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SENATE BILL NO. 309—SENATORS MCGINNESS AND TITUS

MARCH 17, 2003

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning support for participatory democracy. (BDR 18-1167)

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.

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AN ACT relating to democracy; establishing the Advisory Committee on Participatory Democracy within the Office of the Secretary of State; prescribing its powers and duties; requiring certain reports to the Legislature; and providing other matters properly relating thereto.

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

1     **Section 1.** The Legislature hereby declares that it is committed  
2 to working with election officers and agencies throughout the State  
3 and the Advisory Committee on Participatory Democracy to  
4 achieve, by the 2008 general election, the goals of having 75 percent  
5 of all eligible voters in the State registered and having 70 percent of  
6 those registered voters participate in the general election.

7     **Sec. 2.** Chapter 225 of NRS is hereby amended by adding  
8 thereto the provisions set forth as sections 3 to 10, inclusive, of this  
9 act.

10    **Sec. 3.** *As used in sections 3 to 10, inclusive, of this act,*  
11 *unless the context otherwise requires, the words and terms defined*  
12 *in sections 4, 5 and 6 of this act have the meanings ascribed to*  
13 *them in those sections.*

14    **Sec. 4.** *“Advisory Committee” means the Advisory*  
15 *Committee on Participatory Democracy created by section 7 of this*  
16 *act.*



1       **Sec. 5.** *“Participatory democracy” means the participation of*  
2 *residents of this state in the development of public policy and in*  
3 *the improvement of the operation of government at all levels.*  
4       **Sec. 6.** *“Repository” means the Repository for Records*  
5 *concerning Programs, Activities and Events Related to the*  
6 *Participation of Citizens in the Development of Public Policy and*  
7 *the Improvement of the Operation of Government created by*  
8 *NRS 378.400.*  
9       **Sec. 7.** *1. The Advisory Committee on Participatory*  
10 *Democracy is hereby created within the Office of the Secretary of*  
11 *State.*  
12       *2. The Advisory Committee consists of 10 members*  
13 *including:*  
14       *(a) The Secretary of State or his designee; and*  
15       *(b) Nine other members appointed by the Secretary of State.*  
16       **3.** *The Secretary of State shall:*  
17       *(a) Consider political, geographical and demographical factors*  
18 *when appointing members of the Advisory Committee;*  
19       *(b) Select the Chairman of the Advisory Committee from*  
20 *among its members; and*  
21       *(c) Designate an employee of the Office of the Secretary of*  
22 *State to serve as Secretary for the Advisory Committee.*  
23       **4.** *The Secretary of State may assign such other employees of*  
24 *his Office as he deems necessary to assist the Advisory Committee*  
25 *in its duties.*  
26       **5.** *The Chairman of the Advisory Committee shall appoint a*  
27 *Vice Chairman from among the members of the Advisory*  
28 *Committee.*  
29       **6.** *After the initial term, each member of the Advisory*  
30 *Committee shall serve for a term of 3 years. Each member of the*  
31 *Advisory Committee serves at the pleasure of the Secretary of*  
32 *State. If a vacancy occurs, the Secretary of State shall appoint a*  
33 *new member to fill the vacancy for the remainder of the unexpired*  
34 *term.*  
35       **7.** *Members of the Advisory Committee serve without*  
36 *compensation. If sufficient money is available in the Special*  
37 *Account for the Support of the Advisory Committee created by*  
38 *section 10 of this act, members are entitled to the per diem and*  
39 *travel allowances provided for state officers and employees*  
40 *generally while attending meetings of the Advisory Committee.*  
41       **Sec. 8.** *The Advisory Committee shall:*  
42       **1.** *Advise the Director of the Department of Cultural Affairs*  
43 *concerning the Repository and make recommendations to support*  
44 *greater use of the Repository and collection of materials for the*  
45 *Repository;*



1       2. Assist the Secretary of State in identifying and proposing  
2 programs that support participatory democracy and solutions to  
3 any problem concerning the level of participatory democracy,  
4 including, without limitation, proposing methods to involve the  
5 news media in the process of addressing and proposing solutions  
6 to such a problem;

7       3. Make recommendations to and discuss recommendations  
8 with the Secretary of State concerning matters brought to the  
9 attention of the Advisory Committee that relate to a program,  
10 activity, event or any combination thereof designed to increase or  
11 facilitate participatory democracy, including, without, limitation,  
12 the interaction of citizens with governing bodies in the  
13 formulation and implementation of public policy;

14       4. Establish a "Jean Ford Democracy Award" to honor  
15 citizens who perform exemplary service in promoting participatory  
16 democracy in this state;

17       5. Support projects by national, state and local entities that  
18 encourage and advance participatory democracy, including  
19 programs established by the National Conference of State  
20 Legislatures, the State Bar of Nevada, and other public and  
21 private organizations; and

22       6. Advise the Secretary of State and the Governor concerning  
23 the substance of any proclamation issued by the Governor  
24 pursuant to NRS 236.035.

25       **Sec. 9.** 1. The Advisory Committee shall hold meetings at  
26 least once every 3 months. A special meeting of the Advisory  
27 Committee may be called by the Secretary of State and the  
28 Chairman of the Advisory Committee at such additional times as  
29 they deem necessary.

30       2. The Chairman of the Advisory Committee or, in his  
31 absence, the Vice Chairman of the Advisory Committee, shall  
32 preside at each meeting of the Advisory Committee. Six members  
33 of the Advisory Committee constitute a quorum.

34       **Sec. 10.** 1. The Secretary of State may apply for any  
35 available grants and accept any gifts, grants or donations for the  
36 support of the Advisory Committee and its activities pursuant to  
37 sections 3 to 10, inclusive, of this act.

38       2. Any money received pursuant to this section must be  
39 deposited in the Special Account for the Support of the Advisory  
40 Committee, which is hereby created in the State General Fund.  
41 Interest and income earned on money in the Account must be  
42 credited to the Account. Money in the Account may only be used  
43 for the support of the Advisory Committee and its activities  
44 pursuant to sections 3 to 10, inclusive, of this act.



1     **Sec. 11.** NRS 378.400 is hereby amended to read as follows:  
2     378.400 1. The Repository for Records Concerning  
3 Programs, Activities and Events Related to the Participation of  
4 Citizens in the Development of Public Policy and the Improvement  
5 of the Operation of Government is hereby created within the  
6 Department.

7     2. The Director shall receive, store and maintain in the  
8 Repository and make available to members of the public materials,  
9 information and records submitted to the Department:

10    (a) In response to a proclamation issued pursuant to NRS  
11 236.035; or

12    (b) By the Federal Government, any state or local government  
13 or any political subdivision thereof reporting the results of an action  
14 taken to increase the extent and quality of the participation of  
15 citizens in the development of public policy and the improvement of  
16 the operation of government.

17    3. To maintain and develop the Repository, the Director may:

18    (a) Apply for any available grants and accept any gifts, grants or  
19 donations; *and*

20    (b) Delegate his powers and duties to any person within the  
21 Department. ~~}; and~~

22 ~~—(c) Create and appoint an Advisory Committee.~~

23 ~~—4. An Advisory Committee created pursuant to this section~~  
24 ~~must be created by a regulation adopted in accordance with the~~  
25 ~~provisions of chapter 233B of NRS. The regulation must specify~~  
26 ~~the:~~

27 ~~—(a) Membership of the Committee;~~

28 ~~—(b) Purpose for which the Committee is created;~~

29 ~~—(c) Duties of the Committee;~~

30 ~~—(d) Period of existence of the Committee; and~~

31 ~~—(e) Rules for the governance of the Committee.~~

32 ~~—5. An}~~

33    4. *The* Advisory Committee created ~~[pursuant to this section]~~  
34 *by section 7 of this act* may advise the Director on matters  
35 concerning the Repository, including, without limitation:

36    (a) The coordination of public agencies concerning programs,  
37 activities or events designed to increase the extent and quality of the  
38 participation of the residents of this state in the development of  
39 public policy and the improvement of the operation of government  
40 at all levels;

41    (b) The assistance of public agencies in developing such  
42 programs, activities and events;

43    (c) The development of effective ways to provide information  
44 contained in the Repository to members of the public; and



1 (d) Recommended programs that demonstrate the effective  
2 methods by which residents of this state may participate in the  
3 development of public policy and the improvement of the operations  
4 of government at all levels.

5 ~~[6. The members of an Advisory Committee created pursuant  
6 to this section serve without compensation unless an appropriation  
7 or other money for that purpose is provided by the Legislature.]~~

8 **Sec. 12.** 1. Each local school district, with the assistance of  
9 the State Board of Education, the Board of Regents of the  
10 University of Nevada, the Commission on Professional Standards in  
11 Education and the Nevada P-16 Council, shall prepare a report for  
12 the 73rd Session of the Legislature which contains:

13 (a) An evaluation of the efforts currently in progress to  
14 implement standards for the social studies curriculum being offered  
15 in Nevada schools, particularly in the area of civics and the skills  
16 and values of citizenship;

17 (b) A clear statement of the assessment standards that have been  
18 established to judge the educational progress of pupils in  
19 understanding civics and the skills and values of citizenship; and

20 (c) A comparison of how the achievement of Nevada pupils in  
21 developing such understanding and skills compares with standards  
22 developed nationally to measure the effectiveness of civics  
23 education.

24 2. The State Board of Education shall consider and develop a  
25 recommendation to the 73rd Session of the Legislature concerning  
26 whether all teachers of kindergarten through 12th grade should be  
27 required to complete a course in participatory democracy as a  
28 condition of obtaining a license as a teacher.

29 **Sec. 13.** 1. The Secretary of State shall appoint the members  
30 of the Advisory Committee on Participatory Democracy as soon as  
31 practicable after October 1, 2003. Members of the Advisory  
32 Committee on Participatory Democracy that was created by NRS  
33 378.400, except the Director of the Department of Cultural Affairs,  
34 continue to serve on that Committee until new members are  
35 appointed by the Secretary of State.

36 2. The members of the Advisory Committee on Participatory  
37 Democracy must be appointed to serve initial terms as follows:

38 (a) Three of the members must be appointed to serve a term of 3  
39 years;

40 (b) Three of the members must be appointed to serve a term of 2  
41 years; and

42 (c) Three of the members must be appointed to serve a term of 1  
43 year.

