

SENATE BILL NO. 170—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON HEALTH CARE)

FEBRUARY 28, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Creates the Legislative Committee on Child Welfare
and Juvenile Justice and the Legislative Committee
on Senior Citizens and Veterans. (BDR 17-310)

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.

AN ACT relating to legislative affairs; creating the Legislative
Committee on Child Welfare and Juvenile Justice and the
Legislative Committee on Senior Citizens and Veterans;
prescribing the powers and duties of the committees; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill creates the Legislative Committee on Child Welfare and Juvenile Justice as a statutory committee and provides for its membership. **Section 4** of this bill prescribes the manner in which meetings are to be conducted and provides for the compensation of members of the Committee. **Section 5** of this bill provides the duties of the Committee including evaluation, review and comment upon issues relating to the provision of child welfare services and issues relating to juvenile justice in this State. **Sections 6 and 7** of this bill authorize the Committee to conduct investigations and hearings and provide for the administration of oaths, deposition of witnesses, and subpoenas to compel the attendance of witnesses and the production of books and papers.

Section 10 of this bill creates the Legislative Committee on Senior Citizens and Veterans as a statutory committee and provides for its membership. **Section 11** of this bill requires the Committee to meet each month during the legislative interim, prescribes the manner in which meetings are to be conducted and provides for the compensation of members of the Committee. **Section 12** of this bill requires the Committee to evaluate, review and comment upon issues relating to senior citizens and veterans. **Sections 13 and 14** of this bill authorize the Committee to conduct



investigations and hearings and provide for the administration of oaths, deposition of witnesses, and subpoenas to compel the attendance of witnesses and the production of books and papers. **Section 16** of this bill provides for the prospective expiration of this Committee on July 1, 2011.

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

Section 1. Chapter 218 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 15, inclusive, of this act.

Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, "Committee" means the Legislative Committee on Child Welfare and Juvenile Justice.*

Sec. 3. 1. *The Legislative Committee on Child Welfare and Juvenile Justice is hereby created. The membership of the Committee consists of three members of the Senate and three members of the Assembly, appointed by the Legislative Commission.*

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

3. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next regular session of the Legislature.

4. A vacancy on the Committee must be filled in the same manner as the original appointment.

Sec. 4. 1. *The members of the Committee shall meet throughout the year at the times and places specified by a call of the Chairman or a majority of the Committee.*

2. The Director of the Legislative Counsel Bureau or his designee shall act as the nonvoting recording Secretary of the Committee.

3. The Committee shall prescribe regulations for its own management and government.

4. Except as provided in subsection 5, four members of the Committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the Committee.



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1 5. Any recommended legislation proposed by the Committee
2 must be approved by a majority of the members of the Senate and
3 by a majority of the members of the Assembly appointed to the
4 Committee.

5 6. Except during a regular or special session of the
6 Legislature, for each day or portion of a day during which a
7 member of the Committee attends a meeting of the Committee or is
8 otherwise engaged in the work of the Committee, the member is
9 entitled to receive the:

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

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

15 (c) Travel expenses provided pursuant to NRS 218.2207.

16 ↪ The compensation, per diem allowances and travel expenses of
17 the members of the Committee must be paid from the Legislative
18 Fund.

19 **Sec. 5.** The Committee shall evaluate and review issues
20 relating to:

21 1. The provision of child welfare services in this State,
22 including, without limitation:

23 (a) Programs for the provision of child welfare services;

24 (b) Licensing and reimbursement of providers of foster care;

25 (c) Mental health services; and

26 (d) Compliance with federal requirements regarding child
27 welfare; and

28 2. Juvenile justice in this State, including, without limitation:

29 (a) The coordinated continuum of care in which community-
30 based programs and services are combined to ensure that health
31 services, substance abuse treatment, education, training and care
32 are compatible with the needs of each juvenile in the juvenile
33 justice system;

34 (b) Individualized supervision, care and treatment to
35 accommodate the individual needs and potential of the juvenile
36 and his family, and treatment programs which integrate the
37 juvenile into situations of living and interacting that are
38 compatible with a healthy, stable and familial environment;

39 (c) Programs for aftercare and reintegration in which
40 juveniles will continue to receive treatment after their active
41 rehabilitation in a facility to prevent the relapse or regression of
42 progress achieved during the recovery process;

43 (d) Overrepresentation and disparate treatment of minorities
44 in the juvenile justice system, including a review of the various
45 places where bias may influence decisions concerning minorities;



(e) *Gender-specific services, including programs which consider female development in their design and implementation and which address the needs of females, including issues relating to:*

- (1) Victimization and abuse;*
- (2) Substance abuse;*
- (3) Mental health;*
- (4) Education; and*
- (5) Vocational and skills training;*

(f) *The quality of care provided in state institutions and facilities, including:*

- (1) The qualifications and training of staff;*
- (2) The documentation of the performance of state institutions and facilities;*
- (3) The coordination and collaboration of agencies; and*
- (4) The availability of services relating to mental health, substance abuse, education, vocational training and treatment of sex offenders and violent offenders;*

(g) *The feasibility and necessity for independent monitoring of state institutions and facilities; and*

(h) *Programs developed in other states which provide a system of community-based programs that place juvenile offenders in more specialized programs according to their needs.*

Sec. 6. 1. The Committee may:

(a) *Conduct investigations and hold hearings in connection with its duties pursuant to section 5 of this act;*

(b) *Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee; and*

(c) *Propose recommended legislation concerning child welfare and juvenile justice to the Legislature.*

2. *The Committee shall, on or before January 15 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the evaluation and review conducted pursuant to section 5 of this act.*

Sec. 7. 1. If the Committee conducts investigations or holds hearings pursuant to section 6 of this act:

(a) *The Chairman of the Committee or, in his absence, a member designated by the Committee may administer oaths;*

(b) *The Chairman of the Committee may cause the deposition of witnesses, residing within or outside of this State, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts; and*



1 (c) *The Chairman of the Committee may issue subpoenas to*
2 *compel the attendance of witnesses and the production of books*
3 *and papers.*

4 2. *If a witness refuses to attend or testify or produce books or*
5 *papers as required by the subpoena, the Chairman of the*
6 *Committee may report to the district court by a petition which sets*
7 *forth that:*

8 (a) *Notice has been given of the time and place of attendance*
9 *of the witness or the production of the books or papers;*

10 (b) *The witness has been subpoenaed by the Committee*
11 *pursuant to this section; and*

12 (c) *The witness has failed or refused to attend a hearing, testify*
13 *or produce the books or papers required by the subpoena.*

14 ➔ *The petition may request an order of the court compelling the*
15 *witness to attend a hearing, testify or produce the books or papers*
16 *required by a subpoena.*

17 3. *Upon such a petition, the court shall enter an order*
18 *directing the witness to appear before the court at a time and place*
19 *to be fixed by the court in its order, the time must not exceed 10*
20 *days after the date of the order, and to show cause why he has not*
21 *attended the hearing, testified or produced the books or papers*
22 *required by the subpoena. A certified copy of the order must be*
23 *served upon the witness.*

24 4. *If it appears to the court that the subpoena was regularly*
25 *issued by the Committee, the court shall enter an order that the*
26 *witness appear before the Committee at the time and place fixed in*
27 *the order and testify or produce the required books or papers.*
28 *Failure to obey the order constitutes contempt of court.*

29 **Sec. 8.** *Each witness who appears before the Committee by*
30 *its order, except a state officer or employee, is entitled to receive*
31 *for his attendance the fees and mileage provided for witnesses in*
32 *civil cases in the courts of record in this State. The fees and*
33 *mileage must be audited and paid upon the presentation of proper*
34 *claims sworn to by the witness and approved by the Secretary and*
35 *Chairman of the Committee.*

36 **Sec. 9.** *As used in sections 9 to 15, inclusive, of this act,*
37 *unless the context otherwise requires, "Committee" means the*
38 *Legislative Committee on Senior Citizens and Veterans.*

39 **Sec. 10. 1.** *The Legislative Committee on Senior Citizens*
40 *and Veterans is hereby created. The membership of the Committee*
41 *consists of:*

42 (a) *Five members of the Senate appointed by the Majority*
43 *Leader of the Senate from the following committees, except that if*
44 *a committee no longer exists, from another committee designated*
45 *by the Majority Leader:*



(1) Two of whom must serve on the Senate Committee on Finance;

(2) One of whom must serve on the Senate Committee on Judiciary;

(3) One of whom must serve on the Senate Committee on Transportation and Homeland Security; and

(4) One of whom must serve on the Senate Committee on Human Resources and Education.

(b) Five members of the Assembly appointed by the Speaker of the Assembly from the following committees, except that if a committee no longer exists, from another committee designated by the Speaker:

(1) Two of whom must serve on the Assembly Committee on Ways and Means;

(2) One of whom must serve on the Assembly Committee on Judiciary;

(3) One of whom must serve on the Assembly Committee on Transportation; and

(4) One of whom must serve on the Assembly Committee on Health and Human Services.

➔ Membership must be in proportion to the partisan majority of each house.

2. The members of the Committee shall select the Chairman and Vice Chairman of the Committee from among the members of the Committee. After the initial selection of those officers, each of those officers holds the position for a term of 2 years commencing on July 1 of each odd-numbered year. The chairmanship of the Committee must alternate each biennium between the houses of the Legislature. If a vacancy occurs in the chairmanship or vice chairmanship, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

3. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next regular session of the Legislature.

4. A vacancy on the Committee must be filled in the same manner as the original appointment.

Sec. 11. 1. The members of the Committee shall meet monthly during the legislative interim and at such other times and places specified by a call of the Chairman or a majority of the Committee.

2. The Director of the Legislative Counsel Bureau or his designee shall act as the nonvoting recording Secretary of the Committee.

3. The Committee shall prescribe regulations for its own management and government.



1 4. Except as provided in subsection 5, six members of the
2 Committee constitute a quorum, and a quorum may exercise all
3 the power and authority conferred on the Committee.

4 5. Any recommended legislation proposed by the Committee
5 must be approved by a majority of the members of the Senate and
6 by a majority of the members of the Assembly appointed to the
7 Committee.

8 6. Except during a regular or special session of the
9 Legislature, for each day or portion of a day during which a
10 member of the Committee attends a meeting of the Committee or is
11 otherwise engaged in the work of the Committee, the member is
12 entitled to receive the:

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

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

18 (c) Travel expenses provided pursuant to NRS 218.2207.

19 ↪ The compensation, per diem allowances and travel expenses of
20 the members of the Committee must be paid from the Legislative
21 Fund.

22 **Sec. 12.** The Committee shall evaluate, review and comment
23 upon issues relating to senior citizens and veterans, including,
24 without limitation:

25 1. Health and human services;

26 2. Elder abuse and exploitation;

27 3. Financial and physical wellness initiatives;

28 4. Housing and transportation; and

29 5. Public outreach and advocacy.

30 **Sec. 13.** 1. The Committee may:

31 (a) Conduct investigations and hold hearings in connection
32 with its duties pursuant to section 12 of this act;

33 (b) Request that the Legislative Counsel Bureau assist in the
34 research, investigations, hearings and reviews of the Committee;

35 (c) Receive recommendations and suggestions for legislation
36 from:

37 (1) The Nevada Silver Haired Legislative Forum;

38 (2) The Nevada Commission on Aging; and

39 (3) Any other agency or organization which provides
40 services to senior citizens and veterans; and

41 (d) Propose recommended legislation concerning senior
42 citizens and veterans to the Legislature.

43 2. The Committee shall, on or before January 15 of each odd-
44 numbered year, submit to the Director of the Legislative Counsel
45 Bureau for transmittal to the Legislature a report concerning the



1 *evaluation and review conducted pursuant to section 12 of this*
2 *act;*

3 **Sec. 14. 1. If the Committee conducts investigations or**
4 **holds hearings pursuant to section 13 of this act:**

5 *(a) The Secretary of the Committee or, in his absence, a*
6 *member designated by the Committee may administer oaths.*

7 *(b) The Secretary or Chairman of the Committee may cause*
8 *the deposition of witnesses, residing within or outside of this State,*
9 *to be taken in the manner prescribed by rule of court for taking*
10 *depositions in civil actions in the district courts.*

11 *(c) The Chairman of the Committee may issue subpoenas to*
12 *compel the attendance of witnesses and the production of books*
13 *and papers.*

14 **2. If a witness refuses to attend or testify or produce books or**
15 **papers as required by the subpoena, the Chairman of the**
16 **Committee may report to the district court by a petition which sets**
17 **forth that:**

18 *(a) Notice has been given of the time and place of attendance*
19 *of the witness or the production of the books or papers;*

20 *(b) The witness has been subpoenaed by the Committee*
21 *pursuant to this section; and*

22 *(c) The witness has failed or refused to attend a hearing, testify*
23 *or produce the books or papers required by the subpoena.*

24 *↳ The petition may request an order of the court compelling the*
25 *witness to attend a hearing, testify or produce the books or papers*
26 *required by a subpoena.*

27 **3. Upon such a petition, the court shall enter an order**
28 **directing the witness to appear before the court at a time and place**
29 **to be fixed by the court in its order, the time must not exceed 10**
30 **days after the date of the order, and to show cause why he has not**
31 **attended the hearing, testified or produced the books or papers**
32 **required by the subpoena. A certified copy of the order must be**
33 **served upon the witness.**

34 **4. If it appears to the court that the subpoena was regularly**
35 **issued by the Committee, the court shall enter an order that the**
36 **witness appear before the Committee at the time and place fixed in**
37 **the order and testify or produce the required books or papers.**
38 **Failure to obey the order constitutes contempt of court.**

39 **Sec. 15. Each witness who appears before the Committee by**
40 **its order, except a state officer or employee, is entitled to receive**
41 **for his attendance the fees and mileage provided for witnesses in**
42 **civil cases in the courts of record in this State. The fees and**
43 **mileage must be audited and paid upon the presentation of proper**
44 **claims sworn to by the witness and approved by the Secretary and**
45 **Chairman of the Committee.**



- 1 **Sec. 16.** 1. This act becomes effective upon passage and
2 approval.
3 2. Sections 9 to 15, inclusive, of this act expire by limitation on
4 July 1, 2011.

