

SENATE BILL NO. 113—SENATOR HORSFORD

PREFILED JANUARY 23, 2009

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to the Advisory Commission on the Administration of Justice. (BDR 14-626)

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

~

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

AN ACT relating to the criminal justice system; creating statutory subcommittees of the Advisory Commission on the Administration of Justice; transferring responsibility for staff support of the Advisory Commission from the Attorney General to the Legislative Counsel Bureau; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 2 of this bill creates in statute the Subcommittee on Juvenile Justice of the Advisory Commission on the Administration of Justice. **Section 2** also: (1) requires the Chairman of the Commission to appoint the members of the Subcommittee; (2) requires the Subcommittee to study issues related to juvenile justice and report to the Commission with recommendations to address such issues; and (3) sets forth the salaries and per diem that members of the Subcommittee may receive.

Section 3 of this bill creates in statute a Subcommittee on Victims of Crime of the Advisory Commission on the Administration of Justice. **Section 3** also: (1) requires the Chairman of the Commission to appoint the members of the Subcommittee; (2) requires the Subcommittee to study issues related to victims of crime and report to the Commission with recommendations to address such issues; and (3) sets forth the salaries and per diem that members of the Subcommittee may receive.

Section 5 of this bill transfers responsibility for staff support of the Advisory Commission from the Attorney General to the Director of the Legislative Counsel Bureau.



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

Section 1. Chapter 176 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *There is hereby created the Subcommittee on Juvenile Justice of the Commission.*

2. The Chairman of the Commission shall appoint the members of the Subcommittee and designate one of the members of the Subcommittee as Chairman of the Subcommittee. The Chairman of the Subcommittee must be a member of the Commission.

3. The Subcommittee shall meet at the times and places specified by a call of the Chairman. A majority of the members of the Subcommittee constitutes a quorum, and a quorum may exercise any power or authority conferred on the Subcommittee.

4. The Subcommittee shall consider issues related to juvenile justice and shall evaluate, review and submit a report to the Commission with recommendations concerning such issues.

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

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

Sec. 3. 1. *There is hereby created the Subcommittee on Victims of Crime of the Commission.*

2. The Chairman of the Commission shall appoint the members of the Subcommittee and designate one of the members of the Subcommittee as Chairman of the Subcommittee. The Chairman of the Subcommittee must be a member of the Commission.

3. The Subcommittee shall meet at the times and places specified by a call of the Chairman. A majority of the members of the Subcommittee constitutes a quorum, and a quorum may exercise any power or authority conferred on the Subcommittee.

4. The Subcommittee shall consider issues related to victims of crime and shall evaluate, review and submit a report to the Commission with recommendations concerning such issues.

5. Any Legislators who are members of the Subcommittee are entitled to receive the salary provided for a majority of the



* S B 1 1 3 R 2 *

1 *members of the Legislature during the first 60 days of*
2 *the preceding session for each day's attendance at a meeting of*
3 *the Subcommittee.*

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

9 **Sec. 4.** NRS 176.0121 is hereby amended to read as follows:

10 176.0121 As used in NRS 176.0121 to 176.0129, inclusive,
11 *and sections 2 and 3 of this act*, "Commission" means the Advisory
12 Commission on the Administration of Justice.

13 **Sec. 5.** NRS 176.0123 is hereby amended to read as follows:

14 176.0123 1. The Advisory Commission on the
15 Administration of Justice is hereby created. The Commission
16 consists of:

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

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

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

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

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

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

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

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

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

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

42 (k) One member who is a member of the State Board of Parole
43 Commissioners, appointed by the State Board of Parole
44 Commissioners;

45 (l) The Director of the Department of Corrections;



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

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

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

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

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

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

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

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

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

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

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

Sec. 6. This act becomes effective on July 1, 2009.

