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ASSEMBLY BILL NO. 325—ASSEMBLYWOMAN COHEN

MARCH 20, 2017

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Creates the Task Force on the Modernization of State Government. (BDR 19-953)

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

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

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AN ACT relating to State Government; creating the Task Force on the Modernization of State Government; establishing the powers and duties of the Task Force; providing, under certain circumstances, for the dissolution of the Task Force; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 This bill creates the Task Force on the Modernization of State Government,  
2 made up of two members of the Assembly, two Senators, one appointee each of the  
3 Governor and the Nevada Supreme Court, and three appointees of the Chair of the  
4 Legislative Commission who are members of the general public. The Task Force  
5 must name subcommittees to review the Executive, Judicial and Legislative  
6 Branches of the State Government and the Nevada System of Higher Education.  
7 Each subcommittee must review the structures and procedures of the relevant  
8 Branch or System and make recommendations to improve such structures and  
9 procedures in order to improve efficiency, eliminating duplication, reducing costs,  
10 expanding access and communication, safeguarding information and increasing  
11 accountability.

12 The Task Force must meet for the first time on or before August 31, 2017, and  
13 must meet monthly thereafter. At least twice each year, the Task Force must  
14 prepare and submit a report on its activities to the Governor, the Nevada Supreme  
15 Court and the Legislature. The Task Force may request the drafting of, and may  
16 file, not more than three legislative measures for each regular legislative session.  
17 The Task Force may dissolve itself by a unanimous vote on or after September 1,  
18 2018. The provisions of this bill expire by limitation on June 30, 2021.

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

1       **Section 1.** Title 19 of NRS is hereby amended by adding  
2 thereto a new chapter to consist of the provisions set forth as  
3 sections 2 to 13, inclusive, of this act.

4       **Sec. 2.** *As used in sections 2 to 13, inclusive, of this act,*  
5 *“Task Force” means the Task Force on the Modernization of*  
6 *State Government created by section 3 of this act.*

7       **Sec. 3. 1.** *The Task Force on the Modernization of State*  
8 *Government is hereby created.*

9       **2.** *The Task Force consists of:*

10       **(a)** *Two members who are members of the Assembly, one of*  
11 *whom is appointed by the Speaker of the Assembly and one of*  
12 *whom is appointed by the Minority Leader of the Assembly;*

13       **(b)** *Two members who are Senators, one of whom is appointed*  
14 *by the Majority Leader of the Senate and one of whom is*  
15 *appointed by the Minority Leader of the Senate;*

16       **(c)** *One member who is appointed by the Governor;*

17       **(d)** *One member who is appointed by the Nevada Supreme*  
18 *Court; and*

19       **(e)** *Three members who are appointed by the Chair of the*  
20 *Legislative Commission, who are members of the general public*  
21 *and who are not employees of the Executive, Judicial or*  
22 *Legislative Branches of the State Government.*

23       **3.** *The membership of any member of the Task Force who is*  
24 *a Legislator and who is not a candidate for reelection or who is*  
25 *defeated for reelection terminates on the day next after the general*  
26 *election.*

27       **4.** *Each member of the Task Force serves at the pleasure of*  
28 *the appointing authority.*

29       **5.** *A vacancy on the Task Force must be filled in the same*  
30 *manner as the original appointment.*

31       **Sec. 4. 1.** *As soon as practicable after the effective date of*  
32 *this act but not later than July 15, 2017, the members of the Task*  
33 *Force must be appointed as prescribed in section 3 of this act.*

34       **2.** *On or before July 31, 2017, the Chair of the Legislative*  
35 *Commission shall name a member of the Task Force appointed*  
36 *pursuant to paragraph (a) of subsection 2 of section 3 of this act*  
37 *as the Chair of the Task Force. The term of office as Chair*  
38 *appointed pursuant to this subsection begins upon his or her*  
39 *naming as Chair and ends on June 30, 2019.*

40       **3.** *On or before June 30, 2019, the Chair of the Legislative*  
41 *Commission shall name a member of the Task Force appointed*  
42 *pursuant to paragraph (b) of subsection 2 of section 3 of this act*



1 *as the Chair of the Task Force. The term of office as Chair*  
2 *appointed pursuant to this subsection begins on July 1, 2019.*

3 **Sec. 5. 1.** *For each day or portion of a day during which a*  
4 *member of the Task Force who is a Legislator attends a meeting of*  
5 *the Task Force or is otherwise engaged in the business of the Task*  
6 *Force, except during a regular or special session of the*  
7 *Legislature, the Legislator is entitled to receive:*

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

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

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

14 *↳ The compensation, per diem allowances and travel expenses of*  
15 *the members of the Task Force who are Legislators must be paid*  
16 *from the Legislative Fund.*

17 **2.** *While engaged in the business of the Task Force, the*  
18 *members of the Task Force who are not Legislators are entitled to*  
19 *receive the per diem allowance and travel expenses provided for*  
20 *state officers and employees generally.*

21 **Sec. 6. 1.** *The Task Force shall hold its first meeting at the*  
22 *call of the Chair on or before August 31, 2017, and thereafter*  
23 *shall meet at least once each month at the call of the Chair.*

24 **2.** *A majority of the members of the Task Force constitutes a*  
25 *quorum, and a quorum may exercise all the powers conferred on*  
26 *the Task Force.*

27 **Sec. 7.** *The Legislative Counsel Bureau shall provide the*  
28 *Task Force with such staff as is necessary to carry out the duties*  
29 *of the Task Force.*

30 **Sec. 8. 1.** *The Task Force shall name the following*  
31 *subcommittees of the Task Force:*

32 *(a) A subcommittee to review the Executive Branch of the*  
33 *State Government, excluding the Nevada System of Higher*  
34 *Education.*

35 *(b) A subcommittee to review the Judicial Branch of the State*  
36 *Government.*

37 *(c) A subcommittee to review the Legislative Branch of the*  
38 *State Government.*

39 *(d) A subcommittee to review the Nevada System of Higher*  
40 *Education.*

41 **2.** *Each subcommittee named pursuant to subsection 1 shall:*

42 *(a) Review the structures and procedures of the relevant*  
43 *Branch or System and not the content of specific programs of the*  
44 *Branch or System.*



1       ***(b) Make recommendations to improve the structures and***  
2 ***procedures of the relevant Branch or System for the purposes of***  
3 ***improving efficiency, eliminating duplication, reducing costs,***  
4 ***expanding access and communication, safeguarding information***  
5 ***and increasing accountability.***

6       **Sec. 9.** ***The subcommittee to review the Executive Branch of***  
7 ***the State Government may, without limitation:***

8       ***1. Review federal regulations and programs applicable to***  
9 ***state agencies for the purpose of recommending changes to***  
10 ***statutes, regulations and budgets as a result of any changes***  
11 ***to such federal regulations and programs.***

12       ***2. Review the duties of constitutional officers for the purpose***  
13 ***of recommending whether to combine, eliminate or otherwise***  
14 ***update the duties of constitutional officers.***

15       ***3. Review the budget of any state agency and make***  
16 ***recommendations regarding performance-based budgeting for***  
17 ***state agencies.***

18       ***4. Conduct a comprehensive study of the salary and benefit***  
19 ***structure for state agencies.***

20       ***5. Review the cybersecurity measures of state agencies and***  
21 ***make recommendations for improving the cybersecurity measures***  
22 ***of state agencies.***

23       ***6. Make recommendations regarding methods by which state***  
24 ***agencies can provide for transactions to be made by using***  
25 ***applications for cellular telephones and other technologies.***

26       ***7. Make recommendations regarding increasing the***  
27 ***availability of live audio and visual broadcasts of meetings of state***  
28 ***agencies.***

29       ***8. Make recommendations regarding the creation and***  
30 ***operation of a central registry by which the provision of services***  
31 ***by state agencies can be tracked.***

32       ***9. Make recommendations regarding methods for eliminating***  
33 ***barriers to communication between and within state agencies.***

34       ***10. Conduct a comprehensive study of the licensing and***  
35 ***investigative responsibilities of state boards, commissions and***  
36 ***agencies, including, without limitation, making recommendations***  
37 ***regarding:***

38       ***(a) Standardizing procedures used by professional licensing***  
39 ***boards, commissions or agencies;***

40       ***(b) Reviewing statutes relating to licensing reciprocity with***  
41 ***other jurisdictions; and***

42       ***(c) Determining whether licensing fees as authorized by statute***  
43 ***or regulation are sufficient to cover costs.***

44       ***11. Develop a long-term plan for the use of state lands,***  
45 ***including, without limitation, considering the long-term costs and***



1 *benefits of new construction of state buildings and facilities*  
2 *compared to the rental by the State of existing buildings and*  
3 *facilities.*

4 *12. Conduct a comprehensive study of the taxation and*  
5 *revenue structure in this State, considering, without limitation,*  
6 *whether certain sources of revenue should be replaced and*  
7 *whether potential new sources of revenue exist.*

8 **Sec. 10.** *The subcommittee to review the Judicial Branch of*  
9 *the State Government may, without limitation:*

10 *1. Make recommendations regarding the appointment of*  
11 *judges.*

12 *2. Make recommendations regarding funding for specialty*  
13 *courts.*

14 *3. Make recommendations regarding the expansion of*  
15 *specialty court programs, diversion programs and other programs*  
16 *and policies intended to decrease the financial burden on the State*  
17 *for incarceration.*

18 *4. Make recommendations regarding strategies for increasing*  
19 *access to the court system for persons who lack resources to*  
20 *enable access to the court system.*

21 *5. Study the district court system and make recommendations*  
22 *regarding increasing the number of district courts or realigning*  
23 *the district courts.*

24 *6. Make recommendations regarding procedures for risk*  
25 *assessment for pretrial release in criminal cases.*

26 *7. Make recommendations regarding requirements for*  
27 *judicial education in cases involving specified crimes or subjects.*

28 *8. Make recommendations regarding possible reform of the*  
29 *procedures required for pardons of persons convicted of crimes.*

30 *9. Make a recommendation regarding whether the*  
31 *Department of Corrections should be exempted from the*  
32 *requirements of chapter 233B of NRS.*

33 **Sec. 11.** *The subcommittee to review the Legislative Branch*  
34 *of the State Government may, without limitation:*

35 *1. Make recommendations regarding the amendment of the*  
36 *Nevada Constitution to:*

37 *(a) Provide for annual regular sessions of the Legislature;*

38 *(b) Change the duration of regular sessions of the Legislature;*

39 *(c) Provide for a limited regular session of the Legislature for*  
40 *the purpose of considering vetoes;*

41 *(d) Abolish term limits for members of the Legislature;*

42 *(e) Require certain gubernatorial appointments to be subject to*  
43 *the advice and consent of the Legislature; and*

44 *(f) Increase the compensation authorized for Legislators.*



1       2. *Make recommendations regarding funding for the staffing*  
2 *and maintenance of district offices for Legislators.*

3       3. *Make recommendations regarding the establishment and*  
4 *operation of joint interim standing committees that parallel the*  
5 *standing committees established by the Legislature during its*  
6 *regular sessions.*

7       4. *Make recommendations regarding professional*  
8 *development for Legislators, including, without limitation,*  
9 *recommendations regarding programs for professional*  
10 *development and funding for professional development.*

11       5. *Make recommendations regarding increasing the*  
12 *responsibilities of the Legislative Counsel Bureau and increasing*  
13 *the staffing of the Legislative Counsel Bureau, accordingly.*

14       **Sec. 12.** *The subcommittee to review the Nevada System of*  
15 *Higher Education may, without limitation:*

16       1. *Study the current governing structure of the System,*  
17 *considering, without limitation, whether to make*  
18 *recommendations regarding:*

19       (a) *Separating the universities of the System from the colleges*  
20 *and community colleges within the System.*

21       (b) *Providing for each institution of the System to be governed*  
22 *by a separate governing body.*

23       2. *Make recommendations regarding the appointment of*  
24 *members of the Board of Regents of the University of Nevada or*  
25 *altering the size of the Board of Regents.*

26       3. *Make recommendations regarding expanding the mission*  
27 *and authority of the community colleges within the System.*

28       4. *Make recommendations regarding the academic programs*  
29 *offered by the institutions of the System, including, without*  
30 *limitation, recommendations regarding the addition or expansion*  
31 *of academic programs to provide an educated workforce for new*  
32 *and expanding industries in this State.*

33       5. *Make recommendations regarding the conduct of biennial*  
34 *audits of the System by the Legislature.*

35       **Sec. 13.** *At least twice each year, the Task Force shall*  
36 *prepare and submit a report of the activities of the Task Force to*  
37 *the Governor, the Nevada Supreme Court and the Director of the*  
38 *Legislative Counsel Bureau for transmittal to the Legislature or*  
39 *the Legislative Commission, as applicable.*

40       **Sec. 14.** *Chapter 218D of NRS is hereby amended by adding*  
41 *thereto a new section to read as follows:*

42       1. *For each regular session, the Task Force on the*  
43 *Modernization of State Government created by section 3 of this act*  
44 *may request the drafting of not more than three legislative*



1 *measures. The requests must be submitted to the Legislative*  
2 *Counsel on or before September 1 preceding the regular session.*

3 2. *Each request made pursuant to this section must be on a*  
4 *form prescribed by the Legislative Counsel.*

5 3. *The Legislative Counsel shall not assign a number to a*  
6 *request for the drafting of a legislative measure submitted*  
7 *pursuant to this section to establish the priority of the request until*  
8 *sufficient detail has been received to allow complete drafting of*  
9 *the legislative measure.*

10 **Sec. 15.** NRS 218D.050 is hereby amended to read as follows:

11 218D.050 1. The Legislative Counsel and the Legal Division  
12 shall not prepare or assist in the preparation of legislative measures  
13 for or during a regular session unless:

14 (a) Authorized by NRS 218D.100 to 218D.220, inclusive, *and*  
15 *section 14 of this act*, another specific statute, a joint rule or a  
16 concurrent resolution; or

17 (b) Directed by the Legislature or the Legislative Commission.

18 2. The Legislative Counsel and the Legal Division shall not  
19 prepare or assist in the preparation of legislative measures for or  
20 during a special session unless:

21 (a) Authorized by a joint rule or concurrent resolution; or

22 (b) Directed by the Legislature or the Legislative Commission.

23 3. During a regular or special session, the Legislative Counsel  
24 and the Legal Division shall provide the Legislature with legal,  
25 technical and other appropriate services concerning any legislative  
26 measure properly before the Legislature or any committee of the  
27 Legislature for consideration.

28 **Sec. 16.** NRS 218D.100 is hereby amended to read as follows:

29 218D.100 1. The provisions of NRS 218D.100 to 218D.220,  
30 inclusive, *and section 14 of this act* apply to requests for the  
31 drafting of legislative measures for a regular session.

32 2. Except as otherwise provided by a specific statute, joint rule  
33 or concurrent resolution, the Legislative Counsel shall not honor a  
34 request for the drafting of a legislative measure if the request:

35 (a) Exceeds the number of requests authorized by NRS  
36 218D.100 to 218D.220, inclusive, *and section 14 of this act* for the  
37 requester; or

38 (b) Is submitted by an authorized nonlegislative requester  
39 pursuant to NRS 218D.175 to 218D.220, inclusive, *and section 14*  
40 *of this act*, but is not in a subject related to the function of the  
41 requester.

42 3. The Legislative Counsel shall not:

43 (a) Assign a number to a request for the drafting of a legislative  
44 measure to establish the priority of the request until sufficient detail





1 has been received to allow complete drafting of the legislative  
2 measure.

3 (b) Honor a request to change the subject matter of a request for  
4 the drafting of a legislative measure after it has been submitted for  
5 drafting.

6 (c) Honor a request for the drafting of a legislative measure  
7 which has been combined in violation of Section 17 of Article 4 of  
8 the Nevada Constitution.

9 **Sec. 17.** NRS 218D.575 is hereby amended to read as follows:

10 218D.575 1. A Legislator who will be a member of the next  
11 regular session may request the Legislative Counsel to prefile any  
12 bill or joint resolution that was requested by that Legislator for  
13 introduction in the next regular session.

14 2. A Legislator designated as a chair of a standing committee  
15 for the next regular session may request the Legislative Counsel to  
16 prefile on behalf of the committee any bill or joint resolution within  
17 the jurisdiction of the committee for introduction in the next regular  
18 session.

19 3. All bills and joint resolutions requested by authorized  
20 nonlegislative requesters and submitted for prefilng pursuant to  
21 NRS 218D.175 to 218D.220, inclusive, *and section 14 of this act*  
22 must be randomly divided in equal amounts between the Senate and  
23 the Assembly and prefled on behalf of the appropriate standing  
24 committee.

25 4. The Legislative Counsel shall prepare all bills and joint  
26 resolutions submitted for prefilng in final and correct form for  
27 introduction in the Legislature as required by the Nevada  
28 Constitution and this chapter.

29 5. The Legislative Counsel shall not prefile a bill or joint  
30 resolution requested by:

31 (a) A Legislator who is not a candidate for reelection until after  
32 the general election immediately preceding the regular session.

33 (b) A Legislator who is elected or reelected to legislative office  
34 at the general election immediately preceding the regular session  
35 until the Legislator is determined to have received the highest  
36 number of votes pursuant to the canvass of votes required by  
37 NRS 293.395.

38 **Sec. 18.** 1. Notwithstanding any provision of this act to the  
39 contrary, on or after September 1, 2018, the Task Force on the  
40 Modernization of State Government may, by unanimous vote,  
41 dissolve itself.

42 2. If the Task Force dissolves itself pursuant to subsection 1,  
43 on or after the date on which the Task Force votes to dissolve itself:

44 (a) The Task Force and the subcommittees of the Task Force  
45 may not have any other meeting or take any further action.





- 1 (b) No other person may be appointed to the Task Force
- 2 pursuant to section 3 of this act.
- 3 **Sec. 19.** This act becomes effective upon passage and approval
- 4 and expires by limitation on June 30, 2021.

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