

SENATE BILL NO. 405—SENATORS SMITH, DENIS, ROBERSON,
WOODHOUSE, SPEARMAN; AND ATKINSON

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN KIRKPATRICK; AND SPRINKLE

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to the submission of reports to the Director of the Legislative Counsel Bureau and certain other persons. (BDR 17-541)

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

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

AN ACT relating to governmental administration; requiring the Director of the Legislative Counsel Bureau to develop biennial recommendations for the elimination of the requirement to submit certain obsolete and redundant reports to the Legislature; repealing provisions which require the submission of a report to the Director and certain other persons; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires various state and local officers and agencies to submit reports to the Legislative and Executive Departments of the State Government. **Sections 2-38 and 39** of this bill eliminate the requirement for the submission of certain obsolete and redundant reports.

In addition, **section 1** of this bill requires the Director of the Legislative Counsel Bureau to review existing law and develop recommendations for the elimination or revision of any other provisions that require submission of obsolete and redundant reports. **Section 1** further requires: (1) the recommendations to be presented biennially to the Legislative Commission; and (2) the Legislative Commission, as it deems appropriate, to request the preparation of a bill draft to facilitate the recommendations.

During this session, the Legislature passed Assembly Bill No. 350, which requires the Legislative Commission to review certain requirements in existing law for submitting reports to the Legislature and to determine whether such



requirements should be repealed, revised or continued. **Section 38.5** of this bill amends A.B. 350 to require the Legislative Commission to consider, in addition to other criteria, the recommendations made by the Director pursuant to **section 1** of this bill regarding the elimination or revision of requirements in existing law for submitting reports to the Legislature.

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

Section 1. Chapter 218D of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Director shall develop recommendations for the:

(a) Elimination of any requirements to submit obsolete or redundant reports to the Legislature; and

(b) Revision of any requirements for reporting to reduce the frequency or to change the due dates, or any other revision of the requirements deemed appropriate by the Director.

2. In developing the recommendations required pursuant to subsection 1, the Director shall consider:

(a) The length of time the requirement has been in existence and whether the requirement remains relevant;

(b) The ability of the Legislature and the public to obtain the information provided in a report from another source; and

(c) Any other criteria determined by the Director to be appropriate.

3. The Director's recommendations, if any, must be:

(a) Presented to the Legislative Commission on or before July 1 of each even-numbered year; and

(b) Considered by the Legislative Commission when it conducts its review pursuant to section 1 of Assembly Bill No. 350 of this session of the requirements in state legislation for submitting such reports to the Legislature.

4. Based on the Director's recommendations and its review pursuant to section 1 of Assembly Bill No. 350 of this session, the Legislative Commission shall, as it deems appropriate:

(a) Make recommendations to the Legislature regarding whether the requirements in state legislation for submitting such reports to the Legislature should be repealed, revised or continued; and

(b) Request the drafting of a legislative measure pursuant to NRS 218D.160 to facilitate its recommendations.

Sec. 2. NRS 3.475 is hereby amended to read as follows:

3.475 1. In a county whose population is 700,000 or more, the district court shall establish by rule approved by the Supreme



1 Court a program of mandatory mediation in cases that involve the
2 custody or visitation of a child.

3 2. The program must:

4 (a) Require the impartial mediation of the issues of custody and
5 visitation and authorize the impartial mediation of any other
6 nonfinancial issue deemed appropriate by the court.

7 (b) Authorize the court to exclude a case from the program for
8 good cause shown, including, but not limited to, a showing that:

9 (1) There is a history of child abuse or domestic violence by
10 one of the parties;

11 (2) The parties are currently participating in private
12 mediation; or

13 (3) One of the parties resides outside of the jurisdiction of the
14 court.

15 (c) Provide standards for the training of the mediators assigned
16 to cases, including, but not limited to:

17 (1) Minimum educational requirements, which must not be
18 restricted to any particular professional or educational training;

19 (2) Minimum requirements for training in the procedural
20 aspects of mediation and the interpersonal skills necessary to act as
21 a mediator;

22 (3) A minimum period of apprenticeship for persons who
23 have not previously acted as domestic mediators;

24 (4) Minimum requirements for continuing education; and

25 (5) Procedures to ensure that potential mediators understand
26 the high standard of ethics and confidentiality related to their
27 participation in the program.

28 (d) Prohibit the mediator from reporting to the court any
29 information about the mediation other than whether the dispute was
30 resolved.

31 (e) Establish a sliding schedule of fees for participation in the
32 program based on the ability of a party to pay.

33 (f) Provide for the acceptance of gifts and grants offered in
34 support of the program.

35 (g) Allow the court to refer the parties to a private mediator.

36 3. The costs of the program must be paid from the county
37 general fund. All fees, gifts and grants collected pursuant to this
38 section must be deposited in the county general fund.

39 4. ~~The court shall submit a report to the Director of the~~
40 ~~Legislative Counsel Bureau for distribution to each regular session~~
41 ~~of the Legislature on or before March 1 of each odd-numbered year~~
42 ~~that must include:~~

43 ~~—(a) A summary of the number and types of cases mediated and~~
44 ~~resolved by the program during the previous biennium;~~



~~(b) The fees collected by the program and any gifts or grants received by the court to support the program; and~~

~~(c) Suggestions for any necessary legislation to improve the effectiveness and efficiency of the program.~~

~~5.1~~ This section does not prohibit a court from referring a financial or other issue to a special master or other person for assistance in resolving the dispute.

Sec. 3. NRS 3.500 is hereby amended to read as follows:

3.500 1. In a county whose population is 100,000 or more and less than 700,000, the district court shall establish by rule approved by the Supreme Court a program of mandatory mediation in cases which involve the custody or visitation of a child. A district court in a county whose population is less than 100,000 may establish such a program in the same manner for use in that county. The district courts in two or more counties whose populations are less than 100,000 may establish such a program in the same manner for use in the counties in which the courts are located.

2. The program must:

(a) Require the impartial mediation of the issues of custody and visitation and any other nonfinancial issue deemed appropriate by the court.

(b) Allow the court to exclude a case from the program for good cause shown, including a showing of a history of child abuse or domestic violence by one of the parties, ongoing private mediation or residency of one of the parties out of the jurisdiction of the court.

(c) Provide standards for the training of the mediators assigned to cases pursuant to the rule, including but not limited to:

(1) Minimum educational requirements, which may not be restricted to any particular professional or educational training;

(2) Minimum requirements for training in the procedural aspects of mediation and the interpersonal skills necessary to act as a mediator;

(3) A minimum period of apprenticeship for persons who have not previously acted as domestic mediators;

(4) Minimum requirements for continuing education; and

(5) Procedures to ensure that potential mediators understand the high standard of ethics and confidentiality related to their participation in the program.

(d) Prohibit the mediator from reporting to the court any information about the mediation other than whether the mediation was successful or not.

(e) Establish a sliding schedule of fees for participation in the program based on the client's ability to pay.

(f) Provide for the acceptance of gifts and grants offered in support of the program.



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(g) Allow the court to refer the parties to a private mediator for assistance in resolving the issues.

3. The costs of the program must be paid from the account for dispute resolution in the county general fund. All fees, gifts and grants collected pursuant to this section must be deposited in the account.

~~4. [The district court in any county which has established a program pursuant to this section shall submit a report to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature on or before March 1 of each odd-numbered year. If two or more district courts establish such a program, only one of those courts is required to submit such a report for that program. The report must include a summary of the number and type of cases mediated and resolved by the program during the previous biennium, the fees collected by the program and any gifts or grants received by the court or courts to support the program. The report must also contain suggestions for any necessary legislation to improve the effectiveness and efficiency of the program.]~~

~~5.~~ This section does not prohibit a court from referring a financial or other issue to a special master or other person for assistance in resolving the dispute.

Sec. 4. NRS 62E.720 is hereby amended to read as follows:

62E.720 1. The juvenile court may order a delinquent child to participate in a program of visitation to the office of the county coroner that is established pursuant to this section.

2. In determining whether to order the child to participate in such a program, the juvenile court shall consider whether the unlawful act committed by the child involved the use or threatened use of force or violence against the child or others or demonstrated a disregard for the safety or well-being of the child or others.

3. The juvenile court may establish a program of visitation to the office of the county coroner in cooperation with the coroner of the county pursuant to this section.

4. Before a delinquent child may participate in a program of visitation, the parent or guardian of the child must provide to the juvenile court on a form provided by the juvenile court:

(a) Written consent for the child to participate in the program of visitation; and

(b) An executed release of liability for any act or omission, not amounting to gross negligence or willful misconduct of the juvenile court, the county coroner, or any other person administering or conducting a program of visitation, that causes personal injury or illness of the child during the period in which the child participates in the program of visitation.

5. A program of visitation must include, but is not limited to:



(a) A visit to the office of the county coroner at times and under circumstances determined by the county coroner.

(b) A course to instruct the child concerning:

(1) The consequences of the child's actions; and

(2) An awareness of the child's own mortality.

(c) An opportunity for each participant in a program of visitation to evaluate each component of the program.

6. The juvenile court may order the child, or the parent or guardian of the child, or both, to pay a fee of not more than \$45 based on the ability of the child or the parent or guardian of the child, or both, to pay for the costs associated with the participation of the child in the program of visitation.

~~17. If the juvenile court establishes a program of visitation pursuant to this section, the juvenile court shall, on or before January 15 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report regarding the effect of the program on the incidence of juvenile crime and the rate of recidivism.~~

Sec. 5. NRS 223.500 is hereby amended to read as follows:

223.500 As used in NRS 223.500 to ~~223.580,~~ 223.575, inclusive, unless the context otherwise requires, the words and terms defined in NRS 223.505 to 223.535, inclusive, have the meanings ascribed to them in those sections.

Sec. 6. NRS 223.540 is hereby amended to read as follows:

223.540 The provisions of NRS 223.085 do not apply to the provisions of NRS 223.500 to ~~223.580,~~ 223.575, inclusive.

Sec. 7. NRS 223.550 is hereby amended to read as follows:

223.550 1. The Office for Consumer Health Assistance is hereby established in the Department of Health and Human Services. The Director shall appoint the Governor's Consumer Health Advocate to head the Office. The Advocate must:

(a) Be selected on the basis of his or her training, experience, capacity and interest in health-related services.

(b) Be a graduate of an accredited college or university. The Director shall, to the extent practicable, give preference to a person who has a degree in the field of health, social science, public administration or business administration or a related field.

(c) Have not less than 3 years of experience in the administration of health care or insurance programs.

(d) Have expertise and experience in the field of advocacy.

2. The cost of carrying out the provisions of NRS 223.500 to ~~223.580,~~ 223.575, inclusive, must be paid as follows:

(a) That portion of the cost related to providing assistance to consumers and injured employees concerning workers'



1 compensation must be paid from the assessments levied pursuant to
2 NRS 232.680.

3 (b) That portion of the cost related to the operation of the
4 Bureau for Hospital Patients created pursuant to NRS 223.575 must
5 be paid from the assessments levied pursuant to that section.

6 (c) That portion of the cost related to providing assistance to
7 consumers in need of information or other facilitation regarding a
8 prescription drug program may, to the extent money is available
9 from this source, be paid from the proceeds of any gifts, grants or
10 donations that are received by the Advocate for this purpose.

11 (d) That portion of the cost related to providing assistance to
12 consumers in need of information concerning purchasing
13 prescription drugs from Canadian pharmacies may, to the extent
14 money is available from this source, be paid from the proceeds of
15 any gifts, grants or donations that are received by the Advocate for
16 this purpose.

17 (e) The remaining cost must be provided by direct legislative
18 appropriation from the State General Fund and be paid out on claims
19 as other claims against the State are paid.

20 **Sec. 8.** NRS 223.560 is hereby amended to read as follows:

21 223.560 1. The Advocate shall:

22 (a) Respond to written and telephonic inquiries received from
23 consumers and injured employees regarding concerns and problems
24 related to health care and workers' compensation;

25 (b) Assist consumers and injured employees in understanding
26 their rights and responsibilities under health care plans, including,
27 without limitation, the Public Employees' Benefits Program, and
28 policies of industrial insurance;

29 (c) Identify and investigate complaints of consumers and injured
30 employees regarding their health care plans, including, without
31 limitation, the Public Employees' Benefits Program, and policies of
32 industrial insurance and assist those consumers and injured
33 employees to resolve their complaints, including, without limitation:

34 (1) Referring consumers and injured employees to the
35 appropriate agency, department or other entity that is responsible for
36 addressing the specific complaint of the consumer or injured
37 employee; and

38 (2) Providing counseling and assistance to consumers and
39 injured employees concerning health care plans, including, without
40 limitation, the Public Employees' Benefits Program, and policies of
41 industrial insurance;

42 (d) Provide information to consumers and injured employees
43 concerning health care plans, including, without limitation, the
44 Public Employees' Benefits Program, and policies of industrial
45 insurance in this State;



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(e) Establish and maintain a system to collect and maintain information pertaining to the written and telephonic inquiries received by the Office for Consumer Health Assistance;

(f) Take such actions as are necessary to ensure public awareness of the existence and purpose of the services provided by the Advocate pursuant to this section;

(g) In appropriate cases and pursuant to the direction of the Advocate, refer a complaint or the results of an investigation to the Attorney General for further action;

(h) Provide information to and applications for prescription drug programs for consumers without insurance coverage for prescription drugs or pharmaceutical services;

(i) Establish and maintain an Internet website which includes:

(1) Information concerning purchasing prescription drugs from Canadian pharmacies that have been recommended by the State Board of Pharmacy for inclusion on the Internet website pursuant to subsection 4 of NRS 639.2328;

(2) Links to websites of Canadian pharmacies which have been recommended by the State Board of Pharmacy for inclusion on the Internet website pursuant to subsection 4 of NRS 639.2328; and

(3) A link to the website established and maintained pursuant to NRS 439A.270 which provides information to the general public concerning the charges imposed and the quality of the services provided by the hospitals and surgical centers for ambulatory patients in this State; and

(j) Assist consumers with filing complaints against health care facilities and health care professionals. As used in this subsection, "health care facility" has the meaning ascribed to it in NRS 162A.740.

2. The Advocate may adopt regulations to carry out the provisions of NRS 223.560 to ~~223.580,~~ 223.575, inclusive.

Sec. 9. NRS 223.570 is hereby amended to read as follows:

223.570 1. The Advocate, within the limits of available money:

(a) Shall, to carry out the provisions of this section and NRS 223.560, ~~and 223.580,~~ employ at least two persons who have experience in the field of workers' compensation, including, without limitation, persons who have experience in administering claims or programs related to policies of industrial insurance, representing employees in contested claims relating to policies of industrial insurance or advocating for the rights of injured employees; and

(b) May, in addition to the persons required to be employed pursuant to paragraph (a), employ:

(1) Such persons in the unclassified service of the State as the Advocate determines to be necessary to carry out the provisions



1 of this section and NRS 223.560 , ~~and 223.580,~~ including, without
2 limitation, a provider of health care, as that term is defined in
3 NRS 449.581.

4 (2) Such additional personnel as may be required to carry out
5 the provisions of this section and NRS 223.560 , ~~and 223.580,~~ who
6 must be in the classified service of the State.

7 ➤ A person employed pursuant to the authority set forth in this
8 subsection must be qualified by training and experience to perform
9 the duties for which the Advocate employs that person.

10 2. The Advocate may:

11 (a) To the extent not otherwise prohibited by law, obtain such
12 information from consumers, injured employees, health care plans,
13 prescription drug programs and policies of industrial insurance as
14 the Advocate determines to be necessary to carry out the provisions
15 of this section and NRS 223.560 . ~~and 223.580.~~

16 (b) Apply for any available grants, accept any gifts, grants or
17 donations and use any such gifts, grants or donations to aid the
18 Office for Consumer Health Assistance in carrying out its duties
19 pursuant to paragraphs (h) and (i) of subsection 1 of NRS 223.560.

20 3. The Advocate and the Advocate's employees shall not have
21 any conflict of interest relating to the performance of their duties
22 pursuant to this section and NRS 223.560 . ~~and 223.580.~~ For the
23 purposes of this subsection, a conflict of interest shall be deemed to
24 exist if the Advocate or employee, or any person affiliated with the
25 Advocate or employee:

26 (a) Has direct involvement in the licensing, certification or
27 accreditation of a health care facility, insurer or provider of health
28 care;

29 (b) Has a direct ownership interest or investment interest in a
30 health care facility, insurer or provider of health care;

31 (c) Is employed by, or participating in, the management of a
32 health care facility, insurer or provider of health care; or

33 (d) Receives or has the right to receive, directly or indirectly,
34 remuneration pursuant to any arrangement for compensation with a
35 health care facility, insurer or provider of health care.

36 **Sec. 10.** NRS 223.575 is hereby amended to read as follows:

37 223.575 1. The Bureau for Hospital Patients is hereby created
38 within the Office for Consumer Health Assistance.

39 2. The Advocate:

40 (a) Is responsible for the operation of the Bureau, which must be
41 easily accessible to the clientele of the Bureau.

42 (b) Shall appoint and supervise such additional employees as are
43 necessary to carry out the duties of the Bureau. The employees of
44 the Bureau are in the unclassified service of the State.



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~~{(c) On or before February 1 of each year, shall submit a written report to the Governor, and to the Director of the Legislative Counsel Bureau concerning the activities of the Bureau for Hospital Patients for transmittal to the appropriate committee or committees of the Legislature. The report must include, without limitation, the number of complaints received by the Bureau, the number and type of disputes heard, mediated, arbitrated or resolved through alternative means of dispute resolution by the Advocate and the outcome of the mediation, arbitration or alternative means of dispute resolution.}~~

3. The Advocate or the Advocate's designee may, upon request made by either party, hear, mediate, arbitrate or resolve by alternative means of dispute resolution disputes between patients and hospitals. The Advocate or the Advocate's designee may decline to hear a case that in the Advocate's opinion is trivial, without merit or beyond the scope of his or her jurisdiction. The Advocate or the Advocate's designee may hear, mediate, arbitrate or resolve through alternative means of dispute resolution disputes regarding:

(a) The accuracy or amount of charges billed to a patient;

(b) The reasonableness of arrangements made for a patient to pay any bill for medical services, including, without limitation, arrangements to pay hospital bills made pursuant to paragraph (c) of subsection 1 of NRS 439B.260; and

(c) Such other matters related to the charges for care provided to a patient as the Advocate or the Advocate's designee determines appropriate for arbitration, mediation or other alternative means of dispute resolution.

➤ The Advocate's designee must be an employee of the State and, except for the purposes of this subsection, must not be employed by, or otherwise associated with, the Bureau or the Office for Consumer Health Assistance.

4. The decision of the Advocate or the Advocate's designee is a final decision for the purpose of judicial review.

5. Each hospital, other than federal and state hospitals, with 49 or more licensed or approved hospital beds shall pay an annual assessment for the support of the Bureau. On or before July 15 of each year, the Advocate shall notify each hospital of its assessment for the fiscal year. Payment of the assessment is due on or before September 15. Late payments bear interest at the rate of 1 percent per month or fraction thereof.

6. The total amount assessed pursuant to subsection 5 for a fiscal year must not be more than \$100,000 adjusted by the percentage change between January 1, 1991, and January 1 of the



1 year in which the fees are assessed, in the Consumer Price Index (All Items) published by the United States Department of Labor.

7. The total amount assessed must be divided by the total number of patient days of care provided in the previous calendar year by the hospitals subject to the assessment. For each hospital, the assessment must be the result of this calculation multiplied by its number of patient days of care for the preceding calendar year.

Sec. 11. NRS 232.354 is hereby amended to read as follows:

232.354 1. The Department, with respect to the State Plan for Medicaid and the Children's Health Insurance Program, shall report every rate of reimbursement for physicians which is provided on a fee-for-service basis and which is lower than the rate provided on the current Medicare fee schedule for care and services provided by physicians.

2. The Director shall post on an Internet website maintained by the Department a schedule of such rates of reimbursement.

~~{3. The Director shall, on or before February 1 of each year, submit a report concerning the schedule of such rates of reimbursement to the Director of the Legislative Counsel Bureau for transmittal to the Legislature in odd-numbered years or to the Legislative Committee on Health Care in even-numbered years.}~~

Sec. 12. NRS 233G.040 is hereby amended to read as follows:

233G.040 The Council shall:

1. Develop programs for the education of children and adults in issues relating to the Holocaust, make reports and advise public and private bodies throughout the State on matters relevant to education concerning the Holocaust.

2. Develop programs to raise money for the use of the Council in carrying out its duties. Any money raised by the Council pursuant to this subsection must be accounted for separately in the State General Fund and is authorized for expenditure by the Council in carrying out its duties.

~~{3. On or before January 1 of each odd-numbered year, submit a report which describes the programs that the Council has developed and expenditures that it has made to the Superintendent of Public Instruction and to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission.}~~

Sec. 13. NRS 233I.050 is hereby amended to read as follows:

233I.050 The Commission shall meet at the call of the Chair as frequently as required to perform its duties, but no less than quarterly. A majority of the members of the Commission constitutes a quorum for the transaction of business, and a majority of those present at any meeting is sufficient for any official action taken by the Commission. ~~{The Commission shall, on or before January 31 of each year, submit a report to the Governor and the Legislature, or if~~



~~the Legislature is not in session, to the Legislative Commission, summarizing the Commission's activities, needs and recommendations.]~~

Sec. 14. NRS 237.180 is hereby amended to read as follows:

237.180 1. The agencies of this State, and the local governments within this State, that collect taxes or fees from persons engaged in business, or require such persons to provide related information and forms, shall coordinate their collection of information and forms so that each enterprise is required to furnish information in as few separate reports as possible. This section applies specifically, but is not limited, to the Department of Taxation, the Employment Security Division of the Department of Employment, Training and Rehabilitation, the State Department of Conservation and Natural Resources, and the counties and cities that require a business license.

2. On or before October 1 of each year, the Executive Director of the Department of Taxation shall convene the heads, or persons designated by the respective heads, of the state agencies named in subsection 1 and the appropriate officers of the cities and counties that require a business license. The Secretary of State, a representative of the Nevada Association of Counties and a representative of the Nevada League of Cities must be invited to attend the meeting. If the Executive Director knows, or is made aware by persuasive information furnished by any enterprise required to pay a tax or fee or to provide information, that any other state or local agency needs to participate to accomplish the purpose set forth in subsection 1, the Executive Director shall also invite the head of that agency or the appropriate officer of the local government, and the person so invited shall attend. The Administrator of the Division of Enterprise Information Technology Services of the Department of Administration shall assist in effecting the consolidation of the information and the creation of the forms.

3. The persons so assembled shall design and modify, as appropriate, the necessary joint forms for use during the ensuing fiscal year to accomplish the purpose set forth in subsection 1. If any dispute cannot be resolved by the participants, it must be referred to the Nevada Tax Commission for a decision that is binding on all parties.

4. ~~[On or before February 15 of each year, the Executive Director of the Department of Taxation shall submit a report to the Director of the Legislative Counsel Bureau for presentation to the Legislature. The report must include a summary of the annual meeting held during the immediately preceding year and any recommendations for proposed legislation.]~~



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~~5.1~~ The provisions of chapter 241 of NRS apply to a meeting held pursuant to this section. The Executive Director of the Department of Taxation shall provide members of the staff of the Department of Taxation to assist in complying with the requirements of chapter 241 of NRS.

Sec. 15. NRS 244.1607 is hereby amended to read as follows:

244.1607 1. The board of county commissioners:

(a) In a county whose population is 100,000 or more shall establish a neighborhood justice center.

(b) In a county whose population is less than 100,000 may establish a neighborhood justice center.

➤ A neighborhood justice center must be closely modeled after the program established by the American Bar Association for multi-door courthouses for the resolution of disputes.

2. Except as otherwise provided in subsection 3, a neighborhood justice center must provide, at no charge:

(a) A forum for the impartial mediation of minor disputes including, but not limited to, disputes between landlord and tenant, neighbors, family members, local businesses and their customers, hospitals and their patients, and governmental agencies and their clients, except where prohibited by federal law.

(b) A system of providing information concerning the resolution of disputes and the services available in the community.

(c) An efficient and effective referral system which assists in the resolution of disputes and otherwise guides the client to the appropriate public or private agency to assist in the resolution of the particular dispute, including referrals to the justices of the peace, municipal courts, lawyer referral systems, legal aid services, district attorney, city attorneys, district courts, mental health services, other alternative methods of resolving disputes and other governmental and private services.

3. A board of county commissioners that has established a neighborhood justice center may authorize the center to charge a fee for:

(a) Services which are provided relating to the resolution of complex cases; and

(b) Training provided by the center.

4. A neighborhood justice center must be supported from the money in the account for dispute resolution in the county general fund and any gifts or grants received by the county for the support of the center.

~~5. A board of county commissioners that has established a neighborhood justice center shall submit a report to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature on or before March 1 of each~~



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~~odd-numbered year. The report must include a summary of the number and type of cases mediated, referred and resolved by the center during the previous biennium. The report must also contain suggestions for any necessary legislation to improve the effectiveness and efficiency of the center.]~~

Sec. 16. NRS 244.406 is hereby amended to read as follows:

244.406 1. Except as otherwise provided in this section, the office of coordinator of services for veterans must be supported from money in the county general fund and from any gifts or grants received by the county for the support of the office.

2. The board of county commissioners of a county that creates the office of coordinator of services for veterans is authorized to accept funds from the Executive Director for Veterans Services pursuant to subsection 8 of NRS 417.090 for the support of the office.

3. The board of county commissioners of a county that creates the office of coordinator of services for veterans may enter into an agreement with the Health Division of the Department of Health and Human Services for the purpose of obtaining federal matching funds to contribute to the salaries and expenses of the office of coordinator of services for veterans for its activities which are reasonably related to the programs of the Health Division of the Department of Health and Human Services and which benefit or result in cost avoidance for the Health Division.

~~[4. The board of county commissioners of a county that creates the office of coordinator of services for veterans shall, on or before February 1 of each odd-numbered year, submit a report to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature describing the efficiency and effectiveness of the office. The report must include, without limitation, the number, total value and average value of the benefits received by the office on behalf of veterans, their spouses and their dependents.]~~

Sec. 17. NRS 319.140 is hereby amended to read as follows:

319.140 1. The Division shall administer the provisions of this chapter. The Administrator may adopt, amend or rescind regulations, consistent with the provisions of this chapter, appropriate to carry out its purposes.

2. The Administrator may make copies of all proceedings and other records and documents of the Division and issue certificates under the seal of the Division to the effect that the copies are true copies, and all persons dealing with the Division may rely upon such certificates.

3. The Division has perpetual succession, subject to termination in accordance with statute, and may:



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(a) Sue and be sued in its own name, subject to chapter 41 of NRS;

(b) Adopt an official seal and alter the same at the pleasure of the Division;

(c) Maintain such offices at any place or places within the State as it determines necessary to carry out the provisions of this chapter;

(d) Maintain records, proceedings and documents of the Division, subject to chapters 239, 239A and 239B of NRS;

(e) Develop or purchase, lease or otherwise acquire one or more information systems that the Division determines are necessary or convenient for the exercise of its powers and duties pursuant to this chapter and acquire any consulting, support or other service for such information systems;

(f) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions pursuant to this chapter with any governmental agency, private corporation or other entity, or natural person;

(g) Enter into agreements or other transactions with, and accept grants from and cooperate with, any governmental agency or other source in furtherance of the purposes of this chapter;

(h) Acquire real or personal property or any interest therein, by gift, purchase, foreclosure, deed in lieu of foreclosure, lease, option or otherwise;

(i) Hold, sell, assign, lease, encumber, mortgage, release or otherwise dispose of any real or personal property or any interest therein, by public or private sale, with or without public bidding, notwithstanding any other provision of law;

(j) Employ or contract for the services of attorneys, accountants, financial experts and any other advisers, employees, consultants and agents as the Administrator may determine to be necessary;

(k) Create or cause to be created legal entities, including nonprofit corporations, grantor trusts and other legal entities, which the Division determines are necessary or convenient for the exercise of its powers and duties pursuant to this chapter, provided, however, that the issuance of bonds, notes or other evidence of indebtedness by any legal entity controlled by the Division is subject to the approval of the State Board of Finance;

(l) Provide advice, technical information, training and educational services related to the development of housing, building technologies and related fields;

(m) Conduct research, make grants, and promote the development of housing, building technologies and related fields; and



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(n) Do any and all things necessary or appropriate to carry out its purposes and exercise the powers expressly granted pursuant to this chapter.

~~4. [Before September 1 of each even-numbered year, the Division shall submit a report of its activities for the biennium ending June 30 of that year to the Governor, State Treasurer and the Legislature. Each such report must set forth a complete operating and financial statement of the Division during such biennium.]~~ The

Division shall cause an audit of its books and accounts to be made at least once in each fiscal year by a certified public accountant. The certified public accountant may audit the Division's books and accounts for consecutive audit periods as requested by the Division.

5. The Division is exempt from the provisions of chapter 333 of NRS.

Sec. 18. 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.

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

3. The State Land Use Planning Agency shall:

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

(b) Submit its work on a plan or statement of policy periodically for review and comment by the Land Use Planning Advisory Council and any committees of the Legislature or subcommittees of the Legislative Commission that deal with matters concerning the public lands; *and*

~~(c) [On or before February 1 of each odd-numbered year, prepare and submit a written report to the Legislature concerning any activities engaged in by the Agency pursuant to the provisions~~



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~~of this section during the immediately preceding biennium, including, without limitation:~~

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

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

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

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

(a) The Land Use Planning Advisory Council; and

(b) Any committees of the Legislature or subcommittees of the Legislative Commission that deal with matters concerning the public lands.

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

Sec. 19. NRS 344.040 is hereby amended to read as follows:

344.040 The State Printer shall:

1. Supervise the operations of the State Printing Office.

2. Take charge of and be responsible for all manuscripts or other matter which may be delivered to the State Printer for printing or reproduction.

3. Receive and promptly execute all orders for printing or reproduction required by the Legislative Counsel Bureau, the Nevada Legislature or the Supreme Court of Nevada.

~~4. Submit a biennial report through the Director to the Legislative Commission and the Governor concerning the complete transactions of the State Printing Office.~~

~~— 5. Maintain perpetual inventory records of equipment in the State Printing Office. The State Printer shall include in the biennial report required by subsection 4 a statement of all changes in the equipment inventory made since the submission of the preceding report.~~

Sec. 20. NRS 360.105 is hereby amended to read as follows:

360.105 1. The Department shall ~~+~~

~~— (a) In~~ *in* each even-numbered year, submit to the Nevada Tax Commission, at the meeting conducted by the Commission pursuant to NRS 361.455 or, if no such meeting is conducted during that year, at the meeting conducted by the Commission pursuant to



1 subsection 2, a copy of the proposed budget for the Department and
2 legislation proposed by the Department.

3 ~~[(b) Prepare a report for each biennium which details:~~

4 ~~— (1) The problem areas of compliance and collection;~~

5 ~~— (2) Methods for improving taxpayer compliance and tax~~
6 ~~collections; and~~

7 ~~— (3) Complaints received from taxpayers, including a~~
8 ~~description of the type and number of complaints received.~~

9 ~~— (c) Submit a copy of the report to:~~

10 ~~— (1) The Nevada Tax Commission, at its first meeting in each~~
11 ~~odd-numbered year; and~~

12 ~~— (2) The Legislature on or before January 31 of each odd-~~
13 ~~numbered year.]~~

14 2. If the Nevada Tax Commission does not meet pursuant to
15 NRS 361.455 in an even-numbered year, it shall meet during June of
16 that year to accept the proposed budget for the Department and
17 legislation proposed by the Department.

18 **Sec. 21.** NRS 378A.060 is hereby amended to read as follows:

19 378A.060 The Board shall:

20 1. Examine and assess archives and public records programs
21 and the facilities, professional staffs and auxiliary personnel that
22 support such programs.

23 2. ~~[(Prepare a report to be submitted on or before January 1 of~~
24 ~~each odd-numbered year to the Governor and the Legislative~~
25 ~~Commission.~~

26 ~~—3.]~~ 3. Review and evaluate applications made by political
27 subdivisions and private organizations for grants from the Account
28 for Historical Records to improve the preservation of historical
29 records.

30 ~~[(4.)~~ 4. Make recommendations to the State Library and
31 Archives Administrator for approval of applications for grants from
32 the Account for Historical Records.

33 ~~[(5.)~~ 4. Publish any material pertaining to its work as it deems
34 appropriate.

35 **Sec. 22.** NRS 422.396 is hereby amended to read as follows:

36 422.396 1. The Department, through a division of the
37 Department designated by the Director, shall establish and
38 administer a program to provide community-based services
39 necessary to enable a person with a physical disability to remain in
40 his or her home or with his or her family and avoid placement in a
41 facility for long-term care. The Department shall coordinate the
42 provision of community-based services pursuant to this section.

43 2. The Department shall apply to the Secretary of Health and
44 Human Services for a waiver granted pursuant to 42 U.S.C. §
45 1396n(c) that authorizes the Department to amend the State Plan for



1 Medicaid adopted by the Department pursuant to NRS 422.271 in
2 order to authorize the Department to include as medical assistance
3 under the State Plan the following services for persons with physical
4 disabilities:

- 5 (a) Respite care;
- 6 (b) Habilitation;
- 7 (c) Residential habilitation;
- 8 (d) Environmental modifications;
- 9 (e) Supported living;
- 10 (f) Supported living habilitation;
- 11 (g) Supported personal care; and
- 12 (h) Any other community-based services approved by the
13 Secretary of Health and Human Services.

14 ➔ The Department shall cooperate with the Federal Government in
15 obtaining a waiver pursuant to this subsection.

16 3. The Department may use personnel of the Department or it
17 may contract with any appropriate public or private agency,
18 organization or institution to provide the community-based services
19 necessary to enable a person with a physical disability to remain in
20 his or her home or with his or her family and avoid placement in a
21 facility for long-term care.

22 4. A contract entered into with a public or private agency,
23 organization or institution pursuant to subsection 3 must:

- 24 (a) Include a description of the type of service to be provided;
- 25 (b) Specify the price to be paid for each service and the method
26 of payment; and
- 27 (c) Specify the criteria to be used to evaluate the provision of the
28 service.

29 5. The Department shall adopt regulations necessary to carry
30 out the provisions of this section, including, without limitation, the
31 criteria to be used in determining eligibility for the services
32 provided pursuant to the program. Before adopting regulations
33 pursuant to this section, the Department shall solicit comments from
34 persons with a variety of disabilities and members of the families of
35 those persons.

36 6. *As used in this section, "person with a physical disability"*
37 *means a person with a severe physical disability that substantially*
38 *limits his or her ability to participate and contribute independently*
39 *in the community in which the person lives.*

40 **Sec. 23.** NRS 422A.525 is hereby amended to read as follows:
41 422A.525 The Administrator:

42 1. Shall adopt regulations for the administration of the
43 program;



2. ~~{Shall report to the Interim Finance Committee quarterly concerning the regulations adopted by the Division for the administration of the program;~~

~~—3.1~~ May contract with any state or private agency to provide any of the services of the program; and

~~{4.1}~~ 3. May receive a grant of money from the Federal Government or any other source to defray the costs of the program.

Sec. 24. NRS 432B.3905 is hereby amended to read as follows:

432B.3905 1. An employee of an agency which provides child welfare services or its designee, an agent or officer of a law enforcement agency, an officer of a local juvenile probation department or the local department of juvenile services or any other person who places a child in protective custody pursuant to this chapter:

(a) Except as otherwise provided in subsection 2, shall not transfer a child who is under the age of 6 years to, or place such a child in, a child care institution unless appropriate foster care is not available at the time of placement in the county in which the child resides; and

(b) Shall make all reasonable efforts to place siblings in the same location.

2. A child under the age of 6 years may be placed in a child care institution:

(a) If the child requires medical services and such medical services could not be provided at any other placement; or

(b) If necessary to avoid separating siblings.

3. If a child is transferred to or placed in a child care institution in violation of subsection 1, the agency which provides child welfare services that is responsible for the child shall immediately notify the Director of the Department of Health and Human Services and shall move the child to another placement as soon as possible.

4. ~~{The Director of the Department shall, on or before January 1 of each year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a written report concerning any child under the age of 6 years who was placed in a child care institution during the previous 12 months. Such a report must include, without limitation:~~

~~—(a) An explanation of the situation that required the transfer of the child to or placement of the child in a child care institution;~~

~~—(b) A summary of any actions that were taken to ensure the health, welfare and safety of the child; and~~

~~—(c) The length of time that the child was required to remain in the child care institution.~~



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~~→ The Director of the Legislative Counsel Bureau shall cause such report to be made available to each Senator and member of the Assembly.~~

~~5.1~~ Each agency which provides child welfare services shall develop and implement a written plan to ensure that the provisions of this section are understood and carried out.

~~16.1~~ 5. As used in this section, "child care institution":

(a) Means any type of home or facility that:

(1) Provides care and shelter during the day and night to 16 or more children who are in protective custody of an agency which provides child welfare services; or

(2) Provides care and shelter during the day and night, through the use of caregivers who work in shifts, to children who are in protective custody of an agency which provides child welfare services.

(b) Does not include a home or facility that provides medical services to children.

Sec. 25. NRS 439.528 is hereby amended to read as follows:

439.528 The Committee shall:

1. Study and review issues relating to persons with co-occurring disorders.

2. Develop a policy statement confirming the commitment of this State to treatment for persons with co-occurring disorders and the expectations of this State concerning such treatment.

3. Review and recommend strategies for improving the treatment provided to persons with co-occurring disorders, including, without limitation, reducing administrative barriers to such treatment and supporting the provision of coordinated and integrated services relating to mental health, substance abuse and criminal justice to persons with co-occurring disorders.

4. Develop recommendations concerning the licensing and certification of treatment programs for persons with co-occurring disorders, including, without limitation, the standards that should be required of such programs to increase their effectiveness.

5. Develop recommendations concerning the creation of incentives for the development of treatment programs for persons with co-occurring disorders.

6. Evaluate the utilization of existing resources in this State for the treatment of persons with co-occurring disorders and develop recommendations concerning innovative funding alternatives to promote and support mental health courts, the prevention of co-occurring disorders and the coordination of integrated services in the mental health, substance abuse and criminal justice systems.



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1 7. Identify and recommend practices and procedures to
2 improve the effectiveness and quality of care provided in both the
3 public and private sector to persons with co-occurring disorders.

4 8. Examine and develop recommendations concerning training
5 and technical assistance that are available through the Substance
6 Abuse and Mental Health Services Administration of the United
7 States Department of Health and Human Services and other entities
8 to support the development and implementation of a comprehensive
9 system of care for persons with co-occurring disorders.

10 ~~{9. Submit on or before January 31 of each odd-numbered year~~
11 ~~a report to the Commission on Mental Health and Developmental~~
12 ~~Services and the Director of the Legislative Counsel Bureau for~~
13 ~~distribution to the regular session of the Legislature. The report must~~
14 ~~include, without limitation, a summary of the work of the~~
15 ~~Committee and recommendations for any necessary legislation~~
16 ~~concerning issues relating to persons with co-occurring disorders.}~~

17 **Sec. 26.** NRS 451.370 is hereby amended to read as follows:

18 451.370 1. The Committee shall meet:

19 (a) At least twice annually and at other times specified by a call
20 of the Chair of the Committee or a majority of its members; and

21 (b) At places specified by the Chair.

22 2. The Committee shall keep full and complete minutes and an
23 audio recording or transcript of each meeting of the Committee and
24 a complete record of all dead human bodies received and distributed
25 by it and of the persons to whom the bodies may be distributed. The
26 minutes, audio recordings, transcripts and records must be open at
27 all times for inspection by each member of the Committee and by
28 the district attorney of any county within the State.

29 3. The Secretary of the Committee is responsible for keeping
30 the minutes of each meeting of the Committee and preparing and
31 maintaining a complete file of the minutes, audio recordings,
32 transcripts and records of the Committee.

33 4. The Committee shall prepare and approve an annual budget
34 for the Committee.

35 ~~{5. A report of the activities of the Committee must be made~~
36 ~~before September 1 of each even-numbered year covering the~~
37 ~~biennium ending June 30 of such year to:~~

38 ~~—(a) The Presidents of the Nevada System of Higher Education;~~

39 ~~—(b) The State Board of Health;~~

40 ~~—(c) The Governor; and~~

41 ~~—(d) The Director of the Legislative Counsel Bureau for~~
42 ~~transmittal to the appropriate committee or committees of the~~
43 ~~Legislature.}~~



Sec. 27. NRS 458A.090 is hereby amended to read as follows:

458A.090 1. The Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling is hereby created in the State General Fund. The Director shall administer the Account.

2. Except as otherwise provided in this subsection, the money in the Account must be expended:

(a) To award grants of money or contracts for services to state agencies and other political subdivisions of the State or to organizations or educational institutions to provide programs for the prevention and treatment of problem gambling or to provide services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance. The Director may use not more than 10 percent of the money in the Account to administer the Account.

(b) For any other purpose authorized by the Legislature.

3. The existence of the Account does not create a right in any state agency or other political subdivision of the State or in any organization or educational institution to receive money from the Account.

~~4. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau a written report concerning any grants of money or contracts for services awarded pursuant to this section during the previous year.~~

Sec. 28. NRS 486.377 is hereby amended to read as follows:

486.377 ~~1.~~ The Board shall:

~~(a)~~ 1. Advise and assist the Director and the Administrator of the Program in developing, establishing and maintaining the Program; *and*

~~(b)~~ 2. Regularly review the Program and make recommendations to the Director and the Administrator of the Program relating to the administration and content of the Program .

~~3. and~~

~~(c) Submit a report, not later than January 1 of each odd-numbered year, to the Governor and the Director of the Legislative Counsel Bureau for presentation to the Legislature.~~

~~2. The report must include:~~

~~(a) The number of courses offered in the Program.~~

~~(b) The address of each location where a course was offered.~~

~~(c) The number of instructors licensed pursuant to NRS 486.375.~~

~~(d) The number of persons who have completed the Program in the preceding 2 years and the number of persons who have completed the Program since it was established.~~



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~~1 (e) The amount of fees for motorcycle safety collected pursuant~~
~~2 to subsection 4 of NRS 482.480.~~

~~3 (f) A detailed accounting of the expenses of the Program.~~

~~4 3. The Director shall make copies of the report available for~~
~~5 distribution to the public.}~~

Sec. 29. NRS 487.002 is hereby amended to read as follows:

487.002 1. The Advisory Board on Automotive Affairs,
consisting of 10 members appointed by the Governor, is hereby
created within the Department.

2. The Governor shall appoint to the Board:

(a) One representative of the Department;

(b) One representative of licensed operators of body shops;

(c) One representative of licensed automobile wreckers;

(d) One representative of registered garage operators;

(e) One representative of licensed operators of salvage pools;

(f) One representative of licensed operators of authorized
emissions stations;

(g) One representative of licensed insurers of motor vehicles;

(h) One representative of licensed new or used motor vehicle
dealers; and

(i) Two representatives of the general public, at least one of
whom must be a resident of a county whose population is less than
55,000. A member appointed pursuant to this paragraph must not
be:

(1) A holder of a license or registration identified in
paragraphs (b) to (h), inclusive; or

(2) The spouse or the parent or child, by blood, marriage or
adoption, of a holder of such a license or registration.

3. Each member appointed must, at the time of his or her
appointment, have been a resident of this State for at least 5 years
immediately preceding the appointment. Each member who is
appointed to represent a business or industry specified in paragraphs
(b) to (h), inclusive, of subsection 2, must, at the time of his or her
appointment:

(a) Hold a license or registration to engage in the business or
industry that the member is appointed to represent; and

(b) Have been actively engaged in the business or industry that
the member is appointed to represent for at least 3 of the 5 years
immediately preceding the appointment.

4. After the initial terms, each member of the Board serves a
term of 4 years. The members of the Board shall annually elect from
among their number a Chair and a Vice Chair. The Chair is not
entitled to a vote except to break a tie. The Department shall provide
secretarial services for the Board.



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5. The Board shall meet regularly at least twice each year and may meet at other times upon the call of the Chair or a majority of the members of the Board. Six members of the Board constitute a quorum, and a quorum may exercise all the power and authority conferred on the Board. Each member of the Board is entitled to the per diem allowance and travel expenses provided for state officers and employees generally while attending meetings of the Board.

6. The Board shall:

(a) Study the regulation of garage operators, automobile wreckers, operators of body shops, operators of salvage pools, operators of authorized emissions stations and new and used motor vehicle dealers, including, without limitation, the registration or licensure of such persons and the methods of disciplinary action against such persons;

(b) Analyze and advise the Department relating to any consumer complaints received by the Department concerning garage operators, automobile wreckers, operators of body shops, operators of salvage pools, operators of authorized emissions stations and new and used motor vehicle dealers;

(c) Make recommendations to the Department for any necessary regulations or proposed legislation pertaining to paragraph (a) or (b); *and*

~~(d) On or before January 15 of each odd-numbered year, prepare and submit a report concerning its activities and recommendations to the Governor and to the Director of the Legislative Counsel Bureau for transmission to the Legislature and the Chairs of the Senate and Assembly Standing Committees on Transportation; and~~

~~(e)~~ Perform any other duty assigned by the Department.

7. As used in this section, "authorized emissions stations" means stations licensed by the Department pursuant to NRS 445B.775 to inspect, repair, adjust or install devices for the control of emissions of motor vehicles.

Sec. 30. NRS 501.331 is hereby amended to read as follows:

501.331 The Department of Wildlife is hereby created. The Department ~~is~~:

~~1. Shall~~ *shall* administer the wildlife laws of this State, chapter 488 of NRS and NRS 701.610 to 701.640, inclusive.

~~2. Shall, on or before the fifth calendar day of each regular session of the Legislature, submit to the Legislature a financial report for each of the immediately preceding 2 fiscal years setting forth the activity and status of the Wildlife Fund Account in the State General Fund, each subaccount within that Account and any other account or subaccount administered by the Department for~~



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~~which the use of the money in the account or subaccount is restricted. The report must include, without limitation:~~

~~—(a) A description of each project for which money is expended from each of those accounts and subaccounts and a description of each recipient of that money; and~~

~~—(b) The total amount of money expended from each of those accounts and subaccounts for each fiscal year, including, without limitation, the amount of any matching contributions received for those accounts and subaccounts for each fiscal year.]~~

Sec. 31. NRS 502.145 is hereby amended to read as follows:

502.145 1. An owner, lessee or manager of private land in this State may apply to the Department for the issuance to him or her of one or more deer or antelope tags as provided in this section. The tags must be issued as compensation for damage caused by deer or antelope to the private land or to any improvements thereon.

2. An application made pursuant to this section must:

(a) Be made in the form prescribed by the Department;

(b) Establish to the satisfaction of the Department that the applicant has sustained damage of the kind described in subsection 1; and

(c) Be accompanied by the fee charged for the tags pursuant to NRS 502.250 and any fee charged for administrative costs.

3. The Department shall review the application, may conduct any investigation it deems appropriate and, if it approves the application, shall issue to the applicant not more than one tag for each 50 animals present on the private land owned, leased or managed by the applicant. Both deer and antelope tags may be issued to an applicant.

4. A tag issued as compensation for damage pursuant to this section:

(a) May be used by the owner, lessee or manager of the private land if the owner, lessee or manager holds a valid Nevada hunting license, or may be sold by that person to any holder of a valid Nevada hunting license at any price mutually agreed upon;

(b) Except as otherwise provided in subparagraph (2) of paragraph (c), must be used on the private land or in the unit or units within the management area or areas in which the private land is located; and

(c) May only be used during:

(1) The open season for the species for which the tag is issued; or

(2) A season prescribed by regulation of the Commission for the use of such tags only on the private land.

5. As a condition of receiving a tag from the Department pursuant to this section, an owner, lessee or manager who is



1 lawfully in control of private land that blocks access to adjacent
2 public land must provide access to the public land during the
3 hunting season to a person or hunting party with a tag for the
4 purpose of hunting on the public land.

5 6. Insofar as they are consistent with this section, the
6 provisions of this title and of the regulations adopted by the
7 Commission apply to the issuance and use of tags pursuant to this
8 section. The Commission:

9 (a) Shall by regulation establish the maximum number of tags
10 which may be issued annually by the Department pursuant to this
11 section, which must not exceed 1.5 percent of the total number of
12 deer and antelope tags which are authorized for issuance annually
13 throughout the State; and

14 (b) May adopt any other regulations it deems necessary to carry
15 out the provisions of this section.

16 ~~{7. The Director shall, not later than the fifth calendar day of~~
17 ~~each regular session of the Legislature, submit to the Director of the~~
18 ~~Legislative Counsel Bureau for distribution to the Legislature a~~
19 ~~report summarizing the activities of the Department taken pursuant~~
20 ~~to the provisions of this section during the preceding biennium,~~
21 ~~including any problems associated with the issuance and use of tags~~
22 ~~authorized by this section and any recommendations for correcting~~
23 ~~those problems.}~~

24 **Sec. 32.** NRS 504.165 is hereby amended to read as follows:

25 504.165 1. The Commission shall adopt regulations
26 governing the disbursement of money to:

27 (a) Prevent or mitigate damage to private property and privately
28 maintained improvements, including, without limitation, fences;

29 (b) Prevent or mitigate damage to fences on public lands;

30 (c) Construct fences around sources of water on private lands or
31 public lands where there has been damage to the area near such
32 sources of water; and

33 (d) Compensate persons for grazing reductions and the loss of
34 stored and standing crops,

35 ➔ caused by elk or game mammals not native to this State.

36 2. The regulations must contain:

37 (a) Requirements for the eligibility of those persons claiming
38 damage to private property, privately maintained improvements,
39 fences on public lands or areas near sources of water on public lands
40 to receive money or materials from the Department, including:

41 (1) A requirement that such a person enter into a cooperative
42 agreement with the Director for purposes related to this title; and

43 (2) A requirement that if the claim is for money or materials
44 from the Department for the construction of a fence around a source
45 of water on private land or public land, such a person must:



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(I) Conduct a physical inspection of the private land or public land upon which the fence is proposed to be constructed to determine the most effective manner in which to protect the source of water and to determine the most effective manner in which to provide access to a source of water for livestock and wildlife that is located outside the fence and within a reasonable distance from the fence;

(II) Conduct the inspection described in sub-subparagraph (I) in consultation with the persons or entities which will be directly affected by the construction of the fence, including, without limitation, an owner of the private land on which the fence is proposed to be constructed, a governmental entity that manages the public land on which the fence is proposed to be constructed, a holder of a permit to graze livestock on the public land, if applicable, and a person who holds a water right which will be directly affected by the construction of the fence; and

(III) Enter into a cooperative agreement with the persons and entities described in sub-subparagraph (II) for purposes related to the construction of the fence in accordance with the results of the inspection conducted pursuant to this subparagraph.

(b) Procedures for the formation of local panels to assess damage caused by elk or game mammals not native to this State and to determine the value of a loss claimed if the person claiming the loss and the Department do not agree on the value of the loss.

(c) Procedures for the use on private property or public lands of materials purchased by the State to prevent damage caused by elk or game mammals not native to this State.

(d) Any other regulations necessary to carry out the provisions of this section and NRS 504.155 . ~~and 504.175.~~

3. The regulations must:

(a) Provide for the payment of money or other compensation to cover the costs of labor and materials necessary to:

(1) Prevent or mitigate damage to private property, privately maintained improvements and fences on public lands caused by elk or game mammals not native to this State; and

(2) Construct fences around sources of water on private or public lands if:

(I) Elk or game mammals not native to this State have caused damage to the area near such sources of water; and

(II) A source of water for livestock and wildlife is available outside such a fence and within a reasonable distance from such a fence or will be made available at such a location.

(b) Prohibit a person who has, within a particular calendar year, applied for or received a special incentive elk tag pursuant to



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1 NRS 502.142 from applying, within the same calendar year, for
2 compensation pursuant to this section for the same private land.

3 4. Money may not be disbursed to a claimant pursuant to this
4 section unless the claimant shows by a preponderance of the
5 evidence that the damage for which the claimant is seeking
6 compensation was caused solely by elk or game mammals not
7 native to this State.

8 5. As used in this section, "public lands" means all lands
9 within the exterior boundaries of the State of Nevada except lands:

10 (a) To which title is held by any private person or entity;

11 (b) To which title is held by the State of Nevada, any of its local
12 governments or the Nevada System of Higher Education;

13 (c) Which are located within congressionally authorized national
14 parks, monuments, national forests or wildlife refuges, or which are
15 lands acquired by purchase consented to by the Legislature;

16 (d) Which are controlled by the United States Department of
17 Defense, Department of Energy or Bureau of Reclamation; or

18 (e) Which are held in trust for Indian purposes or are Indian
19 reservations.

20 **Sec. 33.** NRS 513.093 is hereby amended to read as follows:

21 513.093 The Administrator:

22 1. Shall coordinate the activities of the Division.

23 2. Shall report to the Commission upon all matters pertaining
24 to the administration of the Division.

25 3. Shall attend each regular meeting of the Mining Oversight
26 and Accountability Commission created by NRS 514A.040 and each
27 special meeting if requested by the Chair of that Commission and:

28 (a) Report to the Mining Oversight and Accountability
29 Commission on the activities of the Division undertaken since the
30 Division's previous report, including, without limitation, an
31 accounting of any fees or fines imposed or collected;

32 (b) The current condition of mining and of exploration for and
33 production of oil, gas and geothermal energy in the State; and

34 (c) Provide any technical information required by the Mining
35 Oversight and Accountability Commission during the course of the
36 meeting.

37 ~~4. Shall submit a biennial report to the Governor and the~~
38 ~~Legislature through the Commission concerning the work of the~~
39 ~~Division, with recommendations that the Administrator may deem~~
40 ~~necessary. The report must set forth the facts relating to the~~
41 ~~condition of mining and of exploration for and production of oil and~~
42 ~~gas in the State.]~~

43 **Sec. 34.** NRS 540.041 is hereby amended to read as follows:

44 540.041 1. The Chief:



1 (a) Must be selected with special reference to his or her training,
2 experience, capability and interest in the field of water resource
3 planning.

4 (b) Shall coordinate the activities of the Section.

5 2. The Chief is responsible for the administration of all
6 provisions of law relating to the functions of the Section.

7 3. The Chief, with the approval of the State Engineer, may
8 employ, within the limits of legislative appropriations, such staff as
9 is necessary to the performance of his or her duties.

10 ~~{4. The Chief, through the State Engineer, shall, not later than~~
11 ~~the fifth calendar day of each regular session of the Legislature,~~
12 ~~submit to the Director of the Legislative Counsel Bureau for~~
13 ~~distribution to the Legislature a written report summarizing the~~
14 ~~actions of the Section taken pursuant to the provisions of NRS~~
15 ~~540.051 during the preceding biennium.}~~

16 **Sec. 35.** NRS 561.145 is hereby amended to read as follows:

17 561.145 1. The Director shall direct and supervise all
18 administrative and technical activities of the Department, and all
19 programs administered by the Department as provided by law.
20 Except as otherwise provided in NRS 284.143, the Director shall
21 devote his or her entire time to the duties of the Director's office,
22 and shall follow no other gainful employment or occupation.

23 2. The Director may, within such limitations as may be
24 provided by law, organize the Department into divisions and, from
25 time to time, alter that organization and reassign responsibilities and
26 duties as the Director may deem appropriate.

27 3. The Director shall:

28 (a) Coordinate the activities of the divisions of the Department.

29 (b) Report to the Board upon all matters pertaining to the
30 administration of the Department.

31 ~~{(c) Submit a biennial report to the Governor, the Legislature~~
32 ~~and the Board of the work of the Department, with~~
33 ~~recommendations that the Director may deem necessary. The report~~
34 ~~must set forth the facts relating to the condition of the livestock,~~
35 ~~agriculture and related industries in the State of Nevada.}~~

36 **Sec. 36.** NRS 630A.155 is hereby amended to read as follows:

37 630A.155 The Board shall:

38 1. Regulate the practice of homeopathic medicine in this State
39 and any activities that are within the scope of such practice, to
40 protect the public health and safety and the general welfare of the
41 people of this State.

42 2. Determine the qualifications of, and examine, applicants for
43 licensure or certification pursuant to this chapter, and specify by
44 regulation the methods to be used to check the background of such
45 applicants.



3. License or certify those applicants it finds to be qualified.

4. Investigate and, if required, hear and decide in a manner consistent with the provisions of chapter 622A of NRS all complaints made against any homeopathic physician, advanced practitioner of homeopathy, homeopathic assistant or any agent or employee of any of them, or any facility where the primary practice is homeopathic medicine. If a complaint concerns a practice which is within the jurisdiction of another licensing board or any other possible violation of state law, the Board shall refer the complaint to the other licensing board.

~~{5. Submit an annual report to the Legislature and make recommendations to the Legislature concerning the enactment of legislation relating to alternative and complementary integrative medicine, including, without limitation, homeopathic medicine.}~~

Sec. 37. NRS 686A.295 is hereby amended to read as follows:

686A.295 If a person who is licensed or registered under the laws of the State of Nevada to engage in a business or profession is convicted of, or pleads guilty or guilty but mentally ill to, engaging in an act of insurance fraud, the Commissioner and the Attorney General shall forward to each agency by which the convicted person is licensed or registered a copy of the conviction or plea and all supporting evidence of the act of insurance fraud. ~~{An agency that receives information from the Commissioner and Attorney General pursuant to this section shall, not later than 1 year after the date on which it receives the information, submit a report which sets forth the action taken by the agency against the convicted person, including, but not limited to, the revocation or suspension of the license or any other disciplinary action, to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.}~~

Sec. 38. Section 4 of chapter 385, Statutes of Nevada 2005, at page 1489, is hereby amended to read as follows:

Sec. 4. 1. A county assessor shall not accept an application to establish allodial title to any property if the application is received on or after the effective date of this act.

2. After the last allodial title is relinquished and the balance, if any, of the unused portion of the money in the Allodial Title Trust Fund that is attributable to the title being relinquished is refunded pursuant to NRS 361.915, the State Treasurer shall transfer the balance, if any, in the Allodial Title Account for Stabilization to the State General Fund.

~~{3. The State Treasurer shall, not later than 90 days after the last allodial title is relinquished, notify the Director of the Legislative Counsel Bureau.}~~



1 **Sec. 38.5.** Section 1 of Assembly Bill No. 350 of this session
2 is hereby amended to read as follows:

3 Section 1. Chapter 218D of NRS is hereby amended by
4 adding thereto a new section to read as follows:

5 1. *Any provision of state legislation enacted on or after*
6 *July 1, 2013, which adds or revises a requirement to submit*
7 *a report to the Legislature must:*

8 (a) *Expire by limitation 5 years after the effective date of*
9 *the addition or revision of the requirement; or*

10 (b) *Contain a statement by the Legislature setting forth*
11 *the justifications for continuing the requirement for more*
12 *than 5 years. The statement must include, without*
13 *limitation:*

14 (1) *If the requirement is being revised, the date the*
15 *requirement was enacted;*

16 (2) *If the requirement concerns a report regarding*
17 *the implementation or monitoring of a new program, an*
18 *analysis of the continued usefulness of such a report after 5*
19 *years; and*

20 (3) *An identification and analysis of any costs or*
21 *benefits associated with or expected to be associated with*
22 *the report.*

23 2. *The Legislative Commission shall review the*
24 *requirements in state legislation for submitting a report to*
25 *the Legislature which have been in existence for 4 years or*
26 *more to determine whether the requirements should be*
27 *repealed, revised or continued. In making its determination*
28 *pursuant to this subsection, the Legislative Commission*
29 *shall:*

30 (a) *Identify and analyze any costs or benefits associated*
31 *with the report;*

32 (b) *Consider the ability of the Legislature to obtain the*
33 *information provided in the report from another source;*

34 (c) *Consider any recommendations made by the Director*
35 *pursuant to section 1 of Senate Bill No. 405 of this session*
36 *regarding the elimination or revision of requirements in*
37 *state legislation to submit obsolete or redundant reports to*
38 *the Legislature; and*

39 (d) *Consider any other criteria determined by the*
40 *Legislative Commission to be appropriate.*

41 3. *Based upon its review of the requirements pursuant*
42 *to subsection 2, the Legislative Commission shall, as it*
43 *deems appropriate:*

44 (a) *Make recommendations to the Legislature regarding*
45 *whether the requirements in state legislation for submitting*



such reports to the Legislature should be repealed, revised or continued; and

(b) Request the drafting of a legislative measure pursuant to NRS 218D.160 to facilitate its recommendations.

Sec. 39. 1. NRS 223.580, 252.155, 260.075, 422.395, 422.397, 432.180, 439.524, 457.180, 502.324, 504.175 and 625.156 are hereby repealed.

2. Section 7 of chapter 294, Statutes of Nevada 2009, at page 1258, is hereby repealed.

Sec. 40. This act becomes effective on July 1, 2013.

**LEADLINES OF REPEALED SECTIONS OF NRS AND
TEXT OF REPEALED SECTION OF STATUTES OF NEVADA**

223.580 Annual report: Requirements.

252.155 Submission of reports to Legislative Commission.

260.075 Reports to Legislative Commission.

422.395 “Person with a physical disability” defined.

422.397 Reports by Director.

432.180 Annual report of Attorney General to be submitted to Governor and Legislative Counsel Bureau concerning missing or exploited children.

439.524 Submission of annual report to Governor and Legislature.

457.180 Report of Health Division.

502.324 Duck stamps: Reports to Legislature regarding program.

504.175 Reports to Legislature.

625.156 Duties: Reports relating to issuance of licenses, examinations and complaints.

Section 7 of chapter 294, Statutes of Nevada 2009:

Sec. 7. The Aging Services Division of the Department of Health and Human Services shall, on or before March 1 and October 1 of each year, submit a report on the progress of the Division in establishing a PACE program pursuant to section 1 of this act to the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, the Legislative Committee on Health Care.

