## **Bill Draft Request (BDR) Instructions for NEBS**

## Introduction

By law, the Legislative Counsel is required to advise and assist state departments and divisions in the preparation of measures to be submitted to the Legislature. The Legislative Counsel is prohibited from preparing proposed legislation for any agency of the Executive Branch of state government for introduction at any regular session of the Legislature, unless the request is approved by the Governor or a designated member of his staff and transmitted to the Legislative Counsel on the prescribed form on or before August 31, 2012 preceding the convening of the regular session. After November 1<sup>st</sup>, the Legislative Counsel is required to give full priority to the preparation of legislation requested by members of the Legislature.

To provide a systematic review and correlation of requests within the framework of the strategic planning and budget process, all requests must be submitted through the Department of Administration's Budget Division using the Nevada Executive Budget System (NEBS) Bill Draft Request (BDR) module. To allow adequate time for action, the Governor directed <u>all requests</u> <u>be submitted to the Budget Division in NEBS by June 1, 2012</u>. Requests should be separated between Budget, Policy-Housekeeping, i.e., clarification or minor changes to existing statutes, and Policy-Substantive, i.e., all other requests. This will help to expedite the review process and facilitate the bill drafting. If unsure if the request is Housekeeping or Substantive, include it with the Substantive requests.

Agencies must submit a request for each bill requested. A BDR is a written request submitted to the Legislative Counsel by a legislator, an executive agency, a member of the judiciary, or a local government proposing a new or modified law for enactment. Please note, each bill must be limited to one subject, but may contain proposed revisions regarding more than one NRS section that relates to the single subject of the proposed bill.

Agencies must claim no fiscal impact in fiscal notes if the cost is included in the Executive Budget or is less than \$2,000; the Governor is expecting you to pay for such costs by proposing savings in existing programs or to justify why those costs should be included in the state's priorities. This includes bills submitted by other agencies as budget bills and included in the Executive Budget. When submitting a budget bill, it is the responsibility of the requesting agency to communicate with other state agencies to ensure fiscal impacts to all state agencies are included in the Executive Budget.

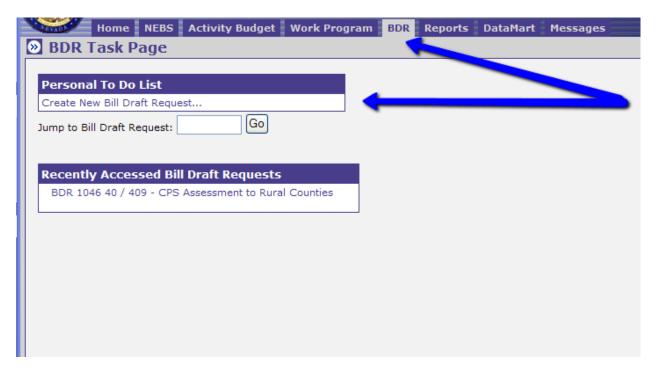
# **Getting Started in NEBS**

To access the BDR module, log into the <u>NEBS website</u>.

Individuals must initially complete the NEBS BDR Access form available on the <u>Budget Division's website</u> to gain access to the BDR tab in NEBS. An access form is required for this module, similar to the NEBS Budget, Activity and Work Program modules, since different individuals may require access to this module than the other modules within NEBS. The appointing authority's signature is required to ensure the users are assigned the appropriate security levels. This form can be faxed to the Budget Division at 684-0260.

This module was designed similar to the Work Program module. For this tutorial, information from BDRs for the 2011 Legislative Session is used for illustration purposes only.

To get started in the BDR module, click on the tab labeled BDR. On this screen you will find the BDR Task Page.

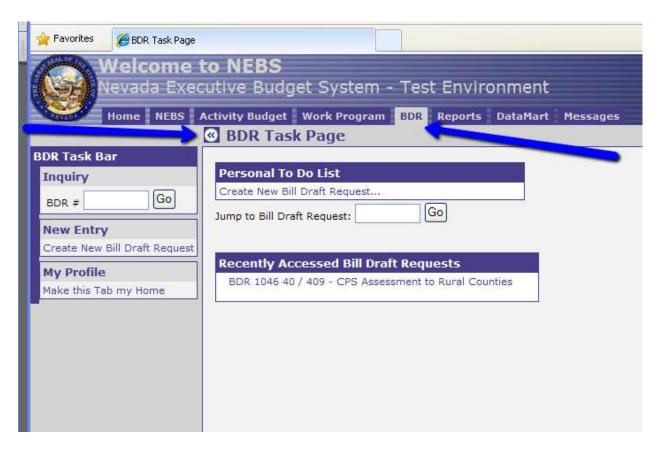


#### This page includes:

- **Personal To Do List** Shows how many items are pending approvals, number of BDRs that are rejected (*these features will be available mid-May*) and has a link for creating a BDR.
- **Jump to Bill Draft Request** Enables you to go to a BDR by using the assigned number.
- **BDRs in Process** List of BDRs in process and approval levels. (*This feature will be available mid-May.*)

• **Recently Accessed Bill Draft Requests** – Lists the five most recent accessed BDRs and links to the detail page.

For more options, access the BDR Task Bar by clicking on the double arrows at the top left of the tab.



The BDR Task Bar section includes:

- **Inquiry** Allows you to list, view (*these features will be available mid-May*) or jump to BDRs that have been entered.
- **New Entry** Used to create a new BDR.
- **My Profile** Customizes your user profile and makes the BDR tab the default screen when you login into NEBS.

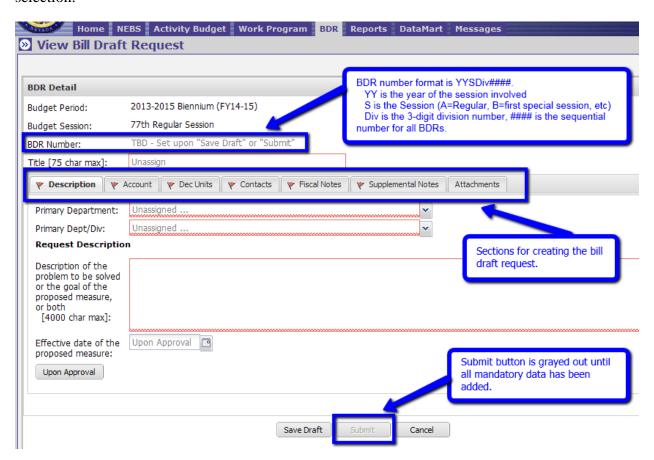
## **Creating a New BDR**

To create a new BDR, either click the link in the Personal To Do List on the BDR Task Page or click the link in the New Entry options in the BDR Task Bar. The View Bill Draft Request screen will be displayed. The Executive Branch BDR number will be "TBD" until the draft is saved or submitted. The Executive Branch BDR number format is YYSDiv###.

The YY is the year of the session the BDR was created

- S is the Session (A=Regular, B=first special session, C=second special session, etc.)
- Div is the 3-digit division number,
- #### is the sequential number automatically assigned for all BDRs.

The budget period (current biennium) and budget session are stated in the header, but are not a selection.



In the box portion of this screen, there is a series of tabs; each is a separate section for creating the BDR. These tabs are:

- **Description** Identifies the Dept/Division and provides an explanation of the problem to be solved or the goal of the proposed measure
- Account Identifies related budget accounts affected by the bill
- **Dec Units** Identify if this is a budget, policy-substantive or policy-housekeeping bill and any applicable decision units
- **Contacts** Contact information
- **Fiscal Notes** Questions pertaining to fiscal notes at the state and local level and unfunded mandates
- **Supplemental Notes** Additional information
- **Attachments** Applicable attachments

These tabs will be addressed separately starting with Description and moving across the row.

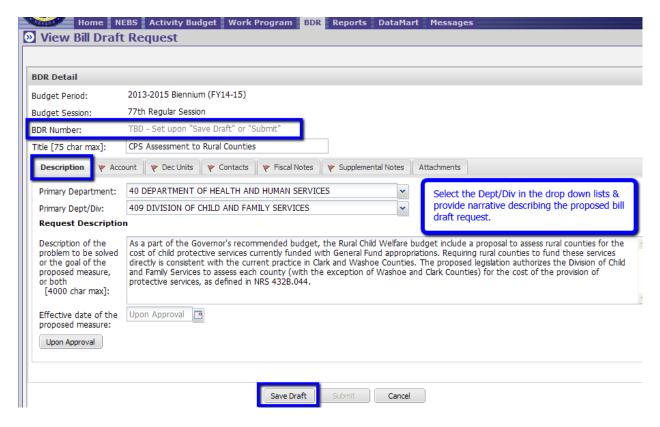
At the bottom of each tab are a row of buttons. These are:

- Save Draft As previously stated, the BDR number will be TBD, until the save draft button is used then a number will be assigned. This allows you to start a draft and come back later to finish it. This button can be used any time to save portions of the draft. You should save draft before moving to the next tab or leaving this BDR tab. The draft created is only viewable by the specific data entry user until it has been submitted and moved to the next level.
- **Submit** This button moves the BDR to the next level of approval. It is not available (grayed out) until all the mandatory fields are completed. A red flag is shown on a tab indicating a mandatory field remains to be completed on that tab.
- Cancel Takes you back to the BDR Task Page.

#### **Buttons to be added for Printing Reports (available mid-May)**

- **Print Full BDR Report** A summarized report of the bill information is provided including all attachments (no restrictions)
- **Print Governor's Report** Packet includes a summary and attachments for the Governor's review are printed with this option (less restrictive)
- **Print Gov/Leg Report** Packet includes a summary and attachments for the Governor and Legislative review are printed with this option (more restrictive)

### **Description Tab**



A BDR title is required. The field is limited to 75 characters.

Indentify the primary department and division requesting this bill by using the drop down lists.

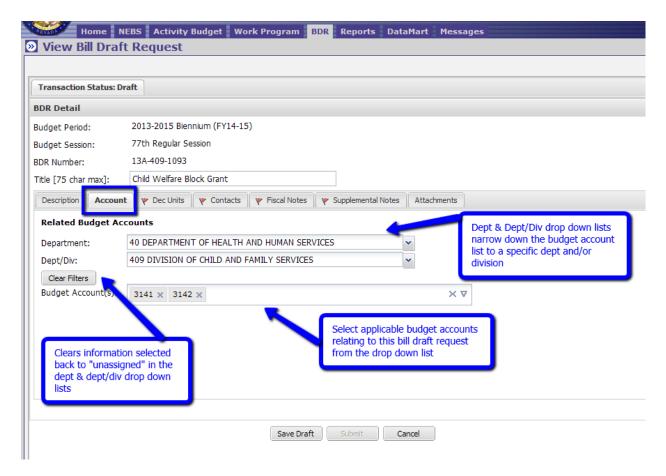
A clear and concise description of the intent and purpose of the proposed bill is required. Provide details about the problem to be solved and the goal(s) of the proposed measure, or both. If acronyms are used, make sure they are defined.

Indentify the proposed effective date of the measure. The default for this field is Upon Approval. <u>If a bill has several date requirements</u>, the effective date entered should satisfy the first date requirement to successfully implement the bill.

To change the date from the default, click the calendar icon to the right of the input box and select the desired date. If, after you have selected a specific date, you realize the effective date should have been "Upon Approval," click on the Upon Approval button and the effective date will revert back to the default.

The Save Draft button should be used before you move from one tab to another (within the BDR module or to another NEBS tab) to avoid losing any information when leaving the current tab.

### **Account Tab**

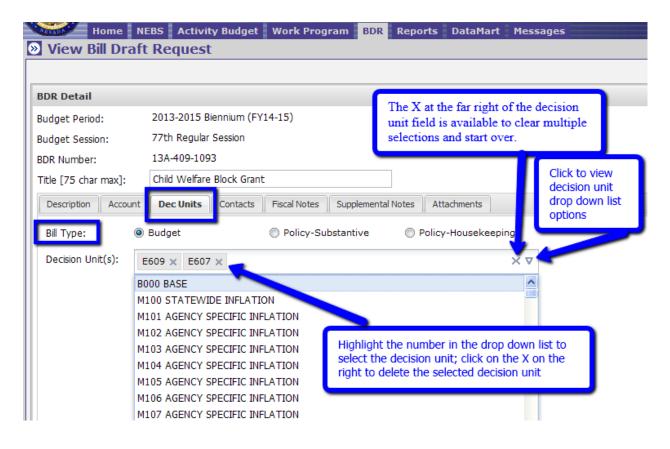


This tab enables you to identify the budget account(s) that has an interest in the BDR by selecting the budget account in the drop down lists. The drop down lists for Department and Dept/Div are only to use as filters to narrow down the budget account selection. **These two selections will clear and will not show the selected Department and Dept/Div information once you move off of this tab.** A Clear Filters button is available to reset the two drop down lists back to "unassigned."

If you hover your mouse/cursor over the budget account selected, the budget account title of the number will display.

After saving a draft, the flag on the Account tab takes a few seconds to disappear if all the mandatory/required information has been input. (Please be patient.)

#### **Dec Unit Tab**



The main purpose of the Dec Unit tab is to identify the bill type. There is a radio button selective for the three types of bills:

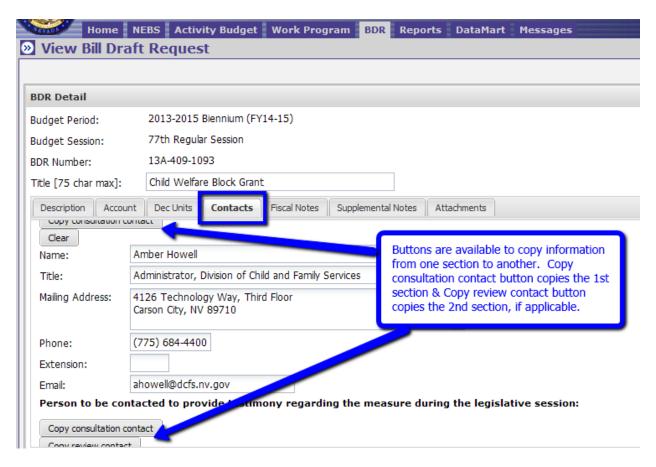
- Budget (essential to enact the budget)
- Policy Substantive
- Policy Housekeeping

Select the appropriate type of bill. If the BDR is for a budget bill, an additional section listing all of the available decision units will appear.

Select the appropriate decision unit(s) for the bill from the drop down list. If the selection needs to be deleted, click on the X on the right of the decision unit. Once the decision unit is selected, hover over the number and the title will be displayed. The X at the far right of the field is available to clear multiple selections and start over.

Save draft before moving to the next tab.

#### **Contacts Tab**



This tab has 3 sections –

- Identify the person to contact for additional information,
- Identify the person who will review the drafted bill, and
- Identify the person who will provide testimony regarding the measure during the legislative session.

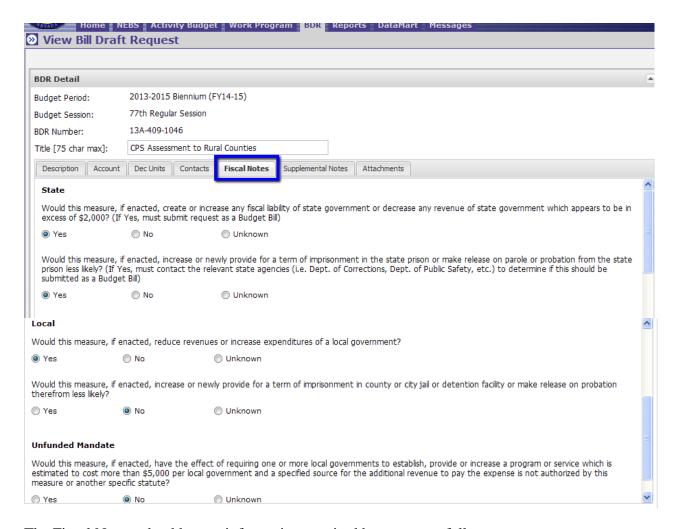
This information can be the same or different in all three areas. Provide the appropriate information for all three sections.

For your convenience, buttons have been provided to copy the information from the first section to the second or third and the second section to the third section. In other words, if you want to copy the information from the first section (contact for additional information), click the button labeled Copy consultation contact. If you want to copy the information from the second section (contact for review of the drafted bill), click the button labeled Copy review contact.

A Clear button is also available for the second and third sections.

Save draft before moving to the next tab.

### **Fiscal Notes Tab**



The Fiscal Notes tab addresses information required by statute as follows:

- a. NRS 218D.430 to 218D.445, inclusive, requires preparation of a fiscal note for every bill or joint resolution which:
  - 1. Makes an appropriation or increases any existing appropriation;
  - 2. Creates or increases any fiscal liability or decreases any revenue of the state in excess of \$2,000; or
  - 3. Increases or newly provides a term of imprisonment in the state prison or makes release on parole or probation there from less likely.
- b. Bills relating exclusively to the Executive Budget are the only exception.
- c. The requirement for a fiscal note also applies to bills which have a financial effect on a local government. In the case of bills having a financial effect on the state, if the fiscal note does

not accompany the BDR, the Fiscal Analysis Division of the Legislative Counsel Bureau is required to notify the agency that the fiscal note is required and the agency must respond.

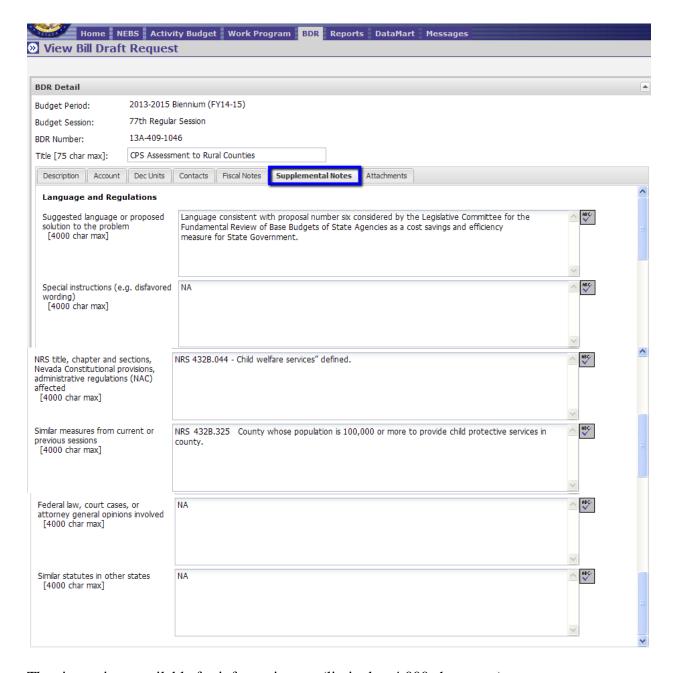
- d. In the case of bills having an effect on local government, the Legislative Counsel Bureau is responsible for the preparation of the local fiscal note. However, the data and expert knowledge necessary for the preparation of the local fiscal note will frequently be in the possession of state agencies. Therefore, a state agency may be requested to provide local fiscal note information as well.
- e. Questions concerning the form for fiscal notes or the fiscal effect of any proposed bill draft should be directed to the Legislature's Fiscal Analysis Division at 684-6821.

Select the appropriate radio button to answer the five required questions.

Save draft before moving to the next tab.

### **Supplemental Notes Tab**

The Supplemental Notes tab was created to supply additional information to assist in the creation or revision of the language of a bill.



The six sections available for information are (limited to 4,000 characters):

- Suggested language or proposed solutions to the problem or set of problems;
- Special instructions such as wording that should not be used or wording that should be used:
- NRS title, chapter and sections, Nevada Constitutional provisions, administrative regulations (NAC) affected;
- Similar measures from current or previous sessions; and
- Similar statutes inother states;
- Federal law, court cases or attorney general opinions involved.

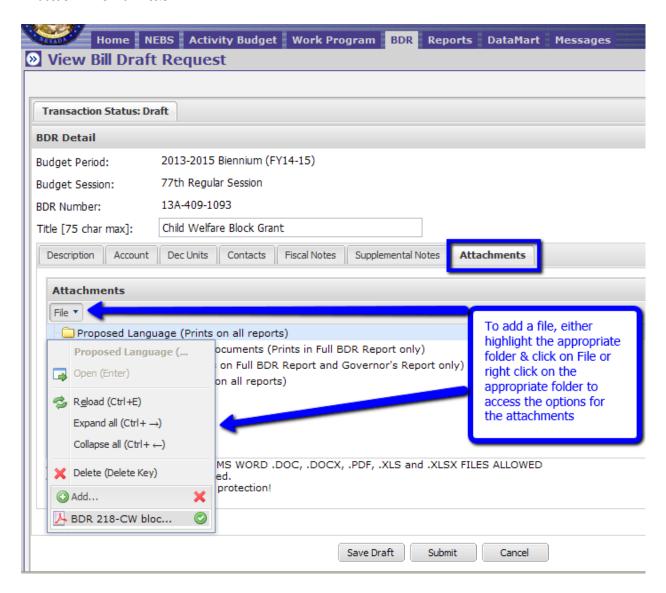
Any text that may help with the analysis and ultimately the drafting of the bill should be submitted on this tab. The bill drafter may be assisted with specific information regarding your bill draft request such as:

- Particular or preferred language to be included/excluded;
- NRS or other citations relating to the request;
- Federal law,
- Court cases, or Attorney General opinions;
- Similar requests from past sessions; similar statutes held by other states; and/or
- Other documentation relating to the bill.

If there are particular words or phrases desirable because they have been judicially construed or are commonly understood or misunderstood in connection with the particular subject matter, or for some other reason they are to be avoided, please provide these words or phrases <u>and an</u> explanation of why you want to use or avoid them.

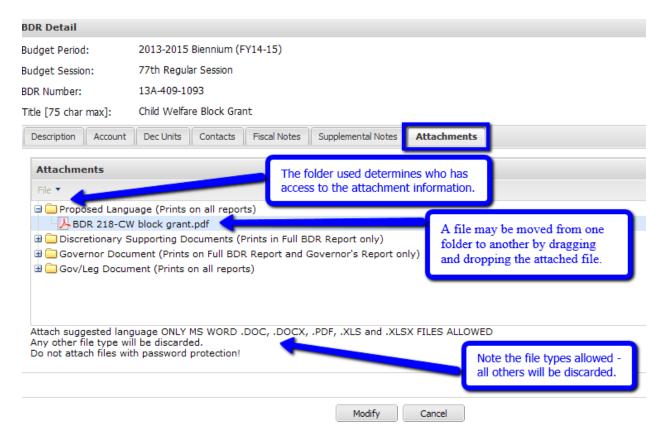
Save draft before moving to the next tab.

#### **Attachment Tab**



Attachments are not required; however supporting information to the BDR may be supplied under the Attachments tab. The folder in which the information is attached determines who will have access to the information. Once attached, a file may be moved from one folder to another by dragging and dropping the file. The files will print in the order they are listed in the folder. As stated earlier, the print options are as follows:

- **Print Full BDR Report** A summarized report of the bill information is provided including all attachments (no restrictions);
- **Print Governor's Report** Packet includes summary and attachments for the Governor's review are printed with this option (more restrictive); and
- **Print Gov/Leg Report** Packet includes summary and attachments for the Governor and Legislative review are printed with this option (less restrictive).



#### The folders for attachements are:

- **Proposed language** If the agency can provide the proposed language of the bill, complete a Microsoft Word document and attach it in this section with the existing NRS number, if applicable. This information will print on all reports.
  - o If new sections are proposed, suggest the proper placement.
  - The text should be formatted with the standard insertion (blue) and strikeout (red) formatting adopted by the Legislature.
  - This attachment will print in every version of the BDR.
- **Discretionary Supporting Documents** If the agency can provide relevant media information that would be beneficial, attach it in an allowable file format (Word, Excel and PDF) in this section.
  - o This will be included in the documentation of the Full BDR Report only.
- **Governor Document** If the agency can provide any other beneficial information specifically directed for the Governor, attach it in this section in an allowable file format (types provided above).
  - o This will be included in the documentation of the Full BDR Report and the Governor's Report only.

- Gov/Leg Document If the agency can provide any other beneficial information specifically directed for the Governor and the Legislature, attach it in this section in an allowable file format (types provided above).
  - o This will be included in the documentation of all reports.

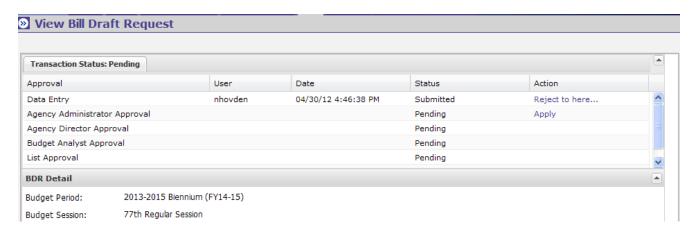
Files accepted as attachments are ONLY MS Word .doc, .docx, PDF, Excel .xls and .xlsx files. Any other file types will be discarded. Do not attach files with password protection.

## **Approval Process**

Once you have completed all the required information on all tabs and added attachments, save the draft and click the Submit button. Note that drafts can be saved as you work on a BDR over several days, weeks, etc., and a number will be assigned the first time you save a draft. The draft created is only viewable by the specific data entry user until it has been submitted and moved to the next level.

Once a BDR has been submitted, it will be routed for approval based upon the approval levels within your department/division. The BDR module supports a multi-step approval workflow process routing the BDR to the users who are required to sign-off on it. A BDR can be approved, modified, or rejected at each stage in the process.

## **Approval Roles**



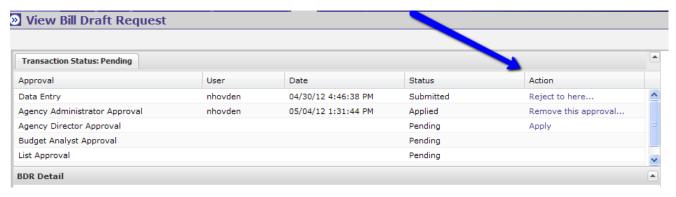
There are three approval roles and one inquiry role in the BDR module for the departments/divisions. The Agency Director role is required for every department/division. This level represents the final department/division approval required as part of the official process to submit to the Budget Division. The other roles are optional and may be added to accommodate the approval process, if needed. Users will only have access to the specific Agency code (three digits) identified in their BDR security profile. A BDR Access Form can be found on the Budget Division website under Documents/Forms/NEBS at BDR Access Form

- **Data Entry** This is an optional role. Users at this level can create and modify a BDR. Once the BDR has been submitted to a higher level approver, data entry users may not make any additional changes to the BDR unless it is rejected back to this level.
- **Inquiry** This is an optional role. Users at this level have the ability to only inquire information in the module. (*This level will be available mid-May.*)
- **Agency Administrator Approval** This is an optional role. These users can perform data entry functions and can apply the division level approval. Once a BDR has been submitted to the department level, a division level reviewer may not make additional changes unless the BDR is rejected to this level.
- **Agency Director Approval -** This role is required at each department/division. These users can perform data entry functions and can apply the department level approval. Once a BDR has been submitted to the Budget Analyst level, the department reviewer may not make additional changes unless the BDR is rejected to this level.
- Additional levels Approval levels beyond those for the departments/division include the budget analyst, the list approval and the Governor's approval.

If the BDR encompasses department/divisions than authorized, the Budget Division will incorporate the additional department/divisions at the Budget Analyst Approval level. Department/divisions should communicate the necessary information when this is required.

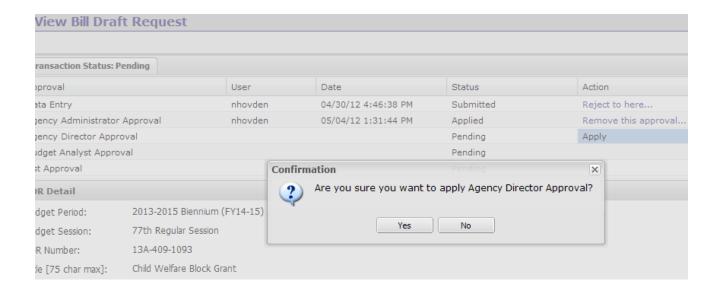
Submit the signed BDR Access Forms to the Budget Division via fax at 775-684-0260.

# **Applying Approvals and Rejections**



At each stage in the approval process, a BDR may either be approved or rejected through the use of the approval grid. When a reviewer views a BDR pending approval, the grid appears at the top of the screen. The action column of the grid shows what actions you can perform. Simply click on the links in the action column to perform that action.

If you have already approved the BDR or if you do not have the authority to give your approval, a link will not be available in the action column.



When a reviewer approves a BDR the following occurs:

- The reviewer's user ID and a time stamp are added to the approval log;
- The reviewer will no longer be able to edit the BDR;
- The BDR moves on to the next reviewer unless this was the final step in which case the BDR is marked as approved; and
- BDRs approved at prior levels that now require your review will appear in your Personal To Do List

If you are reviewing a BDR that requires correction to one or more items, you may either reject the entire BDR or you may edit it. If you want one of the prior reviewers or the user who entered the BDR to make the change, reject the BDR by selecting one of the 'Reject to here...' levels in the approval grid. A dialog box appears to enter the reason for the rejection.

The users who approved at the level to which the BDR is rejected will once again see the BDR on their Personal To Do List with any rejection comments made by the reviewer who rejected it. The users at this level may make the change or reject the BDR to a lower level, if appropriate.

It is recommended follow-up e-mails are sent for BDR rejections to the appropriate user for notification of the rejection since checking the BDR module on a daily basis may not occur.

The BDR is not considered submitted until the Agency Director Approval is applied.