

Amendment No. 820

Senate Amendment to Assembly Bill No. 126	(BDR 38-555)
Proposed by: Senate Committee on Health and Human Services	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

MAS/KCR



Date: 5/19/2017

A.B. No. 126—Abolishes certain committees and commissions. (BDR 38-555)



ASSEMBLY BILL NO. 126—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE SUNSET SUBCOMMITTEE
OF THE LEGISLATIVE COMMISSION)

PREFILED FEBRUARY 9, 2017

Referred to Committee on Government Affairs

SUMMARY—Abolishes certain committees, ~~and commissions.~~ (BDR 38-555)

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 governmental administration; ~~abolishing the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officers;~~ abolishing the Advisory Committee on Housing; abolishing the Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Existing law creates the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officers. (NRS 281.157-281.1575.)~~

Existing law creates the Advisory Committee on Housing to review and provide to the Director of the Department of Business and Industry and the Administrator of the Housing Division of that Department advice, recommendations and other commentary regarding the: (1) investment of money or issuance of obligations of the Division; (2) development of new programs or improvement of existing programs of the Division; (3) improvement of policies and procedures of the Division; and (4) administration of the Account for Low-Income Housing. (NRS 319.173)

Existing law creates the Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities, which meets at the call of the Director of the Department of Health and Human Services, the Chair of the Commission, the Chair of the Subcommittee or a majority of the members of the Subcommittee. (NRS 426.731)

Existing law requires the Sunset Subcommittee of the Legislative Commission to review certain boards and commissions in this State to determine whether the board or commission should be terminated, modified, consolidated or continued. (NRS 232B.210-232B.250) As recommended by the Sunset Subcommittee, this bill abolishes: (1) ~~the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officers;~~ (2) the

Advisory Committee on Housing; and ~~(2)~~ (2) the Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities. **Sections 1-3** of this bill make conforming changes.

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

Section 1. NRS 426.721 is hereby amended to read as follows:

426.721 As used in NRS 426.721 to ~~426.731~~ 426.729, inclusive, unless the context otherwise requires, the words and terms defined in NRS 426.723 to 426.727, inclusive, have the meanings ascribed to them in those sections.

Sec. 2. NRS 426.728 is hereby amended to read as follows:

426.728 1. Each state personal assistance program must make available, within a reasonable period after receiving a request therefor and in accordance with any conditions upon the receipt of federal funding and considering the amount of reasonably adequate state funding, community-based services to provide minimum essential personal assistance to residents of this State with severe functional disabilities who would, with the provision of that assistance, be able to live safely and independently in their communities outside of an institutional setting.

2. The provisions of NRS 426.721 to ~~426.731~~ 426.729, inclusive, must not be construed to:

(a) Prevent a person with a severe functional disability from receiving more than 6 hours of minimum essential personal assistance per day from a state personal assistance program if such assistance is available pursuant to the program; or

(b) Prevent a person with a disability other than a severe functional disability from receiving services from a state personal assistance program if such assistance is available pursuant to the program.

Sec. 3. NRS 427A.1213 is hereby amended to read as follows:

427A.1213 1. The Commission shall, at its first meeting and annually thereafter, elect a Chair from among its voting members.

2. The Commission shall meet at least quarterly and at the times and places specified by a call of the Director, the Chair or a majority of the voting members of the Commission.

3. A majority of the voting members of the Commission constitutes a quorum for the transaction of all business.

4. The Commission shall establish rules for its own governance.

5. Except as otherwise provided in NRS ~~426.731 and~~ 427A.750, the Chair may appoint subcommittees and advisory committees composed of the members of the Commission, former members of the Commission and members of the general public who have experience with or knowledge of matters relating to persons with disabilities, to consider specific problems or other matters that are related to and within the scope of the functions of the Commission. A subcommittee or advisory committee appointed pursuant to this subsection must not contain more than five members. To the extent practicable, the members of such a subcommittee or advisory committee must be representative of the various geographic areas and ethnic groups of this State.

Sec. 4. 1. Any administrative regulations adopted by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity remain in force until amended by the officer, agency or other entity to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity are binding upon the officer, agency or other entity to which the responsibility for the administration of the provisions of the contract or other agreement have been transferred. Such contracts and other agreements may be enforced by the officer, agency or other entity to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or entity remains in effect as if taken by the officer, agency or other entity to which the responsibility for the enforcement of such actions has been transferred.

Sec. 5. The Legislative Counsel shall:

1. In preparing the Nevada Revised Statutes, use the authority set forth in subsection 10 of NRS 220.120 to substitute appropriately the name of any agency, officer or instrumentality of the State whose name is changed by this act for the name which the agency, officer or instrumentality previously used; and

2. In preparing supplements to the Nevada Administrative Code, substitute appropriately the name of any agency, officer or instrumentality of the State whose name is changed by this act for the name which the agency, officer or instrumentality previously used.

Sec. 6. NRS ~~281.157, 281.1571, 281.1572, 281.1573, 281.1574, 281.1575,~~ 319.173 and 426.731 are hereby repealed.

Sec. 7. This act becomes effective on July 1, 2017.

~~LEADLINES~~ **TEXT** OF REPEALED SECTIONS

~~281.157 Commission to Review Compensation: Definition.~~

~~281.1571 Commission to Review Compensation: Creation; composition.~~

~~281.1572 Commission to Review Compensation: Notification of appointment; terms; removal; vacancy.~~

~~281.1573 Commission to Review Compensation: Salary; meetings; administrative support.~~

~~281.1574 Commission to Review Compensation: Quorum; vote required to approve recommendations regarding compensation.~~

~~281.1575 Commission to Review Compensation: Duties.~~

319.173 Advisory Committee on Housing: Creation; members; meetings; submission and review of work plan; duties.

1. There is hereby created an Advisory Committee on Housing to review and provide to the Director of the Department of Business and Industry and the Administrator advice, recommendations and other commentary regarding:

(a) The investment of money or issuance of obligations by the Division.

(b) The development of new programs or the improvement of existing programs of the Division.

(c) The improvement of policies and procedures of the Division, including those relating to the dissemination of relevant information to persons who participate in or are otherwise interested in programs of the Division.

(d) The administration of the Account for Low-Income Housing.

(e) Any other matters referred to the Advisory Committee by the Director or Administrator.

2. The Advisory Committee consists of the Director of the Department of Business and Industry or his or her representative, and eight members appointed by the Director. The Director shall appoint to the Advisory Committee:

(a) One representative of an association of mortgage bankers in this State, selected from a list of names submitted to the Director by that association.

(b) One representative of persons engaged in residential construction in this State.

(c) One representative of banks or savings and loan associations in this State who is knowledgeable about making mortgage loans.

(d) One member who is knowledgeable about the sale and marketing or the management of real property in this State.

(e) One member who is knowledgeable about the development or management of nonprofit housing in this State.

(f) One member who is knowledgeable about housing programs sponsored, administered or supported by local governments in this State.

(g) One member who is knowledgeable about federal housing programs administered by the Division.

(h) One member who is an advocate of affordable housing.

↪ The members of the Advisory Committee are not entitled to any additional compensation for their service in that capacity.

3. The Director of the Department of Business and Industry or his or her representative shall serve as the Chair of the Advisory Committee. The Advisory Committee shall meet at least once each calendar quarter, and at the call of the Chair or upon the written request of the Administrator or a majority of the members of the Committee.

4. The Administrator shall submit annually to the Advisory Committee for its review, comment and recommendations a work plan for the activities of the Division for the succeeding calendar year. The work plan must include:

(a) The expected needs for financing and anticipated demand for tax credits and sources of funding for each of the programs administered by the Division.

(b) Strategies for meeting those needs and demands.

(c) A plan for resolving any anticipated problems in carrying out those strategies.

(d) A plan for the allocation of the resources of the Division, including the allotment of its employees' time, to carry out the work plan in such a manner as to serve the entire area of the State adequately.

(e) Any other matters which are critical to the success of any programs administered by the Division.

5. Before the:

(a) Investment of money of the Division pursuant to NRS 319.171; or

(b) Submission of findings to the State Board of Finance pursuant to subsection 4 of NRS 319.323.

↪ the Administrator shall submit a plan of investment or a plan of financing, together with any proposed findings relating to that plan, to the Advisory Committee for its review and comment.

6. The Administrator shall report to the Advisory Committee at least once each calendar quarter on the activities of the Division and the implementation of the Division's work plan for that year.

426.731 Subcommittee: Creation; membership; terms of members; quorum; duties.

1. The Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities is hereby created.

2. The Nevada Commission on Services for Persons with Disabilities shall:

(a) Solicit recommendations for the appointment of members to the Subcommittee from organizations that are representative of a broad range of persons with disabilities and organizations interested in the provision of personal services to persons with functional disabilities.

(b) Appoint to the Subcommittee such members as the Nevada Commission on Services for Persons with Disabilities deems appropriate to represent a broad range of persons with disabilities from diverse backgrounds, including, without limitation, one or more persons who are representative of:

(1) Seniors with disabilities.

(2) The Statewide Independent Living Council established in this State pursuant to 29 U.S.C. § 796d.

(3) The State Council on Developmental Disabilities established in this State pursuant to section 125 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.

(4) Centers for independent living established in this State.

(5) Providers of personal services to persons with disabilities, including providers who receive state funding for that purpose.

(6) Persons with disabilities who receive personal assistance services.

3. The majority of the members of the Subcommittee must be persons with disabilities.

4. After the initial term, the term of each member is 2 years.

5. Members of the Subcommittee serve without compensation.

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

7. The Subcommittee shall:

(a) At its first meeting and annually thereafter, elect a Chair from among its members.

(b) Meet at the call of the Director of the Department of Health and Human Services, the Chair of the Nevada Commission on Services for Persons with Disabilities, the Chair of the Subcommittee or a majority of its members quarterly or as is necessary to carry out the provisions of NRS 426.728.