

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repealed statutory committees to the Joint Interim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:

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



17 Water System, the Legislative Committee on Education, the Legislative Committee
18 on Child Welfare and Juvenile Justice, the Legislative Committee on Senior
19 Citizens, Veterans and Adults with Special Needs, the Legislative Committee on
20 Health Care and the Committee on 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



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 *a* specific statute , *joint*
32 *rule* or 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 *a* statute , *other*
37 *than an interim legislative committee*, may request the drafting of
38 not more than 10 legislative measures which relate to matters within
39 the scope of the committee.

40 ~~[(b)]~~ (c) ~~[An interim committee which conducts a study or~~
41 ~~investigation]~~ *Any committee or subcommittee established by an*
42 *order of the Legislative Commission* pursuant to NRS 218E.200
43 may request the drafting of not more than 5 legislative measures
44 which relate to matters within the scope of the study or
45 investigation, except that such a committee *or subcommittee* may



1 request the drafting of additional legislative measures if the
2 Legislative Commission approves each additional request by a
3 majority vote.

4 ~~[(e)]~~ (d) Any other committee established by the Legislature
5 which conducts an interim legislative study *or investigation* may
6 request the drafting of not more than 5 legislative measures which
7 relate to matters within the scope of the study ~~[-]~~ *or investigation*.

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

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

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

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

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

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

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

36 (a) *The Speaker of the Assembly shall appoint five members of*
37 *the Assembly as regular members of each Committee and three*
38 *members of the Assembly as alternate members of each*
39 *Committee.*

40 (b) *The Majority Leader of the Senate shall appoint three*
41 *Senators as regular members of each Committee and two Senators*
42 *as alternate members of each Committee.*

43 3. *Before making their respective appointments, the Speaker*
44 *of the Assembly and the Majority Leader of the Senate shall*
45 *consult so that, to the extent practicable:*



1 (a) *At least five regular members appointed to each Committee*
2 *served on the corresponding standing committee or committees*
3 *during the preceding regular session of the Legislature.*

4 (b) *Not more than five regular members appointed to each*
5 *Committee are members of the same political party and at least*
6 *one regular member and one alternate member appointed from*
7 *each House of the Legislature to each Committee are members of*
8 *a different political party than the appointing authority.*

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

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

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

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

34 2. *The Director of the Legislative Counsel Bureau or his or*
35 *her designee shall act as the nonvoting recording Secretary of*
36 *each Committee.*

37 3. *Five members of a Committee constitute a quorum, and a*
38 *quorum may exercise all the power and authority conferred on a*
39 *Committee, except that any recommended legislation proposed by*
40 *a Committee must be approved by a majority of members of the*
41 *Senate and a majority of members of the Assembly serving on the*
42 *Committee.*

43 4. *Except during a regular or special session of the*
44 *Legislature, for each day or portion of a day during which a*
45 *member of a Committee attends a meeting of the Committee or is*



1 *otherwise engaged in the work of the Committee, the member is*
2 *entitled to receive the:*

3 (a) *Compensation provided for a majority of the members of*
4 *the Legislature during the first 60 days of the preceding regular*
5 *session;*

6 (b) *Per diem allowance provided for state officers and*
7 *employees generally; and*

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

9 ➔ *The compensation, per diem allowances and travel expenses of*
10 *the members of a Committee must be paid from the Legislative*
11 *Fund.*

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

17 2. *The Legislative Commission shall review and approve the*
18 *budget and work program of each Committee and any changes to*
19 *the budget or work program.*

20 3. *A Committee shall prepare a comprehensive report of the*
21 *Committee's activities in the interim and its findings and any*
22 *recommendations for proposed legislation. The report must be*
23 *submitted to the Director of the Legislative Counsel Bureau for*
24 *distribution to the ensuing session of the Legislature.*

25 **Sec. 8. 1.** *In conducting the investigations and hearings of*
26 *a Committee:*

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

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

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

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

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

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

42 (c) *That the witness has failed or refused to attend or to*
43 *produce the books, papers or documents required by the subpoena*
44 *before the Committee that is named in the subpoena, or has*
45 *refused to answer questions propounded to the witness,*



1 ↪ and asking for an order of the court compelling the witness to
2 attend and testify or to produce the books, papers or documents
3 before the Committee.

4 3. Upon such a petition, the court shall enter an order
5 directing the witness to appear before the court at a time and place
6 to be fixed by the court in its order, the time to be not more than
7 10 days after the date of the order, and to show cause why the
8 witness has not attended or testified or produced the books, papers
9 or documents before the Committee. A certified copy of the order
10 must be served upon the witness.

11 4. If it appears to the court that the subpoena was regularly
12 issued by the Committee, the court shall enter an order that the
13 witness appear before the Committee at the time and place fixed in
14 the order and testify or produce the required books, papers or
15 documents. Failure to obey the order constitutes contempt of
16 court.

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

21 2. The fees and mileage must be audited and paid upon the
22 presentation of proper claims sworn to by the witness and
23 approved by the Secretary and the Chair of the Committee.

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

25 218E.200 1. The Legislative Commission may conduct
26 studies or investigations concerning governmental problems,
27 important issues of public policy or questions of statewide interest
28 ~~it~~ or may assign such studies or investigations to a Joint Interim
29 Standing Committee.

30 2. The Legislative Commission may establish subcommittees
31 and interim or special committees as official agencies of the
32 Legislative Counsel Bureau to conduct such studies or
33 investigations or otherwise to deal with such governmental
34 problems, important issues of public policy or questions of
35 statewide interest ~~it~~ or may assign such matters to a Joint Interim
36 Standing Committee.

37 3. The membership of ~~those~~ any subcommittees and interim
38 or special committees established pursuant to subsection 2 must be
39 designated by the Legislative Commission and may consist of
40 members of the Legislative Commission and Legislators other than
41 members of the Commission, employees of the State of Nevada or
42 citizens of the State of Nevada.

43 4. Members of ~~those~~ subcommittees and interim or special
44 committees who are not Legislators shall serve without salary, but
45 they are entitled to receive out of the Legislative Fund the per diem



1 expense allowances and travel expenses provided for state officers
2 and employees generally.

3 5. Except during a regular or special session of the Legislature,
4 members of ~~[those]~~ subcommittees and interim or special
5 committees who are Legislators are entitled to receive out of the
6 Legislative Fund the compensation provided for a majority of the
7 members of the Legislature during the first 60 days of the preceding
8 session for each day or portion of a day of attendance, and the
9 per diem expense allowances provided for state officers and
10 employees generally and the travel expenses provided pursuant to
11 NRS 218A.655.

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

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

23 2. All requests for the drafting of ~~[legislation]~~ *legislative*
24 *measures* to be recommended as the result of a study or
25 investigation ~~[, except a study or investigation directed by an order~~
26 ~~of the Legislative Commission.]~~ must be made ~~[before July 1 of the~~
27 ~~year preceding a legislative session.]~~ *in accordance with*
28 *NRS 218D.160.*

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

36 4. No study or investigation may be carried over from one
37 session of the Legislature to the next without additional
38 authorization ~~[by a concurrent resolution]~~ of the Legislature, except
39 audits in progress, whose carryover has been approved by the
40 Legislative Commission.

41 5. Except as otherwise provided by specific statute, the staff of
42 the Legislative Counsel Bureau shall not serve as primary
43 administrative or professional staff for a committee unless the chair
44 of the committee is required by statute or resolution to be a
45 Legislator.



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



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1 needed for residential or economic development or any other
2 purpose; and

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

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

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

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

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

15 218E.525 1. The *Joint Interim Standing* Committee *on*
16 *Natural Resources, Agriculture and Mining* shall:

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

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

23 (c) Support legislation that will enhance state and local roles in
24 the management of public lands and will increase the disposal of
25 public lands.

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

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

29 (1) The Colorado River Commission of Nevada;

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

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

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

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



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

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

Sec. 14. NRS 218E.565 is hereby amended to read as follows:

218E.565 The *Joint Interim Standing* Committee *on Government Affairs* shall:

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

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

3. Study the role, authority and activities of:

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

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

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

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

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

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

(1) Programs to enhance accountability in education;

(2) Legislative measures regarding education;

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

(4) Methods of financing public education;

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

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

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

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



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

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

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

2. The *Joint Interim Standing* Committee *on Education* shall:

(a) In addition to any standards prescribed by the Department of Education, prescribe standards for the review and evaluation of the reports of the State Board of Education, school districts and public schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

(b) For the purposes set forth in NRS 385.389, recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to NRS 385.384. In recommending providers, the Committee shall consider providers with a demonstrated record of effectiveness in improving the academic achievement of pupils.

(d) For the purposes set forth in NRS 385.3785, recommend to the Commission on Educational Excellence created by NRS 385.3784 programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

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

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

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

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

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



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

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

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

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

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

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

(2) At the request of the Legislature.

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

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

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

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

5. This section does not prohibit the Department of Education or the State Board of Education from conducting analyses,



1 submitting reports or otherwise reviewing educational programs in
2 this State.

3 **Sec. 17.** (Deleted by amendment.)

4 **Sec. 18.** (Deleted by amendment.)

5 **Sec. 19.** (Deleted by amendment.)

6 **Sec. 20.** (Deleted by amendment.)

7 **Sec. 21.** (Deleted by amendment.)

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

9 233B.063 1. An agency that intends to adopt, amend or
10 repeal a permanent regulation must deliver to the Legislative
11 Counsel a copy of the proposed regulation. The Legislative Counsel
12 shall examine and if appropriate revise the language submitted so
13 that it is clear, concise and suitable for incorporation in the Nevada
14 Administrative Code, but shall not alter the meaning or effect
15 without the consent of the agency.

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

35 3. An agency may adopt a temporary regulation between
36 August 1 of an even-numbered year and July 1 of the succeeding
37 odd-numbered year without following the procedure required by this
38 section and NRS 233B.064, but any such regulation expires by
39 limitation on November 1 of the odd-numbered year. A
40 substantively identical permanent regulation may be subsequently
41 adopted.

42 4. An agency may amend or suspend a permanent regulation
43 between August 1 of an even-numbered year and July 1 of the
44 succeeding odd-numbered year by adopting a temporary regulation



1 in the same manner and subject to the same provisions as prescribed
2 in subsection 3.

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

4 233B.070 1. A permanent regulation becomes effective when
5 the Legislative Counsel files with the Secretary of State the original
6 of the final draft or revision of a regulation, except as otherwise
7 provided in NRS 293.247 or where a later date is specified in the
8 regulation.

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

19 3. An emergency regulation becomes effective when the
20 agency files with the Secretary of State the original of the final draft
21 or revision of an emergency regulation, together with the
22 informational statement prepared pursuant to NRS 233B.066. The
23 agency shall also file a copy of the emergency regulation with the
24 Legislative Counsel, together with the informational statement
25 prepared pursuant to NRS 233B.066.

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

29 5. The Secretary of State shall file, with the original of each
30 agency's rules of practice, the current statement of the agency
31 concerning the date and results of its most recent review of those
32 rules.

33 6. Immediately after each permanent or temporary regulation is
34 filed, the agency shall deliver one copy of the final draft or revision,
35 bearing the stamp of the Secretary of State indicating that it has
36 been filed, including material adopted by reference which is not
37 already filed with the State Library and Archives Administrator, to
38 the State Library and Archives Administrator for use by the public.
39 If the agency is a licensing board as defined in NRS 439B.225 and it
40 has adopted a permanent regulation relating to standards for the
41 issuance or renewal of licenses, permits or certificates of registration
42 issued to a person or facility regulated by the agency, the agency
43 shall also deliver one copy of the regulation, bearing the stamp of
44 the Secretary of State, to the ~~Legislative Committee on Health~~
45 ~~Care~~ *Joint Interim Standing Committee on Health and Human*



1 *Services* within 10 days after the regulation is filed with the
2 Secretary of State.

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

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

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

16 244.2962 The board of county commissioners of a county
17 whose population is 400,000 or more shall, each calendar quarter,
18 submit a report to the ~~Legislative Committee on Health Care~~ *Joint*
19 *Interim Standing Committee on Health and Human Services* and
20 the Director of the Legislative Counsel Bureau for transmittal to the
21 Legislature, if the Legislature is in session, or to the Legislative
22 Commission, if the Legislature is not in session. The report must
23 include, without limitation, the following information related to
24 each fire department and ambulance service operating in the county:

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

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

30 (a) The fees charged to transport the person to a medical facility;
31 (b) Whether the person had health insurance at the time of
32 transport; and

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

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

36 321.7355 1. The State Land Use Planning Agency shall
37 prepare, in cooperation with appropriate federal and state agencies
38 and local governments throughout the State, plans or statements of
39 policy concerning the acquisition and use of lands in the State of
40 Nevada that are under federal management.

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

44 (a) Commercial, industrial or residential development;



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

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

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

3. The State Land Use Planning Agency shall:

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

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

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

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

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

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

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

(a) The Land Use Planning Advisory Council;

(b) The Advisory Board on Natural Resources; and

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



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

Sec. 26. NRS 385.3465 is hereby amended to read as follows:

385.3465 "Committee" means the ~~[Legislative]~~ *Joint Interim Standing* Committee on Education created pursuant to ~~[NRS 218E.605.]~~ *section 5 of this act.*

Sec. 27. NRS 385.555 is hereby amended to read as follows:

385.555 1. The Youth Legislature shall:

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

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

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

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

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

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

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

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

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

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

4. Except as otherwise provided in this subsection, the Youth Legislature and its committees shall comply with the provisions of



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chapter 241 of NRS. Any activities of the Youth Legislature which are conducted solely for purposes of training, including, without limitation, any orientation programs conducted for the Youth Legislature, are not subject to the provisions of chapter 241 of NRS.

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

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

385.620 The Advisory Council shall:

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

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

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

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

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

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

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

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

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



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

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

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

(a) The financial status of the school; and

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

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

(a) The financial status of the school; and

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

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

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

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

(a) Governor;

(b) Department; and

(c) ~~Legislative~~ *Joint Interim Standing* Committee on Education.

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



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

Sec. 30. NRS 387.304 is hereby amended to read as follows:

387.304 The Department shall:

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

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

(a) Long-term obligations in excess of the general obligation debt limit;

(b) Deficit fund balances or retained earnings in any fund;

(c) Deficit cash balances in any fund;

(d) Variances of more than 10 percent between total general fund revenues and budgeted general fund revenues; or

(e) Variances of more than 10 percent between total actual general fund expenditures and budgeted total general fund expenditures.

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

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

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

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

(a) A written progress report for submission, in the even-numbered year after the plan is adopted, to the State Board, the



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1 ~~[Legislative]~~ *Joint Interim Standing* Committee on Education and
2 the Legislative Auditor.

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

7 2. The written progress report and the final written report must
8 indicate the extent to which the plan has been carried out, the extent
9 to which the plan has not been carried out and the reasons for any
10 failure to carry out the plan.

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

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

14 (b) Determine whether the school district successfully carried
15 out the plan for corrective action and complies with the management
16 principles for each of the areas set forth in subsection 2 of NRS
17 387.622; and

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

21 4. The Legislature or a standing committee of the Legislature
22 may:

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

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

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

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

35 387.644 1. If a school district is granted an exemption
36 pursuant to NRS 387.631 or 387.639, the board of trustees of the
37 school district shall provide written notice for each year that the
38 exemption applies which includes:

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

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

44 2. The written notice must be submitted on or before January 1
45 to:



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

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

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

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

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

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

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

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

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

4. The Department shall compile the data received by each school district pursuant to subsection 3 and prepare a written report of the compilation, disaggregated by school district. On or before October 1 of each year, the Department shall submit the written compilation:

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The Department shall provide:

(a) Administrative support;

(b) Equipment; and

(c) Office space,

↪ as is necessary for the Commission to carry out the provisions of this section.



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1 4. The following entities shall cooperate with the Commission
2 in carrying out the provisions of this section:

- 3 (a) The State Board.
4 (b) The board of trustees of each school district.
5 (c) The superintendent of schools of each school district.
6 (d) The Department.

7 5. The Commission shall:

8 (a) Develop technical standards for educational technology and
9 any electrical or structural appurtenances necessary thereto,
10 including, without limitation, uniform specifications for computer
11 hardware and wiring, to ensure that such technology is compatible,
12 uniform and can be interconnected throughout the public schools of
13 this State.

14 (b) Allocate money to the school districts from the Trust Fund
15 for Educational Technology created pursuant to NRS 388.800 and
16 any money appropriated by the Legislature for educational
17 technology, subject to any priorities for such allocation established
18 by the Legislature.

19 (c) Establish criteria for the board of trustees of a school district
20 that receives an allocation of money from the Commission to:

- 21 (1) Repair, replace and maintain computer systems.
22 (2) Upgrade and improve computer hardware and software
23 and other educational technology.
24 (3) Provide training, installation and technical support related
25 to the use of educational technology within the district.

26 (d) Submit to the Governor, the Committee and the Department
27 its plan for the use of educational technology in the public schools
28 of this State and any recommendations for legislation.

29 (e) Review the plan annually and make revisions as it deems
30 necessary or as directed by the Committee or the Department.

31 (f) In addition to the recommendations set forth in the plan
32 pursuant to subsection 2, make further recommendations to the
33 Committee and the Department as the Commission deems
34 necessary.

35 6. During the spring semester of each even-numbered school
36 year, the Commission shall conduct an assessment of the needs of
37 each school district relating to educational technology. In
38 conducting the assessment, the Commission shall consider:

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

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

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

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



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1 ➤ The Commission shall submit a final written report of the
2 assessment to the Superintendent of Public Instruction on or before
3 April 1 of each even-numbered year.

4 7. The Superintendent of Public Instruction shall prepare a
5 written compilation of the results of the assessment conducted by
6 the Commission and transmit the written compilation on or before
7 June 1 of each even-numbered year to the ~~Legislative~~ *Joint*
8 *Interim Standing* Committee on Education and to the Director of
9 the Legislative Counsel Bureau for transmission to the next regular
10 session of the Legislature.

11 8. The Commission may appoint an advisory committee
12 composed of members of the Commission or other qualified persons
13 to provide recommendations to the Commission regarding standards
14 for the establishment, coordination and use of a telecommunications
15 network in the public schools throughout the various school districts
16 in this State. The advisory committee serves at the pleasure of the
17 Commission and without compensation unless an appropriation or
18 other money for that purpose is provided by the Legislature.

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

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

24 389.006 1. In addition to any other test, examination or
25 assessment required by state or federal law, the board of trustees of
26 each school district may require the administration of district-wide
27 tests, examinations and assessments that the board of trustees
28 determines are vital to measure the achievement and progress of
29 pupils. In making this determination, the board of trustees shall
30 consider any applicable findings and recommendations of the
31 ~~Legislative~~ *Joint Interim Standing* Committee on Education.

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

36 3. The board of trustees of each school district and the State
37 Board shall periodically review the tests, examinations and
38 assessments administered to pupils to ensure that the time taken
39 from instruction to conduct a test, examination or assessment is
40 warranted because it is still accomplishing its original purpose.

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

42 389.012 1. The State Board shall:

43 (a) In accordance with guidelines established by the National
44 Assessment Governing Board and National Center for Education
45 Statistics and in accordance with 20 U.S.C. §§ 6301 et seq. and the



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1 regulations adopted pursuant thereto, adopt regulations requiring the
2 schools of this State that are selected by the National Assessment
3 Governing Board or the National Center for Education Statistics to
4 participate in the examinations of the National Assessment of
5 Educational Progress.

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

7 (1) Governor;

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

9 (3) ~~[Legislative]~~ *Joint Interim Standing* Committee on
10 Education created pursuant to ~~[NRS 218E.605;]~~ *section 5 of this*
11 *act*; and

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

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

17 (1) The results of pupils throughout this country who
18 participated in the examinations of the National Assessment of
19 Educational Progress; and

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

22 2. If the report required by subsection 1 indicates that the
23 percentage of pupils enrolled in the public schools in this State who
24 are proficient on the National Assessment of Educational Progress
25 differs by more than 10 percent of the pupils who are proficient on
26 the examinations administered pursuant to NRS 389.550 and the
27 high school proficiency examination administered pursuant to NRS
28 389.015, the Department shall prepare a written report describing
29 the discrepancy. The report must include, without limitation, a
30 comparison and evaluation of:

31 (a) The standards of content and performance for English and
32 mathematics established pursuant to NRS 389.520 with the
33 standards for English and mathematics that are tested on the
34 National Assessment.

35 (b) The standards for proficiency established for the National
36 Assessment with the standards for proficiency established for the
37 examinations that are administered pursuant to NRS 389.550 and
38 the high school proficiency examination administered pursuant to
39 NRS 389.015.

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

42 (a) Governor;

43 (b) ~~[Legislative]~~ *Joint Interim Standing* Committee on
44 Education;



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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Procedures that specifically set forth the action that must be taken in response to a report of an irregularity in testing administration or testing security and the actions that must be taken



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1 during an investigation of such an irregularity. For each action that
2 is required, the procedures must identify:

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

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

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

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

17 (a) The State Board; and

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

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

22 389.620 1. The board of trustees of each school district shall,
23 for each public school in the district, including, without limitation,
24 charter schools, adopt and enforce a plan setting forth procedures to
25 ensure the security of examinations.

26 2. A plan adopted pursuant to subsection 1 must include,
27 without limitation:

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

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

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

36 (d) Procedures that specifically set forth the action that must be
37 taken in response to a report of an irregularity in testing
38 administration or testing security and the action that must be taken
39 during an investigation of such an irregularity. For each action that
40 is required, the procedures must identify, by category, the
41 employees of the school district or charter school who are
42 responsible for taking the action and for ensuring that the action is
43 carried out successfully.



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1 ↪ The procedures adopted pursuant to this subsection must be
2 consistent, to the extent applicable, with the procedures adopted by
3 the Department pursuant to NRS 389.616.

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

7 (a) The State Board; and

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

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

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

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

26 5. As used in this section:

27 (a) "Examination" means:

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

(1) The identity of the school;

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

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

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

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

(II) Additional examinations administered pursuant to NRS 389.632.

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



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

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

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

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

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

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

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

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

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

3. A program of incentive pay established by a school district must specify the type of financial incentives offered to the licensed educational personnel. Money available for the program must not be used to negotiate the salaries of individual employees who participate in the program.

4. If the board of trustees of a school district wishes to receive a grant of money from the Grant Fund, the board of trustees shall submit to the Department an application on a form prescribed by the



1 Department. The application must include a description of the
2 program of incentive pay established by the school district.

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

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

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

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

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

30 (b) The transiency rate of pupils;

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

32 (d) The percentage of pupils who have individualized education
33 programs;

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

37 (f) The percentage of pupils who drop out of high school before
38 graduation.

39 9. The board of trustees of each school district that receives a
40 grant of money pursuant to this section shall evaluate the
41 effectiveness of the program for which the grant was awarded. The
42 evaluation must include, without limitation, an evaluation of
43 whether the program is effective in recruiting and retaining the
44 personnel as set forth in subsection 2. On or before December 1 of



1 each year, the board of trustees shall submit a report of its
2 evaluation to the:

3 (a) Governor;

4 (b) State Board;

5 (c) Interim Finance Committee;

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

9 (e) ~~[Legislative]~~ *Joint Interim Standing* Committee on
10 Education.

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

12 391.536 1. On an annual basis, the governing body of each
13 regional training program shall review the budget for the program
14 and submit a proposed budget to the ~~[Legislative]~~ *Joint Interim*
15 *Standing* Committee on Education. The proposed budget must
16 include, without limitation, the amount of money requested by the
17 governing body to pay for the salary or other compensation of the
18 coordinator of the program hired pursuant to NRS 391.532. In even-
19 numbered years, the proposed budget must be submitted to the
20 ~~[Legislative]~~ *Joint Interim Standing* Committee on Education at
21 least 4 months before the commencement of the next regular session
22 of the Legislature.

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

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

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

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

32 391.552 The governing body of each regional training program
33 shall:

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

39 2. On or before September 1 of each year, submit an annual
40 report to the State Board, the Commission, the ~~[Legislative]~~ *Joint*
41 *Interim Standing* Committee on Education and the Legislative
42 Bureau of Educational Accountability and Program Evaluation that
43 includes:

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. A school attendance council established by the board of trustees must consist of members whose professional responsibilities relate to the prevention of truancy and the enforcement of laws relating to truancy, which may include, without limitation, a person in charge of monitoring attendance within the school district or a school, a representative from an agency which provides child welfare services, a representative from a law enforcement agency and a representative of the district attorney.



3. A school attendance council shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Post a copy of the plan or the revised plan, as applicable, in a prominent place at the school for public inspection and otherwise



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1 make the plan available for public inspection at the administrative
2 office of the school.

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

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

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

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

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

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

28 (b) An odd-numbered year, the Director of the Legislative
29 Counsel Bureau shall transmit it to the ~~Legislative~~ *Joint Interim*
30 *Standing* Committee on Education.

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

32 394.379 1. The administrative head of each private school
33 that provides instruction to pupils with disabilities shall, on or
34 before August 15 of each year, prepare a report that includes,
35 without limitation:

36 (a) The number of instances in which physical restraint was used
37 at the private school during the immediately preceding school year,
38 which must indicate the number of instances per teacher employed
39 at the private school and per pupil enrolled at the private school
40 without disclosing personally identifiable information about the
41 teacher or the pupil;

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



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

3 (c) The number of violations of NRS 394.353 to 394.379,
4 inclusive, by type of violation, which must indicate the number of
5 violations per teacher employed at the private school and per pupil
6 enrolled at the private school.

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

12 3. The Department shall compile the data submitted by each
13 private school pursuant to subsection 2 and prepare a written report
14 of the compilation, disaggregated by each private school. On or
15 before October 1 of each year, the Department shall submit the
16 written compilation:

17 (a) In even-numbered years, to the Director of the Legislative
18 Counsel Bureau for transmission to the next regular session of the
19 Legislature.

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

22 4. If a particular item in a report required pursuant to this
23 section would reveal personally identifiable information about an
24 individual pupil or teacher, that item must not be included in the
25 report.

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

27 400.045 On or before June 30 of each year, the Council shall
28 submit a written report of its activities and any recommendations to
29 the:

30 1. Board of Regents of the University of Nevada;

31 2. State Board;

32 3. Director of the Legislative Counsel Bureau for transmittal to
33 the next regular session of the Legislature;

34 4. ~~Legislative~~ *Joint Interim Standing* Committee on
35 Education; and

36 5. Governor.

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

38 422.2728 1. If the Federal Government approves a Medicaid
39 waiver which the Director applied for pursuant to NRS 422.2726,
40 the Director shall adopt regulations to implement the waiver and
41 establish a program in accordance with the waiver, which may
42 include, without limitation, regulations setting forth:

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

45 (b) Criteria for eligibility;



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1 (c) The services covered by the program;
2 (d) Any limitation on the number of persons who may
3 participate in the program; and

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

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

14 3. The Director shall submit a quarterly report concerning
15 benefits provided by the program established pursuant to this section
16 to the Interim Finance Committee and the ~~Legislative Committee~~
17 ~~on Health Care.~~ *Joint Interim Standing Committee on Health and*
18 *Human Services.*

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

20 439.630 1. The Department shall:

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

25 (1) Promote public health;

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

28 (3) Reduce or prevent the abuse of and addiction to alcohol
29 and drugs; and

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

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

39 (c) Allocate not more than 30 percent of available revenues for
40 direct expenditure by the Department to pay for prescription drugs,
41 pharmaceutical services and, to the extent money is available, other
42 benefits, including, without limitation, dental and vision benefits
43 and hearing aids or other devices that enhance the ability to hear, for
44 senior citizens pursuant to NRS 439.635 to 439.690, inclusive. From
45 the money allocated pursuant to this paragraph, the Department may



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1 subsidize any portion of the cost of providing prescription drugs,
2 pharmaceutical services and, to the extent money is available, other
3 benefits, including, without limitation, dental and vision benefits
4 and hearing aids or other devices that enhance the ability to hear, to
5 senior citizens pursuant to NRS 439.635 to 439.690, inclusive. The
6 Department shall consider recommendations from the Grants
7 Management Advisory Committee in carrying out the provisions of
8 NRS 439.635 to 439.690, inclusive. The Department shall submit a
9 quarterly report 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 regarding the general manner in which expenditures have been made
14 pursuant to this paragraph.

15 (d) Allocate, by contract or grant, for expenditure not more than
16 30 percent of available revenues for allocation by the Aging and
17 Disability Services Division of the Department in the form of grants
18 for existing or new programs that assist senior citizens with
19 independent living, including, without limitation, programs that
20 provide:

- 21 (1) Respite care or relief of informal caretakers;
22 (2) Transportation to new or existing services to assist senior
23 citizens in living independently; and
24 (3) Care in the home which allows senior citizens to remain
25 at home instead of in institutional care.

26 ➤ The Aging and Disability Services Division of the Department
27 shall consider recommendations from the Grants Management
28 Advisory Committee concerning the independent living needs of
29 senior citizens.

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

32 (1) Provide guaranteed funding to finance assisted living
33 facilities that satisfy the criteria for certification set forth in NRS
34 319.147; and

35 (2) Fund assisted living facilities that satisfy the criteria for
36 certification set forth in NRS 319.147 and assisted living supportive
37 services that are provided pursuant to the provisions of the home
38 and community-based services waiver which are amended pursuant
39 to NRS 422.2708.

40 ➤ The Director shall develop policies and procedures for
41 distributing the money allocated pursuant to this paragraph. Money
42 allocated pursuant to this paragraph does not revert to the Fund at
43 the end of the fiscal year.

44 (f) Allocate to the Health Division not more than 15 percent of
45 available revenues for programs that are consistent with the



1 guidelines established by the Centers for Disease Control and
2 Prevention of the United States Department of Health and Human
3 Services relating to evidence-based best practices to prevent, reduce
4 or treat the use of tobacco and the consequences of the use of
5 tobacco. In making allocations pursuant to this paragraph, the
6 Health Division shall allocate the money, by contract or grant:

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

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

12 (3) For statewide programs for tobacco cessation and other
13 statewide services for tobacco cessation and for statewide
14 evaluations of programs which receive an allocation of money
15 pursuant to this paragraph, as determined necessary by the Health
16 Division and the district boards of health.

17 (g) Allocate, by contract or grant, for expenditure not more than
18 10 percent of available revenues for programs that improve health
19 services for children.

20 (h) Allocate, by contract or grant, for expenditure not more than
21 10 percent of available revenues for programs that improve the
22 health and well-being of persons with disabilities. In making
23 allocations pursuant to this paragraph, the Department shall, to the
24 extent practicable, allocate the money evenly among the following
25 three types of programs:

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

28 (2) Programs that provide positive behavioral supports to
29 persons with disabilities; and

30 (3) Programs that assist persons with disabilities to live
31 safely and independently in their communities outside of an
32 institutional setting.

33 (i) Allocate not more than 5 percent of available revenues for
34 direct expenditure by the Department to subsidize any portion of the
35 cost of providing prescription drugs, pharmaceutical services and, to
36 the extent money is available, other benefits, including, without
37 limitation, dental and vision benefits and hearing aids or other
38 devices that enhance the ability to hear, to persons with disabilities
39 pursuant to NRS 439.705 to 439.795, inclusive. The Department
40 shall consider recommendations from the Grants Management
41 Advisory Committee in carrying out the provisions of NRS 439.705
42 to 439.795, inclusive.

43 (j) Maximize expenditures through local, federal and private
44 matching contributions.



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

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

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

(1) Prioritize and quantify the needs for these programs;

(2) Develop, solicit and accept applications for allocations;

(3) Review and consider the recommendations of the Grants Management Advisory Committee submitted pursuant to NRS 232.385;

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

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

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

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

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

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

(b) Develop, solicit and accept grant applications for allocations;

(c) As appropriate, expand or augment existing state programs for senior citizens upon approval of the Interim Finance Committee;

(d) Award grants, contracts or other allocations;

(e) Conduct annual evaluations of programs to which grants or other allocations have been awarded; and



(f) Submit annual reports concerning the allocations made by the Aging and Disability Services Division pursuant to paragraph (d) of subsection 1 to the Governor, the Interim Finance Committee, the ~~Legislative Committee on Health Care~~ *Joint Interim Standing Committee on Health and Human Services* and any other committees or commissions the Director deems appropriate.

4. The Aging and Disability Services Division of the Department shall submit each proposed grant or contract which would be used to expand or augment an existing state program to the Interim Finance Committee for approval before the grant or contract is awarded. The request for approval must include a description of the proposed use of the money and the person or entity that would be authorized to expend the money. The Aging and Disability Services Division of the Department shall not expend or transfer any money allocated to the Aging and Disability Services Division pursuant to this section to subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to senior citizens pursuant to NRS 439.635 to 439.690, inclusive, or to subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive.

5. A veteran may receive benefits or other services which are available from the money allocated pursuant to this section for senior citizens or persons with disabilities to the extent that the veteran does not receive other benefits or services provided to veterans for the same purpose if the veteran qualifies for the benefits or services as a senior citizen or a person with a disability, or both.

6. As used in this section, "available revenues" means the total revenues deposited in the Fund for a Healthy Nevada each year minus \$200,000.

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

439.970 1. Except as otherwise provided in chapter 414 of NRS, if a health authority identifies within its jurisdiction a public health emergency or other health event that is an immediate threat to the health and safety of the public in a health care facility or the office of a provider of health care, the health authority shall immediately transmit to the Governor a report of the immediate threat.

2. Upon receiving a report pursuant to subsection 1, the Governor shall determine whether a public health emergency or other health event exists that requires a coordinated response for the



1 health and safety of the public. If the Governor determines that a
2 public health emergency or other health event exists that requires
3 such a coordinated response, the Governor shall issue an executive
4 order:

5 (a) Stating the nature of the public health emergency or other
6 health event;

7 (b) Stating the conditions that have brought about the public
8 health emergency or other health event, including, without
9 limitation, an identification of each health care facility or provider
10 of health care, if any, related to the public health emergency or other
11 health event;

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

14 (d) Designating an emergency team comprised of:

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

17 (2) Representatives of state agencies, divisions, boards and
18 other entities, including, without limitation, professional licensing
19 boards, with authority by statute to govern or regulate the health
20 care facilities and providers of health care identified as being related
21 to the public health emergency or other health event pursuant to
22 paragraph (b).

23 3. If additional state agencies, divisions, boards or other
24 entities are identified during the course of the response to the public
25 health emergency or other health event as having authority
26 regarding a health care facility or provider of health care that is
27 related to the public health emergency or other health event, the
28 Governor shall direct that agency, division, board or entity to
29 appoint a representative to the emergency team.

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

32 5. If the State Health Officer has a conflict of interest relating
33 to a public health emergency or other health event or is otherwise
34 unable to carry out the duties prescribed pursuant to NRS 439.950 to
35 439.983, inclusive, the Director shall temporarily appoint a person
36 to carry out the duties of the State Health Officer prescribed in NRS
37 439.950 to 439.983, inclusive, until such time as the public health
38 emergency or other health event has been resolved or the State
39 Health Officer is able to resume those duties. The person appointed
40 by the Director must meet the requirements prescribed by subsection
41 1 of NRS 439.090.

42 6. The Governor shall immediately transmit the executive
43 order to:

44 (a) The Legislature or, if the Legislature is not in session, to the
45 Legislative Commission and the ~~Legislative Committee on Health~~



~~Care;~~ *Joint Interim Standing Committee on Health and Human Services;* and

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

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

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

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

Sec. 53. NRS 439.980 is hereby amended to read as follows:

439.980 The chair of the emergency team or a member of the emergency team designated by the chair shall:

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

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

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

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

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

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

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

1. Make recommendations to the State Board of Health and local boards of health with respect to regulations or policies which



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1 may be adopted to prevent public health emergencies and other
2 health events or to improve responses to public health emergencies
3 and other health events; and

4 2. Evaluate the response of each state agency, division, board
5 or other entity represented on the emergency team and make
6 recommendations to the Governor and the Legislature or, if the
7 Legislature is not in session, to the Legislative Commission and the
8 ~~Legislative Committee on Health Care~~ *Joint Interim Standing*
9 *Committee on Health and Human Services* with respect to actions
10 and measures that may be taken to improve such responses.

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

12 439A.290 1. In carrying out the provisions of NRS 439A.200
13 to 439A.290, inclusive, the Department:

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

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

25 2. The Department shall adopt regulations for the review and
26 release of information collected and maintained by the Department
27 pursuant to NRS 439A.200 to 439A.290, inclusive. The regulations
28 must require, without limitation, the Department to review each
29 request for information if the request is for purposes other than
30 research.

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

36 **Sec. 56.** NRS 439B.040 is hereby amended to read as follows:

37 439B.040 "Committee" means the ~~Legislative Committee on~~
38 ~~Health Care.~~ *Joint Interim Standing Committee on Health and*
39 *Human Services.*

40 **Sec. 57.** NRS 449.242 is hereby amended to read as follows:

41 449.242 1. Each hospital located in a county whose
42 population is 100,000 or more and which is licensed to have more
43 than 70 beds shall establish a staffing committee to develop a
44 documented staffing plan as required pursuant to NRS 449.2421.
45 The staffing committee must consist of:



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

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

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

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

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

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

Sec. 58. NRS 449.446 is hereby amended to read as follows:

449.446 1. The Health Division shall conduct annual and unannounced on-site inspections of each office of a physician or a facility that provides health care, other than a medical facility, which holds a permit issued pursuant to NRS 449.443 and each surgical center for ambulatory patients which holds a license issued pursuant to this chapter.

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

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

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

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

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

5. The Health Division shall annually prepare and submit to the ~~Legislative Committee on Health Care.~~ *Joint Interim Standing*



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1 *Committee on Health and Human Services* and the Legislative
2 Commission a report which includes:

3 (a) The number and frequency of inspections conducted
4 pursuant to this section;

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

8 (c) Any other information relating to the inspections as deemed
9 necessary by the ~~[Legislative Committee on Health Care]~~ *Joint*
10 *Interim Standing Committee on Health and Human Services* or
11 the Legislative Commission.

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

13 449.465 1. The Director may, by regulation, impose fees
14 upon admitted health insurers to cover the costs of carrying out the
15 provisions of NRS 449.450 to 449.530, inclusive. The maximum
16 amount of fees collected must not exceed the amount authorized by
17 the Legislature in each biennial budget.

18 2. The Director shall impose a fee of \$50 each year upon
19 admitted health insurers for the support of the ~~[Legislative~~
20 ~~Committee on Health Care.]~~ *Joint Interim Standing Committee on*
21 *Health and Human Services*. The fee imposed pursuant to this
22 subsection is in addition to any fee imposed pursuant to subsection
23 1. The fee collected for the support of the ~~[Legislative Committee~~
24 ~~on Health Care]~~ *Joint Interim Standing Committee on Health and*
25 *Human Services* must be deposited in the Legislative Fund.

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

27 449.520 1. On or before October 1 of each year, the Director
28 shall prepare and transmit to the Governor, the ~~[Legislative~~
29 ~~Committee on Health Care]~~ *Joint Interim Standing Committee on*
30 *Health and Human Services* and the Interim Finance Committee a
31 report of the Department's operations and activities for the
32 preceding fiscal year.

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

34 (a) Copies of all summaries, compilations and supplementary
35 reports required by NRS 449.450 to 449.530, inclusive, together
36 with such facts, suggestions and policy recommendations as the
37 Director deems necessary;

38 (b) A summary of the trends of the audits of hospitals in this
39 State that the Department required or performed during the previous
40 year;

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

(c) If a person is not transferred to an appropriate place in the hospital to receive emergency services and care within 30 minutes after arriving at the hospital, information detailing the reason for such delay, which may be selected from a predetermined list of possible reasons that are available for selection in the electronic system;

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

(e) The names of the personnel of the provider of emergency medical services who transported the person to the hospital and of



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1 the personnel of the hospital who are responsible for the care of the
2 person after the person arrives at the hospital.

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

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

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

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

13 7. The State Board of Health shall appoint for each county in
14 which hospitals and providers of emergency medical services are
15 participating in the collection of data pursuant to this section an
16 advisory committee consisting of the health officer of the county, a
17 representative of each hospital in the county and a representative of
18 each provider of emergency medical services in the county. Each
19 member of the advisory committee serves without compensation
20 and is not entitled to receive a per diem allowance or travel
21 expenses for the member's service on the advisory committee. Each
22 advisory committee shall:

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

24 (b) Review the data that is collected for the county and
25 submitted to the State Board of Health concerning the waiting times
26 for the provision of emergency services and care, the manner in
27 which such data was collected and any circumstances surrounding
28 such waiting times;

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

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

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

35 (a) The district board of health in a county whose population is
36 400,000 or more.

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

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



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

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

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

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

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

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

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

14. As used in this section:

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

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

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

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

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

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



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

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

~~—— (b) Three}~~

2. The three nonvoting members ~~{consisting of:~~

~~—— (1)} of the Commission consist of:~~

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

~~{(2)}~~ (b) The Director of the Department of Public Safety, or a designee of the Director.

~~{(3)}~~ (c) The Director of the Department of Cultural Affairs, or a designee of the Director.

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

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

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

5. The Commission shall approve or disapprove:

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

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

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

➡ In determining whether to approve such an application or issuance, the Commission shall consider, without limitation, whether it would be appropriate and feasible for the Department to,



1 as applicable, design, prepare or issue the particular special license
2 plate. The Commission shall consider each application in the
3 chronological order in which the application was received by the
4 Department.

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

8 7. The Commission shall:

9 (a) Approve or disapprove any proposed change in the
10 distribution of money received in the form of additional fees. As
11 used in this paragraph, "additional fees" means the fees that are
12 charged in connection with the issuance or renewal of a special
13 license plate for the benefit of a particular cause, fund or charitable
14 organization. The term does not include registration and license fees
15 or governmental services taxes.

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

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

21 528.150 1. On or before January 1 of each year, the State
22 Forester Firewarden shall, in coordination and cooperation with the
23 Tahoe Regional Planning Agency and the fire chiefs within the Lake
24 Tahoe Basin, submit a report concerning fire prevention and forest
25 health in the Nevada portion of the Lake Tahoe Basin to:

26 (a) The ~~Legislative Committee for the Review and Oversight of~~
27 ~~the Tahoe Regional Planning Agency and Marlette Lake Water~~
28 ~~System created by NRS 218E.555]~~ *Joint Interim Standing*
29 *Committee on Government Affairs* and to the Director of the
30 Legislative Counsel Bureau for transmittal to the Legislature;

31 (b) The Governor;

32 (c) The Tahoe Regional Planning Agency; and

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

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

37 (a) The status of:

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

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

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

45 (b) Compliance with:



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

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

(c) Any efforts to:

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

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

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

Sec. 64.5. 1. If the provisions of any other act or resolution passed by the 76th Session of the Nevada Legislature provide for a legislative study or investigation:

(a) The provisions of the other act or resolution that provide for the legislative study or investigation are superseded and abrogated by the provisions of this act; and

(b) The legislative study or investigation provided for in the other act or resolution must be conducted by the Joint Interim Standing Committee established pursuant to section 5 of this act which has jurisdiction over the subject matter of the study or investigation, except that the Committee may conduct the study or investigation only within limits of the Committee's budget and work program approved by the Legislative Commission pursuant to section 7 of this act.

2. If the subject matter of such a legislative study or investigation falls within the jurisdiction of more than one Joint Interim Standing Committee established pursuant to section 5 of this act, the Legislative Commission shall assign the study or investigation to the most appropriate Committee based on the budgets and work programs approved by the Legislative Commission for the Committees.

3. As used in this section:

(a) "Legislative study or investigation" includes, without limitation, any:

(1) Interim legislative study or investigation; or



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(2) Legislative study or investigation assigned to a statutory legislative committee, including, without limitation, a statutory legislative committee abolished by the provisions of this act.

(b) "Legislative study or investigation" does not include the advisory committee to develop recommendations for increasing the funding of highways in this State created by Assembly Bill No. 152 of the 76th Session of the Nevada Legislature.

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

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

(a) Commerce, Labor and Energy;

(b) Government Affairs;

(c) Judiciary;

(d) Revenue and Taxation; and

(e) Transportation.

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

(a) Education;

(b) Health and Human Services;

(c) Legislative Operations and Elections; and

(d) Natural Resources, Agriculture and Mining.

Sec. 66. 1. This section and sections 1 to 35, inclusive, and 37 to 65, inclusive, of this act become effective upon passage and approval.

2. Section 36 of this act becomes effective on July 1, 2011.

LEADLINES OF REPEALED SECTIONS

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.

218E.500 Legislative findings and declarations.

218E.505 "Committee" defined.

218E.510 Creation; membership; budget; officers; terms; vacancies; alternates.



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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.



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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.

