, family and community contact, and other relevant information. **(BDR S-450)**

Funding of Child Welfare Programs

2. Draft legislation requesting an appropriation of \$250,000 to conduct an independent interim study of funding within Nevada's child welfare system to include a cost-benefit analysis of replacing the Unified Nevada Information Technology for Youth (UNITY) system. The Legislative Committee on Child Welfare and Juvenile Justice will oversee the study. **(BDR S-451)**

Resources for Fictive Kin

3. Draft legislation to amend [Chapter 422A](#) of NRS to provide that, to the extent authorized by federal law, the director of the Department of Health and Human Services (DHHS) is required to include in the state plan for Temporary Assistance for Needy Families provisions for the payment of child-only assistance to a fictive kin caregiver. **(BDR 38-452)**

Independent Living Stipends for Foster Youth

4. Draft legislation to provide children who are adopted before 18 years of age the same financial assistance that is provided pursuant to [NRS 432B.591 through 432B.595](#) to children who remain under the jurisdiction of the juvenile court at 18 years of age and who elect to remain under the jurisdiction of the court after 18 years of age. **(BDR 38-453)**

Commercial Sexual Exploitation of Children

5. Draft legislation creating a new Chapter 432C of NRS to ensure compliance with the federal Child Abuse Prevention and Treatment Act of 2010 and the Justice for Victims of Trafficking Act of 2013 and to comply with the Program Improvement Plan as required by the Administration for Children and Families of the United States Department of Health and Human Services. **(BDR 38–457)**

Foster Youth Education

6. Draft legislation to require that:
 - a. All foster youth have an identified educational decision maker;
 - b. An academic learning plan be attached to foster youth court reports;
 - c. Court reports include a foster youth's educational information; and
 - d. The Legislature create a funding mechanism for foster youth entering secondary education. **(BDR 40–458)**

RECOMMENDATIONS FOR COMMITTEE ACTION

7. Send a letter urging Nevada's Department of Corrections to pursue memorandums of understanding with appropriate local or state entities to allow female juvenile offenders to be housed in local rather than out-of-state facilities or the Florence McClure Women's Correctional Center.
8. Send a letter to the governor, the Senate Committee on Finance, the Assembly Committee on Ways and Means, and the DHHS urging that state and local child welfare agencies fund the full cost of child care for foster children at the current market rate.
9. Send a letter to the governor, the Senate Committee on Finance, the Assembly Committee on Ways and Means, the DHHS, and the Administrative Office of the Courts supporting the creation of a waiver program to defray the costs of juvenile justice involvement for families with limited resources. The letter is to include a request that relevant entities provide information on any cost waiver programs already in place in order to facilitate a best practices assessment and create uniformity in the future.
10. Send a letter to the governor, the Senate Committee on Finance, the Assembly Committee on Ways and Means, Nevada's Department of Education, and the DHHS urging the establishment of an independent auditor to review complaints and grievances submitted by youth involved in the child welfare and/or juvenile justice systems. The letter is also to urge that the relevant agencies determine the feasibility of establishing the complaint system to function in coordination with the SafeVoice system that is currently available to all students, faculty, and parents in Nevada.

11. Send a letter to the governor, the Senate Committee on Finance, and the Assembly Committee on Ways and Means urging that they support and adequately fund the priorities of the Nevada Children's Behavioral Health Consortiums as outlined by the Consortiums in a presentation to the Committee.
12. Send a letter to the Legislative Commission requesting that the Commission direct the legislative auditor to conduct an audit of the results of the family-to-family peer support pilot project authorized under [Assembly Bill 307](#) (2015) to assist youths in Clark County who are at risk of long-term residential treatment.
13. Send a letter to the governor, the Senate Committee on Finance, and the Assembly Committee on Ways and Means urging that they support and fully fund programs for specialized foster care.

BULLETIN 19-15

**LEGISLATIVE COMMITTEE ON SENIOR CITIZENS,
VETERANS AND ADULTS WITH SPECIAL NEEDS**

Nevada Revised Statutes 218E.750

Members

Assemblywoman Lesley E. Cohen, Chair
Senator Patricia (Pat) Spearman, Vice Chair
Senator Joseph (Joe) P. Hardy, M.D.
Senator David R. Parks
Assemblywoman Shannon Bilbray-Axelrod
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Nevada Revised Statutes 218E.750

NRS 218E.750 Creation; membership; budget; officers; terms; vacancies.

1. The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs, consisting of six members, is hereby created. The membership of the Committee consists of:

(a) Three members of the Senate appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party; and

(b) Three members of the Assembly appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. After the initial selection, each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of Chair of the Committee must alternate each biennium between the Houses. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

4. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment for the remainder of the unexpired term. (Added to NRS by [2009, 2412](#); A [2011, 3235](#))

ABSTRACT

LEGISLATIVE COMMITTEE ON SENIOR CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS

Nevada Revised Statutes (NRS) 218E.750

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs, in compliance with [NRS 218E.745 through 218E.760](#), is authorized to review, study, and comment on issues including, but not limited to: (1) initiatives to ensure financial and physical wellness; (2) abuse, exploitation, isolation, and neglect; (3) public outreach and advocacy; (4) programs to ensure services are provided in the most appropriate setting; (5) programs that provide services and care in the home; (6) the availability of useful information and data, as needed, for the state to make effective decisions, plan budgets, and monitor costs and outcomes of services; (7) laws relating to the appointment of a guardian, including the improvement of investigations relating to guardianships and systems for monitoring guardianships; and (8) the improvement of facilities for long-term care in Nevada.

In addition to its general powers, [Assembly Bill 299](#) of the 2017 Session requires the Committee to conduct a study during the 2017–2018 Interim concerning standards of training for unlicensed persons who provide care at certain facilities or homes or through certain agencies. Further, the bill requires the Committee to study the creation of a competency evaluation for a person who receives such training concerning the provision of care.

The Committee held four meetings during the 2017–2018 Interim. The following summarizes the main issues considered at each meeting:

1. On February 27, 2018, the Committee discussed the AB 299 study relating to training requirements, training models, and accountability models for unlicensed employees and contractors who provide care at certain facilities or homes; provisions relating to out-of-home placements for adults with special needs; and veterans services.
2. On April 12, 2018, the Committee discussed the AB 299 study and veterans services.
3. On June 19, 2018, the Committee discussed the AB 299 study, services for senior citizens, guardianship programs, and services for adults with special needs.
4. On July 19, 2018, the Committee discussed Medicaid reimbursement rates, veterans services, guardianship programs, and work session recommendations.

The Committee voted to forward ten recommendations as bill draft requests to the 2019 Legislature that address the following topics: (1) state employment, higher education, and dental programs for veterans; (2) sick leave flexibility; (3) provisions relating to out-of-home placements for adults with special needs; (4) the study required by AB 299 relating to the training of unlicensed employees and contractors who provide care at certain facilities or homes; and (5) guardianship programs.

In addition, the Committee voted to send several letters expressing support for a specific issue or encouraging certain action.

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON SENIOR CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS

Nevada Revised Statutes (NRS) 218E.750

This summary presents the recommendations approved by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its July 19, 2018, meeting. The Committee voted to forward ten recommendations as bill draft requests (BDRs) to the 80th Session of the Nevada Legislature and send several letters expressing support for a specific issue or encouraging certain action.

During the drafting process, specific details of the following proposals for legislation and letters may be further clarified by staff in consultation with the chair or others, as appropriate.

RECOMMENDATIONS FOR LEGISLATION

1. The Committee voted to request legislation to amend subsection 7 of [NRS 284.015](#) to remove the requirement that the meaning ascribed to “veteran” includes being a resident of Nevada. This proposal relates to [Assembly Bill 309](#) to provide that both in-state and out-of-state veterans who submit an application for state employment will receive ten additional points to the passing grade. This would make the provisions consistent between veterans and the widow or widower of a person killed in the line of duty while on active duty in the Armed Forces of the United States. Currently, only veterans who are residents of Nevada are eligible for the additional points. **(BDR 23–162)**
2. The Committee voted to request legislation to:
 - a. Create a workforce development program where eligible veterans who have completed an undergraduate degree and have remaining federal benefits would be authorized to use the remaining federal benefits toward a postgraduate degree and have the remaining costs waived. In return for the waiver of fees, the eligible veteran would be required to seek a postgraduate degree in a science, technology, engineering, arts, and mathematics critical need occupation field. Critical need occupation fields would be determined by the Department of Employment, Training and Rehabilitation (DETR); and
 - b. Make appropriations in the amount of \$250,000 from the State General Fund in each fiscal year (FY) of the 2019–2021 Biennium to support the Adopt a Vet Dental Program. **(BDR 18–168)**
3. The Committee voted to request legislation to require a private employer that provides sick leave benefits to allow the employees to use such accrued leave, in accordance with company policy, for absences due to illness, injury, medical appointment, or other authorized medical need of a member of the employees’ immediate family. This would be a redraft of [AB 394](#) (a failed measure from the 2017 Session). **(BDR 53–169)**

4. The Committee voted to request legislation to:
 - a. Clarify that the provisions of [NRS 449.03005](#) (license to operate employment agency that contracts with persons to provide certain nonmedical services) apply any time contracted services are provided in this state, regardless of where the employer resides.
 - b. Relocate provisions regarding community-based living arrangement (CBLA) services ([NRS 433.605](#)) under [Chapter 449](#) of NRS. This would provide that the entities would be licensed, regulated, and monitored by the Bureau of Health Care Quality and Compliance, Division of Public and Behavioral Health (DPBH), Department of Health and Human Services (DHHS). The training program would be specified by *Nevada Administrative Code*. The transition would be effective upon approval.
 - c. Require the Nevada 2-1-1 program, established pursuant to [NRS 232.359](#), to specify the licensing status of all licensed or certified facilities or homes under Chapter 449 of NRS. The Nevada 2-1-1 program must be reviewed and updated at least quarterly.
 - d. Require the Committee to continue the study, as required by [AB 299](#), to review and study the training programs implemented by certain homes and facilities. The goal of the study during the 2019–2020 Interim would be to compare and contrast the content of the training programs offered by supported living arrangement (SLA) services ([NRS 435.3315](#)), CBLA services, and programs under Chapter 449 of NRS. The goal of the study would be to determine whether a minimum set of competencies should be mandated in Nevada to be taught, measured, and monitored across all programs. In addition, the number of hours of annual continuing education would be determined. If the study determines that minimum competencies should be mandated, the Committee would determine which employees and contractors should not be subject to learning the competencies. **(BDR 40–170)**
5. The Committee voted to request legislation to require the legislative auditor, Audit Division, Legislative Counsel Bureau (LCB), to conduct an audit of SLAs during the 2019–2020 Interim. The purpose of the audit would be to determine whether all certified SLAs provide services as described in [NRS 435.3315](#) as:

... flexible, individualized services provided in the home, for compensation, to a person with an intellectual disability or a person with a developmental disability who is served by the [Aging and Disability Services] Division that are designed and coordinated to assist the person in maximizing the person's independence, including, without limitation, training and habilitation services.

The findings of the audit would be presented to the Committee.

Following the work session, the chair of the Committee requested to be included on the agenda of the August 30, 2018, meeting of the Legislative Commission ([NRS 218E.150](#)) to request that the audit of SLAs be completed as soon as practicable by the legislative auditor. If the audit is approved by the Legislative Commission to occur during FY 2018–2019, the

BDR approved by the Committee may contain recommendations based upon the findings of an audit of SLAs. **(BDR –178)**

6. The Committee voted to request legislation to:
 - a. Expand the authority of the Office of the State Long-Term Care Ombudsman, Aging and Disability Services Division (ADSD), DHHS, to include advocating for recipients of CBLA services, SLA services, adult day care centers, and rehabilitation centers for acute illnesses. The BDR would require the Ombudsman or an advocate to conduct quarterly inspections of the facilities and investigate or review such facilities, as needed. This would be a redraft of [Senate Bill 97](#) (a failed measure of the 2017 Legislative Session) with the addition of expanding the authority of the Ombudsman to include advocating for recipients of rehabilitation centers for acute illnesses and conducting quarterly inspections of facilities; and
 - b. Require all CBLAs, SLAs, adult day care centers, and rehabilitation centers for acute illnesses to post the Ombudsman’s hotline number for reporting complaints. The Office of the State Long-Term Care Ombudsman would address the complaints. **(BDR 38–171)**
7. The Committee voted to request legislation to implement supported decision-making agreements as a recognized means to support and accommodate adults with disabilities in making life decisions. The BDR would include provisions and direction for nonparties to the agreement, including, but not limited to, medical and financial professionals, to rely on the supported adult’s decisions, not unlike provisions in laws governing powers of attorney. **(BDR 13–164)**
8. The Committee voted to request legislation to support parental rights for the blind. The legislation would prohibit discrimination against the blind in adoption, custody, guardianship, or visitation proceedings. **(BDR 11–172)**
9. The Committee voted to request legislation to revise primarily [NRS 159.0805](#) (Nevada guardianship laws relating to the sterilization of a protected person) requiring:
 - a. A burden of proof to establish when sterilization would benefit or prevent serious mental or physical impairments;
 - b. An appointment of either an attorney to represent the ward or a guardian ad litem;
 - c. An evidentiary hearing to take place before the court orders an involuntary sterilization; and
 - d. Consideration of less irrevocable and intrusive means of contraception, other than sterilization. **(BDR 13–173)**

10. The Committee voted to request legislation to revise, primarily [NRS 427A.896](#) to remove the duties relating to the Nevada ABLE Savings Program required or authorized of the ADSD and to clarify that the state treasurer is solely responsible for implementing the following duties:
 - a. The state treasurer may employ personnel and contract for goods and services necessary for the effective and efficient operation of the Program (revise subsection 5 of NRS 427A.896);
 - b. The state treasurer shall implement an outreach and education program designed to create awareness of and increase participation in the Program. Any marketing plan and materials for the Program would no longer require the ADSD's approval (revise subsection 6 of NRS 427A.896); and
 - c. The state treasurer may contract with certain qualified entities for certain services (revise subsection 8 of NRS 427A.896). **(BDR 38–177)**

RECOMMENDATIONS FOR COMMITTEE LETTERS

11. The Committee voted to send a letter to the ADSD to request an audit of SLAs during FY 2018–2019. The purpose of the audit would be to determine whether all certified SLAs provide services as described in [NRS 435.3315](#) as:

... flexible, individualized services provided in the home, for compensation, to a person with an intellectual disability or a person with a developmental disability who is served by the Division that are designed and coordinated to assist the person in maximizing the person's independence, including, without limitation, training and habilitation services.

The findings of the audit would be presented to the Committee.

NOTE: This letter will be placed on hold until it is determined whether the legislative auditor will conduct the audit during the same time period (see Recommendation 5 under Recommendations for Legislation).

12. The Committee voted to send a letter to the DPBH expressing the Committee's desire for the Division's webpages to include a user-friendly way for the public to determine the licensing status of a program.
13. The Committee voted to send a letter to the governor of the State of Nevada to evaluate the adequacy of current Medicaid reimbursement rates and determine whether the rates should be raised during the 2019 Legislative Session. The letter should urge the governor to increase the rates for Nevada's support specialists so that persons, especially children, will not be required to seek services out of state. The letter should also specify that low Medicaid reimbursement rates lead to high levels of staff turnover, which is a concern when it comes to adequately training staff. Finally, it should be noted in the letter that rate studies indicate

the reimbursement rate for vocational services and SLAs for persons with intellectual and developmental disabilities is up to 25 percent below other similar states.

14. The Committee voted to send a letter to the Office of the State Long Term-Care Ombudsman requesting that when the Office reviews its caseload ratio for submission of the biennial agency budget request, the Office should take into account the acuity and ability level of its consumers and adjust the current 1:60 ratio, as needed, to account for the potential of more challenging cases.
15. The Committee voted to send a letter to the governor of the State of Nevada and copy the chair of the Interim Finance Committee ([NRS 218E.400](#)) urging an increase in funding to support the independent living needs of visually impaired adults. Increased funding of \$500,000 in each FY of the 2019–2021 Biennium is estimated to be needed to support five key areas:
 - a. Consumer service outreach;
 - b. Orientation and mobility training;
 - c. Assistive technology;
 - d. Paratransit service areas; and
 - e. Driver awareness training regarding the needs of visually impaired pedestrians.
16. The Committee voted to send a letter to the governor of the State of Nevada urging that the governor's *Executive Budget* include sufficient state matching funds so that all federal funding allocated to the state for vocational rehabilitation services for visually and/or hearing impaired adults may be drawn.
17. The Committee voted to send a letter to the Director's Office of the LCB; the administrators of the Fiscal Analysis Division, LCB; and the director of the Office of Finance, Office of the Governor, to review and revise the provisions of the measure that authorizes expenditures of state government. The letter would specifically request that consideration be given to revise the measure to authorize the Bureau of Services to Persons Who Are Blind or Visually Impaired and the Bureau of Vocational Rehabilitation, both of the Rehabilitation Division, DETR, to expend appropriations from the State General Fund before all other fund sources in order to meet federal funding matching requirements.

BULLETIN 19-16

LEGISLATIVE COMMITTEE ON ENERGY

Nevada Revised Statutes 218E.805

Members

Senator Kelvin D. Atkinson, Chair
Assemblyman Chris Brooks, Vice Chair
Senator James A. Settelmeyer
Senator Patricia (Pat) Spearman
Assemblywoman Maggie Carlton
Assemblywoman Jill Tolles

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Nevada Revised Statutes 218E.805

NRS 218E.805 Creation of Legislative Committee on Energy; membership; budget; officers; terms; vacancies.

1. The Legislative Committee on Energy, consisting of six legislative members, is hereby created. The membership of the Committee consists of:

(a) Three members appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party.

(b) Three members appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. Each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of Chair of the Committee must alternate each biennium between the Houses. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

4. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment for the remainder of the unexpired term.

(Added to NRS by [2013, 3343](#))

ABSTRACT

LEGISLATIVE COMMITTEE ON ENERGY

Nevada Revised Statutes 218E.805

The Legislative Committee on Energy is a permanent committee of the Legislature charged with evaluating, reviewing, and commenting upon matters related to energy policy including: (1) policies, plans, or programs relating to the production of energy consumption or use of energy in Nevada, economic development, or the environment; (2) legislative measures regarding energy policy; (3) the effect of any policy, plan, program, or legislation on rates or ratepayers, on the development of a market in the state for electricity generated from renewable energy, or that provides for the construction or acquisition of facilities for the generation of electricity; (4) contracts or requests for proposals relating to the purchase of capacity; and (5) infrastructure and transmission requirements of any policy, plan, program, or legislation.

The Committee held three meetings during the 2017–2018 Interim. The Committee was provided with formal presentations and expert and public testimony on a broad range of topics involving energy. These public hearings were conducted through simultaneous videoconferencing between meeting rooms at the Legislative Building in Carson City, Nevada, and the Grant Sawyer State Office Building in Las Vegas, Nevada.

The summaries of testimony and exhibits are available online at: <https://www.leg.state.nv.us/App/InterimCommittee/REL/Interim2017/Committee/1410/Meetings>.

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON ENERGY

Nevada Revised Statutes 218E.805

The Legislative Committee on Energy did not make any recommendations or propose any legislation to be considered during the 80th Session of the Nevada Legislature.

BULLETIN 19-17

SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION

Nevada Revised Statutes 232B.210

Members

Assemblywoman Irene Bustamante Adams, Chair
Senator Kelvin D. Atkinson, Vice Chair
Senator Moises (Mo) Denis
Senator James A. Settlemeyer
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Keith Pickard

Nonvoting Members

Carmen Amen
William (Buzz) Harris
Teresa P. Froncek Rankin

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Nevada Revised Statutes 232B.210

NRS 232B.210 Creation; membership; election of Chair and Vice Chair; vacancies; meetings; quorum; compensation; expenses.

1. The Sunset Subcommittee of the Legislative Commission, consisting of nine members, is hereby created. The membership of the Sunset Subcommittee consists of:

(a) Three voting members of the Legislature appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party;

(b) Three voting members of the Legislature appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party; and

(c) Three nonvoting members of the general public appointed by the Chair of the Legislative Commission from among the names of nominees submitted by the Governor pursuant to subsection 2.

2. The Governor shall, at least 30 days before the beginning of the term of any member appointed pursuant to paragraph (c) of subsection 1, or within 30 days after such a position on the Sunset Subcommittee becomes vacant, submit to the Legislative Commission the names of at least three persons qualified for membership on the Sunset Subcommittee. The Chair of the Legislative Commission shall appoint a new member or fill the vacancy from the list, or request a new list. The Chair of the Legislative Commission may appoint any qualified person who is a resident of this State to a position described in paragraph (c) of subsection 1.

3. Each member of the Sunset Subcommittee serves at the pleasure of the appointing authority.

4. The voting members of the Sunset Subcommittee shall elect a Chair from one House of the Legislature and a Vice Chair from the other House. Each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

5. The membership of any member of the Sunset Subcommittee who is a Legislator and who is not a candidate for reelection or who is defeated for reelection terminates on the day next after the general election.

6. A vacancy on the Sunset Subcommittee must be filled in the same manner as the original appointment.

7. The Sunset Subcommittee shall meet at the times and places specified by a call of the Chair. Four voting members of the Sunset Subcommittee constitute a quorum, and a quorum may exercise any power or authority conferred on the Sunset Subcommittee.

8. For each day or portion of a day during which a member of the Sunset Subcommittee who is a Legislator attends a meeting of the Sunset Subcommittee or is otherwise engaged in the business of the Sunset Subcommittee, except during a regular or special session of the Legislature, the Legislator is entitled to receive the:

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

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

(c) Travel expenses provided pursuant to [NRS 218A.655](#).

The compensation, per diem allowances and travel expenses of the members of the Sunset Subcommittee who are Legislators must be paid from the Legislative Fund.

9. While engaged in the business of the Sunset Subcommittee, the members of the Subcommittee who are not Legislators are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

(Added to NRS by [2011, 2992](#); A [2013, 787](#))

ABSTRACT

SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION

Nevada Revised Statutes (NRS) 232B.210

[Senate Bill 251](#) of the 2011 Session created the Sunset Subcommittee of the Legislative Commission. The Subcommittee's membership, powers, and duties are codified in [NRS 232B.210](#).

The Subcommittee consists of six legislators appointed by legislative leaders. Three nonvoting members are appointed by the chair of the Legislative Commission from nominations submitted by the governor.

The primary duties of the Subcommittee are to: (1) conduct reviews of all boards, commissions, and similar entities in Nevada, created by statute, and determine whether each entity should be continued, modified, consolidated with another entity, or terminated; (2) recommend improvements to the entities that are to be continued, modified, or consolidated; and (3) determine whether any tax exemptions, abatements, or money set aside for an entity should be continued, modified, or terminated.

The Subcommittee held seven meetings, including four work sessions, during the course of the interim. All meetings were open to the public and conducted through simultaneous videoconferences between legislative meeting rooms at the Grant Sawyer State Office Building in Las Vegas, Nevada, and the Legislative Building in Carson City, Nevada. The public hearings afforded an opportunity for each board or commission to present information regarding its operations, including the management of staff and services, revenues and budget processes, the effectiveness of its regulations, and the disciplining of licensees. Further, the hearings offered the public an opportunity to comment on the presentations and raise additional issues relating to the entities.

The members reviewed 25 entities during the 2017–2018 Interim. The Subcommittee took action on each entity and made recommendations to continue, revise, or terminate each board or commission. In addition, the Subcommittee received status reports from several entities that it reviewed during the 2015–2016 Interim.

The Subcommittee's final report will contain an overview of its activities and a discussion of the Subcommittee's recommendations.

SUMMARY OF RECOMMENDATIONS

SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION

Nevada Revised Statutes (NRS) 232B.210

This summary presents the recommendations approved by the Sunset Subcommittee of the Legislative Commission at its meetings on March 21, April 23, May 21, and June 13, 2018. The recommendations will be submitted to the Legislative Commission for its consideration and possible inclusion in bill draft requests (BDRs) to be forwarded to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Entities Recommended for Continuation With Statutory Revisions

1. State Board of Landscape Architecture ([NRS 623A.080](#)) (BDR 54–518)
2. Board of Registered Environmental Health Specialists ([NRS 625A.030](#)) (BDR 54–518)
3. Nevada Physical Therapy Board ([NRS 640.030](#)) (BDR 54–518)

Entity Recommended for Termination With Functions Transferred

1. Board of Homeopathic Medical Examiners ([NRS 630A.100](#)) (BDR 54–519)

Further Legislation Recommended

1. Authorize each board or commission, created in Title 54 (“Professions, Occupations and Businesses”) of NRS, to enter into or participate in a contract for the acceptance of credit cards and other electronic transfers of money or to participate in such a contract entered into by the director of the Office of Finance, Office of the Governor. (BDR 54–518)
2. Establish an interim study of the operations of the professional and occupational licensing boards during the 2019–2020 Interim. (BDR R–520)

RECOMMENDATIONS FOR COMMITTEE ACTION

Entities Recommended for Continuation

1. State Contractors’ Board ([NRS 624.040](#))
2. State Board of Professional Engineers and Land Surveyors ([NRS 625.100](#))
3. Advisory Committee on Nursing Assistants and Medication Aides ([NRS 632.072](#))

Entities Recommended for Continuation With Additional Actions and Reporting

1. Peace Officers' Standards and Training Commission ([NRS 289.500](#))
2. State Board of Architecture, Interior Design and Residential Design ([NRS 623.050](#))
3. Commission on Construction Education ([NRS 624.570](#))
4. Nevada State Board of Accountancy ([NRS 628.035](#))
5. Board of Medical Examiners ([NRS 630.050](#))
6. State Board of Nursing ([NRS 632.020](#))
7. State Board of Osteopathic Medicine ([NRS 633.181](#))
8. Chiropractic Physicians' Board of Nevada ([NRS 634.020](#))
9. State Board of Podiatry ([NRS 635.020](#))
10. State Board of Pharmacy ([NRS 639.020](#))
11. Board of Occupational Therapy ([NRS 640A.080](#))
12. Board of Massage Therapy ([NRS 640C.150](#))
13. Board of Psychological Examiners ([NRS 641.030](#))
14. Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors ([NRS 641A.090](#))
15. Board of Examiners for Social Workers ([NRS 641B.100](#))
16. Board of Examiners for Alcohol, Drug and Gambling Counselors ([NRS 641C.150](#))
17. Private Investigator's Licensing Board ([NRS 648.020](#))
18. Certified Court Reporters' Board of Nevada ([NRS 656.040](#))

BULLETIN 19-18

NEVADA SILVER HAired LEGISLATIVE FORUM

Nevada Revised Statutes 427A.320

Members

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Reba June Burton, Forum Vice President, Senate District 15
Mary D. Roberts, Forum Secretary, Ex Officio Member, National Silver Haired Congress
Joann M. Bongiorno, Forum Treasurer, Senate District 7

Lucille Adin, Senate District 13
Doris J. (Dottie) Ahrens, Senate District 19
Fran Almaraz, Senate District 10
Barbara Altman, Senate District 9
Vicki L. Cameron, Senate District 5
Evelyn Cannestra, M.S.W., Senate District 8
Verlia Davis-Hoggard, Senate District 4
John Paul (Jack) Ginter Jr., Senate District 14
Ross Johnson, Senate District 12
Marilyn E. Jordan, Ed.D., Senate District 11
Rick Kuhlmeier, Senate District 2
Winston J. Lawson, Senate District 1
Mercedes Maharis, Senate District 3
Patsy Metler, Senate District 18
Betty Rumford, Senate District 6
Fred L. Silberkraus, Senate District 20
Carol A. Swanson, D.N.P., M.S.N., R.N., Senate District 17
(Vacant), Senate District 21

Steve R. Carr, Ex Officio Member, National Silver Haired Congress
Herbert E. Randall, Ed.D, Ex Officio Member, National Silver Haired Congress
Russ Schoenbeck, Ex Officio Member, National Silver Haired Congress
Lonnie Strait, Ex Officio Member, National Silver Haired Congress

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Nevada Revised Statutes 427A.320

NRS 427A.320 Creation.

The Nevada Silver Haired Legislative Forum is hereby created to identify and act upon issues of importance to aging persons.

(Added to NRS by [1997, 2724](#); A [2001, 3026](#))

ABSTRACT

NEVADA SILVER HAired LEGISLATIVE FORUM

Nevada Revised Statutes (NRS) 427A.320

[Senate Bill 489](#) of the 1997 Legislative Session created the Nevada Silver Haired Legislative Forum to identify and act upon issues of importance to aging persons. Its membership, powers, and duties are codified in [NRS 427A.320 through 427A.400](#). Additionally, [NRS 218D.220](#) authorizes the Forum to submit one bill draft request (BDR) on or before September 1 preceding the regular session, unless the Legislative Commission authorizes the submission of a BDR after that date. On August 30, 2018, the Legislative Commission extended the Forum's BDR submission deadline to no later than October 15, 2018. Before September 1 of each even-numbered year, the Forum may submit a report containing recommendations for legislative action to the Legislative Commission and the governor.

As of October 2018, the Forum had 25 members, including active and ex officio members. The Forum is to be comprised of members equal to the number of state senators (21) who, among other requisite qualifications, must have been a registered voter for three years preceding their appointment in the senatorial district of the senator who nominates them for appointment. There was a vacancy in Senate District 21.¹ Members of the National Silver Haired Congress (NSHC) from Nevada serve as ex officio members of the Forum; Nevada currently has two Silver Senators and three Silver Representatives.

The Forum held five meetings during the 2017–2018 Interim. All meetings were open to the public and conducted through simultaneous videoconferences between legislative meeting rooms at the Grant Sawyer State Office Building in Las Vegas, Nevada, and the Legislative Building in Carson City, Nevada.

The Forum's BDR, which was discussed at the work session on [October 9, 2018](#), proposed conceptual amendments regarding the Forum's organizational structure, membership, terms and duties of office, and ex officio membership of the NSHC delegates. The final report of the Forum will contain an overview of its activities and a discussion of its recommendations.

¹ Pursuant to [NRS 427A.330](#) a senator shall nominate a person for appointment to the Forum. Senator Mark A. Manendo resigned from representing Senate District 21 on July 18, 2017, without a successor as of October 2018. No new Forum member was nominated and appointed for Senate District 21, which explains why it has been vacant during the 2017–2018 Interim.

SUMMARY OF RECOMMENDATIONS

NEVADA SILVER HAired LEGISLATIVE FORUM

Nevada Revised Statutes (NRS) 427A.320

This summary presents the recommendations approved by the Nevada Silver Haired Legislative Forum at its meeting on October 9, 2018. The Forum voted to forward one bill draft request (BDR) to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Organization of the Nevada Silver Haired Legislative Forum

1. Request the drafting of a bill to amend [NRS 427A.320 through 427A.400](#) regarding the Forum's organizational structure, membership, terms and duties of office, and ex officio membership of the National Silver Haired Congress delegates. The proposed conceptual amendments would: (1) exclude ex officio members from serving as officers of the Forum; (2) grant ex officio members voting privileges if they meet certain qualifications; (3) clarify the terms and duties of the president and vice president, create two new officer positions, and delete the Forum officer positions of secretary and treasurer; and (4) increase the available BDRs from one to three. **(BDR 38–534)**

RECOMMENDATIONS FOR COMMITTEE ACTION

Medicaid-related Issues Impacting Senior Citizens

2. Send a letter to the governor (and, after January 7, 2019, the newly elected governor), the Senate Committee on Finance, the Assembly Committee on Ways and Means, and the Department of Health and Human Services (DHHS) urging the revision and increase of Medicaid reimbursement rates for various services and programs including, but not limited to, adult day care facilities, augmented personal care services at community-based residential facilities, in-home personal care assistance services, and services provided at skilled nursing homes. The letter shall state that the current Medicaid reimbursement rates: (1) do not adequately cover certain service expenses, which leads to difficulties with hiring new staff and maintaining current staff; and (2) contribute to an ongoing caregiver crisis in the state, adversely affecting seniors dependent on caregiving services.
3. Send a letter to the governor (and, after January 7, 2019, the newly elected governor), the Senate Committee on Finance, the Assembly Committee on Ways and Means, and DHHS urging the elimination of the cap on the number of Home and Community Based Waiver for the Frail Elderly slots.

Respite Services

4. Include a statement in the Forum's final report requesting additional sources of funding for respite services for middle-income families. Currently, respite services grants are

available for those with lower incomes, while moderately higher income earners cannot afford care for their loved ones.

5. Send a letter to the governor (and, after January 7, 2019, the newly elected governor) and DHHS urging: (1) policy positions that financially support adult day care (ADC) providers; (2) the Department to convene a group of Nevada ADC providers to review the regulations governing the ADC industry; and (3) the creation of a plan to modify regulations determined by the ADC industry to be overly burdensome. Testimony indicated these actions would assist ADC providers to develop and open more ADC centers throughout the state. Current low reimbursement rates and stricter regulations in the state disincentivize the development of new for-profit ADC centers.

Compensation and Training for Certain Geriatric Care Professions

6. Send a letter to the governor (and, after January 7, 2019, the newly elected governor) and DHHS expressing the Forum's concerns and requesting action regarding the current lack of access to personal care assistant (PCA) services for low- to middle-income seniors and their families. Contributing to this lack of access are limited qualification opportunities for PCAs and a reported pay gap between state-reimbursed and privately compensated PCA services.
7. Send a letter to the chair of the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs and include a statement in the Forum's final report supporting the Committee's decision to continue the study, as required by [Assembly Bill 299](#) (2017), to review and study the training programs implemented by certain homes and facilities.
8. Send a letter to the governor (and, after January 7, 2019, the newly elected governor) and DHHS urging them to review and act upon the following issues regarding social workers:
 - a. Increasing the geriatric training and specialization opportunities for social workers in the state. The growth of Nevada's senior population is outpacing the number of social workers with an educational background in geriatrics;
 - b. Evaluating and adjusting the overall compensation and benefits discrepancies between state-employed social workers and social workers employed at the county and federal levels as well as those employed by the private sector;
 - c. Evaluating and adjusting the disparate compensation of social workers employed by Elder Protective Services (EPS), Aging and Disability Services Division, DHHS, and Child Protective Services (CPS), Division of Child and Family Services, DHHS. For example, CPS social workers may be promoted up to Social Worker III, whereas EPS social workers cannot receive this kind of class promotion; and
 - d. Evaluating and decreasing the workload, including the clients-to-social-worker ratio, of state-employed social workers to decrease staff turnover and burnout rates.

Community Care Need Projections

9. Prepare a Forum resolution urging the Nevada Legislature to create an interim study for the 2019–2020 Interim that would study projections regarding the care needs of different communities in the state. The resolution shall specify requirements for the study to develop a projection model, layer the model on different communities based on demographics, and assist Nevadans to promote and recognize the care needs of their respective communities.

Isolation Stigma of Seniors

10. Prepare a Forum resolution to raise awareness of the isolation stigma of seniors and to advocate on behalf of seniors who face this stigma. The resolution will include information on how seniors may experience discrimination, institutional stereotyping, and prejudice, which could lead them to socially isolate themselves. The resolution will explain how this isolation stigma may cause anxiety, depression, helplessness, and a loss of productivity and self-esteem. Such stigma may have various effects on the overall mental and physical health of a senior. The resolution shall also specify that the isolation of seniors increases a senior's vulnerability to abuse and self-neglect as his or her social structure dissolves over time.

Supported Decision-Making Agreements

11. Send a letter to the chairs of the Senate and Assembly Committees on Health and Human Services expressing the Forum's support of BDR –164, which would implement supported decision-making agreements and was requested by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its meeting on July 19, 2018. Also, include a statement in the Forum's final report supporting BDR –164 and the implementation of supported decision-making agreements.

Flexibility of Caregiver Sick Leave

12. Send a letter to the chairs of the Senate and Assembly Committees on Health and Human Services and include a statement in the Forum's final report supporting BDR 53–169 concerning the flexibility of caregiver sick leave. The BDR is a redraft of [Assembly Bill 394](#), known as the "Caregiver Flexibility Sick Leave Bill," which did not pass in the 2017 Legislative Session. The BDR was requested by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its meeting on July 19, 2018.

Regulations Addressing Businesses Operating in the Long-Term Care Industry

13. Send a letter to the chairs of the Senate and Assembly Committees on Health and Human Services and include a statement in the Forum's final report supporting legislation regarding residential facilities for groups, community-based living arrangements, and certain unregulated residential facilities on health care as proposed by the Legislative Committee on Health Care at its meeting on September 24, 2018. The committee proposed legislation to direct DHHS to review unlicensed group homes to ensure quality and safety protections to safeguard vulnerable populations, evaluate the impact of overregulation, and broaden the

definition of a referral agency in [NRS 449.0305](#) by expanding the licensing requirement to additional business types.

14. Include a statement in the Forum's final report supporting BDR 40–170, which would relocate provisions regarding community-based living arrangement services ([NRS 433.605](#)) under [Chapter 449](#) of NRS. The BDR was requested by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its meeting on July 19, 2018.
15. Include a statement in the Forum's final report to advocate for legislation to establish mandated staff-to-client ratios in long-term care facilities that must be based on the individual needs of the residents.

Strategic Planning Efforts of the Aging and Disability Services Division

16. Include a statement in the Forum's final report to extend an official declaration to all long-term services and supports providers, the governor (and, after January 7, 2019, the newly elected governor), and DHHS indicating the Forum's strong concurrence and alignment with the Aging and Disability Services Division's efforts in strategic planning. Include the Forum's support for the principles of access, dignity, independence, integration, quality, and sustainability, which are core components of these strategic planning efforts.
17. Include a statement of support in the Forum's final report to advocate for the findings and suggestions of *Nevada's No Wrong Door Strategic Plan 2015–2018*. A focus of the statement shall be on person-centered planning and the barriers seniors may face if person-centered planning is not practiced by any long-term services and supports provider. The statement shall also evaluate options and opportunities for professionals that, for instance, do not have the resources to implement person-centered services.

BULLETIN 19-19

LEGISLATIVE COMMITTEE ON HEALTH CARE

Nevada Revised Statutes 439B.200

Members

Senator Patricia (Pat) Spearman, Chair
Assemblyman Michael C. Sprinkle, Vice Chair
Senator Joseph (Joe) P. Hardy, M.D.
Senator Julia Ratti
Assemblyman James Oscarson
Assemblywoman Ellen B. Spiegel

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Nevada Revised Statutes 439B.200

NRS 439B.200 Creation; appointment of and restrictions on members; officers; terms of members; vacancies; annual reports.

1. There is hereby established a Legislative Committee on Health Care consisting of three members of the Senate and three members of the Assembly, appointed by the Legislative Commission. The members must be appointed with appropriate regard for their experience with and knowledge of matters relating to health care.

2. No member of the Committee may:

(a) Have a financial interest in a health facility in this State;

(b) Be a member of a board of directors or trustees of a health facility in this State;

(c) Hold a position with a health facility in this State in which the Legislator exercises control over any policies established for the health facility; or

(d) Receive a salary or other compensation from a health facility in this State.

3. The provisions of subsection 2 do not:

(a) Prohibit a member of the Committee from selling goods which are not unique to the provision of health care to a health facility if the member primarily sells such goods to persons who are not involved in the provision of health care.

(b) Prohibit a member of the Legislature from serving as a member of the Committee if:

(1) The financial interest, membership on the board of directors or trustees, position held with the health facility or salary or other compensation received would not materially affect the independence of judgment of a reasonable person; and

(2) Serving on the Committee would not materially affect any financial interest the member has in a health facility in a manner greater than that accruing to any other person who has a similar interest.

4. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. Each such officer shall hold office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of the Chair of the Committee must alternate each biennium between the houses of the Legislature.

5. Any member of the Committee who does not become a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session of the Legislature convenes.

6. Vacancies on the Committee must be filled in the same manner as original appointments.

7. The Committee shall report annually to the Legislative Commission concerning its activities and any recommendations.

(Added to NRS by [1987, 863](#); A [1989, 1841](#); [1991, 2333](#); [1993, 2590](#); [2009, 1154](#), [1568](#))

ABSTRACT

LEGISLATIVE COMMITTEE ON HEALTH CARE

Nevada Revised Statutes (NRS) 439B.200

The Legislative Committee on Health Care (LCHC) is a permanent committee of the Nevada Legislature whose authority and duties are set forth in [NRS 439B.200 through 439B.227](#). Established in 1987 to provide continuous oversight of health care matters, the LCHC oversees a broad spectrum of issues related to the access, cost, and quality of health care for all Nevadans. Specifically, the LCHC is responsible for:

- Analyzing the overall system of medical care in the state to determine how to coordinate the provision of services, avoid duplication, and achieve the most efficient use of all available resources;
- Examining the health education system and hospital-related and medical malpractice issues;
- Reviewing certain health care regulations (various entities are statutorily required to submit certain reports to the LCHC throughout the interim);
- Reviewing and evaluating the quality and effectiveness of programs for the prevention of illness; and
- Reviewing health insurance issues.

The LCHC held seven meetings, including two work sessions, during the 2017–2018 Interim. Having received a waiver from the Legislative Commission to meet after the August 31, 2018, deadline prescribed by [NRS 439B.210](#), the LCHC completed its work on September 24, 2018.

Throughout the interim, the LCHC considered a wide range of topics relating to access to care, behavioral health, children’s health, health insurance coverage and access to health care providers, oversight of certain home and community-based services and living arrangements for individuals with mental illness in Nevada, prescription drug costs, public health, and substance abuse prevention and treatment.

During its work sessions on August 27 and September 24, 2018, the LCHC approved proposals for nine bill draft requests (BDRs) to be considered by the 80th Session of the Nevada Legislature. The BDRs concern:

1. Children’s health care;
2. Data regarding providers of health care in Nevada;
3. Funding for family planning services;

4. Health insurance;
5. The Nevada Commission for Persons Who Are Deaf, Hard of Hearing or Speech Impaired;
6. Public health funding and federally qualified health centers;
7. Residential facilities for groups, community-based living arrangements, and certain unregulated residential facilities;
8. Substance abuse prevention and treatment; and
9. Therapeutic diets.

In addition, LCHC members authorized the chair to include 3 statements of support in its final report and send 17 letters to various agencies, legislative committees, and officials on behalf of the Committee.

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON HEALTH CARE

Nevada Revised Statutes (NRS) 439B.200

This summary presents the recommendations approved by the Legislative Committee on Health Care (LCHC) at its meetings on August 27 and September 24, 2018. The bill draft requests (BDRs) will be forwarded to the Legislative Commission for transmittal to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Children's Health Care

1. Propose legislation to:

- a. Appropriate \$500,000 per annum to the Department of Health and Human Services (DHHS) to provide monthly vouchers in the amount of \$25 to participants in the Women, Infants, and Children program with children up to three years of age to support the purchase of diapers for families with limited financial resources on a first-come, first-served basis;
- b. Appropriate \$250,000 per annum to support stipends, technical assistance, and training to enable child care providers to offer high-quality, nutritious foods and ample opportunities for physical activity, including:
 - i. \$50,000 per annum to the Division of Public and Behavioral Health (DPBH), DHHS, to subgrant to nonprofit organizations that provide training and technical assistance to child care providers on proper nutrition and physical activity; and
 - ii. \$200,000 per annum to the Nevada Silver State Stars Quality Rating and Improvement System (QRIS) to provide grants to QRIS-rated child care providers for facility improvements related to providing high-quality, nutritious food and ample physical activity;
- c. Authorize physicians to issue a standing order for asthma medication, such as albuterol inhalers and/or nebulizers for students with asthma;
- d. Amend [NRS 442.700](#) to reflect current standards of the Council of State and Territorial Epidemiologists to improve data collected when children are tested for lead in order to identify at-risk populations and communities; and
- e. Amend Chapters [287](#), [422](#), [689A](#), [689B](#), [689C](#), [695A](#), [695B](#), [695C](#), and [695G](#) of NRS to require insurance plans in Nevada to cover the cost of hearing aids for children. **(BDR 57–448)**

Data Regarding Providers of Health Care in Nevada

2. Propose legislation to:

- a. Require, as a condition of licensure and relicensure, all providers of health care who are licensed in Nevada to complete a data request developed by the Division of Insurance (DOI), Department of Business and Industry (B&I). The data request shall include the following:
 - i. Name;
 - ii. Mailing address;
 - iii. Email address;
 - iv. Physical practice location(s) and portion of time spent practicing at each location;
 - v. Specialty;
 - vi. Race/ethnicity;
 - vii. Primary languages other than English; and
 - viii. License status.

The DOI may adopt regulations requiring additional areas of data collection, and it must develop and maintain a database to collect required data. Individualized data is confidential. Individualized deidentified data may be provided to governmental entities, and the DOI shall aggregate state-level data by license, which shall be public record; and

- b. Require the commissioner of insurance of the DOI to develop, prescribe for use, and make available a single, standardized form for use by insurers to notify health care providers who apply for, but are not credentialed, on a health insurance network's provider panel. The commissioner shall hold public hearings to seek input regarding the development of the form and must consider this input in developing the form. At a minimum, the form must indicate the reason for which a provider is not credentialed. **(BDR 54–527)**

Funding for Family Planning Services

3. Propose legislation to:

- a. Appropriate \$12 million over the 2019–2021 Biennium to the Account for Family Planning (created by [Senate Bill 122](#) [2017]);

- b. Authorize the use of funds in the Account by local governments to contract with the state for community health nurses and other family planning health care providers in addition to the entities currently eligible for funding pursuant to [NRS 442.725](#); and
- c. Prohibit the administrator from discriminating based on the contraceptive method when awarding grants. **(BDR 40–446)**

Health Insurance

- 4. Propose legislation to:
 - a. Allow flexibility under Nevada law if federal law is amended to allow larger tobacco- or age-rating factors;
 - b. Authorize the commissioner of insurance of the DOI, B&I, to enter into compacts to ensure essential insurance is available to Nevada residents and incorporate language to allow health benefit plans sold in contiguous states to be sold in Nevada when essential insurance is not available or is insufficient in the state;
 - c. Authorize the commissioner of insurance to apply for a state innovation waiver, in accordance with [Section 1332 of the Patient Protection and Affordable Care Act](#);
 - d. Authorize the establishment of a reinsurance or high-risk pool program to mitigate the cost of health benefit plans in the individual market with the intent of helping to stabilize the individual health insurance market;
 - e. Impose restrictions on short-term health insurance policies currently defined within *Nevada Administrative Code* into NRS; and
 - f. Repeal the right to annual enrollment with a 90-day waiting period as provided in [NRS 687B.480](#). **(BDR 57–531)**

The Nevada Commission for Persons Who Are Deaf, Hard of Hearing or Speech Impaired

- 5. Propose legislation to:
 - a. Change the name of the Nevada Commission for Persons Who Are Deaf, Hard of Hearing or Speech Impaired to the Nevada Commission for the Deaf and Hard of Hearing;
 - b. Expand the Commission membership from 9 to 11 members;
 - c. Revise the Commission membership such that it includes:
 - i. One member (rather than three) who is a user of telecommunications relay services or the services of persons engaged in the practice of interpreting or the practice of real time captioning;

- ii. One member who is a member of an advocacy organization that has a membership of persons who are deaf, hard of hearing, or speech impaired;
 - iii. One member who is hard of hearing;
 - iv. One member who is an employment specialist; and
 - v. One member who is a parent of a deaf child who is five years of age or younger;
- d. Appropriate \$50,000 from the State General Fund or tobacco settlement funds to the Commission in each fiscal year of the 2019–2021 Biennium for administrative, per diem, and travel costs of the Commission; and
 - e. Amend [NRS 427A.797](#), Telecommunication Devices for the Deaf surcharge funds, to authorize a portion of the money in the account to be used to support a full-time director for the Nevada Commission for Persons Who Are Deaf, Hard of Hearing or Speech Impaired. The director’s compensation shall be determined by the Commission. **(BDR 38–449)**

Public Health Funding and Federally Qualified Health Centers

6. Propose legislation to:

- a. Prohibit state funding from being allocated or subgranted to a federally qualified health center (FQHC) with executive staff who have been convicted of a felony or had their health care professional license revoked within the last 12 years;
- b. Appropriate \$5 per capita to build public health infrastructure and capacity that supports foundational public health services in Nevada and:
 - i. Require DHHS to establish a Public Health Improvement Fund whereby:
 - (1) The Fund must be utilized to improve public health and must be allocated based on population to public health agencies operating under [Chapter 439](#) of NRS;
 - (2) The interest and income earned on the money in the Fund must, after deducting any applicable charges, be credited to the Fund. All claims against the Fund must be paid as other claims against the state are paid;
 - (3) The money in the Fund remains in the Fund and does not revert to the State General Fund at the end of any fiscal year;
 - (4) All money that is deposited or paid into the Fund is hereby appropriated to be used for any purpose authorized by the Legislature or DPBH for expenditure or allocation in accordance with the provisions of this BDR. Money expended from

the Fund must not be used to supplant existing methods of funding that are available to public agencies; and

(5) The Legislature may access money in the Fund in extraordinary circumstances and/or times of severe economic duress;

- ii. Require eligible public health agencies to conduct a community needs assessment;
- iii. Establish a process to evaluate the health and health needs of residents and establish a system to rank them for prioritizing funding; and
- iv. Allocate money for direct expenditure by the health agencies operating under Chapter 439 of NRS in accordance with their identified needs and priorities relating to public health. **(BDR 40–529)**

Residential Facilities for Groups, Community-Based Living Arrangements, and Certain Unregulated Residential Facilities

7. Propose legislation to:

- a. Direct DHHS to review unlicensed group housing arrangements that provide assistance, food, shelter, and/or limited supervision to a person with a mental illness, a person with an intellectual or physical disability, or a person who is aged or infirm to determine when such arrangements require regulation. The review must consider:
 - i. The impact of overregulation on housing arrangement options and affordable housing; and
 - ii. Reasonable quality and safety protections to safeguard vulnerable populations; and
- b. Broaden the definition of a referral agency in [NRS 449.0305](#) by expanding the requirement for licensure to include any business that provides referrals to residential facilities for groups and any group housing arrangements that provide assistance, food, shelter, or limited supervision to a person with a mental illness, a person with an intellectual or physical disability, or a person who is aged or infirm. **(BDR 40–526)**

Substance Abuse Prevention and Treatment

8. Propose legislation to:

- a. Clarify certain provisions of [Assembly Bill 474](#) (2017), including requiring that the State Board of Pharmacy and all professional and occupational licensing boards that regulate health care providers who are eligible to prescribe controlled substances must develop and disseminate a clarification or technical assistance advisory bulletin to help clarify the intent of the legislation and which drugs are affected by the legislation. **(BDR 54–447)**

Therapeutic Diets

9. Propose legislation to:
 - a. Amend [NRS 640E.260](#) to authorize a dietitian to recommend a therapeutic diet without consulting a patient's physician;
 - b. Require a medical facility, as defined in [NRS 449.0151](#), to follow prescribed therapeutic diets, including the purchase of required food items so that dietitians can prepare a patient's prescribed diet; and
 - c. Require medical facilities to document that prescribed therapeutic diets are being followed and, upon request, make such documentation available to staff of the Bureau of Health Care Quality and Compliance, DPBH, DHHS. **(BDR 40–445)**

RECOMMENDATIONS FOR COMMITTEE ACTION

Access to Care and Public Health

10. **Federally Qualified Health Centers**—Send a letter to the Senate Committee on Finance, the Assembly Committee on Ways and Means, and the director of DHHS:
 - a. Expressing the LCHC's support for FQHCs and maintaining or increasing the \$500,000 per annum appropriation from tobacco settlement revenue to fund a Health Center Incubator Project for expanded access to care, which was made during the 2017 Legislative Session; and
 - b. Encouraging a review of opportunities to partner with FQHCs to leverage state funding to receive matching federal dollars to increase satellite sites, possibly through school-based clinics.
11. **Mobile Dental Van**—Send a letter to the director of DHHS encouraging continued funding to support the Mobile Dental Van Pilot Project in rural Nevada.
12. **Tobacco Policy**—Send letters to the Senate and Assembly Committees on Health and Human Services expressing the LCHC's support for legislation and policies that:
 - a. Implement tougher fee-based tobacco retail licensing requirements;
 - b. Increase funding for tobacco control; and
 - c. Regulate and tax e-cigarettes and other vapor products.

Behavioral Health

13. **Services for Individuals With Mental Illness**—Send a letter to the director of DHHS expressing the LCHC’s commitment to improve services for people with mental health issues and encouraging DPBH to pursue opportunities to:
 - a. Build greater partnerships between local governments and social service programs;
 - b. Coordinate with the National Alliance on Mental Illness Nevada to address concerns about housing and medications;
 - c. Develop standards for adequate living conditions;
 - d. Ensure access to affordable prescription drugs, which work for the individual patient, for mental health conditions;
 - e. Expand access to treatment for the mentally ill and prevent overly restrictive state agency regulations, such as those imposing new or additional preauthorization requirements for Medicaid patients;
 - f. Explore housing options, which utilize currently vacant buildings and facilities;
 - g. Increase compensation to care providers; and
 - h. Provide affordable, safe, and sanitary housing for the mentally ill.
14. **Assistance/Advocate for Individuals With Mental Illness**—Send a letter to the Senate Committee on Finance, the Assembly Committee on Ways and Means, and the director of DHHS, expressing the LCHC’s support for:
 - a. Additional funding for the Office for Consumer Health Assistance, DHHS, to expand its staffing and its education programs for assisting the mentally ill and their families; or
 - b. The establishment of an office of ombudsman or advocate for the mentally ill, possibly independent from DHHS.

Children’s Health

15. **Insurance Coverage for Immigrant Children**—Send a letter to DHHS encouraging the Division of Health Care Financing and Policy to evaluate the cost of adding all immigrant children residing in Nevada to Nevada’s Children’s Health Insurance Program’s (CHIP’s) eligibility policies and to analyze the cost of providing health insurance coverage to all children in Nevada, regardless of immigration status.

16. **Standing Orders for Asthma Medication**—Include a statement in the LCHC’s final report indicating its support for authorizing physicians to issue a standing order for asthma medication, such as albuterol inhalers and/or nebulizers for students with asthma.
17. **Services for Children With Autism**—Send a letter to the Senate and Assembly Committees on Education and the Senate and Assembly Committees on Health and Human Services encouraging them to develop a joint study regarding barriers to, and strategies to best provide, intervention services for children with autism, including the impact of:
 - a. Allowing Medicaid to reimburse for registered behavior technicians (RBTs) in training;
 - b. Changing the compulsory education law to allow children diagnosed with autism to attend school half-day so they can receive intensive 1:1 applied behavioral analysis (ABA) services in their homes during the day;
 - c. Creating a statewide magnet school program to produce RBTs;
 - d. Mandating in-school access to insurance-funded RBTs for eligible children;
 - e. Raising the reimbursement rates for RBTs so employers can raise wages; and
 - f. Requesting a report prior to the 81st Legislative Session that includes information requested in the August 27, 2018, letter from Kelly Venci Gonzalez, Esq., Team Chief, Education Advocacy Program, Children’s Attorneys Project, Legal Aid Center of Southern Nevada, to the LCHC regarding:
 - i. Access to services through Nevada’s Autism Treatment Assistance Program;
 - ii. The number of children enrolled in Medicaid or CHIP who receive ABA services;
 - iii. The number of ABA providers available to this population and how that impacts access to services;
 - iv. Requirements for prior authorization to access ABA; and
 - v. Additional related matters.
18. **Mental Health Services for Children**—Include a statement of support in the LCHC’s final report for expanded access to quality mental health services for children and their families.
19. **Nevada Children’s Behavioral Health Consortium**—Send letters to the governor of the State of Nevada and the director of DHHS expressing the LCHC’s support for recommendations made by the Nevada Children’s Behavioral Health Consortium at the Committee’s July 17, 2018, meeting.

Health Insurance and Medicaid

20. **Medicaid Provider Participation**—Send a letter to the governor of the State of Nevada, the Senate Committee on Finance, the Assembly Committee on Ways and Means, and the director of DHHS, strongly encouraging:
 - a. The development of a “Diversity Plan of Action” to demonstrate Nevada Medicaid’s and contracted managed care organizations’ (MCOs’) strategies for recruiting and retaining providers from underrepresented cultural, ethnic, and religious groups; and
 - b. Increased reimbursement rates for Medicaid to improve provider participation and expand access to services.
21. **Medicaid Reimbursement Rates for Family Planning Providers**—Send a letter to the director of DHHS encouraging the evaluation of Medicaid rules and reimbursement rates to ensure that rates cover the costs of business for family planning providers.
22. **Medicaid Reimbursement for Community Health Centers**—Send a letter to the director of DHHS encouraging Medicaid to allow community health centers to bill Medicaid for services provided by community health workers (promotoras).
23. **Medicaid Prescription Drug Costs**—Include a statement of support in the LCHC’s final report encouraging DHHS to analyze the following issues within Medicaid, including Medicaid MCOs:
 - a. Disconnect between pharmacy reimbursement and overall costs to the Medicaid program (spread pricing);
 - b. Impact of reductions in pharmacy reimbursement on access to care, particularly in rural communities;
 - c. Lack of transparent data on pharmacy services; and
 - d. Potential conflict of interest between a retail pharmacy chain affiliated with a Medicaid pharmacy benefit manager and possible reductions in pharmacy reimbursements.
24. **Medicaid-Like Buy-in Health Insurance Program**—Send letters to the Senate and Assembly Committees on Health and Human Services expressing the LCHC’s support for legislation creating a Medicaid-like buy-in program, such as that considered in [AB 374](#) (2017).
25. **Health Insurance for Individuals With Chronic Conditions**—Send a letter to the Senate Committee on Commerce, Labor and Energy and the Assembly Committee on Commerce and Labor supporting the development of options that enable individuals living with chronic illnesses to access health insurance plans that provide lifesaving treatments they otherwise

may not be able to afford. Such health insurance options would provide that insurers offer the following:

- a. At least one plan with a flat-dollar co-payment and no deductible for prescription medications in each of the four levels of plans and within each service area of the state;
- b. A flat-dollar co-payment that includes all specialty tier medications; and
- c. Co-payment rates that are reasonably graduated and proportionately related in drug formulary tier levels.

Substance Abuse Prevention and Treatment

- 26. **Prescribing Controlled Substances and AB 474 (2017)**—Send a letter to all professional and occupational licensing boards that regulate health care providers who are eligible to prescribe controlled substances, encouraging them to:
 - a. Host and advertise virtual town hall meetings to allow providers and patients opportunities to share their input and feedback about their experiences with [AB 474](#); and
 - b. Host best practices workshops and offer continuing medical education to providers for attendance. This could be done via conference call, in-person, or webinar.
- 27. **Detoxification Facilities**—Send a letter to the director of DHHS and the administrator of DPBH expressing the LCHC’s support for providing funding and/or assistance to ensure safe detoxification facilities are available across the state of Nevada.

Unregulated Congregate Care Living Arrangements

- 28. **Unregulated Congregate Care Living Arrangements**—Send a letter to DHHS encouraging:
 - a. Proactive monitoring of business licenses to find license types or business names that may be operating unlicensed homes; and
 - b. The development of a public education campaign regarding the limits and possible hazards of unregulated and unlicensed group homes.

Victim Services and Support

- 29. **Victim Services and Support**—Send letters to the Senate Committee on Finance and the Assembly Committee on Ways and Means expressing support for funding to maintain the service delivery infrastructure created to provide victim services and resources to assist individuals affected by the October 1, 2017, mass shooting in Las Vegas, Nevada.

BULLETIN 19-20

COMMITTEE ON HIGH-LEVEL RADIOACTIVE WASTE

Nevada Revised Statutes 459.0085

Members

Assemblyman Edgar Flores, Chair
Senator David R. Parks, Vice Chair
Senator Yvanna D. Cancela
Senator Pete Goicoechea
Senator Tick Segerblom
Assemblyman Chris Brooks
Assemblyman Jim Marchant
Assemblyman William McCurdy II

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Nevada Revised Statutes 459.0085

NRS 459.0085 Creation; membership; powers and duties; compensation and expenses of members.

1. There is hereby created a Committee on High-Level Radioactive Waste. It is a committee of the Legislature composed of:

- (a) Four members of the Senate, appointed by the Majority Leader of the Senate.
- (b) Four members of the Assembly, appointed by the Speaker.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program. The Legislative Commission shall select a Chair and a Vice Chair from the members of the Committee.

3. Except as otherwise ordered by the Legislative Commission, the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the call of the Chair to study and evaluate:

- (a) Information and policies regarding the location in this State of a facility for the disposal of high-level radioactive waste;
- (b) Any potentially adverse effects from the construction and operation of a facility and the ways of mitigating those effects; and
- (c) Any other policies relating to the disposal of high-level radioactive waste.

4. The Committee may conduct investigations and hold hearings in connection with its functions and duties and exercise any of the investigative powers set forth in [NRS 218E.105](#) to [218E.140](#), inclusive.

5. The Committee shall report the results of its studies and evaluations to the Legislative Commission and the Interim Finance Committee at such times as the Legislative Commission or the Interim Finance Committee may require.

6. The Committee may recommend any appropriate legislation to the Legislature and the Legislative Commission.

7. The Director of the Legislative Counsel Bureau shall provide a Secretary for the Committee on High-Level Radioactive Waste.

8. Except during a regular or special session of the Legislature, each member of the Committee is entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session for each day or portion of a day during which the member attends a Committee meeting or is otherwise engaged in the work of the Committee plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to [NRS 218A.655](#). Per diem allowances, salary and travel expenses of members of the Committee must be paid from the Legislative Fund.

(Added to NRS by [1985, 685](#); A [1987, 399](#); [1989, 1221](#); [1995, 1454](#); [2009, 1156](#); [2013, 3759](#))

ABSTRACT

COMMITTEE ON HIGH-LEVEL RADIOACTIVE WASTE

Nevada Revised Statutes (NRS) 459.0085

The Committee on High-Level Radioactive Waste is a permanent committee of the Nevada Legislature whose authorization and duties are set forth in [Chapter 459](#) of NRS. Created in 1985, the Committee is responsible for performing legislative oversight responsibilities to study and evaluate the following:

- Information and policies regarding the location of a facility for the disposal of high-level radioactive waste in the State of Nevada;
- Any potential adverse effects from the construction and operation of a facility and the ways of mitigating those effects;
- Any other policies relating to the disposal of high-level radioactive waste; and
- Recommendations concerning appropriate legislation to be presented to the Legislature and the Legislative Commission.

The Committee held two meetings and participated in an informational tour of the Nevada National Security Site during the 2017–2018 Legislative Interim. The Committee also monitored the activities of the United States Nuclear Waste Technical Review Board, Nevada’s Commission on Nuclear Projects, and Nevada’s Agency for Nuclear Projects.

The Committee will continue to monitor: (1) activities related to the U.S. Court of Appeals for the District of Columbia Circuit’s writ of mandamus directing the U.S. Nuclear Regulatory Commission to resume the licensing process for the Yucca Mountain repository; (2) the U.S. Department of Energy’s activities concerning the Yucca Mountain license application and related legal challenges; (3) actions taken by the White House Administration and Congress on the Yucca Mountain repository; and (4) any other pertinent activity in these or related areas.

SUMMARY OF RECOMMENDATIONS

COMMITTEE ON HIGH-LEVEL RADIOACTIVE WASTE

Nevada Revised Statutes 459.0085

The Committee on High-Level Radioactive Waste did not make any recommendations or propose any legislation for the 80th Session of the Nevada Legislature.

BULLETIN 19-21

COMMISSION ON SPECIAL LICENSE PLATES

Nevada Revised Statutes 482.367004

Members

Senator Patricia Farley, Chair
Assemblyman Richard Carrillo, Vice Chair
Senator Moises (Mo) Denis
Assemblywoman Daniele Monroe-Moreno
Assemblyman Jim Wheeler

Nonvoting Members

Terri L. Albertson, C.P.M., Director, Department of Motor Vehicles
David C. Peterson, Interim Director, Department of Tourism and Cultural Affairs
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Nevada Revised Statutes 482.367004

NRS 482.367004 Commission on Special License Plates: Creation; membership; term; service without salary or compensation; administrative support; duties.

1. There is hereby created the Commission on Special License Plates. The Commission is advisory to the Department and consists of five Legislators and three nonvoting members as follows:

(a) Five Legislators appointed by the Legislative Commission:

(1) One of whom is the Legislator who served as the Chair of the Assembly Standing Committee on Transportation during the most recent legislative session. That Legislator may designate an alternate to serve in place of the Legislator when absent. The alternate must be another Legislator who also served on the Assembly Standing Committee on Transportation during the most recent legislative session.

(2) One of whom is the Legislator who served as the Chair of the Senate Standing Committee on Transportation during the most recent legislative session. That Legislator may designate an alternate to serve in place of the Legislator when absent. The alternate must be another Legislator who also served on the Senate Standing Committee on Transportation during the most recent legislative session.

(b) Three nonvoting members consisting of:

(1) The Director of the Department of Motor Vehicles, or a designee of the Director.

(2) The Director of the Department of Public Safety, or a designee of the Director.

(3) The Director of the Department of Tourism and Cultural Affairs, or a designee of the Director.

2. Each member of the Commission appointed pursuant to paragraph (a) of subsection 1 serves a term of 2 years, commencing on July 1 of each odd-numbered year. A vacancy on the Commission must be filled in the same manner as the original appointment.

3. Members of the Commission serve without salary or compensation for their travel or per diem expenses.

4. The Director of the Legislative Counsel Bureau shall provide administrative support to the Commission.

5. The Commission shall recommend to the Department that the Department approve or disapprove:

(a) Applications for the design, preparation and issuance of special license plates that are submitted to the Department pursuant to subsection 1 of [NRS 482.367002](#);

(b) The issuance by the Department of special license plates that have been designed and prepared pursuant to [NRS 482.367002](#); and

(c) Except as otherwise provided in subsection 7, applications for the design, preparation and issuance of special license plates that have been authorized by an act of the Legislature after January 1, 2007.

In determining whether to recommend to the Department the approval of such an application or issuance, the Commission shall consider, without limitation, whether it would be appropriate and feasible for the Department to, as applicable, design, prepare or issue the particular special license plate. For the purpose of making recommendations to the Department, the Commission shall consider each application in the chronological order in which the application was received by the Department.

6. On or before September 1 of each fiscal year, the Commission shall compile a list of each special license plate for which the Commission, during the immediately preceding fiscal year, recommended to the Department that the Department approve the application for the special license plate or approve the issuance of the special license plate. The list so compiled must set forth, for each such plate, the cause or charitable organization for which the special license plate generates or would generate financial support, and the intended use to which the financial support is being put or would be put. The Commission shall transmit the information described in this subsection to the Department and the Department shall make that information available on its Internet website.

7. The provisions of paragraph (c) of subsection 5 do not apply with regard to special license plates that are issued pursuant to [NRS 482.3746](#), [482.3751](#), [482.3752](#), [482.3757](#), [482.3783](#), [482.3785](#), [482.3787](#) or [482.37901](#).

8. The Commission shall:

(a) Recommend to the Department that the Department approve or disapprove any proposed change in the distribution of money received in the form of additional fees. As used in this paragraph, “additional fees” means the fees that are charged in connection with the issuance or renewal of a special license plate for the benefit of a particular cause, fund or charitable organization. The term does not include registration and license fees or governmental services taxes.

(b) If it recommends a proposed change pursuant to paragraph (a) and determines that legislation is required to carry out the change, recommend to the Department that the Department request the assistance of the Legislative Counsel in the preparation of a bill draft to carry out the change.

(Added to NRS by [2003, 3065](#); A [2005, 2847](#); [2007, 575](#), [804](#), [819](#), [1038](#); [2009, 493](#); [2011, 1792](#), [2985](#); [2013, 556](#), [1476](#), [2550](#); [2015, 256](#), [660](#); [2017, 3573](#))

ABSTRACT

COMMISSION ON SPECIAL LICENSE PLATES

Nevada Revised Statutes (NRS) 482.367004

The Commission on Special License Plates is an ongoing statutory commission authorized under the provisions of [NRS 482.367004](#) to recommend to the Department of Motor Vehicles (DMV) the approval or disapproval of applications for special license plates, as defined in [NRS 482.367008](#).

The Commission consists of five voting members and three nonvoting members. The voting members must be legislators, including the legislators who served as chairs of the Senate and Assembly Committees on Transportation during the most recent legislative session, or their designees. The nonvoting members are the directors of the DMV, the Department of Public Safety, and the Department of Tourism and Cultural Affairs, or their designees.

The Commission held four meetings during the 2017–2018 Interim, on September 20, 2017; January 4, 2018; May 11, 2018; and August 10, 2018. At the September, January, and May meetings, the Commission considered the determination it made at its meeting on April 27, 2017, that Horse Power, a charitable organization receiving revenue from the sale of a special license plate, did not comply with certain laws governing special license plates. Based upon testimony received, the Commission made a recommendation to the DMV that on December 31, 2018, the DMV suspend the collection of all additional fees collected on behalf of Horse Power and suspend the production of its special license plate. This time frame will provide Horse Power ample time to make any necessary changes to provide for ongoing care for any wild, estray, or second-chance horses, burros, or mules in its care.

This interim, there were three available openings for special license plates in the first tier, with 12 pending applications. In the second tier, there were two available openings, with six pending applications. The Commission considered the applications in order of receipt and recommended to the DMV approval of three applications in the first tier for Grant a Gift Autism Foundation, Interfaith Council of Southern Nevada, and Northern Nevada Section of the Society for Mining, Metallurgy & Exploration Inc. The Commission also recommended to the DMV the approval of two applications in the second tier for special license plates for the Henderson, Nevada Historical Society and the Raiders Foundation (The Oakland Raiders). A third applicant for the second tier, the Southern Nevada Joint Management Culinary Bartenders Training Fund, requested to be withdrawn from consideration.

At its meeting on January 4, 2018, the Commission recommended the DMV redesign the University of Nevada, Las Vegas, special license plate. At its meeting on August 10, 2018, the Commission recommended the DMV redirect fees received from the sale and renewal of the Virginia & Truckee Railroad special license plate from the Northern Nevada Railway Foundation, Incorporated, to the Treasurer of Storey County who will create a fund for the license plate.

The Commission held a work session at its meeting on August 10, 2018, and voted to forward two recommendations as bill draft requests (BDRs) to the 2019 Legislature. The first BDR proposes additional recommendations to the DMV for situations when an organization does not comply with one or more provisions of [NRS 482.38277](#), relating to special license plates. The second BDR proposes to exempt a charitable organization from preparing and filing the documents and forms required pursuant to NRS 482.38277 when a special license plate has ceased production or when the fees generated from the renewal of the license plate are less than \$10,000 annually.

SUMMARY OF RECOMMENDATIONS

COMMISSION ON SPECIAL LICENSE PLATES

Nevada Revised Statutes (NRS) 482.367004

This summary presents the recommendations adopted by the Commission on Special License Plates during its meeting on August 10, 2018. The Commission submits the following recommendations and bill draft requests (BDRs) to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

During the drafting process, specific details of the following proposals for legislation may be further clarified by staff in consultation with the chair or others, as appropriate.

1. Pursuant to [NRS 482.38279](#), in the event that a charitable organization has failed to comply with one or more provisions of [NRS 482.38277](#) or, if the legislative auditor determines that an organization has committed improper practices of financial administration, filed inadequate or inaccurate forms or records, or failed to ensure that all money received is expended appropriately, and the Commission concurs with the findings, the Commission is authorized to recommend to the Department of Motor Vehicles (DMV) to:
 - a. Suspend the collection of all additional fees gathered on behalf of the charitable organization; and
 - b. Suspend the production of the special license plate, if the DMV is still producing that design.

During the work session, the Commission voted to request legislation to propose the following additional recommendations to the DMV for situations when an organization does not comply with one or more provisions of NRS 482.38277:

- a. Provide that the Commission may recommend to the DMV to suspend the production and distribution of the license plate and the collection of all additional fees gathered on behalf of the charitable organization. Plate holders may renew existing plates; however, no additional fees would be collected on behalf of the organization.
- b. Provide that the Commission may recommend to the DMV to suspend the production and distribution of the license plate and the collection of all additional fees gathered on behalf of the charitable organization for a specified period of time (to be determined on a case-by-case basis). At the end of the time period, if the DMV, in consultation with the Commission, determines:
 - i. The charitable organization is in compliance, the DMV may lift the suspension and forward the money that was collected during the suspension to the organization; or

ii. The charitable organization is not in compliance, the DMV may:

- (1) Suspend the production and distribution of the special license plate and the collection of all additional fees gathered on behalf of the charitable organization. Plate holders may renew existing plates; however, no additional fees would be collected on behalf of the organization. Any fees held in abeyance would be distributed by the DMV, in consultation with the Commission; and/or
- (2) Resume the production and distribution of the special license plate and redirect the collection of all additional fees (both fees held and ongoing) to a new organization. To be eligible, the new organization must:
 - (i) Submit an application to the DMV;
 - (ii) Meet all applicable requirements of [NRS 482.367002](#) for a charitable organization to receive financial support from a special license plate; and
 - (iii) Confirm that the expenditure of funds would be for “similar” purposes as the original organization (“similar” means that the plate still raises money for a cause that the plate holder intended to support).

In the event the application for the new organization contains information that one or more of the individuals responsible for overseeing the operation of the new charitable organization was also responsible for overseeing the operation of the charitable organization for which the special license plate was suspended, the Commission must consider this information when determining the ability of the applicant to meet all applicable requirements of NRS 482.367002 concerning the receipt of financial support from a special license plate. **(BDR 43–395)**

2. Request legislation to propose exempting a charitable organization from preparing and filing the documents and forms required pursuant to [NRS 482.38277](#) (i.e., balance sheet, personal information of individuals responsible for overseeing the operation of the charitable organization, the budget of the charitable organization, and tax return information) under the following circumstances:
 - a. The special license plate has ceased production; or
 - b. The fees generated from the renewal of the license plate are less than \$10,000 annually. **(BDR 43–396)**

SUMMARY OF SPECIAL LICENSE PLATE APPLICATIONS APPROVED BY THE COMMISSION

Following is a summary of the applications recommended by the Commission on Special License Plates to the DMV for approval of the design, preparation, and issuance of special license plates at its meeting on August 10, 2018.

First Tier

Grant a Gift Autism Foundation

1. Grant a Gift Autism Foundation was founded in 2009 as a nonprofit 501(c)(3) organization helping children with autism and their families by providing diagnostic and treatment funding, education, support services, transition planning, and vocational training. In addition, the Foundation provides funds for treatment not covered by state and federal resources or insurance. The Foundation collaborates with organizations, providers, and state agencies to give children with autism spectrum disorder, growing up in Nevada, a better quality of life and future as they transition into adulthood. Revenue from the special license plate will be used for autism research and treatment and empowering families who have children with autism.

Interfaith Council of Southern Nevada

2. The Interfaith Council of Southern Nevada (IFCSN) was established more than 30 years ago from an earlier parent organization, the National Conference of Christians and Jews, which was founded in 1928. The IFCSN coordinates a variety of programs to fulfill its mission to “promote mutual understanding, respect, appreciation, and cooperation among people of various faith and cultural communities in southern Nevada and in the world.” The revenue from the special license plate will support and augment these programs: Interfaith Forums, annual Interfaith Thanksgiving Service, Mayor Prayer Breakfast, and Camp Anytown.

Northern Nevada Section of the Society for Mining, Metallurgy & Exploration Inc.

3. The Northern Nevada Section of the Society for Mining, Metallurgy & Exploration Inc. (SME) is the local chapter of the premier professional society for mining professionals. The special license plate will honor the mining industry in Nevada, which has a prominent place in the history of the state and continues to play a significant role in its economy. The proceeds of the special license plate will endow a scholarship at the University of Nevada, Reno, benefitting undergraduate and graduate students in the Mackay School of Mines and the College of Science.

Second Tier

Henderson, Nevada Historical Society

1. The Henderson Historical Society was founded in 2011 as a nonprofit 501(c)(3) organization to encourage and foster public awareness and pride in the City of Henderson and to preserve the stories of the past. The funds generated by the sale and renewal of a special license plate will be used to:
 - a. Grow the Henderson “Speaks” program;
 - b. Grow the Henderson, Nevada, Then and Now project, including a traveling museum;
 - c. Procure and archive artifacts, photos, and stories;
 - d. Hire a full-time executive director; and
 - e. Upgrade communications including interactive website and social media outlets.

Raiders Foundation (The Oakland Raiders)

2. The Raiders Foundation is a 501(c)(3) organization that was founded in 2015 to support the local community of Oakland, California, and Raider Nation as the charitable arm of the Oakland Raiders football team. It is the Foundation’s mission to increase community and civic health through military support and youth development. All proceeds from the special license plate will be used for active military members and veterans, funding youth development, and growing the game of football.