

ASSEMBLY BILL NO. 578—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MAY 31, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises the interim committee structure of the
Legislature. (BDR 17-942)

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

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

AN ACT relating to the Legislature; providing for the establishment of Joint Interim Standing Committees of the Legislature; specifying the powers and duties of the Joint Interim Standing Committees; repealing various statutory committees; assigning certain powers and duties of repealed statutory committees to the Joint Interim Standing Committees; making various other changes relating to interim legislative activity; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes various committees on which Legislators serve
2 throughout the biennium. (Chapter 218E of NRS, NRS 176.0123, 439B.200,
3 459.0085, 482.367004) This bill would repeal several of those committees and
4 establish Joint Interim Standing Committees that parallel standing committees
5 established by the Legislature during its biennial regular sessions. **Section 5** of this
6 bill establishes the Joint Interim Standing Committees and specifies their structure.
7 **Section 6** of this bill provides for meetings of the Committees. **Section 7** of this bill
8 authorizes Committees to review matters within the jurisdiction of their
9 corresponding standing committees and to conduct studies directed by the
10 Legislature and the Legislative Commission, and requires the Committees to report
11 to each session of the Legislature. **Section 62** of this bill transfers the
12 responsibilities of the Commission on Special License Plates to the Joint Interim
13 Standing Committee on Transportation. **Section 64** of this bill repeals the Advisory
14 Commission on the Administration of Justice, the Legislative Committee on Public
15 Lands, the Legislative Committee for the Review and Oversight of the Tahoe
16 Regional Planning Agency and the Marlette Lake Water System, the Legislative



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17 Committee on Education, the Legislative Committee on Child Welfare and Juvenile
18 Justice, the Legislative Committee on Senior Citizens, Veterans and Adults with
19 Special Needs, the Legislative Committee on Health Care and the Committee on
20 High-Level Radioactive Waste.

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

1 **Section 1.** NRS 218D.130 is hereby amended to read as
2 follows:

3 218D.130 1. On July 1 preceding each regular session of the
4 Legislature, and each week thereafter until the adjournment of the
5 Legislature sine die, the Legislative Counsel shall prepare a list of
6 all requests received by the Legislative Counsel, for the preparation
7 of measures to be submitted to the Legislature. The requests must be
8 listed numerically by a unique serial number which must be
9 assigned to the measures by the Legislative Counsel for the
10 purposes of identification in the order that the Legislative Counsel
11 received the requests. Except as otherwise provided in subsections 3
12 and 4, the list must only contain the name of each requester, the date
13 and a brief summary of the request.

14 2. The Legislative Counsel Bureau shall make copies of the list
15 available to the public for a reasonable sum fixed by the Director of
16 the Legislative Counsel Bureau.

17 3. In preparing the list, the Legislative Counsel shall, if a
18 standing or special committee of the Legislature, *including a Joint*
19 *Interim Standing Committee*, requests a measure on behalf of a
20 Legislator or organization, include the name of the standing or
21 special committee and the name of the Legislator or organization on
22 whose behalf the measure was originally requested.

23 4. Upon the request of a Legislator who has requested the
24 preparation of a measure, the Legislative Counsel shall add the
25 name of one or more Legislators from either or both Houses of
26 the Legislature as joint requesters. The Legislative Counsel shall not
27 add the name of a joint requester to the list until the Legislative
28 Counsel has received confirmation of the joint request from the
29 primary requester of the measure and from the Legislator to be
30 added as a joint requester. The Legislative Counsel shall remove the
31 name of a joint requester upon receipt of a request to do so made by
32 the primary requester or the joint requester. The names must appear
33 on the list in the order in which the names were received by the
34 Legislative Counsel beginning with the primary requester. The
35 Legislative Counsel shall not act upon the direction of a joint
36 requester to withdraw the requested measure or modify its substance



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1 until the Legislative Counsel has received confirmation of the
2 withdrawal or modification from the primary requester.

3 5. If the primary requester of a measure will not be returning to
4 the Legislature for the legislative session in which the measure is to
5 be considered, the primary requester may authorize a Legislator who
6 will be serving during that session to become the primary sponsor of
7 the measure, either individually or as the chair on behalf of a
8 standing committee. If the Legislator who will be serving during
9 that session agrees to become or have the committee become the
10 primary sponsor of the measure, that Legislator shall notify the
11 Legislative Counsel of that fact. Upon receipt of such notification,
12 the Legislative Counsel shall list the name of that Legislator or the
13 name of the committee as the primary requester of the measure on
14 the list.

15 6. For the purposes of all limitations on the number of
16 legislative measures that may be requested by a Legislator, a
17 legislative measure with joint requesters must only be counted as a
18 request of the primary requester.

19 **Sec. 2.** NRS 218D.160 is hereby amended to read as follows:

20 218D.160 1. The Chair of the Legislative Commission may
21 request the drafting of not more than 15 legislative measures before
22 the commencement of a regular legislative session, with the
23 approval of the Commission, which relate to the affairs of the
24 Legislature or its employees, including measures requested by
25 the legislative staff.

26 2. The Chair of the Interim Finance Committee may request
27 the drafting of not more than 10 legislative measures before the
28 commencement of a regular legislative session, with the approval of
29 the Committee, which relate to matters within the scope of the
30 Committee.

31 3. Except as otherwise provided by specific statute or
32 concurrent resolution of the Legislature:

33 (a) *A Joint Interim Standing Committee may request the*
34 *drafting of not more than 10 legislative measures which relate to*
35 *matters within the scope of the Committee.*

36 (b) Any other legislative committee created by statute may
37 request the drafting of not more than 10 legislative measures which
38 relate to matters within the scope of the committee.

39 ~~(b)~~ (c) An interim committee which conducts a study or
40 investigation pursuant to NRS 218E.200 may request the drafting of
41 not more than 5 legislative measures which relate to matters within
42 the scope of the study or investigation, except that such a committee
43 may request the drafting of additional legislative measures if the
44 Legislative Commission approves each additional request by a
45 majority vote.



1 ~~(e)~~ (d) Any other committee established by the Legislature
2 which conducts an interim legislative study may request the drafting
3 of not more than 5 legislative measures which relate to matters
4 within the scope of the study.

5 ~~↳ [Except as otherwise provided in NRS 218E.205, measures]~~
6 *Measures* authorized to be requested pursuant to this subsection
7 must be submitted to the Legislative Counsel on or before
8 September 1 preceding the commencement of a regular session of
9 the Legislature unless the Legislative Commission authorizes
10 submitting a request after that date.

11 4. Each request made pursuant to this section must be on a
12 form prescribed by the Legislative Counsel.

13 **Sec. 3.** Chapter 218E of NRS is hereby amended by adding
14 thereto the provisions set forth as sections 4 to 9, inclusive, of this
15 act.

16 **Sec. 4.** *As used in sections 4 to 9, inclusive, of this act,*
17 *“Committee” means a Joint Interim Standing Committee created*
18 *pursuant to section 5 of this act.*

19 **Sec. 5. 1.** *There are hereby created the following Joint*
20 *Interim Standing Committees of the Legislature:*

- 21 (a) *Commerce, Labor and Energy;*
- 22 (b) *Education;*
- 23 (c) *Government Affairs;*
- 24 (d) *Health and Human Services;*
- 25 (e) *Judiciary;*
- 26 (f) *Legislative Operations and Elections;*
- 27 (g) *Natural Resources, Agriculture and Mining;*
- 28 (h) *Revenue and Taxation; and*
- 29 (i) *Transportation.*

30 2. *Each Committee consists of eight regular members and*
31 *five alternate members. As soon as is practicable following the*
32 *adjournment of each regular session of the Legislature:*

33 (a) *The Speaker of the Assembly shall appoint five members of*
34 *the Assembly as regular members of each Committee and three*
35 *members of the Assembly as alternate members of each*
36 *Committee.*

37 (b) *The Majority Leader of the Senate shall appoint three*
38 *Senators as regular members of each Committee and two Senators*
39 *as alternate members of each Committee.*

40 3. *To the extent practicable:*

41 (a) *A majority of the members appointed to a Committee must*
42 *have served on the corresponding standing committee during the*
43 *preceding regular session of the Legislature.*



1 ***(b) At least one regular member and one alternate member***
2 ***appointed from each House of the Legislature to each Committee***
3 ***must be a member of the minority political party in the House.***

4 ***4. The Legislative Commission shall select the Chair and***
5 ***Vice Chair of each Committee from among the members of the***
6 ***Committee. The Chair must be appointed from one House of the***
7 ***Legislature and the Vice Chair from the other House. The position***
8 ***of Chair must alternate each biennium between the Houses of the***
9 ***Legislature. Each of those officers holds the position until a***
10 ***successor is appointed following the next regular session of the***
11 ***Legislature. If a vacancy occurs in the position of Chair or Vice***
12 ***Chair, the vacancy must be filled in the same manner as the***
13 ***original selection for the remainder of the unexpired term.***

14 ***5. The membership of any member of a Committee who does***
15 ***not become a candidate for reelection or who is defeated for***
16 ***reelection terminates on the day next after the general election.***
17 ***The Speaker designate of the Assembly or the Majority Leader***
18 ***designate of the Senate, as the case may be, may appoint a***
19 ***member to fill the vacancy for the remainder of the unexpired***
20 ***term.***

21 ***6. Vacancies on a Committee must be filled in the same***
22 ***manner as original appointments.***

23 ***Sec. 6. 1. Except as otherwise ordered by the Legislative***
24 ***Commission, the members of a Committee shall meet not earlier***
25 ***than November 1 of each odd-numbered year and not later than***
26 ***August 31 of the following even-numbered year at the times and***
27 ***places specified by a call of the Chair or a majority of the***
28 ***Committee.***

29 ***2. The Director of the Legislative Counsel Bureau or his or***
30 ***her designee shall act as the nonvoting recording Secretary of***
31 ***each Committee.***

32 ***3. Five members of a Committee constitute a quorum, and a***
33 ***quorum may exercise all the power and authority conferred on a***
34 ***Committee, except that any recommended legislation proposed by***
35 ***a Committee must be approved by a majority of members of the***
36 ***Senate and a majority of members of the Assembly serving on the***
37 ***Committee.***

38 ***4. Except during a regular or special session of the***
39 ***Legislature, for each day or portion of a day during which a***
40 ***member of a Committee attends a meeting of the Committee or is***
41 ***otherwise engaged in the work of the Committee, the member is***
42 ***entitled to receive the:***

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



1 (b) *Per diem allowance provided for state officers and*
2 *employees generally; and*

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

4 ↪ *The compensation, per diem allowances and travel expenses of*
5 *the members of a Committee must be paid from the Legislative*
6 *Fund.*

7 **Sec. 7. 1.** *A Committee may evaluate and review issues*
8 *within the jurisdiction of the corresponding standing committee or*
9 *committees from the preceding regular session of the Legislature*
10 *and may, within limits of a Committee's budget, conduct studies*
11 *directed by the Legislature or the Legislative Commission.*

12 2. *The Legislative Commission shall review and approve the*
13 *budget and work program of each Committee and any changes to*
14 *the budget or work program.*

15 3. *A Committee shall prepare a comprehensive report of the*
16 *Committee's activities in the interim and its findings and any*
17 *recommendations for proposed legislation. The report must be*
18 *submitted to the Director of the Legislative Counsel Bureau for*
19 *distribution to the ensuing session of the Legislature.*

20 **Sec. 8. 1.** *In conducting the investigations and hearings of*
21 *a Committee:*

22 (a) *Any member of the Committee may administer oaths.*

23 (b) *The Chair of the Committee may cause the deposition of*
24 *witnesses, residing either within or outside of the State, to be taken*
25 *in the manner prescribed by rule of court for taking depositions in*
26 *civil actions in the district courts.*

27 (c) *The Chair may issue subpoenas to compel the attendance*
28 *of witnesses and the production of books, papers or documents.*

29 2. *If a witness refuses to attend or testify or to produce books,*
30 *papers or documents as required by the subpoena, the Chair may*
31 *report to the district court by petition, setting forth:*

32 (a) *That due notice has been given of the time and place of*
33 *attendance of the witness or the production of the books, papers or*
34 *documents;*

35 (b) *That the witness has been subpoenaed by the Committee*
36 *pursuant to this section; and*

37 (c) *That the witness has failed or refused to attend or to*
38 *produce the books, papers or documents required by the subpoena*
39 *before the Committee that is named in the subpoena, or has*
40 *refused to answer questions propounded to the witness,*

41 ↪ *and asking for an order of the court compelling the witness to*
42 *attend and testify or to produce the books, papers or documents*
43 *before the Committee.*

44 3. *Upon such a petition, the court shall enter an order*
45 *directing the witness to appear before the court at a time and place*



1 *to be fixed by the court in its order, the time to be not more than*
2 *10 days after the date of the order, and to show cause why the*
3 *witness has not attended or testified or produced the books, papers*
4 *or documents before the Committee. A certified copy of the order*
5 *must be served upon the witness.*

6 *4. If it appears to the court that the subpoena was regularly*
7 *issued by the Committee, the court shall enter an order that the*
8 *witness appear before the Committee at the time and place fixed in*
9 *the order and testify or produce the required books, papers or*
10 *documents. Failure to obey the order constitutes contempt of*
11 *court.*

12 **Sec. 9. 1.** *Each witness who appears before a Committee by*
13 *its order, except a state officer or employee, is entitled to receive*
14 *for such attendance the fees and mileage provided for witnesses in*
15 *civil cases in the courts of record of this State.*

16 *2. The fees and mileage must be audited and paid upon the*
17 *presentation of proper claims sworn to by the witness and*
18 *approved by the Secretary and the Chair of the Committee.*

19 **Sec. 10.** NRS 218E.200 is hereby amended to read as follows:

20 218E.200 1. The Legislative Commission may conduct
21 studies or investigations concerning governmental problems,
22 important issues of public policy or questions of statewide interest
23 ~~[]~~ *or may assign such studies or investigations to a Joint Interim*
24 *Standing Committee.*

25 2. The Legislative Commission may establish subcommittees
26 and interim or special committees as official agencies of the
27 Legislative Counsel Bureau to conduct such studies or
28 investigations or otherwise to deal with such governmental
29 problems, important issues of public policy or questions of
30 statewide interest ~~[]~~ *or may assign such matters to a Joint Interim*
31 *Standing Committee.*

32 3. The membership of ~~[those]~~ *any* subcommittees and interim
33 or special committees *established pursuant to subsection 2* must be
34 designated by the Legislative Commission and may consist of
35 members of the Legislative Commission and Legislators other than
36 members of the Commission, employees of the State of Nevada or
37 citizens of the State of Nevada.

38 4. Members of ~~[those]~~ subcommittees and interim or special
39 committees who are not Legislators shall serve without salary, but
40 they are entitled to receive out of the Legislative Fund the per diem
41 expense allowances and travel expenses provided for state officers
42 and employees generally.

43 5. Except during a regular or special session of the Legislature,
44 members of ~~[those]~~ subcommittees and interim or special
45 committees who are Legislators are entitled to receive out of the



1 Legislative Fund the compensation provided for a majority of the
2 members of the Legislature during the first 60 days of the preceding
3 session for each day or portion of a day of attendance, and the
4 per diem expense allowances provided for state officers and
5 employees generally and the travel expenses provided pursuant to
6 NRS 218A.655.

7 **Sec. 11.** NRS 218E.205 is hereby amended to read as follows:

8 218E.205 1. The Legislative Commission shall, between
9 sessions of the Legislature, fix the work priority of all studies and
10 investigations assigned to it by ~~concurrent resolutions of~~ the
11 Legislature, ~~or~~ directed by an order of the Legislative Commission
12 ~~or~~ *or conducted by a Joint Interim Standing Committee*, within the
13 limits of available time, money and staff. The Legislative
14 Commission shall not make studies or investigations directed by
15 resolutions of only one House of the Legislature or studies or
16 investigations proposed but not approved during the preceding
17 legislative session.

18 2. All requests for the drafting of legislation to be
19 recommended as the result of a study or investigation ~~except a~~
20 ~~study or investigation directed by an order of the Legislative~~
21 ~~Commission,~~ must be made before ~~July~~ *September* 1 of the year
22 preceding a legislative session ~~or~~ *unless the Legislative*
23 *Commission authorizes submitting a request after that date.*

24 3. Except as otherwise provided by NRS 218E.210, between
25 sessions of the Legislature no study or investigation may be initiated
26 or continued by the Fiscal Analysts, the Legislative Auditor, the
27 Legislative Counsel or the Research Director and their staffs except
28 studies and investigations which have been specifically authorized
29 by ~~concurrent resolutions of~~ the Legislature or by ~~an order of~~ the
30 Legislative Commission.

31 4. No study or investigation may be carried over from one
32 session of the Legislature to the next without additional
33 authorization ~~by a concurrent resolution~~ of the Legislature, except
34 audits in progress, whose carryover has been approved by the
35 Legislative Commission.

36 5. Except as otherwise provided by specific statute, the staff of
37 the Legislative Counsel Bureau shall not serve as primary
38 administrative or professional staff for a committee unless the chair
39 of the committee is required by statute or resolution to be a
40 Legislator.

41 6. The Legislative Commission shall review and approve the
42 budget and work program and any changes to the budget or work
43 program for each study or investigation conducted by the
44 Legislative Commission or a committee or subcommittee
45 established by the Legislative Commission.



~~[7. A committee or subcommittee established to conduct a study or investigation assigned to the Legislative Commission by concurrent resolution of the Legislature or directed by order of the Legislative Commission must, unless otherwise ordered by the Legislative Commission, meet not earlier than January 1 of the even-numbered year and not later than June 30 of that year.]~~

Sec. 12. NRS 218E.520 is hereby amended to read as follows:

218E.520 1. The *Joint Interim Standing* Committee *on Natural Resources, Agriculture and Mining* may:

(a) Review and comment on any administrative policy, rule or regulation of the:

(1) Secretary of the Interior which pertains to policy concerning or management of public lands under the control of the Federal Government; and

(2) Secretary of Agriculture which pertains to policy concerning or management of national forests;

(b) Conduct investigations and hold hearings in connection with its review, including, but not limited to, investigating the effect on the State, its citizens, political subdivisions, businesses and industries of those policies, rules, regulations and related laws;

(c) Consult with and advise the State Land Use Planning Agency on matters concerning federal land use, policies and activities in this State;

(d) Direct the Legislative Counsel Bureau to assist in its research, investigations, review and comment;

(e) Recommend to the Legislature as a result of its review any appropriate state legislation or corrective federal legislation;

(f) Advise the Attorney General if it believes that any federal policy, rule or regulation which it has reviewed encroaches on the sovereignty respecting land or water or their use which has been reserved to the State pursuant to the Constitution of the United States;

(g) Enter into a contract for consulting services for land planning and any other related activities, including, but not limited to:

(1) Advising the Committee and the State Land Use Planning Agency concerning the revision of the plans pursuant to NRS 321.7355;

(2) Assisting local governments in the identification of lands administered by the Federal Government in this State which are needed for residential or economic development or any other purpose; and

(3) Assisting local governments in the acquisition of federal lands in this State;



1 (h) Apply for any available grants and accept any gifts, grants or
2 donations to assist the Committee in carrying out its duties; and

3 (i) Review and comment on any other matter relating to the
4 preservation, conservation, use, management or disposal of public
5 lands deemed appropriate by the Chair of the Committee or by a
6 majority of the members of the Committee.

7 2. Any reference in this section to federal policies, rules,
8 regulations and related federal laws includes those which are
9 proposed as well as those which are enacted or adopted.

10 **Sec. 13.** NRS 218E.525 is hereby amended to read as follows:

11 218E.525 1. The *Joint Interim Standing* Committee *on*
12 *Natural Resources, Agriculture and Mining* shall:

13 (a) Actively support the efforts of state and local governments in
14 the western states regarding public lands and state sovereignty as
15 impaired by federal ownership of land.

16 (b) Advance knowledge and understanding in local, regional and
17 national forums of Nevada's unique situation with respect to public
18 lands.

19 (c) Support legislation that will enhance state and local roles in
20 the management of public lands and will increase the disposal of
21 public lands.

22 2. The *Joint Interim Standing* Committee ~~{}~~ *on Natural*
23 *Resources, Agriculture and Mining*:

24 (a) Shall review the programs and activities of:

25 (1) The Colorado River Commission of Nevada;

26 (2) All public water authorities, districts and systems in the
27 State of Nevada, including, without limitation, the Southern Nevada
28 Water Authority, the Truckee Meadows Water Authority, the Virgin
29 Valley Water District, the Carson Water Subconservancy District,
30 the Humboldt River Basin Water Authority and the Truckee-Carson
31 Irrigation District; and

32 (3) All other public or private entities with which any county
33 in the State has an agreement regarding the planning, development
34 or distribution of water resources, or any combination thereof; *and*

35 (b) ~~{Shall, on or before January 15 of each odd-numbered year,~~
36 ~~submit to the Director of the Legislative Counsel Bureau for~~
37 ~~transmittal to the Legislature a report concerning the review~~
38 ~~conducted pursuant to paragraph (a); and~~

39 ~~—(c)}~~ May review and comment on other issues relating to water
40 resources in this State, including, without limitation:

41 (1) The laws, regulations and policies regulating the use,
42 allocation and management of water in this State; and

43 (2) The status of existing information and studies relating to
44 water use, surface water resources and groundwater resources in this
45 State.



1 **Sec. 14.** NRS 218E.565 is hereby amended to read as follows:
2 218E.565 The *Joint Interim Standing* Committee *on*
3 *Government Affairs* shall:

4 1. Provide appropriate review and oversight of the Tahoe
5 Regional Planning Agency and the Marlette Lake Water System;

6 2. Review the budget, programs, activities, responsiveness and
7 accountability of the Tahoe Regional Planning Agency and the
8 Marlette Lake Water System in such a manner as deemed necessary
9 and appropriate by the Committee;

10 3. Study the role, authority and activities of:

11 (a) The Tahoe Regional Planning Agency regarding the Lake
12 Tahoe Basin; and

13 (b) The Marlette Lake Water System regarding Marlette Lake;
14 and

15 4. Continue to communicate with members of the Legislature
16 of the State of California to achieve the goals set forth in the Tahoe
17 Regional Planning Compact.

18 **Sec. 15.** NRS 218E.615 is hereby amended to read as follows:

19 218E.615 1. The *Joint Interim Standing* Committee *on*
20 *Education* may:

21 (a) Evaluate, review and comment upon issues related to
22 education within this State, including, but not limited to:

23 (1) Programs to enhance accountability in education;

24 (2) Legislative measures regarding education;

25 (3) The progress made by this State, the school districts and
26 the public schools in this State in satisfying the goals and objectives
27 of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301
28 et seq., and the annual measurable objectives established by the
29 State Board of Education pursuant to NRS 385.361;

30 (4) Methods of financing public education;

31 (5) The condition of public education in the elementary and
32 secondary schools;

33 (6) The program to reduce the ratio of pupils per class per
34 licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

35 (7) The development of any programs to automate the
36 receipt, storage and retrieval of the educational records of pupils;
37 and

38 (8) Any other matters that, in the determination of the
39 Committee, affect the education of pupils within this State.

40 (b) Conduct investigations and hold hearings in connection with
41 its duties pursuant to this section.

42 (c) Request that the Legislative Counsel Bureau assist in the
43 research, investigations, hearings and reviews of the Committee.

44 (d) Make recommendations to the Legislature concerning the
45 manner in which public education may be improved.



- 1 2. The *Joint Interim Standing* Committee *on Education* shall:
2 (a) In addition to any standards prescribed by the Department of
3 Education, prescribe standards for the review and evaluation of the
4 reports of the State Board of Education, school districts and public
5 schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.
6 (b) For the purposes set forth in NRS 385.389, recommend to
7 the Department of Education programs of remedial study for each
8 subject tested on the examinations administered pursuant to NRS
9 389.015. In recommending these programs of remedial study, the
10 Committee shall consider programs of remedial study that have
11 proven to be successful in improving the academic achievement of
12 pupils.
13 (c) Recommend to the Department of Education providers of
14 supplemental educational services for inclusion on the list of
15 approved providers prepared by the Department pursuant to NRS
16 385.384. In recommending providers, the Committee shall consider
17 providers with a demonstrated record of effectiveness in improving
18 the academic achievement of pupils.
19 (d) For the purposes set forth in NRS 385.3785, recommend to
20 the Commission on Educational Excellence created by NRS
21 385.3784 programs, practices and strategies that have proven
22 effective in improving the academic achievement and proficiency of
23 pupils.

24 **Sec. 16.** NRS 218E.625 is hereby amended to read as follows:

25 218E.625 1. The Legislative Bureau of Educational
26 Accountability and Program Evaluation is hereby created within the
27 Fiscal Analysis Division of the Legislative Counsel Bureau. The
28 Fiscal Analysts shall appoint to the Legislative Bureau of
29 Educational Accountability and Program Evaluation a Chief and
30 such other personnel as the Fiscal Analysts determine are necessary
31 for the Bureau to carry out its duties pursuant to this section.

32 2. The Bureau shall, as the Fiscal Analysts determine is
33 necessary or at the request of the *Joint Interim Standing* Committee
34 **on Education:**

35 (a) Collect and analyze data and issue written reports
36 concerning:

37 (1) The effectiveness of the provisions of NRS 385.3455 to
38 385.391, inclusive, in improving the accountability of the schools of
39 this State;

40 (2) The statewide program to reduce the ratio of pupils per
41 class per licensed teacher prescribed in NRS 388.700, 388.710 and
42 388.720;

43 (3) The statewide program to educate persons with
44 disabilities that is set forth in chapter 395 of NRS;



1 (4) The results of the examinations of the National
2 Assessment of Educational Progress that are administered pursuant
3 to NRS 389.012; and

4 (5) Any program or legislative measure, the purpose of
5 which is to reform the system of education within this State.

6 (b) Conduct studies and analyses to evaluate the performance
7 and progress of the system of public education within this State.
8 Such studies and analyses may be conducted:

9 (1) As the Fiscal Analysts determine are necessary; or

10 (2) At the request of the Legislature.

11 ↪ This paragraph does not prohibit the Bureau from contracting
12 with a person or entity to conduct studies and analyses on behalf of
13 the Bureau.

14 (c) On or before December 31 of each even-numbered year,
15 submit a written report of its findings pursuant to paragraphs (a) and
16 (b) to the Director of the Legislative Counsel Bureau for
17 transmission to the next regular session of the Legislature. The
18 Bureau shall, on or before December 31 of each odd-numbered year,
19 submit a written report of its findings pursuant to paragraphs (a) and
20 (b) to the Director of the Legislative Counsel Bureau for
21 transmission to the Legislative Commission.

22 3. The Bureau may, pursuant to NRS 218F.620, require a
23 school, a school district, the Nevada System of Higher Education or
24 the Department of Education to submit to the Bureau books, papers,
25 records and other information that the Chief of the Bureau
26 determines are necessary to carry out the duties of the Bureau
27 pursuant to this section. An entity whom the Bureau requests to
28 produce records or other information shall provide the records or
29 other information in any readily available format specified by the
30 Bureau.

31 4. Except as otherwise provided in this subsection or NRS
32 239.0115, any information obtained by the Bureau pursuant to this
33 section shall be deemed a work product that is confidential pursuant
34 to NRS 218F.150. The Bureau may, at the discretion of the Chief
35 and after submission to the Legislature or Legislative Commission,
36 as appropriate, publish reports of its findings pursuant to paragraphs
37 (a) and (b) of subsection 2.

38 5. This section does not prohibit the Department of Education
39 or the State Board of Education from conducting analyses,
40 submitting reports or otherwise reviewing educational programs in
41 this State.

42 **Sec. 17.** NRS 62H.320 is hereby amended to read as follows:

43 62H.320 1. The Director of the Department of Health and
44 Human Services shall establish within the Department a program to



1 compile and analyze data concerning juvenile sex offenders. The
2 program must be designed to:

3 (a) Provide statistical data relating to the recidivism of juvenile
4 sex offenders; and

5 (b) Use the data provided by the Division of Child and Family
6 Services of the Department of Health and Human Services pursuant
7 to NRS 62H.220 to assess the effectiveness of programs for the
8 treatment of juvenile sex offenders.

9 2. The Director of the Department of Health and Human
10 Services shall report the statistical data and findings from the
11 program to:

12 (a) The Legislature at the beginning of each regular session.

13 (b) The ~~{Advisory Commission on the Administration of~~
14 ~~Justice}~~ *Joint Interim Standing Committee on Judiciary* on or
15 before January 31 of each even-numbered year.

16 3. The data acquired pursuant to this section is confidential and
17 must be used only for the purpose of research. The data and findings
18 generated pursuant to this section must not contain information that
19 may reveal the identity of a juvenile sex offender or the identity of
20 an individual victim of a crime.

21 **Sec. 18.** NRS 176.0125 is hereby amended to read as follows:

22 176.0125 The ~~{Commission}~~ *Joint Interim Standing*
23 *Committee on Judiciary* shall:

24 1. Identify and study the elements of this State's system of
25 criminal justice which affect the sentences imposed for felonies and
26 gross misdemeanors.

27 2. Evaluate the effectiveness and fiscal impact of various
28 policies and practices regarding sentencing which are employed in
29 this State and other states, including, but not limited to, the use of
30 plea bargaining, probation, programs of intensive supervision,
31 programs of regimental discipline, imprisonment, sentencing
32 recommendations, mandatory and minimum sentencing, mandatory
33 sentencing for crimes involving the possession, manufacture and
34 distribution of controlled substances, structured or tiered sentencing,
35 enhanced penalties for habitual criminals, parole, credits against
36 sentences, residential confinement and alternatives to incarceration.

37 3. Recommend changes in the structure of sentencing in this
38 State which, to the extent practicable and with consideration for
39 their fiscal impact, incorporate general objectives and goals for
40 sentencing, including, but not limited to, the following:

41 (a) Offenders must receive sentences that increase in direct
42 proportion to the severity of their crimes and their histories of
43 criminality.

44 (b) Offenders who have extensive histories of criminality or
45 who have exhibited a propensity to commit crimes of a predatory or



1 violent nature must receive sentences which reflect the need to
2 ensure the safety and protection of the public and which allow for
3 the imprisonment for life of such offenders.

4 (c) Offenders who have committed offenses that do not include
5 acts of violence and who have limited histories of criminality must
6 receive sentences which reflect the need to conserve scarce
7 economic resources through the use of various alternatives to
8 traditional forms of incarceration.

9 (d) Offenders with similar histories of criminality who are
10 convicted of similar crimes must receive sentences that are generally
11 similar.

12 (e) Offenders sentenced to imprisonment must receive sentences
13 which do not confuse or mislead the public as to the actual time
14 those offenders must serve while incarcerated or before being
15 released from confinement or supervision.

16 (f) Offenders must not receive disparate sentences based upon
17 factors such as race, gender or economic status.

18 (g) Offenders must receive sentences which are based upon the
19 specific circumstances and facts of their offenses, including the
20 nature of the offense and any aggravating factors, the savagery of
21 the offense, as evidenced by the extent of any injury to the victim,
22 and the degree of criminal sophistication demonstrated by the
23 offender's acts before, during and after commission of the offense.

24 4. Evaluate the effectiveness and efficiency of the Department
25 of Corrections and the State Board of Parole Commissioners with
26 consideration as to whether it is feasible and advisable to establish
27 an oversight or advisory board to perform various functions and
28 make recommendations concerning:

29 (a) Policies relating to parole;

30 (b) Regulatory procedures and policies of the State Board of
31 Parole Commissioners;

32 (c) Policies for the operation of the Department of Corrections;

33 (d) Budgetary issues; and

34 (e) Other related matters.

35 5. Evaluate the effectiveness of specialty court programs in this
36 State with consideration as to whether such programs have the effect
37 of limiting or precluding reentry of offenders and parolees into the
38 community.

39 6. Evaluate the policies and practices concerning presentence
40 investigations and reports made by the Division of Parole and
41 Probation of the Department of Public Safety, including, without
42 limitation, the resources relied on in preparing such investigations
43 and reports and the extent to which judges in this State rely on and
44 follow the recommendations contained in such presentence
45 investigations and reports.



1 7. Evaluate, review and comment upon issues relating to
2 juvenile justice in this State, including, but not limited to:

3 (a) The need for the establishment and implementation of
4 evidence-based programs and a continuum of sanctions for children
5 who are subject to the jurisdiction of the juvenile court; and

6 (b) The impact on the criminal justice system of the policies and
7 programs of the juvenile justice system.

8 8. Compile and develop statistical information concerning
9 sentencing in this State.

10 9. Identify and study issues relating to the application of
11 chapter 241 of NRS to meetings held by the:

12 (a) State Board of Pardons Commissioners to consider an
13 application for clemency; and

14 (b) State Board of Parole Commissioners to consider an
15 offender for parole.

16 10. Identify and study issues relating to the operation of the
17 Department of Corrections, including, without limitation, the system
18 for allowing credits against the sentences of offenders, the
19 accounting of such credits and any other policies and procedures of
20 the Department which pertain to the operation of the Department.

21 ~~{11. For each regular session of the Legislature, prepare a~~
22 ~~comprehensive report including the Commission's recommended~~
23 ~~changes pertaining to the administration of justice in this State, the~~
24 ~~Commission's findings and any recommendations of the~~
25 ~~Commission for proposed legislation. The report must be submitted~~
26 ~~to the Director of the Legislative Counsel Bureau for distribution to~~
27 ~~the Legislature not later than September 1 of each even-numbered~~
28 ~~year.}~~

29 **Sec. 19.** NRS 176.0127 is hereby amended to read as follows:

30 176.0127 1. The Department of Corrections shall:

31 (a) Provide the ~~{Commission}~~ *Joint Interim Standing*
32 *Committee on Judiciary* with any available statistical information
33 or research requested by the ~~{Commission}~~ *Committee* and assist the
34 ~~{Commission}~~ *Committee* in the compilation and development of
35 information requested by the ~~{Commission,}~~ *Committee*, including,
36 but not limited to, information or research concerning the facilities
37 and institutions of the Department of Corrections, the offenders who
38 are or were within those facilities or institutions, rates of recidivism,
39 the effectiveness of educational and vocational programs and the
40 sentences which are being served or were served by those offenders;

41 (b) If requested by the ~~{Commission,}~~ *Joint Interim Standing*
42 *Committee on Judiciary*, make available to the ~~{Commission}~~
43 *Committee* the use of the computers and programs which are owned
44 by the Department of Corrections; and



1 (c) Provide the independent contractor retained by the
2 Department of Administration pursuant to NRS 176.0129 with any
3 available statistical information requested by the independent
4 contractor for the purpose of performing the projections required by
5 NRS 176.0129.

6 2. The Division shall:

7 (a) Provide the ~~{Commission}~~ *Joint Interim Standing*
8 *Committee on Judiciary* with any available statistical information
9 or research requested by the ~~{Commission}~~ *Committee* and assist the
10 ~~{Commission}~~ *Committee* in the compilation and development of
11 information concerning sentencing, probation, parole and any
12 offenders who are or were subject to supervision by the Division;

13 (b) If requested by the ~~{Commission}~~ *Joint Interim Standing*
14 *Committee on Judiciary*, make available to the ~~{Commission}~~
15 *Committee* the use of the computers and programs which are owned
16 by the Division; and

17 (c) Provide the independent contractor retained by the
18 Department of Administration pursuant to NRS 176.0129 with any
19 available statistical information requested by the independent
20 contractor for the purpose of performing the projections required by
21 NRS 176.0129.

22 **Sec. 20.** NRS 176.0128 is hereby amended to read as follows:

23 176.0128 The Central Repository for Nevada Records of
24 Criminal History shall:

25 1. Facilitate the collection of statistical data in the manner
26 approved by the Director of the Department of Public Safety and
27 coordinate the exchange of such data with agencies of criminal
28 justice within this State, including:

- 29 (a) State and local law enforcement agencies;
- 30 (b) The Office of the Attorney General;
- 31 (c) The Court Administrator;
- 32 (d) The Department of Corrections; and
- 33 (e) The Division.

34 2. Provide the ~~{Commission}~~ *Joint Interim Standing*
35 *Committee on Judiciary* with available statistical data and
36 information requested by the ~~{Commission}~~ *Committee*.

37 **Sec. 21.** NRS 176.0129 is hereby amended to read as follows:

38 176.0129 The Department of Administration shall, on an
39 annual basis, contract for the services of an independent contractor,
40 in accordance with the provisions of NRS 333.700, to:

41 1. Review sentences imposed in this State and the practices of
42 the State Board of Parole Commissioners and project annually the
43 number of persons who will be:

- 44 (a) In a facility or institution of the Department of Corrections;
- 45 (b) On probation;



1 (c) On parole; and
2 (d) Serving a term of residential confinement,
3 ↪ during the 10 years immediately following the date of the
4 projection; and

5 2. Review preliminary proposals and information provided by
6 the ~~[Commission]~~ *Joint Interim Standing Committee on Judiciary*
7 and project annually the number of persons who will be:

8 (a) In a facility or institution of the Department of Corrections;
9 (b) On probation;
10 (c) On parole; and
11 (d) Serving a term of residential confinement,

12 ↪ during the 10 years immediately following the date of the
13 projection, assuming the preliminary proposals were recommended
14 by the ~~[Commission]~~ *Committee* and enacted by the Legislature.

15 **Sec. 22.** NRS 233B.063 is hereby amended to read as follows:

16 233B.063 1. An agency that intends to adopt, amend or
17 repeal a permanent regulation must deliver to the Legislative
18 Counsel a copy of the proposed regulation. The Legislative Counsel
19 shall examine and if appropriate revise the language submitted so
20 that it is clear, concise and suitable for incorporation in the Nevada
21 Administrative Code, but shall not alter the meaning or effect
22 without the consent of the agency.

23 2. Unless the proposed regulation is submitted to the
24 Legislative Counsel between July 1 of an even-numbered year and
25 July 1 of the succeeding odd-numbered year, the Legislative
26 Counsel shall deliver the approved or revised text of the regulation
27 within 30 days after it is submitted to the Legislative Counsel. If the
28 proposed or revised text of a regulation is changed before adoption,
29 the agency shall submit the changed text to the Legislative Counsel,
30 who shall examine and revise it if appropriate pursuant to the
31 standards of subsection 1. Unless it is submitted between July 1 of
32 an even-numbered year and July 1 of the succeeding odd-numbered
33 year, the Legislative Counsel shall return it with any appropriate
34 revisions within 30 days. If the agency is a licensing board as
35 defined in NRS 439B.225 and the proposed regulation relates to
36 standards for the issuance or renewal of licenses, permits or
37 certificates of registration issued to a person or facility regulated by
38 the agency, the Legislative Counsel shall also deliver one copy of
39 the approved or revised text of the regulation to the ~~[Legislative
40 Committee on Health Care.]~~ *Joint Interim Standing Committee on
41 Health and Human Services.*

42 3. An agency may adopt a temporary regulation between
43 August 1 of an even-numbered year and July 1 of the succeeding
44 odd-numbered year without following the procedure required by this
45 section and NRS 233B.064, but any such regulation expires by



1 limitation on November 1 of the odd-numbered year. A
2 substantively identical permanent regulation may be subsequently
3 adopted.

4 4. An agency may amend or suspend a permanent regulation
5 between August 1 of an even-numbered year and July 1 of the
6 succeeding odd-numbered year by adopting a temporary regulation
7 in the same manner and subject to the same provisions as prescribed
8 in subsection 3.

9 **Sec. 23.** NRS 233B.070 is hereby amended to read as follows:

10 233B.070 1. A permanent regulation becomes effective when
11 the Legislative Counsel files with the Secretary of State the original
12 of the final draft or revision of a regulation, except as otherwise
13 provided in NRS 293.247 or where a later date is specified in the
14 regulation.

15 2. Except as otherwise provided in NRS 233B.0633, an agency
16 that has adopted a temporary regulation may not file the temporary
17 regulation with the Secretary of State until 35 days after the date on
18 which the temporary regulation was adopted by the agency. A
19 temporary regulation becomes effective when the agency files with
20 the Secretary of State the original of the final draft or revision of the
21 regulation, together with the informational statement prepared
22 pursuant to NRS 233B.066. The agency shall also file a copy of the
23 temporary regulation with the Legislative Counsel, together with the
24 informational statement prepared pursuant to NRS 233B.066.

25 3. An emergency regulation becomes effective when the
26 agency files with the Secretary of State the original of the final draft
27 or revision of an emergency regulation, together with the
28 informational statement prepared pursuant to NRS 233B.066. The
29 agency shall also file a copy of the emergency regulation with the
30 Legislative Counsel, together with the informational statement
31 prepared pursuant to NRS 233B.066.

32 4. The Secretary of State shall maintain the original of the final
33 draft or revision of each regulation in a permanent file to be used
34 only for the preparation of official copies.

35 5. The Secretary of State shall file, with the original of each
36 agency's rules of practice, the current statement of the agency
37 concerning the date and results of its most recent review of those
38 rules.

39 6. Immediately after each permanent or temporary regulation is
40 filed, the agency shall deliver one copy of the final draft or revision,
41 bearing the stamp of the Secretary of State indicating that it has
42 been filed, including material adopted by reference which is not
43 already filed with the State Library and Archives Administrator, to
44 the State Library and Archives Administrator for use by the public.
45 If the agency is a licensing board as defined in NRS 439B.225 and it



1 has adopted a permanent regulation relating to standards for the
2 issuance or renewal of licenses, permits or certificates of registration
3 issued to a person or facility regulated by the agency, the agency
4 shall also deliver one copy of the regulation, bearing the stamp of
5 the Secretary of State, to the ~~[Legislative Committee on Health~~
6 ~~Care]~~ *Joint Interim Standing Committee on Health and Human*
7 *Services* within 10 days after the regulation is filed with the
8 Secretary of State.

9 7. Each agency shall furnish a copy of all or part of that part of
10 the Nevada Administrative Code which contains its regulations, to
11 any person who requests a copy, and may charge a reasonable fee
12 for the copy based on the cost of reproduction if it does not have
13 money appropriated or authorized for that purpose.

14 8. An agency which publishes any regulations included in the
15 Nevada Administrative Code shall use the exact text of the
16 regulation as it appears in the Nevada Administrative Code,
17 including the leadlines and numbers of the sections. Any other
18 material which an agency includes in a publication with its
19 regulations must be presented in a form which clearly distinguishes
20 that material from the regulations.

21 **Sec. 24.** NRS 244.2962 is hereby amended to read as follows:

22 244.2962 The board of county commissioners of a county
23 whose population is 400,000 or more shall, each calendar quarter,
24 submit a report to the ~~[Legislative Committee on Health Care]~~ *Joint*
25 *Interim Standing Committee on Health and Human Services* and
26 the Director of the Legislative Counsel Bureau for transmittal to the
27 Legislature, if the Legislature is in session, or to the Legislative
28 Commission, if the Legislature is not in session. The report must
29 include, without limitation, the following information related to
30 each fire department and ambulance service operating in the county:

31 1. The total number of transports of sick or injured persons to a
32 medical facility that were made by the fire department or ambulance
33 service during that calendar quarter.

34 2. For each person transported by the fire department or
35 ambulance service during the calendar quarter:

36 (a) The fees charged to transport the person to a medical facility;

37 (b) Whether the person had health insurance at the time of
38 transport; and

39 (c) The name of the medical facility where the fire department
40 or ambulance service transported the person to or from.

41 **Sec. 25.** NRS 321.7355 is hereby amended to read as follows:

42 321.7355 1. The State Land Use Planning Agency shall
43 prepare, in cooperation with appropriate federal and state agencies
44 and local governments throughout the State, plans or statements of



1 policy concerning the acquisition and use of lands in the State of
2 Nevada that are under federal management.

3 2. The State Land Use Planning Agency shall, in preparing the
4 plans and statements of policy, identify lands which are suitable for
5 acquisition for:

6 (a) Commercial, industrial or residential development;

7 (b) The expansion of the property tax base, including the
8 potential for an increase in revenue by the lease and sale of those
9 lands; or

10 (c) Accommodating increases in the population of this State.

11 ➔ The plans or statements of policy must not include matters
12 concerning zoning or the division of land and must be consistent
13 with local plans and regulations concerning the use of private
14 property.

15 3. The State Land Use Planning Agency shall:

16 (a) Encourage public comment upon the various matters treated
17 in a proposed plan or statement of policy throughout its preparation
18 and incorporate such comments into the proposed plan or statement
19 of policy as are appropriate;

20 (b) Submit its work on a plan or statement of policy periodically
21 for review and comment by the Land Use Planning Advisory
22 Council, the Advisory Board on Natural Resources and ~~any~~
23 ~~committees of the Legislature or subcommittees of the Legislative~~
24 ~~Commission that deal with matters concerning the public lands;~~ *the*
25 *Joint Interim Standing Committee on Natural Resources,*
26 *Agriculture and Mining;*

27 (c) On or before February 1 of each odd-numbered year, prepare
28 and submit a written report to the Legislature concerning any
29 activities engaged in by the Agency pursuant to the provisions of
30 this section during the immediately preceding biennium, including,
31 without limitation:

32 (1) The progress and any results of its work; or

33 (2) Any plans or statements of policy prepared pursuant to
34 this section; and

35 (d) Provide written responses to written comments received
36 from a county or city upon the various matters treated in a proposed
37 plan or statement of policy.

38 4. Whenever the State Land Use Planning Agency prepares
39 plans or statements of policy pursuant to subsection 1 and submits
40 those plans or policy statements to the Governor, Legislature or an
41 agency of the Federal Government, the State Land Use Planning
42 Agency shall include with each plan or statement of policy the
43 comments and recommendations of:

44 (a) The Land Use Planning Advisory Council;

45 (b) The Advisory Board on Natural Resources; and



1 (c) ~~[Any committees of the Legislature or subcommittees of the~~
2 ~~Legislative Commission that deal with matters concerning the~~
3 ~~public lands.] *The Joint Interim Standing Committee on Natural*~~
4 ~~*Resources, Agriculture and Mining.*~~

5 5. A plan or statement of policy must be approved by the
6 governing bodies of the county and cities affected by it before it is
7 put into effect.

8 **Sec. 26.** NRS 385.3465 is hereby amended to read as follows:
9 385.3465 "Committee" means the ~~[Legislative]~~ *Joint Interim*
10 *Standing* Committee on Education created pursuant to ~~[NRS~~
11 ~~218E.605.]~~ *section 5 of this act.*

12 **Sec. 27.** NRS 385.555 is hereby amended to read as follows:
13 385.555 1. The Youth Legislature shall:

14 (a) Hold at least two public hearings in this State each school
15 year. The Youth Legislature may simultaneously teleconference or
16 videoconference each public hearing to two or more prominent
17 locations throughout this State.

18 (b) Evaluate, review and comment upon issues of importance to
19 the youth in this State, including, without limitation:

- 20 (1) Education;
21 (2) Employment opportunities;
22 (3) Participation of youth in state and local government;
23 (4) A safe learning environment;
24 (5) The prevention of substance abuse;
25 (6) Emotional and physical well-being;
26 (7) Foster care; and
27 (8) Access to state and local services.

28 (c) Conduct a public awareness campaign to raise awareness
29 about the Youth Legislature and to enhance outreach to the youth in
30 this State.

31 2. During his or her term, each member of the Youth
32 Legislature shall conduct at least one meeting to afford the youth of
33 this State an opportunity to discuss issues of importance to the youth
34 in this State.

35 3. The Youth Legislature may, within the limits of available
36 money:

37 (a) During the period in which the Legislature is in a regular
38 session, meet as often as necessary to conduct the business of the
39 Youth Legislature and to advise the Legislature on proposed
40 legislation relating to the youth in this State.

41 (b) Form committees, which may meet as often as necessary to
42 assist with the business of the Youth Legislature.

43 (c) Conduct periodic seminars for its members regarding
44 leadership, government and the legislative process.



1 (d) Employ a person to provide administrative support for the
2 Youth Legislature or pay the costs incurred by one or more
3 volunteers to provide any required administrative support.

4 4. Except as otherwise provided in this subsection, the Youth
5 Legislature and its committees shall comply with the provisions of
6 chapter 241 of NRS. Any activities of the Youth Legislature which
7 are conducted solely for purposes of training, including, without
8 limitation, any orientation programs conducted for the Youth
9 Legislature, are not subject to the provisions of chapter 241 of NRS.

10 5. On or before May 30 of each year, the Youth Legislature
11 shall submit a written report to the Director of the Legislative
12 Counsel Bureau and to the Governor describing the activities of the
13 Youth Legislature during the immediately preceding school year
14 and any recommendations for legislation. The Director shall
15 transmit the written report to the ~~Legislative~~ *Joint Interim*
16 *Standing* Committee on Education and to the next regular session of
17 the Legislature.

18 **Sec. 28.** NRS 385.620 is hereby amended to read as follows:

19 385.620 The Advisory Council shall:

20 1. Review the policy of parental involvement adopted by the
21 State Board and the policy of parental involvement adopted by the
22 board of trustees of each school district pursuant to NRS 392.457;

23 2. Review the information relating to communication with and
24 participation of parents that is included in the annual report of
25 accountability for each school district pursuant to paragraph (j) of
26 subsection 2 of NRS 385.347;

27 3. Review any effective practices carried out in individual
28 school districts to increase parental involvement and determine the
29 feasibility of carrying out those practices on a statewide basis;

30 4. Review any effective practices carried out in other states to
31 increase parental involvement and determine the feasibility of
32 carrying out those practices in this State;

33 5. Identify methods to communicate effectively and provide
34 outreach to parents and legal guardians of pupils who have limited
35 time to become involved in the education of their children for
36 various reasons, including, without limitation, work schedules,
37 single-parent homes and other family obligations;

38 6. Identify the manner in which the level of parental
39 involvement affects the performance, attendance and discipline of
40 pupils;

41 7. Identify methods to communicate effectively with and
42 provide outreach to parents and legal guardians of pupils who are
43 limited English proficient;



1 8. Determine the necessity for the appointment of a statewide
2 parental involvement coordinator or a parental involvement
3 coordinator in each school district, or both;

4 9. On or before July 1 of each year, submit a report to the
5 ~~[Legislative]~~ *Joint Interim Standing* Committee on Education
6 describing the activities of the Advisory Council and any
7 recommendations for legislation; and

8 10. On or before February 1 of each odd-numbered year,
9 submit a report to the Director of the Legislative Counsel Bureau for
10 transmission to the next regular session of the Legislature describing
11 the activities of the Advisory Council and any recommendations for
12 legislation.

13 **Sec. 29.** NRS 386.760 is hereby amended to read as follows:

14 386.760 1. Each empowerment school, other than a charter
15 school that is sponsored by the State Board or by a college or
16 university within the Nevada System of Higher Education, shall, on
17 a quarterly basis, submit to the board of trustees of the school
18 district in which the school is located a report that includes:

19 (a) The financial status of the school; and

20 (b) A description of the school's compliance with each
21 component of the empowerment plan for the school.

22 2. Each charter school that is sponsored by the State Board or
23 by a college or university within the Nevada System of Higher
24 Education which is approved to operate as an empowerment school
25 shall, on a quarterly basis, submit to the Department a report that
26 includes:

27 (a) The financial status of the school; and

28 (b) A description of the school's compliance with each
29 component of the empowerment plan for the school.

30 3. The board of trustees of a school district shall conduct a
31 financial audit of each empowerment school within the school
32 district, other than a charter school that is sponsored by the State
33 Board or by a college or university within the Nevada System of
34 Higher Education. Each financial audit must be conducted on an
35 annual basis and more frequently if determined necessary by the
36 board of trustees.

37 4. The Department shall conduct a financial audit of each
38 charter school that is sponsored by the State Board or by a college or
39 university within the Nevada System of Higher Education which
40 operates as an empowerment school on an annual basis and more
41 frequently if determined necessary by the Department.

42 5. On or before July 1 of each year, the board of trustees of
43 each school district shall compile the reports and audits required
44 pursuant to subsections 1 and 3, if any, and forward the compilation
45 to the:



- 1 (a) Governor;
- 2 (b) Department; and
- 3 (c) ~~[Legislative]~~ *Joint Interim Standing* Committee on
- 4 Education.

5 6. On or before July 1 of each year, the Department shall
6 compile the reports and audits required pursuant to subsections 2
7 and 4, if any, and forward the compilation to the:

- 8 (a) Governor; and
- 9 (b) ~~[Legislative]~~ *Joint Interim Standing* Committee on
- 10 Education.

11 **Sec. 30.** NRS 387.304 is hereby amended to read as follows:
12 387.304 The Department shall:

13 1. Conduct an annual audit of the count of pupils for
14 apportionment purposes reported by each school district pursuant to
15 NRS 387.123 and the data reported by each school district pursuant
16 to NRS 388.710 that is used to measure the effectiveness of the
17 implementation of a plan developed by each school district to
18 reduce the pupil-teacher ratio as required by NRS 388.720.

19 2. Review each school district's report of the annual audit
20 conducted by a public accountant as required by NRS 354.624, and
21 the annual report prepared by each district as required by NRS
22 387.303, and report the findings of the review to the State Board and
23 the ~~[Legislative]~~ *Joint Interim Standing* Committee on Education,
24 with any recommendations for legislation, revisions to regulations
25 or training needed by school district employees. The report by the
26 Department must identify school districts which failed to comply
27 with any statutes or administrative regulations of this State or which
28 had any:

- 29 (a) Long-term obligations in excess of the general obligation
- 30 debt limit;
- 31 (b) Deficit fund balances or retained earnings in any fund;
- 32 (c) Deficit cash balances in any fund;
- 33 (d) Variances of more than 10 percent between total general
- 34 fund revenues and budgeted general fund revenues; or
- 35 (e) Variances of more than 10 percent between total actual
- 36 general fund expenditures and budgeted total general fund
- 37 expenditures.

38 3. In preparing its biennial budgetary request for the State
39 Distributive School Account, consult with the superintendent of
40 schools of each school district or a person designated by the
41 superintendent.

42 4. Provide, in consultation with the Budget Division of the
43 Department of Administration and the Fiscal Analysis Division of
44 the Legislative Counsel Bureau, training to the financial officers of
45 school districts in matters relating to financial accountability.



1 **Sec. 31.** NRS 387.639 is hereby amended to read as follows:

2 387.639 1. If the board of trustees of a school district adopts
3 a plan for corrective action, the board of trustees of the school
4 district shall prepare, on or before February 1:

5 (a) A written progress report for submission, in the even-
6 numbered year after the plan is adopted, to the State Board, the
7 ~~Legislative~~ *Joint Interim Standing* Committee on Education and
8 the Legislative Auditor.

9 (b) A final written report for submission, in the odd-numbered
10 year after the plan is adopted, to the State Board, the Legislative
11 Auditor and the Director of the Legislative Counsel Bureau for
12 transmission to the Legislature.

13 2. The written progress report and the final written report must
14 indicate the extent to which the plan has been carried out, the extent
15 to which the plan has not been carried out and the reasons for any
16 failure to carry out the plan.

17 3. Upon receipt of the final written report of the school district,
18 the Legislative Auditor shall:

19 (a) Review the report and the plan for corrective action;

20 (b) Determine whether the school district successfully carried
21 out the plan for corrective action and complies with the management
22 principles for each of the areas set forth in subsection 2 of NRS
23 387.622; and

24 (c) Submit a written report of the determination of the Auditor
25 to the Legislature, including a recommendation whether the school
26 district should be granted an exemption from its next 6-year review.

27 4. The Legislature or a standing committee of the Legislature
28 may:

29 (a) Review the reports submitted pursuant to this section and the
30 written determination of the Legislative Auditor; and

31 (b) Conduct hearings to examine any justification for the failure
32 of a school district to carry out successfully the management
33 principles or to fully carry out the plan for corrective action.

34 5. The Legislature may, by concurrent resolution, determine
35 that the school district complies with the management principles and
36 grant an exemption to the school district from its next 6-year review.
37 If a school district is exempt pursuant to this subsection, the
38 exemption is valid for only one review and the school district must
39 undergo a review at least once every 12 years.

40 **Sec. 32.** NRS 387.644 is hereby amended to read as follows:

41 387.644 1. If a school district is granted an exemption
42 pursuant to NRS 387.631 or 387.639, the board of trustees of the
43 school district shall provide written notice for each year that the
44 exemption applies which includes:



1 (a) A determination of whether the school district continues to
2 carry out the management principles; and

3 (b) Any changes in the policies or operations of the school
4 district or any other circumstances occurring in the school district
5 that do not conform to the management principles.

6 2. The written notice must be submitted on or before January 1
7 to:

8 (a) In even-numbered years, the State Board, the ~~Legislative~~
9 *Joint Interim Standing* Committee on Education and the
10 Legislative Auditor.

11 (b) In odd-numbered years, the State Board, the Legislative
12 Auditor and the Director of the Legislative Counsel Bureau for
13 transmission to the Legislature.

14 **Sec. 33.** NRS 388.5317 is hereby amended to read as follows:

15 388.5317 1. The board of trustees of each school district
16 shall, on or before August 1 of each year, prepare a report in the
17 form prescribed by the Department that includes, without limitation,
18 for each school within the school district:

19 (a) The number of instances in which physical restraint was used
20 at the school during the immediately preceding school year, which
21 must indicate the number of instances per teacher employed at the
22 school and per pupil enrolled at the school without disclosing
23 personally identifiable information about the teacher or the pupil;

24 (b) The number of instances in which mechanical restraint was
25 used at the school during the immediately preceding school year,
26 which must indicate the number of instances per teacher employed
27 at the school and per pupil enrolled at the school without disclosing
28 personally identifiable information about the teacher or the pupil;
29 and

30 (c) The number of violations of NRS 388.521 to 388.5317,
31 inclusive, by type of violation, which must indicate the number of
32 violations per teacher employed at the school and per pupil enrolled
33 at the school without disclosing personally identifiable information
34 about the teacher or the pupil.

35 2. The board of trustees of each school district shall prescribe a
36 form for each school within the school district to report the
37 information set forth in subsection 1 to the school district and the
38 time by which those reports must be submitted to the school district.

39 3. On or before August 15 of each year, the board of trustees of
40 each school district shall submit to the Department the written report
41 prepared by the board of trustees pursuant to subsection 1.

42 4. The Department shall compile the data received by each
43 school district pursuant to subsection 3 and prepare a written report
44 of the compilation, disaggregated by school district. On or before



1 October 1 of each year, the Department shall submit the written
2 compilation:

3 (a) In even-numbered years, to the Director of the Legislative
4 Counsel Bureau for transmission to the next regular session of the
5 Legislature.

6 (b) In odd-numbered years, to the ~~[Legislative]~~ *Joint Interim*
7 *Standing* Committee on Education.

8 5. If a particular item in a report required pursuant to this
9 section would reveal personally identifiable information about an
10 individual pupil or teacher, that item must not be included in the
11 report.

12 **Sec. 34.** NRS 388.787 is hereby amended to read as follows:

13 388.787 "Committee" means the ~~[Legislative]~~ *Joint Interim*
14 *Standing* Committee on Education created pursuant to ~~[NRS~~
15 ~~218E.605.]~~ *section 5 of this act.*

16 **Sec. 35.** NRS 388.795 is hereby amended to read as follows:

17 388.795 1. The Commission shall establish a plan for the use
18 of educational technology in the public schools of this State. In
19 preparing the plan, the Commission shall consider:

20 (a) Plans that have been adopted by the Department and the
21 school districts in this State;

22 (b) Plans that have been adopted in other states;

23 (c) The information reported pursuant to paragraph (t) of
24 subsection 2 of NRS 385.347;

25 (d) The results of the assessment of needs conducted pursuant to
26 subsection 6; and

27 (e) Any other information that the Commission or the
28 Committee deems relevant to the preparation of the plan.

29 2. The plan established by the Commission must include
30 recommendations for methods to:

31 (a) Incorporate educational technology into the public schools of
32 this State;

33 (b) Increase the number of pupils in the public schools of this
34 State who have access to educational technology;

35 (c) Increase the availability of educational technology to assist
36 licensed teachers and other educational personnel in complying with
37 the requirements of continuing education, including, without
38 limitation, the receipt of credit for college courses completed
39 through the use of educational technology;

40 (d) Facilitate the exchange of ideas to improve the achievement
41 of pupils who are enrolled in the public schools of this State; and

42 (e) Address the needs of teachers in incorporating the use of
43 educational technology in the classroom, including, without
44 limitation, the completion of training that is sufficient to enable the
45 teachers to instruct pupils in the use of educational technology.



- 1 3. The Department shall provide:
2 (a) Administrative support;
3 (b) Equipment; and
4 (c) Office space,
5 ↪ as is necessary for the Commission to carry out the provisions of
6 this section.
7 4. The following entities shall cooperate with the Commission
8 in carrying out the provisions of this section:
9 (a) The State Board.
10 (b) The board of trustees of each school district.
11 (c) The superintendent of schools of each school district.
12 (d) The Department.
13 5. The Commission shall:
14 (a) Develop technical standards for educational technology and
15 any electrical or structural appurtenances necessary thereto,
16 including, without limitation, uniform specifications for computer
17 hardware and wiring, to ensure that such technology is compatible,
18 uniform and can be interconnected throughout the public schools of
19 this State.
20 (b) Allocate money to the school districts from the Trust Fund
21 for Educational Technology created pursuant to NRS 388.800 and
22 any money appropriated by the Legislature for educational
23 technology, subject to any priorities for such allocation established
24 by the Legislature.
25 (c) Establish criteria for the board of trustees of a school district
26 that receives an allocation of money from the Commission to:
27 (1) Repair, replace and maintain computer systems.
28 (2) Upgrade and improve computer hardware and software
29 and other educational technology.
30 (3) Provide training, installation and technical support related
31 to the use of educational technology within the district.
32 (d) Submit to the Governor, the Committee and the Department
33 its plan for the use of educational technology in the public schools
34 of this State and any recommendations for legislation.
35 (e) Review the plan annually and make revisions as it deems
36 necessary or as directed by the Committee or the Department.
37 (f) In addition to the recommendations set forth in the plan
38 pursuant to subsection 2, make further recommendations to the
39 Committee and the Department as the Commission deems
40 necessary.
41 6. During the spring semester of each even-numbered school
42 year, the Commission shall conduct an assessment of the needs of
43 each school district relating to educational technology. In
44 conducting the assessment, the Commission shall consider:



1 (a) The recommendations set forth in the plan pursuant to
2 subsection 2;

3 (b) The plan for educational technology of each school district,
4 if applicable;

5 (c) Evaluations of educational technology conducted for the
6 State or for a school district, if applicable; and

7 (d) Any other information deemed relevant by the Commission.

8 ➔ The Commission shall submit a final written report of the
9 assessment to the Superintendent of Public Instruction on or before
10 April 1 of each even-numbered year.

11 7. The Superintendent of Public Instruction shall prepare a
12 written compilation of the results of the assessment conducted by
13 the Commission and transmit the written compilation on or before
14 June 1 of each even-numbered year to the ~~Legislative~~ *Joint*
15 *Interim Standing* Committee on Education and to the Director of
16 the Legislative Counsel Bureau for transmission to the next regular
17 session of the Legislature.

18 8. The Commission may appoint an advisory committee
19 composed of members of the Commission or other qualified persons
20 to provide recommendations to the Commission regarding standards
21 for the establishment, coordination and use of a telecommunications
22 network in the public schools throughout the various school districts
23 in this State. The advisory committee serves at the pleasure of the
24 Commission and without compensation unless an appropriation or
25 other money for that purpose is provided by the Legislature.

26 9. As used in this section, "public school" includes the Caliente
27 Youth Center, the Nevada Youth Training Center and any other
28 state facility for the detention of children that is operated pursuant to
29 title 5 of NRS.

30 **Sec. 36.** NRS 389.006 is hereby amended to read as follows:

31 389.006 1. In addition to any other test, examination or
32 assessment required by state or federal law, the board of trustees of
33 each school district may require the administration of district-wide
34 tests, examinations and assessments that the board of trustees
35 determines are vital to measure the achievement and progress of
36 pupils. In making this determination, the board of trustees shall
37 consider any applicable findings and recommendations of the
38 ~~Legislative~~ *Joint Interim Standing* Committee on Education.

39 2. The tests, examinations and assessments required pursuant
40 to subsection 1 must be limited to those which can be demonstrated
41 to provide a direct benefit to pupils or which are used by teachers to
42 improve instruction and the achievement of pupils.

43 3. The board of trustees of each school district and the State
44 Board shall periodically review the tests, examinations and
45 assessments administered to pupils to ensure that the time taken



1 from instruction to conduct a test, examination or assessment is
2 warranted because it is still accomplishing its original purpose.

3 **Sec. 37.** NRS 389.012 is hereby amended to read as follows:

4 389.012 1. The State Board shall:

5 (a) In accordance with guidelines established by the National
6 Assessment Governing Board and National Center for Education
7 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the
8 regulations adopted pursuant thereto, adopt regulations requiring the
9 schools of this State that are selected by the National Assessment
10 Governing Board or the National Center for Education Statistics to
11 participate in the examinations of the National Assessment of
12 Educational Progress.

13 (b) Report the results of those examinations to the:

14 (1) Governor;

15 (2) Board of trustees of each school district of this State;

16 (3) ~~Legislative~~ *Joint Interim Standing* Committee on
17 Education created pursuant to ~~NRS 218E.605;~~ *section 5 of this*
18 *act*; and

19 (4) Legislative Bureau of Educational Accountability and
20 Program Evaluation created pursuant to NRS 218E.625.

21 (c) Include in the report required pursuant to paragraph (b) an
22 analysis and comparison of the results of pupils in this State on the
23 examinations required by this section with:

24 (1) The results of pupils throughout this country who
25 participated in the examinations of the National Assessment of
26 Educational Progress; and

27 (2) The results of pupils on the achievement and proficiency
28 examinations administered pursuant to this chapter.

29 2. If the report required by subsection 1 indicates that the
30 percentage of pupils enrolled in the public schools in this State who
31 are proficient on the National Assessment of Educational Progress
32 differs by more than 10 percent of the pupils who are proficient on
33 the examinations administered pursuant to NRS 389.550 and the
34 high school proficiency examination administered pursuant to NRS
35 389.015, the Department shall prepare a written report describing
36 the discrepancy. The report must include, without limitation, a
37 comparison and evaluation of:

38 (a) The standards of content and performance for English and
39 mathematics established pursuant to NRS 389.520 with the
40 standards for English and mathematics that are tested on the
41 National Assessment.

42 (b) The standards for proficiency established for the National
43 Assessment with the standards for proficiency established for the
44 examinations that are administered pursuant to NRS 389.550 and



1 the high school proficiency examination administered pursuant to
2 NRS 389.015.

3 3. The report prepared by the Department pursuant to
4 subsection 2 must be submitted to the:

5 (a) Governor;

6 (b) ~~Legislative~~ *Joint Interim Standing* Committee on
7 Education;

8 (c) Legislative Bureau of Educational Accountability and
9 Program Evaluation; and

10 (d) Council to Establish Academic Standards for Public Schools.

11 4. The Council to Establish Academic Standards for Public
12 Schools shall review and evaluate the report provided to the Council
13 pursuant to subsection 3 to identify any discrepancies in the
14 standards of content and performance established by the Council
15 that require revision and a timeline for carrying out the revision, if
16 necessary. The Council shall submit a written report of its review
17 and evaluation to the ~~Legislative~~ *Joint Interim Standing*
18 Committee on Education and Legislative Bureau of Educational
19 Accountability and Program Evaluation.

20 **Sec. 38.** NRS 389.570 is hereby amended to read as follows:

21 389.570 1. The Council shall review the results of pupils on
22 the examinations administered pursuant to NRS 389.550, including,
23 without limitation, for each school in a school district and each
24 charter school that is located within a school district, a review of the
25 results for the current school year and a comparison of the progress,
26 if any, made by the pupils enrolled in the school from preceding
27 school years.

28 2. After the completion of the review pursuant to subsection 1,
29 the Council shall evaluate:

30 (a) Whether the standards of content and performance
31 established by the Council require revision; and

32 (b) The success of pupils, as measured by the results of the
33 examinations, in achieving the standards of performance established
34 by the Council.

35 3. The Council shall report the results of the evaluation
36 conducted pursuant to subsection 2 to the State Board and the
37 ~~Legislative~~ *Joint Interim Standing* Committee on Education.

38 **Sec. 39.** NRS 389.616 is hereby amended to read as follows:

39 389.616 1. The Department shall, by regulation or otherwise,
40 adopt and enforce a plan setting forth procedures to ensure the
41 security of examinations that are administered to pupils pursuant to
42 NRS 389.015 and 389.550.

43 2. A plan adopted pursuant to subsection 1 must include,
44 without limitation:



1 (a) Procedures pursuant to which pupils, school officials and
2 other persons may, and are encouraged to, report irregularities in
3 testing administration and testing security.

4 (b) Procedures necessary to ensure the security of test materials
5 and the consistency of testing administration.

6 (c) Procedures that specifically set forth the action that must be
7 taken in response to a report of an irregularity in testing
8 administration or testing security and the actions that must be taken
9 during an investigation of such an irregularity. For each action that
10 is required, the procedures must identify:

11 (1) By category, the employees of the school district, charter
12 school or Department, or any combination thereof, who are
13 responsible for taking the action; and

14 (2) Whether the school district, charter school or
15 Department, or any combination thereof, is responsible for ensuring
16 that the action is carried out successfully.

17 (d) Objective criteria that set forth the conditions under which a
18 school, including, without limitation, a charter school or a school
19 district, or both, is required to file a plan for corrective action in
20 response to an irregularity in testing administration or testing
21 security for the purposes of NRS 389.636.

22 3. A copy of the plan adopted pursuant to this section and the
23 procedures set forth therein must be submitted on or before
24 September 1 of each year to:

25 (a) The State Board; and

26 (b) The ~~Legislative~~ *Joint Interim Standing* Committee on
27 Education, created pursuant to ~~NRS 218E.605~~ *section 5 of this*
28 *act.*

29 **Sec. 40.** NRS 389.620 is hereby amended to read as follows:

30 389.620 1. The board of trustees of each school district shall,
31 for each public school in the district, including, without limitation,
32 charter schools, adopt and enforce a plan setting forth procedures to
33 ensure the security of examinations.

34 2. A plan adopted pursuant to subsection 1 must include,
35 without limitation:

36 (a) Procedures pursuant to which pupils, school officials and
37 other persons may, and are encouraged to, report irregularities in
38 testing administration and testing security.

39 (b) Procedures necessary to ensure the security of test materials
40 and the consistency of testing administration.

41 (c) With respect to secondary schools, procedures pursuant to
42 which the school district or charter school, as appropriate, will
43 verify the identity of pupils taking an examination.

44 (d) Procedures that specifically set forth the action that must be
45 taken in response to a report of an irregularity in testing



1 administration or testing security and the action that must be taken
2 during an investigation of such an irregularity. For each action that
3 is required, the procedures must identify, by category, the
4 employees of the school district or charter school who are
5 responsible for taking the action and for ensuring that the action is
6 carried out successfully.

7 ↪ The procedures adopted pursuant to this subsection must be
8 consistent, to the extent applicable, with the procedures adopted by
9 the Department pursuant to NRS 389.616.

10 3. A copy of each plan adopted pursuant to this section and the
11 procedures set forth therein must be submitted on or before
12 September 1 of each year to:

13 (a) The State Board; and

14 (b) The ~~[Legislative]~~ *Joint Interim Standing* Committee on
15 Education, created pursuant to ~~[NRS 218E.605.]~~ *section 5 of this*
16 *act.*

17 4. On or before September 30 of each school year, the board of
18 trustees of each school district and the governing body of each
19 charter school shall provide a written notice regarding the
20 examinations to all teachers and educational personnel employed by
21 the school district or governing body, all personnel employed by the
22 school district or governing body who are involved in the
23 administration of the examinations, all pupils who are required to
24 take the examinations and all parents and legal guardians of such
25 pupils. The written notice must be prepared in a format that is easily
26 understood and must include, without limitation, a description of
27 the:

28 (a) Plan adopted pursuant to this section; and

29 (b) Action that may be taken against personnel and pupils for
30 violations of the plan or for other irregularities in testing
31 administration or testing security.

32 5. As used in this section:

33 (a) "Examination" means:

34 (1) Achievement and proficiency examinations that are
35 administered to pupils pursuant to NRS 389.015 or 389.550; and

36 (2) Any other examinations which measure the achievement
37 and proficiency of pupils and which are administered to pupils on a
38 district-wide basis.

39 (b) "Irregularity in testing administration" means the failure to
40 administer an examination in the manner intended by the person or
41 entity that created the examination.

42 (c) "Irregularity in testing security" means an act or omission
43 that tends to corrupt or impair the security of an examination,
44 including, without limitation:



1 (1) The failure to comply with security procedures adopted
2 pursuant to this section or NRS 389.616;

3 (2) The disclosure of questions or answers to questions on an
4 examination in a manner not otherwise approved by law; and

5 (3) Other breaches in the security or confidentiality of the
6 questions or answers to questions on an examination.

7 **Sec. 41.** NRS 389.648 is hereby amended to read as follows:

8 389.648 1. The Department shall establish procedures for the
9 uniform documentation and maintenance by the Department of
10 irregularities in testing administration and testing security reported
11 to the Department pursuant to NRS 389.628 and investigations of
12 such irregularities conducted by the Department pursuant to NRS
13 389.624. The procedures must include, without limitation:

14 (a) A method for assigning a unique identification number to
15 each incident of irregularity; and

16 (b) A method to ensure that the status of an irregularity is
17 readily accessible by the Department.

18 2. In accordance with the procedures established pursuant to
19 subsection 1, the Department shall prepare and maintain for each
20 irregularity in testing administration and each irregularity in testing
21 security, a written summary accompanying the report of the
22 irregularity. The written summary must include, without limitation:

23 (a) An evaluation of whether the procedures prescribed by the
24 Department pursuant to paragraph (c) of subsection 2 of NRS
25 389.616 were followed in response to the irregularity;

26 (b) The corrective action, if any, taken in response to the
27 irregularity pursuant to NRS 389.636;

28 (c) An evaluation of whether the corrective action achieved the
29 desired result; and

30 (d) The current status and the outcome, if any, of an
31 investigation related to the irregularity.

32 3. The Department shall prepare a written report that includes
33 for each school year:

34 (a) A summary of each irregularity in testing administration and
35 testing security reported to the Department pursuant to NRS
36 389.628 and each investigation conducted pursuant to NRS 389.624.

37 (b) A summary for each school that was required to provide
38 additional administration of examinations pursuant to NRS 389.632.
39 The summary must include, without limitation:

40 (1) The identity of the school;

41 (2) The type of additional examinations that were
42 administered pursuant to NRS 389.632;

43 (3) The date on which those examinations were
44 administered;

45 (4) A comparison of the results of pupils on the:



1 (I) Examinations in which an additional irregularity
2 occurred in the second school year described in NRS 389.632; and

3 (II) Additional examinations administered pursuant to
4 NRS 389.632.

5 (c) Each written summary prepared by the Department pursuant
6 to subsection 2.

7 (d) The current status of each irregularity that was reported for a
8 preceding school year which had not been resolved at the time that
9 the preceding report was filed.

10 (e) The current status and the outcome, if any, of an
11 investigation conducted by the Department pursuant to
12 NRS 389.624.

13 (f) An analysis of the irregularities and recommendations, if
14 any, to improve the security of the examinations and the consistency
15 of testing administration.

16 4. On or before September 1 of each year, the Department shall
17 submit the report prepared pursuant to subsection 3 for the
18 immediately preceding school year to the ~~Legislative~~ *Joint*
19 *Interim Standing* Committee on Education created pursuant to
20 ~~NRS 218E.605~~ *section 5 of this act* and the State Board.

21 **Sec. 42.** NRS 391.166 is hereby amended to read as follows:

22 391.166 1. There is hereby created the Grant Fund for
23 Incentives for Licensed Educational Personnel to be administered by
24 the Department. The Department may accept gifts and grants from
25 any source for deposit in the Grant Fund.

26 2. The board of trustees of each school district shall establish a
27 program of incentive pay for licensed teachers, school
28 psychologists, school librarians, school counselors and
29 administrators employed at the school level which must be designed
30 to attract and retain those employees. The program must be
31 negotiated pursuant to chapter 288 of NRS and must include,
32 without limitation, the attraction and retention of:

33 (a) Licensed teachers, school psychologists, school librarians,
34 school counselors and administrators employed at the school level
35 who have been employed in that category of position for at least 5
36 years in this State or another state and who are employed in schools
37 which are at-risk, as determined by the Department pursuant to
38 subsection 8; and

39 (b) Teachers who hold an endorsement in the field of
40 mathematics, science, special education, English as a second
41 language or other area of need within the school district, as
42 determined by the Superintendent of Public Instruction.

43 3. A program of incentive pay established by a school district
44 must specify the type of financial incentives offered to the licensed
45 educational personnel. Money available for the program must not be



1 used to negotiate the salaries of individual employees who
2 participate in the program.

3 4. If the board of trustees of a school district wishes to receive
4 a grant of money from the Grant Fund, the board of trustees shall
5 submit to the Department an application on a form prescribed by the
6 Department. The application must include a description of the
7 program of incentive pay established by the school district.

8 5. The Superintendent of Public Instruction shall compile a list
9 of the financial incentives recommended by each school district that
10 submitted an application. On or before December 1 of each year, the
11 Superintendent shall submit the list to the Interim Finance
12 Committee for its approval of the recommended incentives.

13 6. After approval of the list of incentives by the Interim
14 Finance Committee pursuant to subsection 5 and within the limits of
15 money available in the Grant Fund, the Department shall provide
16 grants of money to each school district that submits an application
17 pursuant to subsection 4 based upon the amount of money that is
18 necessary to carry out each program. If an insufficient amount of
19 money is available to pay for each program submitted to the
20 Department, the amount of money available must be distributed pro
21 rata based upon the number of licensed employees who are
22 estimated to be eligible to participate in the program in each school
23 district that submitted an application.

24 7. An individual employee may not receive as a financial
25 incentive pursuant to a program an amount of money that is more
26 than \$3,500 per year.

27 8. The Department shall, in consultation with representatives
28 appointed by the Nevada Association of School Superintendents and
29 the Nevada Association of School Boards, develop a formula for
30 identifying at-risk schools for purposes of this section. The formula
31 must be developed on or before July 1 of each year and include,
32 without limitation, the following factors:

33 (a) The percentage of pupils who are eligible for free or
34 reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.;

35 (b) The transiency rate of pupils;

36 (c) The percentage of pupils who are limited English proficient;

37 (d) The percentage of pupils who have individualized education
38 programs;

39 (e) The percentage of pupils who score in the bottom two
40 quarters on the mathematics portion or the reading portion, or both,
41 of the high school proficiency examination; and

42 (f) The percentage of pupils who drop out of high school before
43 graduation.

44 9. The board of trustees of each school district that receives a
45 grant of money pursuant to this section shall evaluate the



1 effectiveness of the program for which the grant was awarded. The
2 evaluation must include, without limitation, an evaluation of
3 whether the program is effective in recruiting and retaining the
4 personnel as set forth in subsection 2. On or before December 1 of
5 each year, the board of trustees shall submit a report of its
6 evaluation to the:

- 7 (a) Governor;
- 8 (b) State Board;
- 9 (c) Interim Finance Committee;

10 (d) If the report is submitted in an even-numbered year, Director
11 of the Legislative Counsel Bureau for transmittal to the next regular
12 session of the Legislature; and

13 (e) ~~Legislative~~ *Joint Interim Standing* Committee on
14 Education.

15 **Sec. 43.** NRS 391.536 is hereby amended to read as follows:

16 391.536 1. On an annual basis, the governing body of each
17 regional training program shall review the budget for the program
18 and submit a proposed budget to the ~~Legislative~~ *Joint Interim*
19 *Standing* Committee on Education. The proposed budget must
20 include, without limitation, the amount of money requested by the
21 governing body to pay for the salary or other compensation of the
22 coordinator of the program hired pursuant to NRS 391.532. In even-
23 numbered years, the proposed budget must be submitted to the
24 ~~Legislative~~ *Joint Interim Standing* Committee on Education at
25 least 4 months before the commencement of the next regular session
26 of the Legislature.

27 2. The governing body of a regional training program may:

28 (a) Accept gifts and grants from any source to assist the
29 governing body in providing the training required by NRS 391.544.

30 (b) Comply with applicable federal laws and regulations
31 governing the provision of federal grants to assist with the training
32 provided pursuant to NRS 391.544, including, without limitation,
33 providing money from the budget of the governing body to match
34 the money received from a federal grant.

35 **Sec. 44.** NRS 391.552 is hereby amended to read as follows:

36 391.552 The governing body of each regional training program
37 shall:

38 1. Establish a method for the evaluation of the success of the
39 regional training program, including, without limitation, the Nevada
40 Early Literacy Intervention Program. The method must be consistent
41 with the uniform procedures adopted by the Statewide Council
42 pursuant to NRS 391.520.

43 2. On or before September 1 of each year, submit an annual
44 report to the State Board, the Commission, the ~~Legislative~~ *Joint*
45 *Interim Standing* Committee on Education and the Legislative



1 Bureau of Educational Accountability and Program Evaluation that
2 includes:

3 (a) The priorities for training adopted by the governing body
4 pursuant to NRS 391.540.

5 (b) The type of training offered through the program in the
6 immediately preceding year.

7 (c) The number of teachers and administrators who received
8 training through the program in the immediately preceding year.

9 (d) The number of paraprofessionals, if any, who received
10 training through the program in the immediately preceding year.

11 (e) An evaluation of the success of the program, including,
12 without limitation, the Nevada Early Literacy Intervention Program,
13 in accordance with the method established pursuant to subsection 1.

14 (f) A description of the gifts and grants, if any, received by the
15 governing body in the immediately preceding year and the gifts and
16 grants, if any, received by the Statewide Council during the
17 immediately preceding year on behalf of the regional training
18 program. The description must include the manner in which the gifts
19 and grants were expended.

20 (g) The 5-year plan for the program prepared pursuant to NRS
21 391.540 and any revisions to the plan made by the governing body
22 in the immediately preceding year.

23 **Sec. 45.** NRS 391.556 is hereby amended to read as follows:

24 391.556 The board of trustees of each school district shall
25 submit an annual report to the State Board, the Commission, the
26 ~~Legislative~~ *Joint Interim Standing* Committee on Education and
27 the Legislative Bureau of Educational Accountability and Program
28 Evaluation that includes for the immediately preceding year:

29 1. The number of teachers and administrators employed by the
30 school district who received training through the program; and

31 2. An evaluation of whether that training included the
32 standards of content and performance established by the Council to
33 Establish Academic Standards for Public Schools pursuant to
34 NRS 389.520.

35 **Sec. 46.** NRS 392.129 is hereby amended to read as follows:

36 392.129 1. The board of trustees of a school district located:

37 (a) In a county whose population is 100,000 or more shall
38 establish not less than one school attendance council within the
39 school district.

40 (b) In a county whose population is less than 100,000 may
41 establish a school attendance council within the school district.

42 2. A school attendance council established by the board of
43 trustees must consist of members whose professional
44 responsibilities relate to the prevention of truancy and the
45 enforcement of laws relating to truancy, which may include, without



1 limitation, a person in charge of monitoring attendance within the
2 school district or a school, a representative from an agency which
3 provides child welfare services, a representative from a law
4 enforcement agency and a representative of the district attorney.

5 3. A school attendance council shall:

6 (a) Assist in the implementation of a program to reduce the
7 truancy of pupils adopted by the advisory board to review school
8 attendance pursuant to NRS 392.128.

9 (b) Monitor each incident involving the truancy of a pupil within
10 the school district and document the efforts made by each school
11 and the school district to assist the pupil in attending school.

12 (c) Monitor excessive absences of pupils within the school
13 district and document the efforts made by each school and the
14 school district to assist pupils in attending school.

15 (d) Prepare an annual report which includes a compilation of the
16 disposition of incidences involving the truancy of pupils during the
17 immediately preceding school year. On or before August 1 of each
18 year the report must be submitted to the Department and the
19 ~~Legislative~~ *Joint Interim Standing* Committee on Education. The
20 annual report must not disclose the identity of an individual pupil.

21 (e) Receive and retain a report from a family resource center or
22 other provider of community services that assists pupils who are
23 truant. As used in this paragraph, "family resource center" has the
24 meaning ascribed to it in NRS 430A.040.

25 **Sec. 47.** NRS 392.4644 is hereby amended to read as follows:

26 392.4644 1. The principal of each public school shall
27 establish a plan to provide for the progressive discipline of pupils
28 and on-site review of disciplinary decisions. The plan must:

29 (a) Be developed with the input and participation of teachers and
30 other educational personnel and support personnel who are
31 employed at the school, and the parents and guardians of pupils who
32 are enrolled in the school.

33 (b) Be consistent with the written rules of behavior prescribed in
34 accordance with NRS 392.463.

35 (c) Include, without limitation, provisions designed to address
36 the specific disciplinary needs and concerns of the school.

37 (d) Provide for the temporary removal of a pupil from a
38 classroom in accordance with NRS 392.4645.

39 2. On or before October 1 of each year, the principal of each
40 public school shall:

41 (a) Review the plan in consultation with the teachers and other
42 educational personnel and support personnel who are employed at
43 the school;



1 (b) Based upon the review, make revisions to the plan, as
2 recommended by the teachers and other educational personnel and
3 support personnel, if necessary; and

4 (c) Post a copy of the plan or the revised plan, as applicable, in a
5 prominent place at the school for public inspection and otherwise
6 make the plan available for public inspection at the administrative
7 office of the school.

8 3. On or before October 1 of each year, the principal of each
9 public school shall submit a copy of the plan established pursuant to
10 subsection 1 or a revised plan, if applicable, to the superintendent of
11 schools of the school district. On or before November 1 of each
12 year, the superintendent of schools of each school district shall
13 submit a report to the board of trustees of the school district that
14 includes:

15 (a) A compilation of the plans submitted pursuant to this
16 subsection by each school within the school district.

17 (b) The name of each principal, if any, who has not complied
18 with the requirements of this section.

19 4. On or before November 30 of each year, the board of
20 trustees of each school district shall submit a written report to the
21 Superintendent of Public Instruction based upon the compilation
22 submitted pursuant to subsection 3 that reports the progress of each
23 school within the district in complying with the requirements of this
24 section.

25 5. On or before December 31 of each year, the Superintendent
26 of Public Instruction shall submit a written report to the Director of
27 the Legislative Counsel Bureau concerning the progress of the
28 schools and school districts throughout this state in complying with
29 this section. If the report is submitted during:

30 (a) An even-numbered year, the Director of the Legislative
31 Counsel Bureau shall transmit it to the next regular session of the
32 Legislature.

33 (b) An odd-numbered year, the Director of the Legislative
34 Counsel Bureau shall transmit it to the ~~[Legislative]~~ *Joint Interim*
35 *Standing* Committee on Education.

36 **Sec. 48.** NRS 394.379 is hereby amended to read as follows:

37 394.379 1. The administrative head of each private school
38 that provides instruction to pupils with disabilities shall, on or
39 before August 15 of each year, prepare a report that includes,
40 without limitation:

41 (a) The number of instances in which physical restraint was used
42 at the private school during the immediately preceding school year,
43 which must indicate the number of instances per teacher employed
44 at the private school and per pupil enrolled at the private school



1 without disclosing personally identifiable information about the
2 teacher or the pupil;

3 (b) The number of instances in which mechanical restraint was
4 used at the private school during the immediately preceding school
5 year, which must indicate the number of instances per teacher
6 employed at the private school and per pupil enrolled at the private
7 school without disclosing personally identifiable information about
8 the teacher or the pupil; and

9 (c) The number of violations of NRS 394.353 to 394.379,
10 inclusive, by type of violation, which must indicate the number of
11 violations per teacher employed at the private school and per pupil
12 enrolled at the private school.

13 2. On or before August 15 of each year, the administrative head
14 of each private school that provides instruction to pupils with
15 disabilities shall submit to the Department the report prepared
16 pursuant to subsection 1. The report must be in the form prescribed
17 by the Department.

18 3. The Department shall compile the data submitted by each
19 private school pursuant to subsection 2 and prepare a written report
20 of the compilation, disaggregated by each private school. On or
21 before October 1 of each year, the Department shall submit the
22 written compilation:

23 (a) In even-numbered years, to the Director of the Legislative
24 Counsel Bureau for transmission to the next regular session of the
25 Legislature.

26 (b) In odd-numbered years, to the ~~Legislative~~ *Joint Interim*
27 *Standing* Committee on Education.

28 4. If a particular item in a report required pursuant to this
29 section would reveal personally identifiable information about an
30 individual pupil or teacher, that item must not be included in the
31 report.

32 **Sec. 49.** NRS 400.045 is hereby amended to read as follows:

33 400.045 On or before June 30 of each year, the Council shall
34 submit a written report of its activities and any recommendations to
35 the:

- 36 1. Board of Regents of the University of Nevada;
- 37 2. State Board;
- 38 3. Director of the Legislative Counsel Bureau for transmittal to
39 the next regular session of the Legislature;
- 40 4. ~~Legislative~~ *Joint Interim Standing* Committee on
41 Education; and
- 42 5. Governor.

43 **Sec. 50.** NRS 422.2728 is hereby amended to read as follows:

44 422.2728 1. If the Federal Government approves a Medicaid
45 waiver which the Director applied for pursuant to NRS 422.2726,



1 the Director shall adopt regulations to implement the waiver and
2 establish a program in accordance with the waiver, which may
3 include, without limitation, regulations setting forth:

4 (a) Any amount of contribution that a person who receives any
5 benefit under the program is required to pay;

6 (b) Criteria for eligibility;

7 (c) The services covered by the program;

8 (d) Any limitation on the number of persons who may
9 participate in the program; and

10 (e) Any other regulations necessary to carry out the program.

11 2. The Director shall also adopt any necessary regulations to
12 ensure that an employer that provides health care insurance to an
13 employee does not discontinue or reduce the employer's
14 contribution toward such insurance as a result of any subsidy
15 authorized under the program established pursuant to this section.
16 Such regulations must include, without limitation, a requirement
17 that a person is not eligible for a subsidy unless the employer
18 contributes at least 50 percent toward the premium for insurance
19 provided by the employer.

20 3. The Director shall submit a quarterly report concerning
21 benefits provided by the program established pursuant to this section
22 to the Interim Finance Committee and the ~~Legislative Committee~~
23 ~~on Health Care.~~ *Joint Interim Standing Committee on Health and*
24 *Human Services.*

25 **Sec. 51.** NRS 439.630 is hereby amended to read as follows:

26 439.630 1. The Department shall:

27 (a) Conduct, or require the Grants Management Advisory
28 Committee created by NRS 232.383 to conduct, public hearings to
29 accept public testimony from a wide variety of sources and
30 perspectives regarding existing or proposed programs that:

31 (1) Promote public health;

32 (2) Improve health services for children, senior citizens and
33 persons with disabilities;

34 (3) Reduce or prevent the abuse of and addiction to alcohol
35 and drugs; and

36 (4) Offer other general or specific information on health care
37 in this State.

38 (b) Establish a process to evaluate the health and health needs of
39 the residents of this State and a system to rank the health problems
40 of the residents of this State, including, without limitation, the
41 specific health problems that are endemic to urban and rural
42 communities, and report the results of the evaluation to the
43 ~~Legislative Committee on Health Care~~ *Joint Interim Standing*
44 *Committee on Health and Human Services* on an annual basis.



1 (c) Allocate not more than 30 percent of available revenues for
2 direct expenditure by the Department to pay for prescription drugs,
3 pharmaceutical services and, to the extent money is available, other
4 benefits, including, without limitation, dental and vision benefits
5 and hearing aids or other devices that enhance the ability to hear, for
6 senior citizens pursuant to NRS 439.635 to 439.690, inclusive. From
7 the money allocated pursuant to this paragraph, the Department may
8 subsidize any portion of the cost of providing prescription drugs,
9 pharmaceutical services and, to the extent money is available, other
10 benefits, including, without limitation, dental and vision benefits
11 and hearing aids or other devices that enhance the ability to hear, to
12 senior citizens pursuant to NRS 439.635 to 439.690, inclusive. The
13 Department shall consider recommendations from the Grants
14 Management Advisory Committee in carrying out the provisions of
15 NRS 439.635 to 439.690, inclusive. The Department shall submit a
16 quarterly report to the Governor, the Interim Finance Committee,
17 the ~~Legislative Committee on Health Care~~ *Joint Interim Standing*
18 *Committee on Health and Human Services* and any other
19 committees or commissions the Director deems appropriate
20 regarding the general manner in which expenditures have been made
21 pursuant to this paragraph.

22 (d) Allocate, by contract or grant, for expenditure not more than
23 30 percent of available revenues for allocation by the Aging and
24 Disability Services Division of the Department in the form of grants
25 for existing or new programs that assist senior citizens with
26 independent living, including, without limitation, programs that
27 provide:

- 28 (1) Respite care or relief of informal caretakers;
- 29 (2) Transportation to new or existing services to assist senior
30 citizens in living independently; and
- 31 (3) Care in the home which allows senior citizens to remain
32 at home instead of in institutional care.

33 ➤ The Aging and Disability Services Division of the Department
34 shall consider recommendations from the Grants Management
35 Advisory Committee concerning the independent living needs of
36 senior citizens.

37 (e) Allocate \$200,000 of all revenues deposited in the Fund for a
38 Healthy Nevada each year for direct expenditure by the Director to:

39 (1) Provide guaranteed funding to finance assisted living
40 facilities that satisfy the criteria for certification set forth in NRS
41 319.147; and

42 (2) Fund assisted living facilities that satisfy the criteria for
43 certification set forth in NRS 319.147 and assisted living supportive
44 services that are provided pursuant to the provisions of the home



1 and community-based services waiver which are amended pursuant
2 to NRS 422.2708.

3 ➔ The Director shall develop policies and procedures for
4 distributing the money allocated pursuant to this paragraph. Money
5 allocated pursuant to this paragraph does not revert to the Fund at
6 the end of the fiscal year.

7 (f) Allocate to the Health Division not more than 15 percent of
8 available revenues for programs that are consistent with the
9 guidelines established by the Centers for Disease Control and
10 Prevention of the United States Department of Health and Human
11 Services relating to evidence-based best practices to prevent, reduce
12 or treat the use of tobacco and the consequences of the use of
13 tobacco. In making allocations pursuant to this paragraph, the
14 Health Division shall allocate the money, by contract or grant:

15 (1) To the district board of health in each county whose
16 population is 100,000 or more for expenditure for such programs in
17 the respective county;

18 (2) For such programs in counties whose population is less
19 than 100,000; and

20 (3) For statewide programs for tobacco cessation and other
21 statewide services for tobacco cessation and for statewide
22 evaluations of programs which receive an allocation of money
23 pursuant to this paragraph, as determined necessary by the Health
24 Division and the district boards of health.

25 (g) Allocate, by contract or grant, for expenditure not more than
26 10 percent of available revenues for programs that improve health
27 services for children.

28 (h) Allocate, by contract or grant, for expenditure not more than
29 10 percent of available revenues for programs that improve the
30 health and well-being of persons with disabilities. In making
31 allocations pursuant to this paragraph, the Department shall, to the
32 extent practicable, allocate the money evenly among the following
33 three types of programs:

34 (1) Programs that provide respite care or relief of informal
35 caretakers for persons with disabilities;

36 (2) Programs that provide positive behavioral supports to
37 persons with disabilities; and

38 (3) Programs that assist persons with disabilities to live
39 safely and independently in their communities outside of an
40 institutional setting.

41 (i) Allocate not more than 5 percent of available revenues for
42 direct expenditure by the Department to subsidize any portion of the
43 cost of providing prescription drugs, pharmaceutical services and, to
44 the extent money is available, other benefits, including, without
45 limitation, dental and vision benefits and hearing aids or other



1 devices that enhance the ability to hear, to persons with disabilities
2 pursuant to NRS 439.705 to 439.795, inclusive. The Department
3 shall consider recommendations from the Grants Management
4 Advisory Committee in carrying out the provisions of NRS 439.705
5 to 439.795, inclusive.

6 (j) Maximize expenditures through local, federal and private
7 matching contributions.

8 (k) Ensure that any money expended from the Fund will not be
9 used to supplant existing methods of funding that are available to
10 public agencies.

11 (l) Develop policies and procedures for the administration and
12 distribution of contracts, grants and other expenditures to state
13 agencies, political subdivisions of this State, nonprofit
14 organizations, universities, state colleges and community colleges.
15 A condition of any such contract or grant must be that not more than
16 8 percent of the contract or grant may be used for administrative
17 expenses or other indirect costs. The procedures must require at
18 least one competitive round of requests for proposals per biennium.

19 (m) To make the allocations required by paragraphs (f), (g)
20 and (h):

- 21 (1) Prioritize and quantify the needs for these programs;
- 22 (2) Develop, solicit and accept applications for allocations;
- 23 (3) Review and consider the recommendations of the Grants

24 Management Advisory Committee submitted pursuant to
25 NRS 232.385;

26 (4) Conduct annual evaluations of programs to which
27 allocations have been awarded; and

28 (5) Submit annual reports concerning the programs to the
29 Governor, the Interim Finance Committee, the ~~Legislative~~
30 ~~Committee on Health Care~~ *Joint Interim Standing Committee on*
31 *Health and Human Services* and any other committees or
32 commissions the Director deems appropriate.

33 (n) Transmit a report of all findings, recommendations and
34 expenditures to the Governor, each regular session of the
35 Legislature, the ~~Legislative Committee on Health Care~~ *Joint*
36 *Interim Standing Committee on Health and Human Services* and
37 any other committees or commissions the Director deems
38 appropriate.

39 2. The Department may take such other actions as are
40 necessary to carry out its duties.

41 3. To make the allocations required by paragraph (d) of
42 subsection 1, the Aging and Disability Services Division of the
43 Department shall:

44 (a) Prioritize and quantify the needs of senior citizens for these
45 programs;



- 1 (b) Develop, solicit and accept grant applications for allocations;
- 2 (c) As appropriate, expand or augment existing state programs
- 3 for senior citizens upon approval of the Interim Finance Committee;
- 4 (d) Award grants, contracts or other allocations;
- 5 (e) Conduct annual evaluations of programs to which grants or
- 6 other allocations have been awarded; and
- 7 (f) Submit annual reports concerning the allocations made by
- 8 the Aging and Disability Services Division pursuant to paragraph
- 9 (d) of subsection 1 to the Governor, the Interim Finance Committee,
- 10 the ~~Legislative Committee on Health Care~~ *Joint Interim Standing*
- 11 *Committee on Health and Human Services* and any other
- 12 committees or commissions the Director deems appropriate.

13 4. The Aging and Disability Services Division of the

14 Department shall submit each proposed grant or contract which

15 would be used to expand or augment an existing state program to

16 the Interim Finance Committee for approval before the grant or

17 contract is awarded. The request for approval must include a

18 description of the proposed use of the money and the person or

19 entity that would be authorized to expend the money. The Aging

20 and Disability Services Division of the Department shall not expend

21 or transfer any money allocated to the Aging and Disability Services

22 Division pursuant to this section to subsidize any portion of the cost

23 of providing prescription drugs, pharmaceutical services and other

24 benefits, including, without limitation, dental and vision benefits

25 and hearing aids or other devices that enhance the ability to hear, to

26 senior citizens pursuant to NRS 439.635 to 439.690, inclusive, or to

27 subsidize any portion of the cost of providing prescription drugs,

28 pharmaceutical services and other benefits, including, without

29 limitation, dental and vision benefits and hearing aids or other

30 devices that enhance the ability to hear, to persons with disabilities

31 pursuant to NRS 439.705 to 439.795, inclusive.

32 5. A veteran may receive benefits or other services which are

33 available from the money allocated pursuant to this section for

34 senior citizens or persons with disabilities to the extent that the

35 veteran does not receive other benefits or services provided to

36 veterans for the same purpose if the veteran qualifies for the benefits

37 or services as a senior citizen or a person with a disability, or both.

38 6. As used in this section, "available revenues" means the total

39 revenues deposited in the Fund for a Healthy Nevada each year

40 minus \$200,000.

41 **Sec. 52.** NRS 439.970 is hereby amended to read as follows:

42 439.970 1. Except as otherwise provided in chapter 414 of

43 NRS, if a health authority identifies within its jurisdiction a public

44 health emergency or other health event that is an immediate threat to

45 the health and safety of the public in a health care facility or the



1 office of a provider of health care, the health authority shall
2 immediately transmit to the Governor a report of the immediate
3 threat.

4 2. Upon receiving a report pursuant to subsection 1, the
5 Governor shall determine whether a public health emergency or
6 other health event exists that requires a coordinated response for the
7 health and safety of the public. If the Governor determines that a
8 public health emergency or other health event exists that requires
9 such a coordinated response, the Governor shall issue an executive
10 order:

11 (a) Stating the nature of the public health emergency or other
12 health event;

13 (b) Stating the conditions that have brought about the public
14 health emergency or other health event, including, without
15 limitation, an identification of each health care facility or provider
16 of health care, if any, related to the public health emergency or other
17 health event;

18 (c) Stating the estimated duration of the immediate threat to the
19 health and safety of the public; and

20 (d) Designating an emergency team comprised of:

21 (1) The State Health Officer or a person appointed pursuant
22 to subsection 5, as applicable; and

23 (2) Representatives of state agencies, divisions, boards and
24 other entities, including, without limitation, professional licensing
25 boards, with authority by statute to govern or regulate the health
26 care facilities and providers of health care identified as being related
27 to the public health emergency or other health event pursuant to
28 paragraph (b).

29 3. If additional state agencies, divisions, boards or other
30 entities are identified during the course of the response to the public
31 health emergency or other health event as having authority
32 regarding a health care facility or provider of health care that is
33 related to the public health emergency or other health event, the
34 Governor shall direct that agency, division, board or entity to
35 appoint a representative to the emergency team.

36 4. The State Health Officer or a person appointed pursuant to
37 subsection 5, as applicable, is the chair of the emergency team.

38 5. If the State Health Officer has a conflict of interest relating
39 to a public health emergency or other health event or is otherwise
40 unable to carry out the duties prescribed pursuant to NRS 439.950 to
41 439.983, inclusive, the Director shall temporarily appoint a person
42 to carry out the duties of the State Health Officer prescribed in NRS
43 439.950 to 439.983, inclusive, until such time as the public health
44 emergency or other health event has been resolved or the State
45 Health Officer is able to resume those duties. The person appointed



1 by the Director must meet the requirements prescribed by subsection
2 1 of NRS 439.090.

3 6. The Governor shall immediately transmit the executive
4 order to:

5 (a) The Legislature or, if the Legislature is not in session, to the
6 Legislative Commission and the ~~Legislative Committee on Health~~
7 ~~Care;~~ *Joint Interim Standing Committee on Health and Human*
8 *Services;* and

9 (b) Any person or entity deemed necessary or advisable by the
10 Governor.

11 7. The Governor shall declare a public health emergency or
12 other health event terminated before the estimated duration stated in
13 the executive order upon a finding that the public health emergency
14 or other health event no longer poses an immediate threat to the
15 health and safety of the public. Upon such a finding, the Governor
16 shall notify each person and entity described in subsection 6.

17 8. If a public health emergency or other health event lasts
18 longer than the estimated duration stated in the executive order, the
19 Governor is not required to reissue an executive order, but shall
20 notify each person and entity identified in subsection 6.

21 9. The Attorney General shall provide legal counsel to the
22 emergency team.

23 **Sec. 53.** NRS 439.980 is hereby amended to read as follows:
24 439.980 The chair of the emergency team or a member of the
25 emergency team designated by the chair shall:

26 1. Provide information to the general public and ensure that the
27 public remains informed on the progress of the work of the
28 emergency team.

29 2. Act as the liaison between the emergency team and the
30 Governor, the Speaker of the Assembly, the Majority Leader of the
31 Senate, the Attorney General and any other officer, agency or
32 political subdivision of this State with an interest in the response to
33 and resolution of the public health emergency or other health event.

34 3. Provide to the Governor and the Legislature or, if the
35 Legislature is not in session, to the Legislative Commission and the
36 ~~Legislative Committee on Health Care;~~ *Joint Interim Standing*
37 *Committee on Health and Human Services;*

38 (a) During the course of an investigation of a public health
39 emergency or other health event, monthly updates, or more frequent
40 updates if requested, on the progress of the work of the emergency
41 team; and

42 (b) Upon the resolution of the issues involved in the public
43 health emergency or other health event, a report on the findings of
44 the emergency team and the action that was taken to resolve the



1 public health emergency or other health event and any consequences
2 thereof.

3 **Sec. 54.** NRS 439.983 is hereby amended to read as follows:

4 439.983 Upon the resolution of a public health emergency or
5 other health event, the emergency team shall:

6 1. Make recommendations to the State Board of Health and
7 local boards of health with respect to regulations or policies which
8 may be adopted to prevent public health emergencies and other
9 health events or to improve responses to public health emergencies
10 and other health events; and

11 2. Evaluate the response of each state agency, division, board
12 or other entity represented on the emergency team and make
13 recommendations to the Governor and the Legislature or, if the
14 Legislature is not in session, to the Legislative Commission and the
15 ~~Legislative Committee on Health Care~~ *Joint Interim Standing*
16 *Committee on Health and Human Services* with respect to actions
17 and measures that may be taken to improve such responses.

18 **Sec. 55.** NRS 439A.290 is hereby amended to read as follows:

19 439A.290 1. In carrying out the provisions of NRS 439A.200
20 to 439A.290, inclusive, the Department:

21 (a) Shall work in consultation with a quality improvement
22 organization of the Centers for Medicare and Medicaid Services of
23 the United States Department of Health and Human Services; and

24 (b) May contract with the Nevada System of Higher Education
25 or any appropriate, independent and qualified person or entity to
26 analyze the information collected and maintained by the Department
27 pursuant to NRS 439A.200 to 439A.290, inclusive. Such a
28 contractor may release or publish or otherwise use information made
29 available to it pursuant to the contract if the Department determines
30 that the information is accurate and the contractor complies with the
31 regulations adopted pursuant to subsection 2.

32 2. The Department shall adopt regulations for the review and
33 release of information collected and maintained by the Department
34 pursuant to NRS 439A.200 to 439A.290, inclusive. The regulations
35 must require, without limitation, the Department to review each
36 request for information if the request is for purposes other than
37 research.

38 3. The Department shall, on or before July 1 of each year,
39 submit to the ~~Legislative Committee on Health Care~~ *Joint Interim*
40 *Standing Committee on Health and Human Services* a report
41 concerning each request that is made pursuant to subsection 2 and
42 the determination of the Department with regard to each request.



1 **Sec. 56.** NRS 439B.040 is hereby amended to read as follows:
2 439B.040 “Committee” means the ~~Legislative Committee on~~
3 ~~Health Care.~~ *Joint Interim Standing Committee on Health and*
4 *Human Services.*

5 **Sec. 57.** NRS 449.242 is hereby amended to read as follows:
6 449.242 1. Each hospital located in a county whose
7 population is 100,000 or more and which is licensed to have more
8 than 70 beds shall establish a staffing committee to develop a
9 documented staffing plan as required pursuant to NRS 449.2421.
10 The staffing committee must consist of:

11 (a) Not less than one-half of the total members from the licensed
12 nursing staff who are providing direct patient care at the hospital;
13 and

14 (b) Not less than one-half of the total members appointed by the
15 administration of the hospital.

16 2. The staffing committee of a hospital shall meet at least
17 quarterly.

18 3. Each hospital that is required to establish a staffing
19 committee pursuant to this section shall prepare a written report
20 concerning the establishment of the staffing committee, the
21 activities and progress of the staffing committee and a determination
22 of the efficacy of the staffing committee. The hospital shall submit
23 the report on or before December 31 of each:

24 (a) Even-numbered year to the Director of the Legislative
25 Counsel Bureau for transmission to the next regular session of the
26 Legislature.

27 (b) Odd-numbered year to the ~~Legislative Committee on Health~~
28 ~~Care.~~ *Joint Interim Standing Committee on Health and Human*
29 *Services.*

30 **Sec. 58.** NRS 449.446 is hereby amended to read as follows:
31 449.446 1. The Health Division shall conduct annual and
32 unannounced on-site inspections of each office of a physician or a
33 facility that provides health care, other than a medical facility,
34 which holds a permit issued pursuant to NRS 449.443 and each
35 surgical center for ambulatory patients which holds a license issued
36 pursuant to this chapter.

37 2. An inspection conducted pursuant to this section must focus
38 on the infection control practices and policies of the surgical center
39 for ambulatory patients, the office or the facility that is the subject
40 of the inspection. The Health Division may, as it deems necessary,
41 conduct a more comprehensive inspection of a surgical center,
42 office or facility.

43 3. Upon completion of an inspection, the Health Division shall:

44 (a) Compile a report of the inspection, including each deficiency
45 discovered during the inspection, if any; and



1 (b) Forward a copy of the report to the surgical center for
2 ambulatory patients, the office of the physician or the facility where
3 the inspection was conducted.

4 4. If a deficiency is indicated in the report, the surgical center
5 for ambulatory patients, the office of the physician or the facility
6 shall correct each deficiency indicated in the report in the manner
7 prescribed by the Board pursuant to NRS 449.448.

8 5. The Health Division shall annually prepare and submit to the
9 ~~Legislative Committee on Health Care~~ *Joint Interim Standing*
10 *Committee on Health and Human Services* and the Legislative
11 Commission a report which includes:

12 (a) The number and frequency of inspections conducted
13 pursuant to this section;

14 (b) A summary of deficiencies or other significant problems
15 discovered while conducting inspections pursuant to this section and
16 the results of any follow-up inspections; and

17 (c) Any other information relating to the inspections as deemed
18 necessary by the ~~Legislative Committee on Health Care~~ *Joint*
19 *Interim Standing Committee on Health and Human Services* or
20 the Legislative Commission.

21 **Sec. 59.** NRS 449.465 is hereby amended to read as follows:

22 449.465 1. The Director may, by regulation, impose fees
23 upon admitted health insurers to cover the costs of carrying out the
24 provisions of NRS 449.450 to 449.530, inclusive. The maximum
25 amount of fees collected must not exceed the amount authorized by
26 the Legislature in each biennial budget.

27 2. The Director shall impose a fee of \$50 each year upon
28 admitted health insurers for the support of the ~~Legislative~~
29 ~~Committee on Health Care.~~ *Joint Interim Standing Committee on*
30 *Health and Human Services*. The fee imposed pursuant to this
31 subsection is in addition to any fee imposed pursuant to subsection
32 1. The fee collected for the support of the ~~Legislative Committee~~
33 ~~on Health Care~~ *Joint Interim Standing Committee on Health and*
34 *Human Services* must be deposited in the Legislative Fund.

35 **Sec. 60.** NRS 449.520 is hereby amended to read as follows:

36 449.520 1. On or before October 1 of each year, the Director
37 shall prepare and transmit to the Governor, the ~~Legislative~~
38 ~~Committee on Health Care~~ *Joint Interim Standing Committee on*
39 *Health and Human Services* and the Interim Finance Committee a
40 report of the Department's operations and activities for the
41 preceding fiscal year.

42 2. The report prepared pursuant to subsection 1 must include:

43 (a) Copies of all summaries, compilations and supplementary
44 reports required by NRS 449.450 to 449.530, inclusive, together



1 with such facts, suggestions and policy recommendations as the
2 Director deems necessary;

3 (b) A summary of the trends of the audits of hospitals in this
4 State that the Department required or performed during the previous
5 year;

6 (c) An analysis of the trends in the costs, expenses and profits of
7 hospitals in this State;

8 (d) An analysis of the corporate home office allocation
9 methodologies of hospitals in this State;

10 (e) An examination and analysis of the manner in which
11 hospitals are reporting the information that is required to be filed
12 pursuant to NRS 449.490, including, without limitation, an
13 examination and analysis of whether that information is being
14 reported in a standard and consistent manner, which fairly reflect the
15 operations of each hospital;

16 (f) A review and comparison of the policies and procedures used
17 by hospitals in this State to provide discounted services to, and to
18 reduce charges for services provided to, persons without health
19 insurance;

20 (g) A review and comparison of the policies and procedures
21 used by hospitals in this State to collect unpaid charges for services
22 provided by the hospitals; and

23 (h) A summary of the status of the programs established
24 pursuant to NRS 439A.220 and 439A.240 to increase public
25 awareness of health care information concerning the hospitals and
26 surgical centers for ambulatory patients in this State, including,
27 without limitation, the information that was posted in the preceding
28 fiscal year on the Internet website maintained for those programs
29 pursuant to NRS 439A.270.

30 3. The ~~[Legislative Committee on Health Care]~~ *Joint Interim*
31 *Standing Committee on Health and Human Services* shall develop
32 a comprehensive plan concerning the provision of health care in this
33 State which includes, without limitation:

34 (a) A review of the health care needs in this State as identified
35 by state agencies, local governments, providers of health care and
36 the general public; and

37 (b) A review of the capital improvement reports submitted by
38 hospitals pursuant to subsection 2 of NRS 449.490.

39 **Sec. 61.** NRS 450B.795 is hereby amended to read as follows:

40 450B.795 1. The State Board of Health shall collect data, in
41 accordance with the system that is developed by the Board pursuant
42 to subsection 5, concerning the waiting times for the provision of
43 emergency services and care to each person who is in need of such
44 services and care and who is transported to a hospital by a provider
45 of emergency medical services.



1 2. Each hospital and each provider of emergency medical
2 services in a county whose population is 400,000 or more shall
3 participate in the collection of data pursuant to this section by
4 collecting data, in accordance with the system that is developed by
5 the State Board of Health pursuant to subsection 5, concerning the
6 waiting times for the provision of emergency services and care to
7 each person who is in need of such services and care and who is
8 transported to a hospital by a provider of emergency medical
9 services.

10 3. Except as otherwise provided in subsection 4, the hospitals
11 and the providers of emergency medical services in a county whose
12 population is less than 400,000 are not required to participate in the
13 collection of data pursuant to this section unless the county health
14 officer, each hospital and each provider of emergency medical
15 services in the county agree in writing that the county will
16 participate in the collection of data. The county health officer shall
17 submit the written agreement to the State Board of Health.

18 4. If the State Board of Health determines, in a county whose
19 population is 100,000 or more but less than 400,000, that there are
20 excessive waiting times at one or more hospitals in the county for
21 the provision of emergency services and care to persons who are in
22 need of such services and care and who have been transported to the
23 hospital by a provider of emergency medical services, the State
24 Board of Health may require the county to implement a system of
25 collecting data pursuant to subsection 5 concerning the extent of
26 waiting times and the circumstances surrounding such waiting
27 times.

28 5. For the purpose of collecting data pursuant to this section,
29 the State Board of Health shall develop a system of collecting data
30 concerning the waiting times of persons for the provision of
31 emergency services and care at a hospital and the surrounding
32 circumstances for such waiting times each time a person is
33 transported to a hospital by a provider of emergency medical
34 services. The system must include, without limitation, an electronic
35 method of recording and collecting the following information:

36 (a) The time at which a person arrives at the hospital, which is
37 the time that the person is presented to the emergency room of the
38 hospital;

39 (b) The time at which the person is transferred to an appropriate
40 place in the hospital to receive emergency services and care, which
41 is the time that the person is physically present in the appropriate
42 place and the staff of the emergency room of the hospital have
43 received a report concerning the transfer of the person;

44 (c) If a person is not transferred to an appropriate place in the
45 hospital to receive emergency services and care within 30 minutes



1 after arriving at the hospital, information detailing the reason for
2 such delay, which may be selected from a predetermined list of
3 possible reasons that are available for selection in the electronic
4 system;

5 (d) A unique identifier that is assigned to each transfer of a
6 person to a hospital by a provider of emergency medical services
7 which allows the transfer to be identified and reviewed; and

8 (e) The names of the personnel of the provider of emergency
9 medical services who transported the person to the hospital and of
10 the personnel of the hospital who are responsible for the care of the
11 person after the person arrives at the hospital.

12 6. The State Board of Health shall ensure that:

13 (a) The data collected pursuant to subsection 5 is reported to the
14 Health Division on a quarterly basis;

15 (b) The data collected pursuant to subsection 5 is available to
16 any person or entity participating in the collection of data pursuant
17 to this section; and

18 (c) The system of collecting data developed pursuant to
19 subsection 5 and all other aspects of the collection comply with the
20 Health Insurance Portability and Accountability Act of 1996, Public
21 Law 104-191.

22 7. The State Board of Health shall appoint for each county in
23 which hospitals and providers of emergency medical services are
24 participating in the collection of data pursuant to this section an
25 advisory committee consisting of the health officer of the county, a
26 representative of each hospital in the county and a representative of
27 each provider of emergency medical services in the county. Each
28 member of the advisory committee serves without compensation
29 and is not entitled to receive a per diem allowance or travel
30 expenses for the member's service on the advisory committee. Each
31 advisory committee shall:

32 (a) Meet not less than once each calendar quarter;

33 (b) Review the data that is collected for the county and
34 submitted to the State Board of Health concerning the waiting times
35 for the provision of emergency services and care, the manner in
36 which such data was collected and any circumstances surrounding
37 such waiting times;

38 (c) Review each incident in which a person was transferred to an
39 appropriate place in a hospital to receive emergency services and
40 care more than 30 minutes after arriving at the hospital; and

41 (d) Submit a report of its findings to the State Board of Health.

42 8. The State Board of Health may delegate its duties set forth
43 in this section to:

44 (a) The district board of health in a county whose population is
45 400,000 or more.



1 (b) The county or district board of health in a county whose
2 population is less than 400,000.

3 9. The State Board of Health or any county or district board of
4 health that is performing the duties of the State Board of Health
5 pursuant to subsection 8 shall submit a quarterly report to the
6 ~~Legislative Committee on Health Care,~~ *Joint Interim Standing*
7 *Committee on Health and Human Services*, which must include a
8 written compilation of the data collected pursuant to this section.

9 10. The State Board of Health may require each hospital and
10 provider of emergency medical services located in a county that
11 participates in the collection of data pursuant to this section to share
12 in the expense of purchasing hardware, software, equipment and
13 other resources necessary to carry out the collection of data pursuant
14 to this section.

15 11. The State Board of Health shall adopt regulations to carry
16 out the provisions of this section, including, without limitation,
17 regulations prescribing the duties and responsibilities of each:

18 (a) County or district board of health that is performing the
19 duties of the State Board of Health pursuant to subsection 8;

20 (b) Hospital located in a county that participates in the collection
21 of data pursuant to this section; and

22 (c) Provider of emergency medical services located in a county
23 whose population is less than 400,000 that participates in the
24 collection of data pursuant to this section.

25 12. The district board of health in each county whose
26 population is 400,000 or more shall adopt regulations consistent
27 with subsection 11 for providers of emergency medical services
28 located in the county to carry out the provisions of this section.

29 13. The State Board of Health may, in consultation with each
30 hospital and provider of emergency medical services located in a
31 county that participates in the collection of data pursuant to this
32 section, submit a written request to the Director of the Legislative
33 Counsel Bureau for transmission to a regular session of the
34 Legislature for the repeal of this section. Such a written request
35 must include the justifications and reasons for requesting the
36 termination of the collection of data pursuant to this section.

37 14. As used in this section:

38 (a) "Emergency services and care" has the meaning ascribed to
39 it in NRS 439B.410.

40 (b) "Hospital" has the meaning ascribed to it in NRS 449.012.

41 (c) "Provider of emergency medical services" means each
42 operator of an ambulance and each fire-fighting agency which has a
43 permit to operate pursuant to this chapter and which provides
44 transportation for persons in need of emergency services and care to
45 hospitals.



1 **Sec. 62.** NRS 482.367004 is hereby amended to read as
2 follows:

3 482.367004 1. There is hereby created the Commission on
4 Special License Plates consisting of ~~five Legislators~~ *the Joint*
5 *Interim Standing Committee on Transportation* and three
6 nonvoting members. ~~as follows:~~

7 ~~—(a) Five Legislators appointed by the Legislative Commission:~~

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

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

22 ~~—(b) Three]~~

23 2. *The three* nonvoting members ~~[consisting of:~~

24 ~~—(1)] of the Commission consist of:~~

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

27 ~~[(2)]~~ (b) The Director of the Department of Public Safety, or
28 a designee of the Director.

29 ~~[(3)]~~ (c) The Director of the Department of Cultural Affairs,
30 or a designee of the Director.

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

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

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

40 5. The Commission shall approve or disapprove:

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

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



1 (c) Except as otherwise provided in subsection 6, applications
2 for the design, preparation and issuance of special license plates that
3 have been authorized by an act of the Legislature after January 1,
4 2007.

5 ➤ In determining whether to approve such an application or
6 issuance, the Commission shall consider, without limitation,
7 whether it would be appropriate and feasible for the Department to,
8 as applicable, design, prepare or issue the particular special license
9 plate. The Commission shall consider each application in the
10 chronological order in which the application was received by the
11 Department.

12 6. The provisions of paragraph (c) of subsection 5 do not apply
13 with regard to special license plates that are issued pursuant to
14 NRS 482.3785.

15 7. The Commission shall:

16 (a) Approve or disapprove any proposed change in the
17 distribution of money received in the form of additional fees. As
18 used in this paragraph, "additional fees" means the fees that are
19 charged in connection with the issuance or renewal of a special
20 license plate for the benefit of a particular cause, fund or charitable
21 organization. The term does not include registration and license fees
22 or governmental services taxes.

23 (b) If it approves a proposed change pursuant to paragraph (a)
24 and determines that legislation is required to carry out the change,
25 request the assistance of the Legislative Counsel in the preparation
26 of a bill draft to carry out the change.

27 **Sec. 63.** NRS 528.150 is hereby amended to read as follows:

28 528.150 1. On or before January 1 of each year, the State
29 Forester Firewarden shall, in coordination and cooperation with the
30 Tahoe Regional Planning Agency and the fire chiefs within the Lake
31 Tahoe Basin, submit a report concerning fire prevention and forest
32 health in the Nevada portion of the Lake Tahoe Basin to:

33 (a) ~~The Legislative Committee for the Review and Oversight of~~
34 ~~the Tahoe Regional Planning Agency and Marlette Lake Water~~
35 ~~System created by NRS 218E.555]~~ *Joint Interim Standing*
36 *Committee on Natural Resources, Agriculture and Mining* and to
37 the Director of the Legislative Counsel Bureau for transmittal to the
38 Legislature;

39 (b) The Governor;

40 (c) The Tahoe Regional Planning Agency; and

41 (d) Each United States Senator and Representative in Congress
42 who is elected to represent the State of Nevada.

43 2. The report submitted by the State Forester Firewarden
44 pursuant to subsection 1 must address, without limitation:

45 (a) The status of:



1 (1) The implementation of plans for the prevention of fires in
2 the Nevada portion of the Lake Tahoe Basin, including, without
3 limitation, plans relating to the reduction of fuel for fires;

4 (2) Efforts concerning forest restoration in the Nevada
5 portion of the Lake Tahoe Basin; and

6 (3) Efforts concerning rehabilitation of vegetation, if any, as
7 a result of fire in the Nevada portion of the Lake Tahoe Basin.

8 (b) Compliance with:

9 (1) The goals and policies for fire prevention and forest
10 health in the Nevada portion of the Lake Tahoe Basin; and

11 (2) Any recommendations concerning fire prevention or
12 public safety made by any fire department or fire protection district
13 in the Nevada portion of the Lake Tahoe Basin.

14 (c) Any efforts to:

15 (1) Increase public awareness in the Nevada portion of the
16 Lake Tahoe Basin regarding fire prevention and public safety; and

17 (2) Coordinate with other federal, state, local and private
18 entities with regard to projects to reduce fire hazards in the Nevada
19 portion of the Lake Tahoe Basin.

20 **Sec. 64.** NRS 176.0121, 176.0123, 176.0124, 176.01245,
21 176.0126, 218E.500, 218E.505, 218E.510, 218E.515, 218E.530,
22 218E.535, 218E.550, 218E.555, 218E.560, 218E.570, 218E.575,
23 218E.580, 218E.600, 218E.605, 218E.610, 218E.620, 218E.700,
24 218E.705, 218E.710, 218E.715, 218E.720, 218E.725, 218E.730,
25 218E.745, 218E.750, 218E.755, 218E.760, 218E.765, 218E.770,
26 439B.200, 439B.210, 439B.230, 439B.240 and 459.0085 are hereby
27 repealed.

28 **Sec. 65.** The initial Chairs and Vice Chairs of the Joint Interim
29 Standing Committees established pursuant to section 5 of this act
30 must be appointed as follows:

31 1. The Chairs of the following Committees must be appointed
32 from among the members of the Senate and the Vice Chairs must be
33 appointed from among the members of the Assembly serving on the
34 respective Committees:

35 (a) Commerce, Labor and Energy;

36 (b) Government Affairs;

37 (c) Judiciary;

38 (d) Revenue and Taxation; and

39 (e) Transportation.

40 2. The Chairs of the following Joint Interim Standing
41 Committees must be appointed from among the members of the
42 Assembly and the Vice Chairs must be appointed from among the
43 members of the Senate serving on the respective Committees:

44 (a) Education;

45 (b) Health and Human Services;



- 1 (c) Legislative Operations and Elections; and
2 (d) Natural Resources, Agriculture and Mining.
3 **Sec. 66.** 1. This section and sections 1 to 35, inclusive, and
4 37 to 65, inclusive, of this act become effective upon passage and
5 approval.
6 2. Section 36 of this act becomes effective on July 1, 2011.

LEADLINES OF REPEALED SECTIONS

- 176.0121** “Commission” defined.
176.0123 Creation; members and appointing authorities;
Chair; terms; vacancies; salaries and per diem; staff.
176.0124 Subcommittee on Juvenile Justice; creation;
Chair; members; duties; salaries and per diem.
176.01245 Subcommittee on Victims of Crime; creation,
Chair; members; duties; salaries and per diem.
176.0126 Subpoenas: Power to issue; compelling
performance.
218E.500 Legislative findings and declarations.
218E.505 “Committee” defined.
218E.510 Creation; membership; budget; officers; terms;
vacancies; alternates.
218E.515 Meetings; rules; quorum; compensation,
allowances and expenses of members.
218E.530 Administration of oaths; deposition of witnesses;
issuance and enforcement of subpoenas.
218E.535 Fees and mileage for witnesses.
218E.550 “Committee” defined.
218E.555 Creation; membership; budget; officers; terms;
vacancies; reports.
218E.560 Meetings; rules; quorum; compensation,
allowances and expenses of members.
218E.570 General powers.
218E.575 Administration of oaths; deposition of witnesses;
issuance and enforcement of subpoenas.
218E.580 Fees and mileage for witnesses.
218E.600 “Committee” defined.
218E.605 Creation; membership; budget; officers; terms;
vacancies.
218E.610 Meetings; quorum; compensation, allowances
and expenses of members.



- 218E.620 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.
- 218E.700 "Committee" defined.
- 218E.705 Creation; membership; budget; officers; terms; vacancies.
- 218E.710 Meetings; quorum; compensation, allowances and expenses of members.
- 218E.715 General duties.
- 218E.720 General powers.
- 218E.725 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.
- 218E.730 Fees and mileage for witnesses.
- 218E.745 "Committee" defined.
- 218E.750 Creation; membership; budget; officers; terms; vacancies.
- 218E.755 Meetings; quorum; compensation, allowances and expenses of members.
- 218E.760 General powers.
- 218E.765 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.
- 218E.770 Fees and mileage for witnesses.
- 439B.200 Creation; appointment of and restrictions on members; officers; terms of members; vacancies; annual reports.
- 439B.210 Meetings; quorum; compensation.
- 439B.230 Investigations and hearings: Depositions; subpoenas.
- 439B.240 Investigations and hearings: Fees and mileage for witnesses.
- 459.0085 Creation; membership; duties; compensation and expenses of members.

