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**ADVISORY COMMITTEE ON PARTICIPATORY DEMOCRACY**  
Nevada Dept. of Cultural Affairs

**Letter of Support for SB 309 (R1)**  
Prepared by  
**Larry D. Struve, Chairman**  
May 6, 2003

To: Members of Assembly Elections, Procedures, and Ethics Committee

On behalf of the Nevada Advisory Committee on Participatory Democracy (ACPD), we want to thank the members of the Nevada Legislature for their support of the work of our Committee. Hopefully, we have taken some important steps to raise the consciousness of public officials and citizens in Nevada of the importance of citizen participation in our democratic system of government.

**I. 2001 Report to the Legislature and ACR 38**

Our Committee submitted a Report to the 2001 Nevada Legislature, entitled *Participatory Democracy in Nevada*, which contained a report card on different aspects of the levels of participation of Nevada residents in the processes of governance. A copy of that report card is attached for your reference. In response to that Report, the 2001 Legislature passed ACR 38, requesting the ACPD to disseminate the report and to file another report with the 2003 Nevada Legislature, containing "an assessment of any progress made to address the concerns noted in the *Participatory Democracy in Nevada* report and to identify specific steps that could be taken to implement the recommendations therein." See Appendix 2 in the 2003 Report to the Legislature.

**II. 2003 Report to the Legislature**

On March 28, 2003, the Department of Cultural Affairs disseminated a second document, entitled *Participatory Democracy in Nevada*, a Report to the 2003 Legislature. Copies of the 2003 Report are enclosed with this statement.

On pages A through H of the 2003 Report, the ACPD has prepared a matrix, listing all 16 recommendations included in the 2001 Report in the first column of the matrix. In the second column, the ACPD has prepared a brief summary of the action taken to date to implement each of the 2001 recommendations. And in the third column the ACPD has stated its recommendations in 2003.

You will note that some of the recommendations in 2001 were implemented through passage of ACR 38 of the 2001 Session. Other recommendations are being implemented by various public officers and entities, such as the Secretary of State's Office, the Nevada League of Cities, the Nevada Association of Counties, and individual local governments.

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ASSEMBLY ELECTIONS, PROCEDURES, & ETHICS  
DATE: 5/6/03 ROOM: 3138 EXHIBIT J  
SUBMITTED BY: Larry Struve

Some of the recommendations require additional legislative support, and these form the basis of SB 309.

### **III. Senate Bill 309**

#### **A. Section 1 of SB 309:**

This section contains a legislative declaration of support of the goals set forth on Page C of the matrix in the 2003 Report to the Legislature. The ACPD believes that in order to have a healthy democracy, at least a majority of all eligible voters living within the State should be participating in elections. If 75% of all eligible voters are registered and 70% of them vote, the participation rate would increase from the current range of 39 – 40% to over 52% in presidential elections.

#### **B. Sections 2 through 9 and Section 11 of SB 309:**

These sections implement the last recommendation on Page E, the third recommendation on Page F, the second recommendation on Page G, and the first recommendation on Page H of the matrix in the 2003 Report to the Legislature. The language in these sections is based in part on similar language contained in the Nevada Administrative Code, when the Director of the Department of Cultural Affairs established the Committee pursuant to his authority in NRS 378.400.

By enacting these sections in SB 309, the Advisory Committee on Participatory Democracy would be established as a permanent body within the Secretary of State's Office, and the Secretary of State or his designee would be an ex officio member of the Committee (in place of the Director of the Department of Cultural Affairs.) However, the repository for Records Concerning Programs, Activities and Events Related to the Participation of Citizens in the Development of Public Policy and the Improvement of the Operation of Government would be retained within the Department of Cultural Affairs, as currently authorized in NRS 378.400.

The ACPD supports these provisions, because the work that is done by the Committee seems to be a better fit with the Secretary of State's Office. Such a move would also be consistent with ACR 38 passed in the 2001 session, which contemplated that the Secretary of State would be given a bigger role in the work of the Committee. (See ACR 38 in Appendix 2 attached to the 2003 Report.) The Department of Cultural Affairs could then focus its efforts on improving the repository and making it more accessible to persons interested in using it.

#### **C. Section 10 of SB 309:**

This section gives statutory authority to the Secretary of State to apply for and accept any grants, gifts, or donations for the support of the work of the ACPD.

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Money received pursuant to this section would be deposited in a Special Account for the Support of the Advisory Committee.

The ACPD strongly supports this section, which is also based on the first recommendation on Page H of the matrix. As noted in the Introduction to the 2003 Report, no money has been appropriated to help the ACPD develop any programs described in NRS 378.400. The lack of resources has been a limiting factor throughout the ACPD's existence.

In 2003, it was not feasible to seek financial support through the Department of Cultural Affairs. Thus, the Committee is hopeful that the Secretary of State's Office will help develop some options by which resources can be obtained. This makes sense to the Committee and would help keep the initiative on participatory democracy going forward.

**D. Section 12 of SB 309:**

This section requires each local school district with the assistance of the State Board of Education, the Board of Regents of the UCCSN, the P-16 Council, and the Commission on Professional Standards in Education to prepare a report for the 2005 Nevada Legislature, containing an evaluation of efforts currently in progress to implement standards for the social studies curriculum offered in Nevada schools, accompanied with a clear statement of the assessment standards that have been established to judge the educational progress of pupils in understanding civics and the skills and values of citizenship.

Subparagraph 2 of this section also directs the State Board of Education and the Board of Regents to develop recommendations to the 2005 Nevada Legislature concerning how the principles of participatory democracy can be better taught and practiced in the schools, colleges and universities of the State of Nevada.

This section of SB 309 implements the first recommendation on Page E of the matrix contained in the 2003 Report and is a reasonable response to the last two recommendations on Page D of the matrix. The reports filed with the Legislature in 2005 should help in determining how citizenship education is taught and student performance is evaluated throughout the State.

**E. Section 13 of SB 309:**

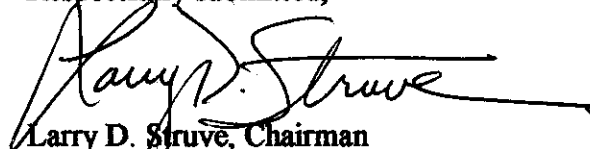
This is a transitional section in the bill, providing continuity in the membership of the ACPD until the Secretary of State is able to appoint replacements, pursuant to the authority given to him in the bill.

#### IV. Conclusion

The ACPD reaffirms its belief that low citizen participation in our national, state, and local government processes is a serious public policy issue. In a democratic system such as ours, citizen participation is not a matter of choice. It is a solemn obligation, tied to preservation of the democratic institutions which have been established through the blood, treasure, and effort of previous generations. Protecting and encouraging its exercise deserves the attention of all levels of government.

Passage of SB 309 would be an important step in underscoring the importance of keeping our system of participatory democracy alive. The ACPD urges favorable action by the Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry D. Struve", with a long horizontal flourish extending to the right.

Larry D. Struve, Chairman  
Advisory Committee on Participatory  
Democracy

# ***ADVISORY COMMITTEE ON PARTICIPATORY DEMOCRACY***

## ***REPORT CARD ON PARTICIPATORY DEMOCRACY IN NEVADA***

Democratic Institutions	A
Voter Participation	D-
Education in Civics	C-
Civic Involvement	C
<b><i>OVERALL GRADE</i></b>	<b><i>C</i></b>

"Participatory democracy" means the participation of residents of this state in the development of public policy and improvement of the operation of government at all levels. (Nevada Administrative Code 378.210.)

The Advisory Committee on Participatory Democracy is established by NRS 378.400 and is authorized to advise, assist and make recommendations to the Director of the Department of Museums, Library and Arts on matters pertaining to participatory democracy. This "report card" is the product of the Advisory Committee on Participatory Democracy and represents the judgment of its members on these matters.