
ASSEMBLY BILL NO. 243—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE
ON LEGISLATIVE OPERATIONS AND ELECTIONS)

MARCH 3, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to legislative affairs.
(BDR 17-366)

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 legislative affairs; revising provisions relating to certain vacancies in Joint Interim Standing Committees of the Legislature and the use of alternate committee members; transferring certain duties of the Joint Interim Standing Committee on Legislative Operations and Elections to the Joint Interim Standing Committee on Government Affairs; revising the deadline to submit an application to serve on the Nevada State Teacher Recruitment and Retention Advisory Task Force; repealing the requirement that the Joint Interim Standing Committee on Health and Human Services review certain regulations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) establishes Joint Interim Standing Committees of the
2 Legislature that may evaluate and review issues within the jurisdiction of the
3 the corresponding standing committees from the preceding regular session of the
4 Legislature, exercise certain investigative powers and, under certain circumstances,
5 conduct studies directed by the Legislature or the Legislative Commission; (2)
6 provides for the appointment of regular members and alternative members to each
7 Joint Interim Standing Committee; and (3) requires the Legislative Commission to
8 select a Chair and a Vice Chair for each Joint Interim Standing Committee. (NRS
9 218E.320, 218E.330) **Section 1** of this bill provides that if the position of Chair of a



10 Joint Interim Standing Committee is vacant, the Vice Chair shall serve as acting
11 Chair until the vacancy is filled. **Section 2** of this bill provides that if a regular
12 member of a Joint Interim Standing Committee cannot attend a meeting of the
13 Committee, an alternative member must, to the extent practicable, be of the same
14 political party as the regular member.

15 Existing law requires the Joint Interim Standing Committee on Legislative
16 Operations and Elections to evaluate and review issues relating to governmental
17 purchasing. (NRS 218E.330) **Section 3** of this bill transfers such duties from the
18 Joint Interim Standing Committee on Legislative Operations and Elections to the
19 Joint Interim Standing Committee on Government Affairs. **Section 6** of this bill
20 makes a conforming change to require that the biennial report on recommendations
21 for legislation relating to government purchasing be submitted to the Joint Interim
22 Standing Committee on Government Affairs.

23 Existing law requires the Joint Interim Standing Committee on Health and
24 Human Services to review certain regulations that are proposed or adopted by
25 certain licensing boards and that are related to health care. (NRS 439B.225)
26 **Section 9** of this bill repeals the requirement that the Joint Interim Standing
27 Committee on Health and Human Services review such regulations. **Sections 4 and**
28 **5** of this bill make conforming changes to eliminate the requirement that such
29 regulations be submitted to the Joint Interim Standing Committee on Health and
30 Human Services.

31 Existing law requires a teacher who wishes to serve on the Nevada State
32 Teacher Recruitment and Retention Advisory Task Force to submit an application
33 to the Joint Interim Standing Committee on Education on or before January 15 of
34 an even-numbered year. (NRS 391.494) **Section 7** of this bill moves the due date of
35 the application from January 15 of an even-numbered year to December 1 of an
36 odd-numbered year.

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

1 **Section 1.** NRS 218E.320 is hereby amended to read as
2 follows:

3 218E.320 1. There are hereby created the following Joint
4 Interim Standing Committees of the Legislature:

- 5 (a) Commerce and Labor;
- 6 (b) Education;
- 7 (c) Government Affairs;
- 8 (d) Growth and Infrastructure;
- 9 (e) Health and Human Services;
- 10 (f) Judiciary;
- 11 (g) Legislative Operations and Elections;
- 12 (h) Natural Resources; and
- 13 (i) Revenue.

14 2. Each Joint Interim Standing Committee consists of eight
15 regular members and five alternate members. As soon as is
16 practicable after the adjournment of each regular session:



1 (a) The Speaker of the Assembly shall appoint three members of
2 the Assembly as regular members of each Committee and two
3 members of the Assembly as alternate members of each Committee.

4 (b) The Minority Leader of the Assembly shall appoint two
5 members of the Assembly as regular members of each Committee
6 and one member of the Assembly as an alternate member of each
7 Committee.

8 (c) The Majority Leader of the Senate shall appoint two
9 Senators as regular members of each Committee and one Senator as
10 an alternate member of each Committee.

11 (d) The Minority Leader of the Senate shall appoint one Senator
12 as a regular member of each Committee and one Senator as an
13 alternate member of each Committee.

14 3. Before making their respective appointments, the Speaker of
15 the Assembly, the Majority Leader of the Senate and the Minority
16 Leaders of the Senate and Assembly shall consult so that, to the
17 extent practicable:

18 (a) At least five of the regular members appointed to each Joint
19 Interim Standing Committee served on the corresponding standing
20 committee or committees during the preceding regular session.

21 (b) Not more than five of the regular members appointed to each
22 Joint Interim Standing Committee are members of the same political
23 party.

24 4. The Legislative Commission shall select the Chair and Vice
25 Chair of each Joint Interim Standing Committee from among the
26 members of the Committee. The Chair must be appointed from one
27 House of the Legislature and the Vice Chair from the other House.
28 The position of Chair must alternate each biennium between the
29 Houses of the Legislature. Each of those officers holds the position
30 until a successor is appointed after the next regular session. If a
31 vacancy occurs in the position of Chair or Vice Chair ~~[, the]~~:

32 (a) *The* vacancy must be filled in the same manner as the
33 original selection for the remainder of the unexpired term ~~[]~~; *and*

34 (b) *The Vice Chair shall serve as acting Chair until the*
35 *vacancy is filled.*

36 5. The membership of any member of a Joint Interim Standing
37 Committee who does not become a candidate for reelection or who
38 is defeated for reelection terminates on the day next after the general
39 election. The Speaker designate of the Assembly or the Majority
40 Leader designate of the Senate, as the case may be, may appoint a
41 member to fill the vacancy for the remainder of the unexpired term.

42 6. Vacancies on a Joint Interim Standing Committee must be
43 filled in the same manner as original appointments.



1 **Sec. 2.** NRS 218E.325 is hereby amended to read as follows:
2 218E.325 1. Except as otherwise ordered by the Legislative
3 Commission, the members of a Joint Interim Standing Committee
4 shall meet not earlier than November 1 of each odd-numbered year
5 and not later than August 31 of the following even-numbered year at
6 the times and places specified by a call of the Chair or a majority of
7 the Committee.

8 2. The Director or his or her designee shall act as the nonvoting
9 recording Secretary of each Joint Interim Standing Committee.

10 3. Five members of a Joint Interim Standing Committee
11 constitute a quorum, and a quorum may exercise all the power and
12 authority conferred on the Committee, except that any
13 recommended legislation proposed by a Committee must be
14 approved by a majority of the members of the Senate and a majority
15 of the members of the Assembly serving on the Committee.

16 4. *If a regular member of a Joint Interim Standing*
17 *Committee cannot attend a meeting of the Committee, the*
18 *alternate member who attends the meeting must, to the extent*
19 *practicable, be of the same political party as the regular member.*

20 5. Except during a regular or special session, for each day or
21 portion of a day during which a member of a Joint Interim Standing
22 Committee attends a meeting of the Committee or is otherwise
23 engaged in the work of the Committee, the member is entitled to
24 receive the:

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

27 (b) Per diem allowance provided for state officers and
28 employees generally; and

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

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

33 **Sec. 3.** NRS 218E.330 is hereby amended to read as follows:

34 218E.330 1. A Joint Interim Standing Committee may:

35 (a) Evaluate and review issues within the jurisdiction of the
36 corresponding standing committee or committees from the
37 preceding regular session;

38 (b) Exercise any of the investigative powers set forth in NRS
39 218E.105 to 218E.140, inclusive; and

40 (c) Within the limits of the Committee's budget, conduct studies
41 directed by the Legislature or the Legislative Commission.

42 2. In addition to the authorized scope of issues set forth in
43 paragraph (a) of subsection 1:

44 (a) The Joint Interim Standing Committee on Health and Human
45 Services shall, either as part of its regular work or through



1 appointment of a subcommittee, evaluate and review issues relating
2 to child welfare.

3 (b) The Joint Interim Standing Committee on the Judiciary shall,
4 either as part of its regular work or through appointment of a
5 subcommittee, evaluate and review issues relating to juvenile
6 justice.

7 (c) The Joint Interim Standing Committee on ~~Legislative~~
8 ~~Operations and Elections]~~ *Government Affairs* may evaluate and
9 review issues relating to governmental purchasing, including,
10 without limitation, recommendations submitted to the Joint Interim
11 Standing Committee by the Commission to Study Governmental
12 Purchasing pursuant to NRS 332.215.

13 3. The Legislative Commission shall review and approve the
14 budget and work program of each Joint Interim Standing Committee
15 and any changes to the budget or work program.

16 4. A Joint Interim Standing Committee shall prepare a
17 comprehensive report of the Committee's activities in the interim
18 and its findings and any recommendations for proposed legislation.
19 The report must be submitted to the Director for distribution to the
20 next regular session.

21 **Sec. 4.** NRS 233B.063 is hereby amended to read as follows:

22 233B.063 1. An agency that intends to adopt, amend or
23 repeal a permanent regulation must deliver to the Legislative
24 Counsel a copy of the proposed regulation. The Legislative Counsel
25 shall examine and if appropriate revise the language submitted so
26 that it is clear, concise and suitable for incorporation in the Nevada
27 Administrative Code, but shall not alter the meaning or effect
28 without the consent of the agency.

29 2. Unless the proposed regulation is submitted to the
30 Legislative Counsel between July 1 of an even-numbered year and
31 July 1 of the succeeding odd-numbered year, the Legislative
32 Counsel shall deliver the approved or revised text of the regulation
33 within 30 days after it is submitted to the Legislative Counsel. If the
34 proposed or revised text of a regulation is changed before adoption,
35 the agency shall submit the changed text to the Legislative Counsel,
36 who shall examine and revise it if appropriate pursuant to the
37 standards of subsection 1. Unless it is submitted between July 1 of
38 an even-numbered year and July 1 of the succeeding odd-numbered
39 year, the Legislative Counsel shall return it with any appropriate
40 revisions within 30 days. ~~If the agency is a licensing board as~~
41 ~~defined in NRS 439B.225 and the proposed regulation relates to~~
42 ~~standards for the issuance or renewal of licenses, permits or~~
43 ~~certificates of registration issued to a person or facility regulated by~~
44 ~~the agency, the Legislative Counsel shall also deliver one copy of~~



~~1 the approved or revised text of the regulation to the Joint Interim
2 Standing Committee on Health and Human Services.]~~

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

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

15 **Sec. 5.** NRS 233B.070 is hereby amended to read as follows:

16 233B.070 1. A permanent regulation becomes effective when
17 the Legislative Counsel files with the Secretary of State the original
18 of the final draft or revision of a regulation, except as otherwise
19 provided in NRS 293.247 or where a later date is specified in the
20 regulation.

21 2. Except as otherwise provided in NRS 233B.0633, an agency
22 that has adopted a temporary regulation may not file the temporary
23 regulation with the Secretary of State until 35 days after the date on
24 which the temporary regulation was adopted by the agency. A
25 temporary regulation becomes effective when the agency files with
26 the Secretary of State the original of the final draft or revision of the
27 regulation, together with the informational statement prepared
28 pursuant to NRS 233B.066. The agency shall also file a copy of the
29 temporary regulation with the Legislative Counsel, together with the
30 informational statement prepared pursuant to NRS 233B.066.

31 3. An emergency regulation becomes effective when the
32 agency files with the Secretary of State the original of the final draft
33 or revision of an emergency regulation, together with the
34 informational statement prepared pursuant to NRS 233B.066. The
35 agency shall also file a copy of the emergency regulation with the
36 Legislative Counsel, together with the informational statement
37 prepared pursuant to NRS 233B.066.

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

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



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

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

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

28 **Sec. 6.** NRS 332.215 is hereby amended to read as follows:

29 332.215 1. Each county of this state whose population is
30 100,000 or more, must be a member of the Commission to Study
31 Governmental Purchasing which is composed of all purchasing
32 agents of the local governments within those counties. Each county
33 whose population is less than 100,000 may participate as a voting
34 member of the Commission. The members shall select a Chair from
35 among their number.

36 2. The Commission shall meet no less than quarterly or at the
37 call of the Chair to study practices in governmental purchasing and
38 laws relating thereto and shall make recommendations with respect
39 to those laws to the next regular session of the Legislature.

40 3. On or before July 1 of each even-numbered year, the
41 Commission shall submit a written report to the Joint Interim
42 Standing Committee on ~~[Legislative Operations and Elections]~~
43 *Government Affairs* that includes any recommendations of the
44 Commission for legislation relating to governmental purchasing.



1 **Sec. 7.** NRS 391.494 is hereby amended to read as follows:

2 391.494 1. Each member of the Task Force must:

3 (a) Be a licensed teacher with at least 5 consecutive years of
4 experience teaching in a public school in this State;

5 (b) Be currently employed as a teacher and actively teaching in a
6 public school in this State, and remain employed as a teacher in a
7 public school in this State for the duration of the member's term;
8 and

9 (c) Not be currently serving on any other education-related
10 board, commission, council, task force or similar governmental
11 entity.

12 2. On or before December 1, 2019, the Department shall
13 prescribe a uniform application for a teacher to use to apply to serve
14 on the Task Force.

15 3. A teacher who wishes to serve on the Task Force must
16 submit an application prescribed pursuant to subsection 2 to the
17 Joint Interim Standing Committee on Education on or before
18 ~~January 15~~ **December 1** of an ~~even-numbered~~ **odd-numbered**
19 year. On or before February 1 of each even-numbered year, the Joint
20 Interim Standing Committee on Education shall select one or more
21 teachers, as applicable, to serve as a member of the Task Force.

22 **Sec. 8.** The provisions of subsection 1 of NRS 218D.380 do
23 not apply to any provision of this act which adds or revises a
24 requirement to submit a report to the Legislature.

25 **Sec. 9.** NRS 439B.225 is hereby repealed.

26 **Sec. 10.** This act becomes effective on July 1, 2023.

TEXT OF REPEALED SECTION

439B.225 Committee to review certain regulations proposed or adopted by licensing boards; recommendations to Legislature.

1. As used in this section, "licensing board" means any division or board empowered to adopt standards for the issuance or renewal of licenses, permits or certificates of registration pursuant to NRS 435.3305 to 435.339, inclusive, chapter 449, 625A, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640D, 641, 641A, 641B, 641C, 641D, 652, 653 or 654 of NRS.

2. The Committee shall review each regulation that a licensing board proposes or adopts that relates to standards for the issuance or renewal of licenses, permits or certificates of registration issued to a person or facility regulated by the board, giving consideration to:



(a) Any oral or written comment made or submitted to it by members of the public or by persons or facilities affected by the regulation;

(b) The effect of the regulation on the cost of health care in this State;

(c) The effect of the regulation on the number of licensed, permitted or registered persons and facilities available to provide services in this State; and

(d) Any other related factor the Committee deems appropriate.

3. After reviewing a proposed regulation, the Committee shall notify the agency of the opinion of the Committee regarding the advisability of adopting or revising the proposed regulation.

4. The Committee shall recommend to the Legislature as a result of its review of regulations pursuant to this section any appropriate legislation.

