



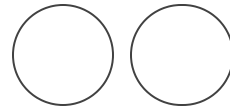
Sunset behind the clock in front of the Nevada State Legislature

2023 Legislative Session NCOE Recap



Nevada Commission on Ethics

1,205 followers



June 6, 2023

The 2023 Legislative Session of the Nevada Legislature ended at midnight on June 5. This article recaps the Nevada Commission on Ethics's major legislative priorities and the outcomes of the priorities as the session closes.

Commission Priorities

Heading into the 2023 Legislative Session, the Nevada Commission on Ethics had two major priorities:

1. Secure budget approval for an education and outreach modernization project including the addition of a Public Information Position to the Commission staff
2. More competitive salaries for Commission staff

3. Passage of the Commission's proposed changes to the Ethics Law

Budget

The Nevada Commission on Ethics staff team is small and without a team member dedicated to education and outreach efforts. While building the proposed budget during 2022, the Commission decided to pursue the addition of a Public Information Officer position and associated funding to enhance the Commission's ability to provide education and outreach to Nevada's public officers and employees.

During the budget presentation, the Executive Director reported 1,562 public officials receiving training in calendar year 2022 which represented about 1% of the total number of public officials who fall under the jurisdiction of the Commission.



1,562 public officials were trained by the Commission in calendar year 2022 representing approximately 1% of all public officials under the jurisdiction of the Commission.

The Legislature approved funding for the Commission to add the Public Information Officer position and other costs associated with a modern approach to training including an online training platform.

In addition, the Commission advocated for more competitive salaries for the Commission's staff. The Governor proposed and the Legislature considered various state employee compensation enhancements which would apply to the Commission's team. Ultimately a state employee pay bill passed and was approved with a combination of base salary increases, retention bonuses, and the return of longevity pay. This package should assist the Commission in recruiting and retaining staff members for the next biennium.

Ethics Budget

Information: <https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Budget/8111/Overview>

Commission's Policy Bill – AB66

(Reprinted with amendments adopted on April 24, 2023)

FIRST REPRINT

A.B. 66

ASSEMBLY BILL NO. 66—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE COMMISSION ON ETHICS)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to ethics in government.
(BDR 23-264)

FISCAL NOTE: Effect on Local Government: No.

Over the last several years, the Commission has proposed changes to Nevada's Ethics Law to:

1. Enhance confidentiality protections for both individuals who file complaints and individuals who are subjects of complaints
2. Adjust Ethics requirements around cooling off and behavior which would constitute "unwarranted harm"
3. Administrative procedure changes to increase the efficiency of the Commission.

During the 2021 Legislative Session, the Legislature approved the Commission's requested changes but amended the bill to exclude Legislators and staff from the Commission's jurisdiction and establish three separate Legislative Ethics Commissions to oversee ethics issues of the Legislative branch. The measure was vetoed by then-Governor Sisolak.

During the 2023 Legislative Session, the Commission worked with local stakeholders to make slight amendments to its originally proposed bill. In addition to the amendment worked on with stakeholders, the Legislature again amended the bill to exclude Legislators and staff from the Commission's jurisdiction and establish three separate Legislative Ethics Commissions to oversee ethics issues in the Legislative branch.

Although the bill passed the Assembly, with all indications pointing toward another Governor veto, the Senate did not provide the bill a hearing and it was not passed during the 2023 Legislative Session. This means the Ethics Law will maintain the status quo for the next two years.

AB66 Bill

Information: <https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9622/Overview>

Monitoring Other Bills

An essential activity during a legislative session is to be aware of other policy proposals which may impact agency operations. Two specific measures caught the interest of the Commission.

AB258 – this bill as introduced sought to protect the confidentiality of individuals' status as donors, members, or volunteers with a nonprofit organization. As drafted, this raised questions about how the measure would affect public officials' disclosure and abstention requirements under the Nevada Ethics Law. In working with the bill's sponsor, the Commission was able to secure an amendment which clarified that the disclosure and abstention requirements of the Ethics Law – essential to transparency about conflicts of interest – override the other requirements of confidentiality in the bill.

AB258 Bill

Information: <https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10023/Overview>

SB431 – this bill was introduced by the Governor to make various important changes to government organization and administration. The primary concern for the Commission was the sections of the bill which placed all board and commissions under a Secretary within the

Governor's cabinet and allowed an agency with the State's Department of Business and Industry to centralize certain functions of boards and commissions. The Ethics Commission was particularly concerned that the changes would diminish the important independence of the Commission. A formal letter of opposition was submitted to the Legislature. The bill was amended to remove the sections of concern before passed by the Legislature meaning the Commission maintains its operational independence.

SB431 Bill

Information: <https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10447/Overview>

Final Results

Overall, the 2023 Legislative Session was successful in that the Commission had multiple opportunities to tell its story, highlight the importance of its work, and enhance resources to accomplish the Commission's mission.

1. Successful - Secure budget approval for an education and outreach modernization project including the addition of a Public Information Position to the Commission staff
2. Successful - More competitive salaries for Commission staff
3. Unsuccessful - Passage of the Commission's proposed changes to the Ethics Law

While the continued efforts to update the Nevada Ethics Law faltered, the Commission will engage with stakeholders and the Legislature in the interim to determine what might be accomplishable in the 2025 Legislative Session.