

Amendment No. 976

Senate Amendment to Assembly Bill No. 578 First Reprint	(BDR 17-942)
Proposed by: Senate Committee on Legislative Operations and Elections	
Amendment Box: Replaces Amendment No. 967.	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	☐	Lost	☐	_____		Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____		Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____		Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

LJM/BJE



Date: 6/6/2011

A.B. No. 578—Revises the interim committee structure of the Legislature.
(BDR 17-942)



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the Joint Interim Standing Committees; repealing various statutory committees; assigning certain powers and duties of repealed statutory committees to the Joint Interim Standing Committees; making various other changes relating to interim legislative activity; and providing other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 Water System, the Legislative Committee on Education, the Legislative Committee on Child Welfare and Juvenile Justice, the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs, the Legislative Committee on 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:

Section 1. NRS 218D.130 is hereby amended to read as follows:

218D.130 1. On July 1 preceding each regular session of the Legislature, and each week thereafter until the adjournment of the Legislature sine die, the Legislative Counsel shall prepare a list of all requests received by the Legislative Counsel, for the preparation of measures to be submitted to the Legislature. The requests must be listed numerically by a unique serial number which must be assigned to the measures by the Legislative Counsel for the purposes of identification in the order that the Legislative Counsel received the requests. Except as otherwise provided in subsections 3 and 4, the list must only contain the name of each requester, the date and a brief summary of the request.

2. The Legislative Counsel Bureau shall make copies of the list available to the public for a reasonable sum fixed by the Director of the Legislative Counsel Bureau.

3. In preparing the list, the Legislative Counsel shall, if a standing or special committee of the Legislature, *including a Joint Interim Standing Committee*, requests a measure on behalf of a Legislator or organization, include the name of the standing or special committee and the name of the Legislator or organization on whose behalf the measure was originally requested.

4. Upon the request of a Legislator who has requested the preparation of a measure, the Legislative Counsel shall add the name of one or more Legislators from either or both Houses of the Legislature as joint requesters. The Legislative Counsel shall not add the name of a joint requester to the list until the Legislative Counsel has received confirmation of the joint request from the primary requester of the measure and from the Legislator to be added as a joint requester. The Legislative Counsel shall remove the name of a joint requester upon receipt of a request to do so made by the primary requester or the joint requester. The names must appear on the list in the order in which the names were received by the Legislative Counsel beginning with the primary requester. The Legislative Counsel shall not act upon the direction of a joint requester to withdraw the requested measure or modify its substance until the Legislative Counsel has received confirmation of the withdrawal or modification from the primary requester.

5. If the primary requester of a measure will not be returning to the Legislature for the legislative session in which the measure is to be considered, the primary requester may authorize a Legislator who will be serving during that session to become the primary sponsor of the measure, either individually or as the chair on behalf of a standing committee. If the Legislator who will be serving during that session agrees to become or have the committee become the primary sponsor of the measure, that Legislator shall notify the Legislative Counsel of that fact. Upon receipt of such notification, the Legislative Counsel shall list the name of that Legislator or the name of the committee as the primary requester of the measure on the list.

6. For the purposes of all limitations on the number of legislative measures that may be requested by a Legislator, a legislative measure with joint requesters must only be counted as a request of the primary requester.

Sec. 2. NRS 218D.160 is hereby amended to read as follows:

218D.160 1. The Chair of the Legislative Commission may request the drafting of not more than 15 legislative measures before the commencement of a regular legislative session, with the approval of the Commission, which relate to the

affairs of the Legislature or its employees, including measures requested by the legislative staff.

2. The Chair of the Interim Finance Committee may request the drafting of not more than 10 legislative measures before the commencement of a regular legislative session, with the approval of the Committee, which relate to matters within the scope of the Committee.

3. Except as otherwise provided by *a* specific statute, *joint rule* or concurrent resolution of the Legislature:

(a) *A Joint Interim Standing Committee may request the drafting of not more than 10 legislative measures which relate to matters within the scope of the Committee.*

(b) Any ~~other~~ legislative committee created by *a* statute, *other than an interim legislative committee*, may request the drafting of not more than 10 legislative measures which relate to matters within the scope of the committee.

~~(b)}~~ (c) ~~[An interim committee which conducts a study or investigation]~~ Any *committee or subcommittee established by an order of the Legislative Commission* pursuant to NRS 218E.200 may request the drafting of not more than 5 legislative measures which relate to matters within the scope of the study or investigation, except that such a committee *or subcommittee* may request the drafting of additional legislative measures if the Legislative Commission approves each additional request by a majority vote.

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

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

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

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

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

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

(a) *Commerce, Labor and Energy;*

(b) *Education;*

(c) *Government Affairs;*

(d) *Health and Human Services;*

(e) *Judiciary;*

(f) *Legislative Operations and Elections;*

(g) *Natural Resources, Agriculture and Mining;*

(h) *Revenue and Taxation; and*

(i) *Transportation.*

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

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

1 (b) The Majority Leader of the Senate shall appoint three Senators as
2 regular members of each Committee and two Senators as alternate members of
3 each Committee.

4 3. Before making their respective appointments, the Speaker of the
5 Assembly and the Majority Leader of the Senate shall consult so that, to the
6 extent practicable:

7 (a) At least five regular members appointed to each Committee served on the
8 corresponding standing committee or committees during the preceding regular
9 session of the Legislature.

10 (b) Not more than five regular members appointed to each Committee are
11 members of the same political party and at least one regular member and one
12 alternate member appointed from each House of the Legislature to each
13 Committee are members of a different political party than the appointing
14 authority.

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

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

28 6. Vacancies on a Committee must be filled in the same manner as original
29 appointments.

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

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

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

42 4. Except during a regular or special session of the Legislature, for each
43 day or portion of a day during which a member of a Committee attends a meeting
44 of the Committee or is otherwise engaged in the work of the Committee, the
45 member is entitled to receive the:

46 (a) Compensation provided for a majority of the members of the Legislature
47 during the first 60 days of the preceding regular session;

48 (b) Per diem allowance provided for state officers and employees generally;
49 and

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

51 ➤ The compensation, per diem allowances and travel expenses of the members of
52 a Committee must be paid from the Legislative Fund.

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

6 2. The Legislative Commission shall review and approve the budget and
7 work program of each Committee and any changes to the budget or work
8 program.

9 3. A Committee shall prepare a comprehensive report of the Committee's
10 activities in the interim and its findings and any recommendations for proposed
11 legislation. The report must be submitted to the Director of the Legislative
12 Counsel Bureau for distribution to the ensuing session of the Legislature.

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

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

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

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

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

24 (a) That due notice has been given of the time and place of attendance of the
25 witness or the production of the books, papers or documents;

26 (b) That the witness has been subpoenaed by the Committee pursuant to this
27 section; and

28 (c) That the witness has failed or refused to attend or to produce the books,
29 papers or documents required by the subpoena before the Committee that is
30 named in the subpoena, or has refused to answer questions propounded to the
31 witness,

32 ➤ and asking for an order of the court compelling the witness to attend and
33 testify or to produce the books, papers or documents before the Committee.

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

40 4. If it appears to the court that the subpoena was regularly issued by the
41 Committee, the court shall enter an order that the witness appear before the
42 Committee at the time and place fixed in the order and testify or produce the
43 required books, papers or documents. Failure to obey the order constitutes
44 contempt of court.

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

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

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

2 218E.200 1. The Legislative Commission may conduct studies or
3 investigations concerning governmental problems, important issues of public policy
4 or questions of statewide interest ~~{}~~ **or may assign such studies or investigations to**
5 **a Joint Interim Standing Committee.**

6 2. The Legislative Commission may establish subcommittees and interim or
7 special committees as official agencies of the Legislative Counsel Bureau to
8 conduct such studies or investigations or otherwise to deal with such governmental
9 problems, important issues of public policy or questions of statewide interest ~~{}~~ **or**
10 **may assign such matters to a Joint Interim Standing Committee.**

11 3. The membership of ~~{those}~~ **any** subcommittees and interim or special
12 committees **established pursuant to subsection 2** must be designated by the
13 Legislative Commission and may consist of members of the Legislative
14 Commission and Legislators other than members of the Commission, employees of
15 the State of Nevada or citizens of the State of Nevada.

16 4. Members of ~~{those}~~ subcommittees and interim or special committees who
17 are not Legislators shall serve without salary, but they are entitled to receive out of
18 the Legislative Fund the per diem expense allowances and travel expenses provided
19 for state officers and employees generally.

20 5. Except during a regular or special session of the Legislature, members of
21 ~~{those}~~ subcommittees and interim or special committees who are Legislators are
22 entitled to receive out of the Legislative Fund the compensation provided for a
23 majority of the members of the Legislature during the first 60 days of the preceding
24 session for each day or portion of a day of attendance, and the per diem expense
25 allowances provided for state officers and employees generally and the travel
26 expenses provided pursuant to NRS 218A.655.

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

28 218E.205 1. The Legislative Commission shall, between sessions of the
29 Legislature, fix the work priority of all studies and investigations assigned to it by
30 ~~{concurrent resolutions of}~~ the Legislature, ~~{or}~~ directed by an order of the
31 Legislative Commission **{or conducted by a Joint Interim Standing Committee,**
32 within the limits of available time, money and staff. The Legislative Commission
33 shall not make studies or investigations directed by resolutions of only one House
34 of the Legislature or studies or investigations proposed but not approved during the
35 preceding legislative session.

36 2. All requests for the drafting of ~~{legislation}~~ **legislative measures** to be
37 recommended as the result of a study or investigation ~~{, except a study or~~
38 ~~investigation directed by an order of the Legislative Commission,}~~ must be made
39 ~~{before July 1 of the year preceding a legislative session.}~~ **in accordance with NRS**
40 **218D.160.**

41 3. Except as otherwise provided by NRS 218E.210, between sessions of the
42 Legislature no study or investigation may be initiated or continued by the Fiscal
43 Analysts, the Legislative Auditor, the Legislative Counsel or the Research Director
44 and their staffs except studies and investigations which have been specifically
45 authorized by ~~{concurrent resolutions of}~~ the Legislature or by ~~{an order of}~~ the
46 Legislative Commission.

47 4. No study or investigation may be carried over from one session of the
48 Legislature to the next without additional authorization ~~{by a concurrent resolution}~~
49 of the Legislature, except audits in progress, whose carryover has been approved by
50 the Legislative Commission.

51 5. Except as otherwise provided by specific statute, the staff of the Legislative
52 Counsel Bureau shall not serve as primary administrative or professional staff for a

committee unless the chair of the committee is required by statute or resolution to be a 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 needed for residential or economic development or any other purpose; and

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

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

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

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

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

2 218E.525 1. The *Joint Interim Standing* Committee *on Natural Resources,*
3 *Agriculture and Mining* shall:

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

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

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

11 2. The *Joint Interim Standing* Committee ~~{H}~~ *on Natural Resources,*
12 *Agriculture and Mining*:

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

14 (1) The Colorado River Commission of Nevada;

15 (2) All public water authorities, districts and systems in the State of
16 Nevada, including, without limitation, the Southern Nevada Water Authority, the
17 Truckee Meadows Water Authority, the Virgin Valley Water District, the Carson
18 Water Subconservancy District, the Humboldt River Basin Water Authority and the
19 Truckee-Carson Irrigation District; and

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

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

26 ~~—(c)—~~ May review and comment on other issues relating to water resources in
27 this State, including, without limitation:

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

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

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

33 218E.565 The *Joint Interim Standing* Committee *on Government Affairs*
34 shall:

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

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

40 3. Study the role, authority and activities of:

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

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

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

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

46 218E.615 1. The *Joint Interim Standing* Committee *on Education* may:

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

49 (1) Programs to enhance accountability in education;

50 (2) Legislative measures regarding education;

51 (3) The progress made by this State, the school districts and the public
52 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~~ *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, submitting reports or otherwise reviewing educational programs in this State.

Sec. 17. ~~NRS 62H.220 is hereby amended to read as follows:~~

~~62H.220 1. The Director of the Department of Health and Human Services shall establish within the Department a program to compile and analyze data concerning juvenile sex offenders. The program must be designed to:~~

~~(a) Provide statistical data relating to the recidivism of juvenile sex offenders; and~~

~~(b) Use the data provided by the Division of Child and Family Services of the Department of Health and Human Services pursuant to NRS 62H.220 to assess the effectiveness of programs for the treatment of juvenile sex offenders.~~

~~2. The Director of the Department of Health and Human Services shall report the statistical data and findings from the program to:~~

~~(a) The Legislature at the beginning of each regular session.~~

~~(b) The [Advisory Commission on the Administration of Justice] Joint Interim Standing Committee on Judiciary on or before January 31 of each even-numbered year.~~

~~3. The data acquired pursuant to this section is confidential and must be used only for the purpose of research. The data and findings generated pursuant to this section must not contain information that may reveal the identity of a juvenile sex~~

~~offender or the identity of an individual victim of a crime.] (Deleted by amendment.)~~

Sec. 18. ~~[NRS 176.0125 is hereby amended to read as follows:
176.0125 The [Commission] Joint Interim Standing Committee on
Judiciary shall:~~

~~1. Identify and study the elements of this State's system of criminal justice which affect the sentences imposed for felonies and gross misdemeanors.~~

~~2. Evaluate the effectiveness and fiscal impact of various policies and practices regarding sentencing which are employed in this State and other states, including, but not limited to, the use of plea bargaining, probation, programs of intensive supervision, programs of regimental discipline, imprisonment, sentencing recommendations, mandatory and minimum sentencing, mandatory sentencing for crimes involving the possession, manufacture and distribution of controlled substances, structured or tiered sentencing, enhanced penalties for habitual criminals, parole, credits against sentences, residential confinement and alternatives to incarceration.~~

~~3. Recommend changes in the structure of sentencing in this State which, to the extent practicable and with consideration for their fiscal impact, incorporate general objectives and goals for sentencing, including, but not limited to, the following:~~

~~(a) Offenders must receive sentences that increase in direct proportion to the severity of their crimes and their histories of criminality.~~

~~(b) Offenders who have extensive histories of criminality or who have exhibited a propensity to commit crimes of a predatory or violent nature must receive sentences which reflect the need to ensure the safety and protection of the public and which allow for the imprisonment for life of such offenders.~~

~~(c) Offenders who have committed offenses that do not include acts of violence and who have limited histories of criminality must receive sentences which reflect the need to conserve scarce economic resources through the use of various alternatives to traditional forms of incarceration.~~

~~(d) Offenders with similar histories of criminality who are convicted of similar crimes must receive sentences that are generally similar.~~

~~(e) Offenders sentenced to imprisonment must receive sentences which do not confuse or mislead the public as to the actual time those offenders must serve while incarcerated or before being released from confinement or supervision.~~

~~(f) Offenders must not receive disparate sentences based upon factors such as race, gender or economic status.~~

~~(g) Offenders must receive sentences which are based upon the specific circumstances and facts of their offenses, including the nature of the offense and any aggravating factors, the savagery of the offense, as evidenced by the extent of any injury to the victim, and the degree of criminal sophistication demonstrated by the offender's acts before, during and after commission of the offense.~~

~~4. Evaluate the effectiveness and efficiency of the Department of Corrections and the State Board of Parole Commissioners with consideration as to whether it is feasible and advisable to establish an oversight or advisory board to perform various functions and make recommendations concerning:~~

~~(a) Policies relating to parole;~~

~~(b) Regulatory procedures and policies of the State Board of Parole Commissioners;~~

~~(c) Policies for the operation of the Department of Corrections;~~

~~(d) Budgetary issues; and~~

~~(e) Other related matters.~~

~~5. Evaluate the effectiveness of specialty court programs in this State with consideration as to whether such programs have the effect of limiting or precluding reentry of offenders and parolees into the community;~~

~~6. Evaluate the policies and practices concerning presentence investigations and reports made by the Division of Parole and Probation of the Department of Public Safety, including, without limitation, the resources relied on in preparing such investigations and reports and the extent to which judges in this State rely on and follow the recommendations contained in such presentence investigations and reports;~~

~~7. Evaluate, review and comment upon issues relating to juvenile justice in this State, including, but not limited to:~~

~~(a) The need for the establishment and implementation of evidence-based programs and a continuum of sanctions for children who are subject to the jurisdiction of the juvenile court; and~~

~~(b) The impact on the criminal justice system of the policies and programs of the juvenile justice system;~~

~~8. Compile and develop statistical information concerning sentencing in this State;~~

~~9. Identify and study issues relating to the application of chapter 241 of NRS to meetings held by the:~~

~~(a) State Board of Pardons Commissioners to consider an application for clemency; and~~

~~(b) State Board of Parole Commissioners to consider an offender for parole;~~

~~10. Identify and study issues relating to the operation of the Department of Corrections, including, without limitation, the system for allowing credits against the sentences of offenders, the accounting of such credits and any other policies and procedures of the Department which pertain to the operation of the Department;~~

~~11. For each regular session of the Legislature, prepare a comprehensive report including the Commission's recommended changes pertaining to the administration of justice in this State, the Commission's findings and any recommendations of the Commission for proposed legislation. The report must be submitted to the Director of the Legislative Counsel Bureau for distribution to the Legislature not later than September 1 of each even-numbered year.}] (Deleted by amendment.)~~

Sec. 19. ~~[NRS 176.0127 is hereby amended to read as follows:~~

~~176.0127 1. The Department of Corrections shall:~~

~~(a) Provide the [Commission] **Joint Interim Standing Committee on Judiciary** with any available statistical information or research requested by the [Commission] **Committee** and assist the [Commission] **Committee** in the compilation and development of information requested by the [Commission] **Committee**, including, but not limited to, information or research concerning the facilities and institutions of the Department of Corrections, the offenders who are or were within those facilities or institutions, rates of recidivism, the effectiveness of educational and vocational programs and the sentences which are being served or were served by those offenders;~~

~~(b) If requested by the [Commission] **Joint Interim Standing Committee on Judiciary**, make available to the [Commission] **Committee** the use of the computers and programs which are owned by the Department of Corrections; and~~

~~(c) Provide the independent contractor retained by the Department of Administration pursuant to NRS 176.0129 with any available statistical information requested by the independent contractor for the purpose of performing the projections required by NRS 176.0129;~~

~~2. The Division shall:~~

~~(a) Provide the [Commission] Joint Interim Standing Committee on Judiciary with any available statistical information or research requested by the [Commission] Committee and assist the [Commission] Committee in the compilation and development of information concerning sentencing, probation, parole and any offenders who are or were subject to supervision by the Division;~~

~~(b) If requested by the [Commission], Joint Interim Standing Committee on Judiciary, make available to the [Commission] Committee the use of the computers and programs which are owned by the Division; and~~

~~(c) Provide the independent contractor retained by the Department of Administration pursuant to NRS 176.0129 with any available statistical information requested by the independent contractor for the purpose of performing the projections required by NRS 176.0129. (Deleted by amendment.)~~

Sec. 20. ~~[NRS 176.0128 is hereby amended to read as follows:~~

~~176.0128 The Central Repository for Nevada Records of Criminal History shall:~~

~~1. Facilitate the collection of statistical data in the manner approved by the Director of the Department of Public Safety and coordinate the exchange of such data with agencies of criminal justice within this State, including:~~

~~(a) State and local law enforcement agencies;~~

~~(b) The Office of the Attorney General;~~

~~(c) The Court Administrator;~~

~~(d) The Department of Corrections; and~~

~~(e) The Division.~~

~~2. Provide the [Commission] Joint Interim Standing Committee on Judiciary with available statistical data and information requested by the [Commission] Committee. (Deleted by amendment.)~~

Sec. 21. ~~[NRS 176.0129 is hereby amended to read as follows:~~

~~176.0129 The Department of Administration shall, on an annual basis, contract for the services of an independent contractor, in accordance with the provisions of NRS 333.700, to:~~

~~1. Review sentences imposed in this State and the practices of the State Board of Parole Commissioners and project annually the number of persons who will be:~~

~~(a) In a facility or institution of the Department of Corrections;~~

~~(b) On probation;~~

~~(c) On parole; and~~

~~(d) Serving a term of residential confinement;~~

~~and during the 10 years immediately following the date of the projection; and~~

~~2. Review preliminary proposals and information provided by the [Commission] Joint Interim Standing Committee on Judiciary and project annually the number of persons who will be:~~

~~(a) In a facility or institution of the Department of Corrections;~~

~~(b) On probation;~~

~~(c) On parole; and~~

~~(d) Serving a term of residential confinement;~~

~~and during the 10 years immediately following the date of the projection, assuming the preliminary proposals were recommended by the [Commission] Committee and enacted by the Legislature. (Deleted by amendment.)~~

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

233B.063 1. An agency that intends to adopt, amend or repeal a permanent regulation must deliver to the Legislative Counsel a copy of the proposed regulation. The Legislative Counsel shall examine and if appropriate revise the language submitted so that it is clear, concise and suitable for incorporation in the

1 Nevada Administrative Code, but shall not alter the meaning or effect without the
2 consent of the agency.

3 2. Unless the proposed regulation is submitted to the Legislative Counsel
4 between July 1 of an even-numbered year and July 1 of the succeeding odd-
5 numbered year, the Legislative Counsel shall deliver the approved or revised text of
6 the regulation within 30 days after it is submitted to the Legislative Counsel. If the
7 proposed or revised text of a regulation is changed before adoption, the agency
8 shall submit the changed text to the Legislative Counsel, who shall examine and
9 revise it if appropriate pursuant to the standards of subsection 1. Unless it is
10 submitted between July 1 of an even-numbered year and July 1 of the succeeding
11 odd-numbered year, the Legislative Counsel shall return it with any appropriate
12 revisions within 30 days. If the agency is a licensing board as defined in NRS
13 439B.225 and the proposed regulation relates to standards for the issuance or
14 renewal of licenses, permits or certificates of registration issued to a person or
15 facility regulated by the agency, the Legislative Counsel shall also deliver one copy
16 of the approved or revised text of the regulation to the ~~Legislative Committee on~~
17 ~~Health Care~~ **Joint Interim Standing Committee on Health and Human Services.**

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

23 4. An agency may amend or suspend a permanent regulation between August
24 1 of an even-numbered year and July 1 of the succeeding odd-numbered year by
25 adopting a temporary regulation in the same manner and subject to the same
26 provisions as prescribed in subsection 3.

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

28 233B.070 1. A permanent regulation becomes effective when the
29 Legislative Counsel files with the Secretary of State the original of the final draft or
30 revision of a regulation, except as otherwise provided in NRS 293.247 or where a
31 later date is specified in the regulation.

32 2. Except as otherwise provided in NRS 233B.0633, an agency that has
33 adopted a temporary regulation may not file the temporary regulation with the
34 Secretary of State until 35 days after the date on which the temporary regulation
35 was adopted by the agency. A temporary regulation becomes effective when the
36 agency files with the Secretary of State the original of the final draft or revision of
37 the regulation, together with the informational statement prepared pursuant to NRS
38 233B.066. The agency shall also file a copy of the temporary regulation with the
39 Legislative Counsel, together with the informational statement prepared pursuant to
40 NRS 233B.066.

41 3. An emergency regulation becomes effective when the agency files with the
42 Secretary of State the original of the final draft or revision of an emergency
43 regulation, together with the informational statement prepared pursuant to NRS
44 233B.066. The agency shall also file a copy of the emergency regulation with the
45 Legislative Counsel, together with the informational statement prepared pursuant to
46 NRS 233B.066.

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

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

6. Immediately after each permanent or temporary regulation is filed, the agency shall deliver one copy of the final draft or revision, bearing the stamp of the Secretary of State indicating that it has been filed, including material adopted by reference which is not already filed with the State Library and Archives Administrator, to the State Library and Archives Administrator for use by the public. If the agency is a licensing board as defined in NRS 439B.225 and it has adopted a permanent regulation relating to standards for the issuance or renewal of licenses, permits or certificates of registration issued to a person or facility regulated by the agency, the agency shall also deliver one copy of the regulation, bearing the stamp of the Secretary of State, to the ~~Legislative Committee on Health Care~~ **Joint Interim Standing Committee on Health and Human Services** within 10 days after the regulation is filed with the Secretary of State.

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

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

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

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

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

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

(a) The fees charged to transport the person to a medical facility;

(b) Whether the person had health insurance at the time of transport; and

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

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

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

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

(a) Commercial, industrial or residential development;

(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.

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

4 3. The State Land Use Planning Agency shall:

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

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

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

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

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

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

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

27 (a) The Land Use Planning Advisory Council;

28 (b) The Advisory Board on Natural Resources; and

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

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

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

35 385.3465 "Committee" means the ~~Legislative~~ *Joint Interim Standing*
36 Committee on Education created pursuant to ~~NRS 218E.605;~~ *section 5 of this act.*

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

38 385.555 1. The Youth Legislature shall:

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

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

44 (1) Education;

45 (2) Employment opportunities;

46 (3) Participation of youth in state and local government;

47 (4) A safe learning environment;

48 (5) The prevention of substance abuse;

49 (6) Emotional and physical well-being;

50 (7) Foster care; and

51 (8) Access to state and local services.

52 (c) Conduct a public awareness campaign to raise awareness about the Youth
53 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 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

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:

(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

1 identify school districts which failed to comply with any statutes or administrative
2 regulations of this State or which had any:

- 3 (a) Long-term obligations in excess of the general obligation debt limit;
- 4 (b) Deficit fund balances or retained earnings in any fund;
- 5 (c) Deficit cash balances in any fund;
- 6 (d) Variances of more than 10 percent between total general fund revenues and
7 budgeted general fund revenues; or
- 8 (e) Variances of more than 10 percent between total actual general fund
9 expenditures and budgeted total general fund expenditures.

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

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

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

18 387.639 1. If the board of trustees of a school district adopts a plan for
19 corrective action, the board of trustees of the school district shall prepare, on or
20 before February 1:

21 (a) A written progress report for submission, in the even-numbered year after
22 the plan is adopted, to the State Board, the ~~Legislative~~ *Joint Interim Standing*
23 Committee on Education and the Legislative Auditor.

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

27 2. The written progress report and the final written report must indicate the
28 extent to which the plan has been carried out, the extent to which the plan has not
29 been carried out and the reasons for any failure to carry out the plan.

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

- 32 (a) Review the report and the plan for corrective action;
- 33 (b) Determine whether the school district successfully carried out the plan for
34 corrective action and complies with the management principles for each of the areas
35 set forth in subsection 2 of NRS 387.622; and
- 36 (c) Submit a written report of the determination of the Auditor to the
37 Legislature, including a recommendation whether the school district should be
38 granted an exemption from its next 6-year review.

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

- 40 (a) Review the reports submitted pursuant to this section and the written
41 determination of the Legislative Auditor; and
- 42 (b) Conduct hearings to examine any justification for the failure of a school
43 district to carry out successfully the management principles or to fully carry out the
44 plan for corrective action.

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

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

51 387.644 1. If a school district is granted an exemption pursuant to NRS
52 387.631 or 387.639, the board of trustees of the school district shall provide written
53 notice for each year that the exemption applies which includes:

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

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

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

(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.

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.

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

(a) The State Board.

(b) The board of trustees of each school district.

(c) The superintendent of schools of each school district.

(d) The Department.

5. The Commission shall:

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

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

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

(1) Repair, replace and maintain computer systems.

(2) Upgrade and improve computer hardware and software and other educational technology.

(3) Provide training, installation and technical support related to the use of educational technology within the district.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 389.012 1. The State Board shall:

3 (a) In accordance with guidelines established by the National Assessment
4 Governing Board and National Center for Education Statistics and in accordance
5 with 20 U.S.C. §§ 6301 et seq. and the regulations adopted pursuant thereto, adopt
6 regulations requiring the schools of this State that are selected by the National
7 Assessment Governing Board or the National Center for Education Statistics to
8 participate in the examinations of the National Assessment of Educational Progress.

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

10 (1) Governor;

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

12 (3) ~~Legislative~~ **Joint Interim Standing** Committee on Education created
13 pursuant to ~~NRS 218E.605;~~ **section 5 of this act;** and

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

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

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

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

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

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

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

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

39 (a) Governor;

40 (b) ~~Legislative~~ **Joint Interim Standing** Committee on Education;

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

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

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

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

52 389.570 1. The Council shall review the results of pupils on the
53 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 during an investigation of such an irregularity. For each action that is required, the procedures must identify:

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

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

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

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

(a) The State Board; and

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

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

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

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

(d) 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 action that must be taken during an investigation of such an irregularity. For each action that is required, the procedures must identify, by category, the employees of the school district or charter school who are responsible for taking the action and for ensuring that the action is carried out successfully.

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

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

(a) The State Board; and

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

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

(a) Plan adopted pursuant to this section; and

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

5. As used in this section:

(a) "Examination" means:

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

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

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

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

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

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

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

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

1 to attract and retain those employees. The program must be negotiated pursuant to
2 chapter 288 of NRS and must include, without limitation, the attraction and
3 retention of:

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

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

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

16 4. If the board of trustees of a school district wishes to receive a grant of
17 money from the Grant Fund, the board of trustees shall submit to the Department an
18 application on a form prescribed by the Department. The application must include a
19 description of the program of incentive pay established by the school district.

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

25 6. After approval of the list of incentives by the Interim Finance Committee
26 pursuant to subsection 5 and within the limits of money available in the Grant
27 Fund, the Department shall provide grants of money to each school district that
28 submits an application pursuant to subsection 4 based upon the amount of money
29 that is necessary to carry out each program. If an insufficient amount of money is
30 available to pay for each program submitted to the Department, the amount of
31 money available must be distributed pro rata based upon the number of licensed
32 employees who are estimated to be eligible to participate in the program in each
33 school district that submitted an application.

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

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

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

43 (b) The transiency rate of pupils;

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

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

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

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

50 9. The board of trustees of each school district that receives a grant of money
51 pursuant to this section shall evaluate the effectiveness of the program for which
52 the grant was awarded. The evaluation must include, without limitation, an
53 evaluation of whether the program is effective in recruiting and retaining the

personnel as set forth in subsection 2. On or before December 1 of each year, the board of trustees shall submit a report of its evaluation to the:

(a) Governor;

(b) State Board;

(c) Interim Finance Committee;

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

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

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

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

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

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

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

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

391.552 The governing body of each regional training program shall:

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

2. On or before September 1 of each year, 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:

(a) The priorities for training adopted by the governing body 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 make the plan available for public inspection at the administrative office of the school.

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

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

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

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

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

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

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

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

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

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

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

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

3. The Department shall compile the data submitted by each private school pursuant to subsection 2 and prepare a written report of the compilation, disaggregated by each private school. 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.

4. 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. 49. NRS 400.045 is hereby amended to read as follows:

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

1. Board of Regents of the University of Nevada;

2. State Board;

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

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

5. Governor.

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

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

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

(b) Criteria for eligibility;

(c) The services covered by the program;

(d) Any limitation on the number of persons who may participate in the program; and

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

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

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

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

439.630 1. The Department shall:

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

- (1) Promote public health;
- (2) Improve health services for children, senior citizens and persons with disabilities;
- (3) Reduce or prevent the abuse of and addiction to alcohol and drugs; and
- (4) Offer other general or specific information on health care in this State.

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

(c) Allocate not more than 30 percent of available revenues for direct expenditure by the Department to pay for prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, for senior citizens pursuant to NRS 439.635 to 439.690, inclusive. From the money allocated pursuant to this paragraph, the Department may subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and, to the extent money is available, 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. The Department shall consider recommendations from the Grants Management Advisory Committee in carrying out the provisions of NRS 439.635 to 439.690, inclusive. The Department shall submit a quarterly report 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 regarding the general manner in which expenditures have been made pursuant to this paragraph.

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

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

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

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

- (1) Provide guaranteed funding to finance assisted living facilities that satisfy the criteria for certification set forth in NRS 319.147; and
- (2) Fund assisted living facilities that satisfy the criteria for certification set forth in NRS 319.147 and assisted living supportive services that are provided pursuant to the provisions of the home and community-based services waiver which are amended pursuant to NRS 422.2708.

1 ✎ The Director shall develop policies and procedures for distributing the money
2 allocated pursuant to this paragraph. Money allocated pursuant to this paragraph
3 does not revert to the Fund at the end of the fiscal year.

4 (f) Allocate to the Health Division not more than 15 percent of available
5 revenues for programs that are consistent with the guidelines established by the
6 Centers for Disease Control and Prevention of the United States Department of
7 Health and Human Services relating to evidence-based best practices to prevent,
8 reduce or treat the use of tobacco and the consequences of the use of tobacco. In
9 making allocations pursuant to this paragraph, the Health Division shall allocate the
10 money, by contract or grant:

11 (1) To the district board of health in each county whose population is
12 100,000 or more for expenditure for such programs in the respective county;

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

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

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

21 (h) Allocate, by contract or grant, for expenditure not more than 10 percent of
22 available revenues for programs that improve the health and well-being of persons
23 with disabilities. In making allocations pursuant to this paragraph, the Department
24 shall, to the 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 caretakers for
27 persons with disabilities;

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

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

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

40 (j) Maximize expenditures through local, federal and private matching
41 contributions.

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

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

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

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

53 (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

1 event that is an immediate threat to the health and safety of the public in a health
2 care facility or the office of a provider of health care, the health authority shall
3 immediately transmit to the Governor a report of the immediate threat.

4 2. Upon receiving a report pursuant to subsection 1, the Governor shall
5 determine whether a public health emergency or other health event exists that
6 requires a coordinated response for the health and safety of the public. If the
7 Governor determines that a public health emergency or other health event exists
8 that requires such a coordinated response, the Governor shall issue an executive
9 order:

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

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

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

17 (d) Designating an emergency team comprised of:

18 (1) The State Health Officer or a person appointed pursuant to subsection
19 5, as applicable; and

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

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

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

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

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

42 (a) The Legislature or, if the Legislature is not in session, to the Legislative
43 Commission and the ~~Legislative Committee on Health Care;~~ *Joint Interim*
44 *Standing Committee on Health and Human Services;* and

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

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

51 8. If a public health emergency or other health event lasts longer than the
52 estimated duration stated in the executive order, the Governor is not required to

1 reissue an executive order, but shall notify each person and entity identified in
2 subsection 6.

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

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

5 439.980 The chair of the emergency team or a member of the emergency
6 team designated by the chair shall:

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

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

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

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

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

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

24 439.983 Upon the resolution of a public health emergency or other health
25 event, the emergency team shall:

26 1. Make recommendations to the State Board of Health and local boards of
27 health with respect to regulations or policies which may be adopted to prevent
28 public health emergencies and other health events or to improve responses to public
29 health emergencies and other health events; and

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

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

37 439A.290 1. In carrying out the provisions of NRS 439A.200 to 439A.290,
38 inclusive, the Department:

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

42 (b) May contract with the Nevada System of Higher Education or any
43 appropriate, independent and qualified person or entity to analyze the information
44 collected and maintained by the Department pursuant to NRS 439A.200 to
45 439A.290, inclusive. Such a contractor may release or publish or otherwise use
46 information made available to it pursuant to the contract if the Department
47 determines that the information is accurate and the contractor complies with the
48 regulations adopted pursuant to subsection 2.

49 2. The Department shall adopt regulations for the review and release of
50 information collected and maintained by the Department pursuant to NRS
51 439A.200 to 439A.290, inclusive. The regulations must require, without limitation,
52 the Department to review each request for information if the request is for purposes
53 other than research.

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

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

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

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

449.242 1. Each hospital located in a county whose population is 100,000 or more and which is licensed to have more than 70 beds shall establish a staffing committee to develop a documented staffing plan as required pursuant to NRS 449.2421. 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 Committee on Health and Human Services* and the Legislative Commission a report which includes:

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

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

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

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

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

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

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

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

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

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

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

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

(d) An analysis of the corporate home office allocation 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 the personnel of the hospital who are responsible for the care of the person after the person arrives at the hospital.

6. The State Board of Health shall ensure that:

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

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

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

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

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

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

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

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

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

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

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

9. The State Board of Health or any county or district board of health that is performing the duties of the State Board of Health pursuant to subsection 8 shall submit a quarterly report to the ~~Legislative Committee on Health Care,~~ **Joint Interim Standing Committee on Health and Human Services**, which must include a 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, as applicable, design, prepare or issue the particular special license plate. The Commission shall consider each application in the chronological order in which the application was received by the Department.

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

7. The Commission shall:

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

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

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

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

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

(b) The Governor;

(c) The Tahoe Regional Planning Agency; and

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

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

(a) The status of:

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

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

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

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

(c) Any efforts to:

(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. 64.5. 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:

(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.

3. As used in this section:

(1) Interim legislative study or investigation; or

(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.

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

~~176.0121 "Commission" defined.~~

~~176.0123 Creation; members and appointing authorities; Chair; terms; vacancies; salaries and per diem; staff.~~

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.

~~176.0126 Subpoenas; Power to issue; compelling performance.~~

218E.500 Legislative findings and declarations.

218E.505 "Committee" defined.

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

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.

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.