

LEGISLATIVE TECHNIQUES

Legislative Commission
of the
Legislative Counsel Bureau
State of Nevada

January 1969

Bulletin No. 75

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LEGISLATIVE COMMISSION

Senator B. Mahlon Brown	Assemblyman Melvin D. Close, Jr.
Senator Carl F. Dodge	Assemblyman Zelvin D. Lowman
Senator James I. Gibson	Assemblyman Marvin L. White
Senator Archie Pozzi, Jr.	Assemblyman James E. Wood

Senate Concurrent Resolution No. 11

(1967 session)

FILE NUMBER 103

SENATE CONCURRENT RESOLUTION--Directing the legislative commission to study possible means of revising and updating legislative techniques.

WHEREAS, To strengthen and revitalize the legislature of the State of Nevada, to enable it to assume and maintain its rightful role and fulfill its primary responsibility of leadership within our three-branch governmental framework, it is necessary to subject our accustomed and traditional legislative methods and procedures to close scrutiny and possible revision; and

WHEREAS, To confront today's multiplying problems and discharge today's expanding obligations, the legislature must have the essential means and tools with which to work, which should include, but not be limited to, the assistance of additional highly competent and motivated technical and research personnel; and

WHEREAS, It is the desire of both the legislature and governor of the State of Nevada, that a thorough study be made before any revisions are attempted; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the legislative commission is hereby directed:

1. To conduct a complete study of possible ways to streamline and modernize our legislative techniques;
2. To make any request for additional appropriations to be used by the legislative counsel bureau to this, the 54th session of the legislature; and
3. To report the results of such study and make any recommendations for long-range legislation to the 55th session of the legislature.

REPORT OF THE LEGISLATIVE COMMISSION

To The Members of the 55th Session of the Nevada Legislature:

Senate Concurrent Resolution No. 11 of the 1967 legislative session directed the legislative commission to conduct a complete study of possible ways to streamline and modernize our legislative techniques and to report the results of such study and make any recommendations for long-range legislation to the 55th session of the legislature. The study was assigned to the staff of the legislative counsel bureau by the legislative commission and is the product of Mr. Arthur J. Palmer, Research Director. As stated in his Introduction to the study, many of the items are listed solely for the purpose of identifying a certain possibility and are suggestions or observations rather than recommendations, since they could not possibly be carried out, for many are merely a matter of degree in a parallel sense. Other suggestions are almost diametrically opposed, and some the legislature may not be expected to consider seriously for some years, or at least not until the new legislative facilities are available in 1970.

The legislative commission accepted the staff's report on December 6, 1968, and now transmits it to the members of the 55th legislative session with the following recommendations:

1. Each house should review the contents of the report independently, perhaps by assigning it to the legislative functions committee or other standing committee or a special committee for comprehensive review beginning early in the 1969 session.
2. If the suggestions and observations contained in the report have merit and could be implemented by action of one house, such action should be taken in order to effect the operation of that house at the 1971 session.
3. Meritorious suggestions and observations requiring legislation or proposals for constitutional amendment perhaps should be considered by joint meetings of separate committees assigned the task of review and recommendation.

Respectfully submitted,

Legislative Commission
State of Nevada

Carson City, Nevada
January, 1969

INTRODUCTION

As a foundation for recommendations to present to the 1969 session of the Nevada legislature, relative to streamlining and modernizing the legislative process, a large number of published reports bearing directly on the subject were reviewed.

Apparently more material has been made available in the past three years than in the last three decades, pointing to ways to strengthen the legislatures of the states. Approximately half of the states have issued reports either through direct studies conducted by legislative staff or private organizations interested in legislatures. These reports collectively identified over 200 items that legislatures should consider.

Nevada's legislative process has been used as an illustration for other states to consider and the state ranks among the highest in legislative efficiency. In view of this, a large number of the suggested improvements reviewed are either in effect or of a nature that would not fit directly with our particular system. The balance represented items that had apparent merit. These along with some that may be original concepts, or at least not identified in reviewed material, are presented in this report to the legislature.

In reporting the over 100 items grouped under 14 headings it should be recognized that many are listed solely for the purpose of identifying a certain possibility without a strong recommendation one way or the other. Many are merely suggestions while others tend to be recommendations. This position has been taken in view of the fact that some suggestions are of a compromise nature. If all items were to be classed as recommendations, they could not possibly be carried out since many are merely a matter of degree in a parallel sense. Others are almost diametrically opposed, and the selection is presented for legislative consideration. Several are issues which the legislature may not be expected to consider seriously for some years, or at least not until new legislative facilities are available.

As should be expected, a strong position for the legislature was kept in mind at all times and the result is quite naturally one where many elements are explored toward that end. The net effect is one that would subtract authority now vested to some extent in the executive branch of government. A trend toward centralization of both initiative and execution of government activities within the executive branch could become dangerous to our form of government. This report has illustrated several areas where this trend can be reversed, and initiative and responsibility placed back in the legislative branch, representing through our republican form of government the fundamental house of democracy, the voice of the people.

I. COMMITTEES

1. A reduction in the number of standing committees.

A small legislative body such as Nevada's should not have its members spread among a large number of committees. The Nevada legislature has consolidated some committees in both houses over the past few years; a significant reduction to 12 committees in the Senate occurred in 1967. This practice should be continued and is most critical in the Senate with only 20 members. In a relative sense, the Assembly with 20 committees and only 40 members might well consider consolidation of some of its committees and elimination of those to which few bills are referred.

All committees should have broad, well defined jurisdictions, and the committees should reflect the major functions of state government. The optimum number of committees for each house on a national basis is somewhere between 10 and 15, with some authorities suggesting only 10 standing committees. In view of the fact that Nevada has one of the smallest legislative bodies in the nation, 10 standing committees would suggest a maximum for each house.

(Exhibit A contains a short study of measures referred on introduction to assembly committees at the 1967 session. The eight-committee structure suggested can be applied to both Assembly and Senate.)

(Exhibits B and C indicate the distribution of all measures introduced in the Assembly and Senate at the 1967 session by number and by percent for committees with large volume.)

Action that would be required: Amendment to rules of the houses.

2. Parallel committee structure between the Senate and Assembly.

As an expansion of suggestion No. 1, some thought should be given to providing the same committee structure in both houses. With a like number of committees of the same titles a foundation is laid to provide for joint hearings to reduce time. This is not to suggest that joint hearings cannot now be held. However, with a similar committee structure between the houses there is a stronger organization for the development of joint hearings.

Action that would be required: Amendment to rules of houses by one-house resolutions or, preferably, establishment of a joint rule designating committees of the two houses by a concurrent resolution.

3. Subcommittee structure for some committees.

For those committees which experience a heavy workload throughout the session, the creation of subcommittees should be considered. This would ease the workload of such committees and allow for more penetrating study of proposed legislation by selected committee members.

Action that would be required: Probably best left to the committees and their chairmen; small committees could not form many subcommittees.

4. Committee assignments by political parties, chairmen and committee members.

The history of Nevada legislative committee organization is strongly tied to speaker campaigning between the time of the general election in November and convening of the legislature in January. There have been sessions when the matter was not settled by the time the legislature was ready to organize, and temporary officers served.

With the small size of the Nevada legislature, the following may or may not be appropriate for consideration. However, the suggestion is listed and might possibly serve a useful purpose where extended deadlock occurred.

Each party in each house might select a committee of its members to decide on committee appointments. The members of the appointing committee would be selected by the members of each party in party caucus.

Action that would be required: Could be accomplished unofficially, or such a committee provided for in house rules.

5. Minority committee assignments, number allocated to the committees.

As a possible solution to eliminate party struggle over representation of the minority party on committees, assignments should approximate proportional representation. At the moment, the houses are so evenly divided that a one-man majority by the majority party is sufficient to provide for such representation. However, in the past this has not been the case, and it may not be in the future. A simple mathematical table would indicate to the nearest whole number how many of a minority party would be included on committees of varying numbers.

Legislative staff could provide such allocation after elections and prior to convening to enable leaders to have information relative to their parties' seats on committees.

Action that would be required: Amendment to rules of the house by one-house resolution or, preferably, a joint rule by concurrent resolution.

6. Reduction of undue committee burdens on individual members.

Membership on more than three committees is not suggested in view of the burden on individual legislators. Such a maximum may be hard to abide by where there are few members of the body and one party is to maintain a majority membership on all committees. This provides quite an argument for reducing the number of committees. With an eight-committee structure as suggested in No. 1, membership on a major and minor committee should be considered as a maximum. Committee proliferation and memberships on several committees inevitably lead to absenteeism, since members find themselves called upon to be with committees meeting concurrently.

Action that would be required: Amendment to rules of the house by one-house resolution.

7. No legislator to serve as chairman of more than one committee.

This rule may be a bit hard to defend and would certainly be subject to modification should a situation develop in a small house with

few returning members of a majority party. In any event, it should be obvious that to prevent an undue burden from developing on any individual, assignment as chairman to more than one committee should have strong justification.

Action that would be required: Amendment to the rules by one-house resolution.

8. Legislature to convene regularly at 9 a.m.

A relatively early hour for convening of both houses tends to reduce afternoon sessions of the legislature and enables the afternoon to be left free for committee work.

This desirable situation is of course modified toward the final days of the session.

(See further discussion under Rules and Procedure No. 1.)

Action that would be required: By common agreement, or possible rules of houses. Most desirable, amendment to joint rules by concurrent resolution.

9. Scheduling of committee meetings in permanently assigned rooms.

With limited space in current legislative quarters this desirable situation is not possible when several committees are meeting concurrently.

The new legislative building will provide for permanently assigned committee rooms, and this will become a reality barring some unrealistic proliferation of committees.

Action that would be required: A matter of legislative house-keeping and common agreement.

10. Advance agenda for committee meetings.

To provide committee members with advance notice relative to matters that will come before the committee and to act as a tool of organization during the committee meeting, this suggestion has obvious merit.

To a degree, this can be accomplished by announcement at the end of the committee meetings as to which bills will come before the committee at its next meeting. However, some committees do not necessarily follow a routine consideration of bills only, and such an agenda should strengthen committee procedure and assist members, other legislators and interested persons.

Action that would be required: By common agreement.

11. Standard procedural rules for committees.

Notwithstanding the often informal operation of Nevada's legislative committees, it is recommended that standard procedural rules for each committee be adopted by the committee.

(From legislative counsel's recommendations, 1964.)

A manual of procedures would constitute an organizational and operating guide for the chairmen and members of the committees.

It would also produce more uniformity of operation between the committees, committee staff, and executive staff and others appearing before them and lead to more efficient operations generally.

(Exhibit D contains suggested procedural rules.)

Action that would be required: Adoption of rules by committees.

12. Recording of committee proceedings.

From moneys made available to the legislative counsel bureau and from the legislative fund, recorders and transcribers have been acquired to facilitate in particular committee work. It is observed that maximum use of available equipment in committees and for floor discussion is not being made. It seems particularly pertinent that this equipment might be used to advantage by the Committee on Ways and Means, the Committee on Finance and the two judiciary committees. Realizing the reluctance of some legislative members to go on record, it is nevertheless observed that many members often request a search of legislative counsel bureau files for information pertinent to a particular bill, which could be made readily available if recording equipment had been in use.

(From legislative counsel's observations, 1964.)

The best interests of the public and the legislature itself are served when an accurate record can be consulted covering proceedings and decisions reached by committees. Legislative intent can frequently be established by reference to committee discussion. In view of this, the legislature should consider the eventual recording of all committee meetings. At the present time, minutes are kept by some committees, some of these minutes being quite complete, depending on the assistance available to the committee, and providing more than just the formal action taken by the committee. Committee chairmen of committees keeping minutes usually file these minutes with the legislative counsel bureau for safe-keeping at the end of a session. However, such minutes, even though they be fairly elaborate, are not a substitute for recorded material which may be transcribed when necessary to satisfy requests by legislators for information pertinent to a particular bill.

Should the legislature move to record all committee meetings, adequate safeguards should be considered to allow only authorized persons access to such records. Possibly some requests for extensive transcriptions should be granted only after consideration by the legislative commission.

(See also Facilities and Equipment No. 7.)

Action that would be required: By common agreement.

13. Professional staff and clerical assistance for committees.

Consideration might be given to the further staffing of committees of the houses to enable those with heavy workloads to have access to permanently assigned legislative counsel bureau staff during the session.

While the Nevada legislature does not at the moment seem to require such assigned professional assistance, the time is not far off when such consideration might be given to place certain key committees in a position to have such assistance as now offered in

other states. Having professional persons available at random to all committees may serve the present situation. However, as legislation increases in volume and complexity, it is more efficient to have professional staff permanently assigned to a committee to maintain continuity.

The need for adequate clerical assistance is quite obvious, and care should be taken that key committees have individually assigned personnel.

Action that would be required: Common agreement and adequate budget.

14. Committee lawyers.

I recommend the establishment of four permanent committee lawyers as part of the staff of the legal division of the legislative counsel bureau. The demands upon the time of the legislative counsel of bill drafting and counseling are heavy, and it is impossible for him to be in more than one place at any one time. Consequently, committees seeking his services must wait until he is available. Established committee lawyers could and should also serve as bill drafters during the sessions. Some coordination with respect to times of committee hearings in both houses should be given, but the exigencies of the legislative process often would prevent the setting of committee hearings at different times.

(From legislative counsel's recommendations, 1964.)

Subsequent to this recommendation additional attorneys were made available to the legal division through an adequate budget. Although attorneys currently on the staff and members of the Nevada bar are not thought of primarily as committee lawyers, some serve in that capacity. At the moment there is apparently an adequate number to serve the session. Serving as permanent staff they are available in the interim for assistance to the legislative commission, subcommittees of the commission, and in the execution of studies requested by the legislature or the legislative commission.

The legislature should continue the policy of budgeting for these critical positions and thought should be given to expansion of the staff of permanent attorneys in conjunction with any increase in legislative requests for interim studies of a legalistic nature.

Action that would be required: Adequate budget for legal division of the legislative counsel bureau.

15. A joint legislative operations committee.

Management of the legislative session staff and housekeeping chores for the two houses has normally fallen to the legislative functions committees of the respective houses, with vital assistance from the legislative counsel bureau.

Such a joint legislative operations committee of the houses would possibly serve a useful purpose if at the same time there were established a centralized stenographic and bill book staff as suggested in No. 9 under Staff and Services. However, should centralized operations be logically placed under the direction of the legislative counsel bureau, the need of a joint operations committee for attention to this matter and other routine management of the legislature would be significantly minimized.

16. Regulation of the time a chairman can hold a bill after favorable action.

Although practically all bills acted on favorably by the committee are reported out of committee for second reading, on some occasions the chairman may hold such a bill he is not in favor of. A regulation of perhaps 2 legislative days might be in the best interests of the committee as a maximum length of time a chairman could hold off action taken by his committee.

Establishment of this rule would also serve to identify such a possibility which has occurred in the past.

Action that would be required: Amendment to rules of the houses by one-house resolutions.

17. Report on all bills referred to committee.

(See Rules and Procedure No. 10.)

18. A legislative council as the sole interim committee.

It is of interest to note that the modern approach to the legislative function repeatedly suggests the elimination of interim committees as such and the substitution of a single interim legislative body to develop policy and guide research, investigations and studies between sessions.

The Nevada legislature has been following this course for many years and does not have the proliferation of independent interim committees found in many other states. The legislative commission encompasses interim activities of the legislature.

Subcommittees directly responsible to the interim committee can spread the workload of the main committee with emphasis on certain studies with adequate diversified professional staff of the legislative counsel bureau on a year-round basis to assist them.

19. A joint interim committee on revenue and appropriations.

At the present time, the legislative commission's interim committee on financial affairs serves to cover this suggestion without establishment of an independent interim committee.

20. Joint legislative committee or board on ethics.

(See Conflict of Interest No. 1.)

II. COMPENSATION

1. Adequate salaries for legislators.

Legislators' salaries should be established at a level which will permit qualified individuals to serve without major personal financial sacrifice. Salaries should be sufficient so that most citizens could afford to serve.

Action that would be required: Statutory change for any increase in salary.

2. Legislators' salaries on an annual basis.

Serious consideration should be given to placing legislators on an annual salary basis. This method of payment is particularly desirable if we are to be faced with numerous special sessions and legislators being generally active throughout the interim period.

With annual salaries, more flexibility can be attained toward the end of sessions. Current termination of salary after a certain day of the session frequently bears no relationship to the task that must be performed by the legislature. Legislators are asked to serve without salary in the face of an arbitrary date limit established without regard to the legislative workload which may have been thrust upon them by the session, be it special or regular. Should our state be faced with several emergencies in a special session, there would be no way to pay legislators an adequate salary for the time that might be necessary to solve problems with reasonable deliberation and study.

Placed on an adequate annual salary, a legislator would not feel imposed upon when he found it necessary to spend considerable time in his legislative district with constituents' problems on a year-round basis.

(Exhibit E, S.J.R. 27, 1967 session, File No. 131, would provide for annual salaries.)

Action that would be required: An amendment to the constitution, Art. 4, § 33.

3. Salaries of presiding officers of the houses.

In view of the additional responsibilities of legislative leaders and the increased number of hours spent in the line of duty, both during the session and in the interim, some consideration might be given to their receiving a larger salary than regular members of the legislature.

The constitution provides for \$2 extra per day for the president of the Senate and speaker of the Assembly while in session, in these days hardly much of a differential. Consideration should be given to a more significant differential and possibly extension to other leaders, if in fact any differential is desirable to maintain.

Action that would be required: An amendment to the Nevada constitution, Art. 4, § 33.

4. Expense reimbursements.

Some consideration might be given to legislators' expense reimbursements between sessions. Generally, Nevada has provided for most expenses during sessions. However, there are occasions when a legislator may be required to expend not only time but contract considerable expenses between sessions in legislative matters not associated with formal attendance at legislative commission meetings for which reimbursements are authorized.

Action that would be required: Possibly more realistic legislators' salaries on an annual basis would cover these situations.

5. Legislators' fringe benefits programs.

While Nevada legislators are now generally considered to be adequately covered in the matter of retirement, they do not have a very basic form of protection made available to state employees and officers generally.

Some form of health and life insurance plan, possibly very similar to that available to state employees and officers, should be considered by the legislature for the basic protection of its own members.

Action that would be required: Legislation authorizing their participation in the current state employee and officer plan or establishment of a separate group for such insurance coverage.

III. CONFLICT OF INTEREST

1. Adoption of a code of ethics.

Establishment of a joint legislative committee or a board of ethics (some members nonlegislators) might be considered to administer an adopted code of conduct.

In view of legislatures' general awareness of public relations, the establishment of such a board or committee could help their image in the eyes of the press and general public.

(Exhibit F contains further elaboration and suggested legislation.)

Action that would be required: Statutory provision for code and composition of committee or board; membership of legislators on committee by resolutions of the houses.

2. Disclosure provisions.

The committee or board suggested in the foregoing provision could also be used in connection with any disclosure provisions the legislature might feel it wise to adopt.

(Exhibit F contains disclosure provisions in section 3.)

Action that would be required: Statutory provisions.

IV. CONSTITUTION, LEGISLATIVE ASPECTS

1. Internal operation of legislature not to be specified in detail in constitution.

The general theory of a constitution is to provide broad general provisions without specific detail. In general, Nevada's constitution follows this pattern. However, there are a few sections in our constitution that spell out in detail just how the legislature shall operate. These details were tailored to procedural methods well known at that time. We now find that such detail will not permit the adoption of time-saving methods which could be of value today. Our legislative process could be simplified without loss of significant safeguards.

The following constitutional provisions might well be considered by the legislature for possible amendment.

Article 4, § 14. Journal. Each House shall keep a journal of its own proceedings which shall be published and the yeas and nays of the members of either house on any question shall at the desire of any three members present, be entered on the journal.

Since the yeas and nays are entered in the journal when they are associated with any roll call question, this procedural matter should be deleted from the constitution. The suggestion is to eliminate all matter following "shall be published".

Article 4, § 18. Reading of bills; vote on final passage; majority necessary to pass bills and resolutions. Every bill shall be read by sections on three several days, in each House, unless in case of emergency, two thirds of the House where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays to be entered on the journals of each House; and a majority of all the members elected to each house, shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed, shall be signed by the presiding officers of the respective Houses and by the Secretary of the Senate and clerk of the Assembly.

The implication of reading of bills by sections or reading of bills, if given reasonable interpretation, would imply a complete reading of the bill. Since this is not done, and hardly a necessity now that all bills are printed and any amendments covered in reprints, the suggestion is that any reference to "by sections" be deleted and a modification be applied to the word "read." Also, this section taken literally implies that all bills introduced shall be read three times in the phrase "Every bill shall be read * * * on three several days * * *." Obviously only those bills reported from committee continue on to a possible third reading. To cure the several awkward issues identified, the following suggested wording might be considered.

Every bill presented for final consideration shall have been read by summary on no less than three separate days.

The above suggested wording replacing that now in the constitution would at least square with legislative practice and remove any slight question of constitutionality that might now be raised in connection with bill passage.

Action that would be required: Amendment to constitution, Art. 4, §§ 14 and 18.

2. Elimination of earmarking of revenues for specific purposes.

Provisions of this type are few in our constitution:

Art. 9, § 2--trust funds for industrial accidents and occupational diseases.

Art. 9, § 5--licensing, registration and motor vehicle fuel tax for highway construction.

Art. 11, § 3--certain moneys for educational purposes.

Funds should be made available to state agencies and departments on the basis of demonstrated needs through a budget. Prohibition of the invasion of certain funds, such as trust moneys of the Nevada industrial commission, and highway funds are justifiable. However, consideration should be given to the antiquated provision in Art. 11, § 3, possibly originally conceived to establish a fund to supply educational needs, and now woefully inadequate. Such moneys should probably go directly into the general fund, since the legislature appropriates many times this amount toward educational needs of the state.

Action that would be required: Amendment to Art. 11, § 3.

3. Elimination of limits on taxing powers of the legislature.

Government today is a much bigger business than when the constitution was formed. People expect and demand more of their government, especially state and local governments. Limits and controls established over 100 years ago circumvent the ability of the legislature to finance properly those programs and projects which it realizes are needed.

In view of the above, some review of these restrictions might be in order with the legislature suggesting the elimination through adoption of resolutions to amend out of the constitution some of these provisions. Attention is drawn to Art. 10, § 1, which includes prohibition of an inheritance or estate tax and several exemptions from the property tax.

Action that would be required: Amendment to the constitution, Art. 10, § 1.

4. More flexibility on method to propose amendments to and amend the constitution.

Nevada is one of only 15 states where the constitution requires the adoption of a resolution to amend the constitution by a current session and then again by "the Legislature then next to be chosen." Under the normal course of events, this procedure usually results in a time interval of almost 5 years to amend the constitution.

With the rapid changes being experienced and the necessity of government to keep pace with the times, half a decade may be too long a period to provide for accomplishing constitutional changes.

Some thought should be given by the legislature toward modification of the procedure of amending the constitution. The most obvious suggestion that might receive attention is that of allowing the question of amending the constitution to be placed before the electorate after having been adopted by one session of the legislature as now provided for in 35 states.

Action that would be required: An amendment to the constitution, Art. 16, § 1.

5. Possible revision of use of initiatives and referendums.

Popular concept places the initiative and referendum procedures as extensions of a truly democratic process. However, they many times exhibit characteristics of regression.

When the initiative and referendum are employed to reverse legislative decisions or to evade legislative responsibility, the basic institution of representative government tends to be weakened. This is particularly true when they are involved with fiscal and taxation matters.

Since deepseated theories of representative government are involved in the initiative and referendum procedures, no firm suggestions are made in this report relative to alterations. The matter is identified for whatever attention the legislature may desire.

(Exhibit G, S.J.R. No. 2, 1967 session, would exclude the initiative and referendum from fiscal matters.)

6. Automatic reapportionment provision in the constitution.

The constitution now provides that reapportionment is the mandatory duty of the legislature after the taking of the federal decennial census. However, no reapportioning method is defined and no agency is specified to make the apportionment. In the absence of these provisions, the session following the census must involve itself with how reapportionment is to be accomplished.

Some thought should be given to placing in the constitution the mathematical method to be employed in making the apportionment. The United States Congress has specified The Method of Equal Proportions and the Bureau of the Census is charged with carrying out the apportioning of members in the House of Representatives under this precise formula. The Congress never becomes embroiled in the matter, a topic which could occupy a major portion of their energies in a session.

Reapportioning at the state level is not quite as simply accomplished. The state has no sovereign entities to which a precise number of representatives may be assigned. Counties or portions of counties are grouped in many cases to provide for a single representative and heavily populated counties are divided into districts for representation. Another variable is the number of senators and assemblymen, latitude for their number being established in the constitution. Thus, reapportionment becomes more complicated at the state level, since we have an unknown number of legislators to apportion to an unknown number of districts the boundaries of which are undetermined. Settling the matter of what

mathematical formula is to be used and what disparity of representation between districts will be authorized would be a step forward. Possibly the legislative commission should eventually be designated as the agency to accomplish this apportionment. The commission could allow for flexibility to the extent that it would work on apportionment between the 1969 and 1971 sessions and submit to the legislature in 1971 several alternative districting plans for consideration, based upon 1970 census returns.

If the above suggestion were carried out, the 1971 session would not become submerged by a proliferation of apportionment bills, many of which might prove wasteful of committee, legislature, and staff time. The legislative commission would have produced with the assistance of legislative counsel bureau staff several alternative plans for consideration, each one carefully prepared within the limits established for the legislature to consider. With such advance preparation, the session could proceed to the consideration of mathematically correct bills, making decisions only as to what districts it preferred. Any one of the legislative commission proposals should serve as a foundation for a final apportionment act.

At the outset, and to be effective for the 1971 session, the mathematical method and the body charged with producing apportionment plans could be provided for by statute or resolution. Should the operation prove to be acceptable to the legislature, then some consideration might be given to constitutional provisions to establish firmly such a system.

(Exhibit H, S.J.R. No. 24, 1967 session, incorporates some of these suggestions and would place authority with the legislative commission.)

Action that would be required: Resolution directing the legislative commission to conduct a study subsequent to taking of the 1970 census and recommend several reapportionment plans to the 1971 session. Eventual statutory provision and constitutional amendments to Art. 4 and 15.

V. FACILITIES AND EQUIPMENT

1. Adequate chambers, rooms, offices and equipment for legislature and staff.

Examples of these inadequacies are well known and numerous. It is expected that many shortcomings in housing the legislature and staff both during and between sessions will be eliminated when new facilities are made available to the legislature in 1970. Equipment to carry out the activities of the legislature and staff will likewise be supplied in the new facilities with some exceptions as identified in this section.

(Lack of adequate space and accommodations for the holding of a legislative session was identified by the legislative counsel, 1964.)

2. Private offices for legislators.

Since a reasonable degree of privacy in many instances is necessary to carry on the activities of a well organized legislator, the overall efficiency of the legislative operation suggests that each legislator be furnished with a private office. This need not be elaborate but should offer privacy and be reasonably accessible to the legislator from the floor of the legislature.

Original plans for the new legislative building included such office space for the legislators. Nevada has one of the smallest legislative bodies in the nation and it should not be unreasonable to suggest that such facilities be provided. As the contract was finally let, these individual offices were eliminated. However, the space for them was wisely preserved in an unfinished portion of the legislative building.

Considerable thought should be given at the 1969 session to providing adequate funds for the eventual completion of this portion of the original plan.

Action that would be required: Additional appropriation to new legislative building.

3. Proper recording equipment for legislative chambers.

Recording proceedings in the chambers has always presented several problems in the past. Poor acoustics have been a factor, and this may be largely eliminated in the design of the new chambers. Wide variations in recordability of voices has been another problem which will continue regardless of building design. This factor is usually overcome by providing individual microphones at the legislators' desks. Inadequate equipment for properly monitoring recording has allowed several legislative days to be recorded in such poor quality that transcription has been virtually impossible.

Since the proceedings of the body is of such vital importance in establishing intent, and remarks made by legislators are frequently requested to be transcribed, a verbatim record is highly essential. The journals of the houses seldom contain the actual remarks made on the floor, their incorporation being made only when requested. Increased importance develops when committee records are inadequate or committees not recorded (present situation).

The new legislative building will lack individual microphones at legislators' desks and will employ recording equipment now used in

the chambers. In view of the fact that our present equipment has several serious shortcomings, it is strongly advised that consideration be given to the original plans, which provided adequate recording equipment in the Senate and Assembly chambers of the new legislative building. Recording equipment used now in the legislative building. Recording equipment used now in the legislative chambers would find a ready use in committee rooms of the new legislative building.

Action that would be required: Additional appropriation for equipment to new legislative building.

4. Electronic vote tabulators in the legislative chambers.

Practically all modern legislative buildings provide for electronic voting equipment in the chambers to record voting on measures before the bodies. The larger the bodies become, the more necessity to have such equipment. Time is an obvious factor, but accuracy of the vote is another. A machine recording of the vote is made available for permanent record.

The Nevada Senate of only 20 members might not find such equipment to be essential. However, the Assembly at 40 members would probably benefit from such an installation. The suggestion is made that the new legislative building have an electronic voting system installed in the Assembly chamber.

Action that would be necessary: Additional appropriation for equipment to new legislative building.

5. Communication system between legislators, staff, state offices and officials, and the public.

The new legislative building will have adequate interoffice telephone communication with a four-digit dial system. This will place staff offices, committee rooms, chambers and other areas in ordinary contact by phone. The matter of locating individual legislators by page system as now employed from the telephone communications center will not be practical in the new larger facilities on a multifloor arrangement.

To install lighted number boards at several points on the floors is costly and not overly efficient. A voice page system would increase noise levels and run counter to a building designed to reduce noise in general. An alternative, which at first thought appears to be highly sophisticated and has been the subject of criticism, is in the long run the most practical. A pocket radio page system would not only accomplish the immediate objective of locating a legislator in the new building but could place him in contact for messages while at any location in other state office buildings and in the downtown area of Carson City generally.

Since a pocket radio page system would solve an immediate problem and extend a service to legislators not now available, such a system should again be given serious consideration by the legislature for incorporation in the new facilities.

Action that would be necessary: Additional appropriation for equipment to new legislative building.

6. Radio, television, and educational television facilities for chambers.

(See Public Relations and Information No. 7.)

7. Recording equipment for committee rooms.

The permanent installation of recording equipment in several of the main committee rooms is highly desirable. Portable equipment can serve the purpose but would be subject to considerable shifting and likely damage. Legislative sessions would best be served with equipment in place when needed, and not dependent upon available units difficult to keep track of and personnel familiar with shifting and servicing them.

(See Committees No. 12 for additional comments.)

Action that would be required: Additional appropriation for equipment to new legislative building.

8. Facilities for the press and the public.

Although lacking or inadequate in the present building, separate public lounges are provided for the Senate and Assembly as well as extensive balconies in both chambers for public viewing of legislative proceedings on the floor in the new legislative building. Additional area is designed specifically for press and facilities.

VI. FISCAL POLICYMAKING AND REVIEW

1. Legislative responsibilities and control.

There is a definite need for the legislature to examine the existing statutory control regarding the revenues received by the state and the expenditure of all public funds by agencies of the state government. The legislature should determine the degree of responsibility and control that it desires to retain over the receipts and expenditures by the state government. Over a long period of time, the legislature has released or assigned a certain amount of control and responsibility to the executive branch of the state government.

A major problem area pertains to the appropriation of general fund money and the subsequent expenditure of such money by the state agencies. The legislative money committees review, in detail, the individual budget requests as reported in the executive budget. A great deal of time is spent in conducting this review, and many adjustments are made by the committees.

The appropriation act provides for individual "lump-sum" appropriations to the various state agencies for their operations during the coming biennium. Subsequent to the enactment of the appropriation act and prior to the start of the next fiscal year, the various agencies can reassign or reallocate the "lump-sum" appropriation, contrary to the desires of the legislative money committees. When this happens, a great deal of the effort and time spent by the legislative money committees ends up being wasted.

Action that would be required: Statutory changes to strengthen and identify legislative control of receipts and expenditures.

Another item for consideration would be for the legislature to redefine its responsibilities and degree of control for the receipt and expenditure of federal funds. In the past, agency budget requests which were to be funded by federal money received a small amount of attention and concern, so long as general fund money was not required.

Action that would be required: Statutory changes for a more firm control over federally funded programs.

The legislatures of certain states have established firm control on all programs funded by federal money by:

- (a) Requiring definite prior legislative approval before allowing the state government to enter into a federally funded program.
- (b) Requiring the maintenance of proper and accurate recordation regarding fiscal and other statistical information.

2. Quality of fiscal and other statistical information used by the legislature.

The legislature, especially the money committees, the legislative commission, the legislative counsel bureau, and many officials and employees of state government have a definite need for accurate, uniform and comparable fiscal information regarding the source and amount of funds received and the amount of expenditures made

by the state government. This information is a basic and major requirement for responsible legislation and effective fiscal management of the state government.

The present system of recording fiscal transactions, the receipt, transfer and expenditure of all public funds by the state government, is extremely inadequate. There are many examples where the resulting information is invalid, misleading and unusable. The present system of recording fiscal transactions results in the following:

- (a) Millions of dollars in assets and liabilities are never recorded in the records of state government.
- (b) The total amounts of funds received from various sources are not available.
- (c) The actual expenditures by the individual agencies for any fiscal year are not comparable with similar figures for any previous fiscal years because the state government continues to use the outmoded cash basis of accounting instead of the modified accrual basis of accounting.
- (d) The historical fiscal data is of very limited value.

The state uses the cash basis of accounting. Under this system, revenues are accounted for only when received in cash and expenditures are accounted for only when the money is paid out. When the cash basis of accounting is used, an accurate comparison of expenditures in relation to services rendered is not possible, because the services may be rendered in one fiscal year and the disbursements related to such services may not be made until the following fiscal period.

If the modified accrual basis of accounting were used by the state, expenditures would be recorded at the time liabilities are incurred, and the revenues would be recorded when received in cash, except for material or available revenues, which would be accrued and recorded in the fiscal year that it was earned. Under this method, the actual costs and expenditures for state government during a fiscal year are related to the actual revenue for the same period of time.

Unless the outmoded single-entry cash basis of accounting is replaced with a modern double-entry modified accrual basis of accounting, the following conditions will continue to exist:

- (a) It will remain impossible to verify all assets, liabilities, revenues and expenditures of the state.
- (b) Public money will continue to be unprotected by inadequate accounting controls.
- (c) The amount of time required to perform audits will continue to be unreasonably large.
- (d) The effectiveness of the results of the audit program will continue to be minimal.

Action that would be required: Money should be appropriated to finance the contract services of an accounting firm which has the available staff in size and skill to perform the following duties:

- A. Design and install a comprehensive and uniform double-entry modified accrual basis of accounting system to be used by all of the agencies of state government.
- B. Design and install a data-processing program which would be compatible with the above-described accounting system and at the same time provide, on a timely basis, other useful statistical information.

(See Staff and Services No. 13, par. 3.)

The initial cost of this project would be significant, but the value of the results to the legislature, the executive branch, and the interested taxpayers would be far more significant. The costs of state government by individual agencies or for all agencies combined would be available. Other valid and useful statistical information would be available for use by the legislature and the agency administrators in determining the effectiveness of the various state government programs.

3. Review of the executive budget by the legislative staff.

Nevada law provides for the executive budget to be presented to the legislature not later than 10 days after the start of the regular session. This does not provide the required time necessary for the legislative staff properly to review and analyze the executive budget prior to advising and assisting the money committees.

As a means of providing adequate service to the legislative committees, some states have established one of the following procedures:

- (a) The legislative staff prepares a separate legislative budget for the funding of all state agencies. This budget is used along with the executive budget by the legislative money committees.
- (b) The legislative staff prepares a formal report of their analysis of the executive budget. This report contains recommendations for increasing or decreasing the appropriations as presented in the executive budget.

Action that would be required: When either of the above-mentioned procedures is adopted, a full-time budget staff will have to be provided for. Members of this budget staff would be assigned to areas of specialization, such as:

- (a) Health and welfare
- (b) Education
- (c) University of Nevada
- (d) Highway
- (e) All other state agencies

Note: If the above-described procedure is adopted, the improvements to the state's accounting and other statistical information reporting system as recommended in Item No. 2 should be accomplished first. The budget staff would need current, valid and comparable fiscal and other statistical information.

4. Budgeting by program to permit legislature to relate to agency activities.

It is understood that for the first time the executive budget to be placed before the 1969 session of the legislature will relate to programs of agencies as well as the former category approach.

Action that would be required: Statutory provision to require this in the future.

5. Identification of items in the budget previously denied by the legislature.

Such identification would serve to place the legislature and money committees on notice that consideration had been made of the request in former sessions, and for reasons that were apparently valid at that time, the request was denied.

Action that would be required: Statutory provisions.

6. Appropriation bills cross-indexed to any other bills appropriating funds to same agency.

In order to facilitate an overall look at the agency and its entire funding, such reference notation on the bill when introduced would place the legislature and committees in a better position to consider the request.

Action that would be required: Statutory provision.

7. Every bill introduced that would affect expenditures or revenues of the state to require a fiscal note attached.

The 1967 session enacted legislation requiring an estimate of the cost that would be incurred by carrying out the provisions of legislation requested by the executive branch. The requirement might well extend to any bills drafted that involve revenue expenditure. Fiscal notes, if properly prepared and based upon sound factual background, serve to provide the legislature with a concept of the impact such legislation will have on revenues or savings and cost factors. An adequate accounting and data-processing system would be necessary to provide accurate fiscal notes.

(Exhibit I further identifies fiscal notes and contains suggested provisions and an act to provide for them.)

Action that would be required: Statutory provision.

8. Legislative summary showing the effect of final legislative action on fiscal condition of the state.

Availability of such a summary would assist in an understanding of the impact of legislative action. Legislators would find this of value after a session in their district when questioned on fiscal matters of the session.

Again, this would best be produced only after the state financial operations are placed on a modern accounting basis and data-processing information made available to staff preparing such a summary.

Action that would be required: Concurrent resolution to legislative counsel bureau or statutory provision.

9. Greater legislative involvement in the post-audit function.

At the present time, legislative auditing of all executive departments and agencies takes about 4 or 5 years. This cycle is necessary in view of the number of agencies and the size of the audit staff.

Considerable difficulty is experienced in producing audits due to the lack of an adequate modern accounting system to be used by the state government. In addition, figures once secured are often subject to distorting the actual picture, since there is no modified accrual system of accounting. Attempting to identify peaks and valleys of revenues and expenditures becomes most difficult without modern accounting practices yet to be employed in our multimillion dollar operation.

If the legislature is to receive real value through an audit program and to be provided with accurate trends of expenditures and revenues, adoption of modern accounting practices would seem to be most necessary. With such modernization tied to a data-processing system properly programmed, there is little doubt that the entire state government operation could be audited on an annual basis with but little additional staff. Annual auditing of all state agencies is now accomplished in several states.

Action that would be required: Adequate modern accounting practices and information system.

10. Quarterly or semiannual summary of the fiscal condition of the state and selected agencies.

As a follow-up to the summary of the effect of final legislative action on the fiscal condition of the state, the legislature and particularly the legislative commission and its subcommittees should have available to them a periodic report on the state's financial situation.

Such reporting is now made available on a limited basis, and again it should be realized the elements which are subject to distorting a true picture in view of the lack of a modern accounting system.

Action that would be required: Adequate modern accounting practices and information system.

11. Elimination of constitutional provisions for earmarked funds.

(See Constitution, Legislative Aspects No. 2.)

12. Elimination of constitutional provisions on forms of taxation open to legislature.

(See Constitution, Legislative Aspects No. 3.)

13. More flexibility on methods to propose and amend constitution.

(See Constitution, Legislative Aspects No. 4.)

14. Initiative and referendum not to include taxation matters.

(See Constitution, Legislative Aspects No. 5.)

VII. GUBERNATORIAL--LEGISLATIVE RELATIONS

1. Legislative precession evolution and preparation of a legislative program.

The following quotation from American State Legislatures in Mid-Twentieth Century, Council of State Governments, p. 2, will serve to identify this suggestion:

In all states, the leaders and the whole membership of the legislative bodies should exercise full and imaginatively those powers inhering in the legislative branch, toward the goal of re-establishing the fuller measures of independence from the executive branch contemplated by the founding fathers.

It has generally been difficult for the legislature to initiate a program of the state's needs. Too often that initiative has rested with and been used by the executive branch. Since the executive branch is in year-round operation and possibly closer to the pulse of tangible government operation, and since the governor, in his message to the body, has historically identified the state's needs and suggestions with which to meet them, the legislature has been at times relegated to an "executive propose and legislature dispose" role.

A more vigorous legislative position could be established by the legislature through its legislative commission and subcommittees being brought equally abreast of the state's condition. Through adequate fiscal, legal and research staff such interim bodies are in a position to propose directly to the balance of the legislature a program as comprehensive as that the governor might suggest toward the general welfare of the state. Initiative might well rest with the legislature in many of these matters with the executive branch executing the intent of the legislature. This would require adequate legislative staff and commission consultation with those governmental departments and agencies that will be required to carry out suggested changes in governmental operations.

Action that would be required: Could be accomplished through policy decisions of the legislative commission and introduction of legislative commission bills.

2. Special sessions subject to call by presiding officer.

Upon the request of two-thirds of the members of each house, the presiding officer would call a special session.

(See details of this suggestion under Sessions No. 7.)

3. Removal of lieutenant governor from the legislative branch.

The legislature would be strengthened with the Senate electing its own presiding officer.

A new lieutenant governor presiding over the senate may have no particular knowledge of Senate procedure. However, with the Senate selecting one of its own members this would in most cases provide them with a person familiar with the operation of the body. Also, questions of when the lieutenant governor can and cannot vote to break a tie would be eliminated, since the speaker of the Senate would be a member of that body and vote on all questions.

A more direct control of the Senate would be maintained. At present, many decisions arrived at in caucus of the majority party are merely announced by the lieutenant governor, who must accept a decision he had no part in making and may completely disagree with.

A member of the executive branch being a presiding officer over a legislative body is somewhat hard to justify under the separation of powers theory. Should the lieutenant governor be a member of the minority party, he could on occasions develop considerable friction in the matter of recognition and other procedural issues. Fortunately, this has not occurred in recent times.

Action that would be required: Amendment to constitution,
Art. 5, § 17.

4. Elimination of the governor's veto power.

Executive branch authority to veto acts passed by the legislature provides a serious weakness in the basic separation of powers. Some thought might be given to desirability of one person having power to reject an act that has been approved by two august bodies after sifting through the legislative process. The State of North Carolina does not require legislative acts to be approved by the governor and veto power by the governor is thus eliminated.

Action that would be required: Constitutional amendment to
Art. 4, § 35.

5. Auditing by the legislative branch of expenditures of appropriated funds.

(See Fiscal Policymaking and Review No. 9.)

6. Review of executive branch rules and regulations.

When the legislature authorizes state departments and agencies to promulgate rules and regulations, these rules and regulations if properly issued and within the purview of authorization, have the full force and effect of a legislative enactment.

Since the legislature in so authorizing rules and regulations is actually delegating legislative powers to the executive branch within a certain circumscribed area, it is basically responsible for the actions taken in the issuing of such rules and regulations.

It is therefore suggested that the legislature consider the establishment of a realistic review of such rule and regulation making to see that both the matter of promulgation and the scope of the issue fall within the intent of the legislature. Improper notification and registration as well as rules and regulations falling outside the authority granted by the legislature could thus be identified.

Action that would be required: By common agreement, one of the two copies of rules and regulations filed with the secretary of state is deposited in the office of the legislative counsel bureau.

Provision should be made for their review by the legislature's legal staff as to content for determination as to rules and regulations falling within the scope granted by the legislature.

Additional provisions in the Administrative Procedure Act

VIII. LOBBYING

1. Registration of lobbyists.

Persons who represent profit, nonprofit or public agencies that attempt to influence legislation have always been a controversial group at legislative sessions. Their operations frequently subject legislatures to criticism. Often unrealized is their ability on occasion to furnish information of value to the legislature.

In any event, to place the legislative operation in the best light, some consideration should be given to lobbyists being required to register so that their identity may be known publicly.

A fee for such registration might also serve to reduce the number of lobbyists and might be included in the charge for bill book service.

Action that would be required: Statutory provision.

2. Financial reports by lobbyists.

In addition to registration which merely identifies what interests are being represented, lobbyists as a minimum objective of a lobby control law should be required to file financial reports.

Legislators are possibly in the best position themselves to ascertain what degree of lobbying control best fits their particular situation. They should be primarily responsible for protecting the legislative image.

(Provisions of the North Carolina Lobby Registration Act that might provide a foundation for a Nevada act are contained in Exhibit J.)

Action that would be required: Statutory provision.

IX. ORGANIZATION

1. A relatively small legislative body.

Nevada has always had a small legislature compared with most other states. Both houses have at times been larger than they are now. Large legislatures become unwieldy and obviously the cost of operation is much greater. An effort should be made when reapportioning after the 1970 census to continue with a relatively small body.

(Exhibit K presents a table on Nevada indicating the size of the legislature as apportioned at different periods from 1909 to 1961.)

(Exhibit L is a national table of all United States legislatures, indicating their size.)

2. Bicameral bodies to provide differing patterns of representation.

To maintain some justification for bicameralism, care might be exercised to see that the pattern of representation in one house is basically different from the other. In the event one house is about twice the size of the other, two lower house districts can usually be combined to form an upper house district. However, this defeats the attempt to build in differing patterns of representation.

Suggested differing patterns of representation would result by taking portions of two or more lower house districts to build an upper house seat. This could result in a decidedly different constituency, selecting a basically different representative. Through this method minorities can either be submerged or unified. To prevent unreasonable districts being formed, contiguous and relatively compact districts should be formed in opposition to gerrymandered districts either physically or mathematically.

From a practical standpoint, differing patterns of representation make the legislative and representation aspects more obscure. To have upper house districts composed of two lower house districts makes district comprehension easier. Also, lower house legislators have "their man" to represent them in the Senate in negotiating legislation through the upper house. The selection is one the legislature must finally decide.

3. Unicameral legislature.

Many argue for unicameralism, since the courts have swept away the basic reasoning for a two-house system, that of some measure of equality among counties in a Senate and a population basis of representation in the lower house.

The point is made that our counties and municipalities operate with one-house legislative bodies, while in the past many cities had a two-house system, with only two now surviving.

For matters of economy and simplicity a unicameral body naturally is appealing. Relatively speaking, there would be fewer bills, fewer legislators, generally lower cost of overall operation. Committees of conference would be unknown, complexity drastically reduced.

In a pure political science sense, the legislature would not be the one branch of government frequently divided against itself, sometimes politically and almost always with some degree of feeling between upper and lower house members generally. Governors would not have the opportunity to cultivate one house of the legislature to executive advantage. Lobbyists would have fewer chances to kill legislation and legislators would find it difficult to place the blame on "the other house." Finally the press and the people, as well as many legislators, would better understand the movements of the legislature.

Since most of the Canadian provinces operate with unicameral legislatures, and the most recently formed American bodies (Guam and the Virgin Islands) and practically all of the emerging nations of Africa and Asia have adopted a one-house legislature, continuing consideration of unicameralism should be made.

4. Single-member legislative districts.

Multimember districts with several legislators running at large do tend to submerge certain segments of the population which might have a representative from their own smaller district.

Apparently a test case in regard to this issue will be before the United States Supreme Court. Should the court agree to review an Arkansas case and should the court hold for single-member districts, eventually there would be little choice left to legislatures but to provide for single-member districts.

5. Lower house terms to be lengthened from 2 to 4 years.

Such a change might be in the public interest. Turnover would probably be reduced, providing more experienced legislators. Also, the time and energy devoted to political campaigning would be cut and greater stability would be given to the total legislative process.

Some will argue that the electorate would then have less of an opportunity to review their representatives and reselect for the session.

Should the term be lengthened, staggered terms should be provided for continuity, as now provided for in the Senate.

Action that would be required: Amendment to Art. 4, § 3.

6. Majority and minority parties to select their own chairmen and committee members.

(See Committees No. 4.)

X. ORIENTATION

1. Presession orientation in advance of legislative session.

Establishment of orientation sessions for new legislators to be held in the capital just prior to the convening of the legislature should be considered by the legislature. Obvious costs are involved. However, such costs are offset to a large extent by a more efficiently operating legislature.

(Exhibit M presents a discussion on orientation conferences with specific recommendations.)

Action that would be required: Statutory provision. Sponsorship by staff of legislative counsel bureau. Provision for legislator cost reimbursements, possibly from private foundations.

2. Alternative to a presession orientation program.

Should the expense of holding a presession orientation program preclude further consideration, or private foundation support be not fully adequate for holding such a session, the present practice of the legislative counsel's conducting abbreviated orientation sessions in northern and southern Nevada should be continued.

3. Orientation topics to include more than legislative organization, procedure and services available to the legislators.

To be of real value, an orientation program should reach farther than the mechanical operation of the legislature and services available.

Suggested areas to be covered would include major executive proposals, the fiscal position of the state and major recommendations resulting from interim studies produced by committees and staff of the legislature.

Action that would be required: Policy can be established if sessions authorized.

XI. PUBLIC RELATIONS AND INFORMATION

1. Legislature to obtain better news coverage.

Nevada's relations with the press are apparently better than in many states. The fact that the press have access to committee and caucus meetings has worked for good relations and more accurate press reporting of legislative events. Consideration should be given to maintaining this policy under new facilities that will be available to the legislature.

Action that would be required: Policy of committee chairmen and legislative leaders to be maintained.

2. Public notice of committee hearings and meetings.

Adequate notice of public hearings by committees has usually been made available to the public through the press, notification posted in the chambers, and usually listed at the end of the daily histories.

In all probability, a better system should be considered by the houses to make certain that all public hearings are listed at the end of the daily histories. Members of the legislature receive notice by announcements from the floor and postings in the chambers.

Committee meetings, unless routine, are announced by the chairman of the committee on the floor of the chamber. These meetings are also posted in the chambers. Many committees meet with regularity on a schedule modified to coincide with the business before the house.

Consideration of the publication of a schedule for committee hearings and meetings in the daily histories of the houses would assist the general public. Special meetings and schedule changes due to house business would be difficult to have entered in the histories unless it was a change affecting the following day.

Such a suggested publication of schedules of committee meetings complete with assigned committee rooms may have to await the completion of the new legislative building. In the interim, all public hearings scheduled and committees which meet with regularity might be listed at the end of the daily histories with room numbers for those committees that have a permanent meeting place. Committees which meet irregularly should also be listed when announcements are made far enough in advance.

Action that would be required: A complete schedule of public hearings and committee meetings with rooms indicated for both houses could be included in the daily histories by decision of the houses.

3. Published calendar available and uniform for both houses.

(See Staff and Services No. 4.)

4. Permanent public record of committee proceedings.

(See Committees No. 12.)

5. Adoption of a code of ethics.

(See Conflict of Interest Nos. 1 and 2.)

6. A program designed to interpret the functions of the legislature to the electorate.

In spite of civics and political science education in the schools and universities, combined with some popular treatment of the legislature in news releases, the public is generally uneducated and not well informed as to the overall functioning of a legislature.

Since a better understanding by the public would enhance the image of the legislature, some consideration of a program to strike the public through mass media should be of considerable value.

The form of such a program could be varied. Probably the best timing would be coinciding with regular or special sessions of the legislature. Suggestions run the gamut from a series of newspaper characterizations to the elaborate appropriation of funds to have a professional color film produced to portray aspects of the legislature in a particular state. Since legislatures have their own peculiarities from state to state, a national film has obvious limitations. Also, the generalization of facilities and persons in a national film divorces the viewer from a tangible reality of his own legislature. In short, the legislature may need professional selling in our age of vigorous action to capture the public mind by both government and private industry.

Should the public become better sold on the legislature, many of the reforms and programs the legislature would like to accomplish should find better acceptance, particularly if the issue were one requiring approval by the voters. Televised programs arranged by the best professional assistance could be employed to identify correctly issues before the electorate and the reasoning behind the legislature's asking for their approval.

Action that would be required: Adequate appropriation to legislative counsel bureau. Legislative commission to direct expenditures.

7. Radio, television and educational television facilities for chambers.

Close on the heels of a suggested color film depicting the function of the Nevada legislature would be live conventional and educational televised coverage of sessions of the legislature.

The new legislative building will provide advantages of unusual physical coverage of sessions since the design of the chambers and the balconies lend themselves to almost theatrical production.

Full advantage should be made of these facilities and proper programming could produce educational television coverage throughout the state, to tie in with that anticipated development. One development should stimulate the other. Conventional television coverage should be far superior to that now available to the ordinary viewer.

In connection with these advantages built into the new legislative building, consideration should be given to the legislature's own staff in control of televising and programming. They are best equipped to know when events will occur, they are on the scene, and most importantly they would work in the best interests of the legislature to provide a correct presentation. Such a suggestion would be practical only in the event a companion suggestion relative to public relations staff were considered.

Action that would be necessary: Agreement on the part of the legislative bodies and provision for technical equipment that might be necessary.

8. Public relations operation for the legislature.

As indicated in the suggestion for a color film of the Nevada legislature to be produced by top flight professionals, competition for attention and image are critical in a fast-moving world. State government should sell itself to capture public support. Its product and the necessity for it should be made well known. Quite possibly it is the duty of government to make itself and its actions better known to the constituency. In another age, this was probably well enough done through contemporary means available at that time, when time itself did not seem to be running away.

The legislature must frequently turn to the voters for approval of constitutional questions at the polls; in short, the public is asked to "buy" what their leaders have identified as desirable. An uninformed public--and certainly there has been a measure of confusion on questions placed before them in 1968--cannot be expected to act with steel-trap mind on muddled issues.

The legislature expends vast quantities of its energies in debate and rings constitutional issues through the legislative process over a period of 4 years. After all this due consideration by a body elected to represent the people in a republican form of government, the democratic process falls short when the legislature has no machinery to cope adequately with misinformation, distortions or lack of interest in a 4-week period prior to elections when the issues could be sharply focused for the electorate who will decide them.

An increasing number of constitutional issues will probably need review and the voters faced with additional decisions to be made. This is inevitable if state government is to stay in gear with demands being made by an increasingly complex society. Should the time come for a constitutional convention, and an entirely new document offered for approval, proper presentation and relations with the electorate will be highly essential. Quite possibly such technical matters should not be left entirely to inadequately informed press writers or special interests for presentation to the people who must make the decision.

Constitutional questions aside, the legislature could hardly accomplish the suggested professional television coverage and arrange for possible underwriting of expenses without professional assistance. The suggestion is made that such work be contracted for with organizations familiar with selling an industry or candidate. Sponsorship by in-state industry or national corporations with markets in Nevada would be essential to underwrite much of the cost of the legislature's selling itself.

The suggested "selling" of the legislature could provide a vehicle for carrying to the people many of the serious issues which confront the legislative commission and its subcommittees. The legislature spotlights these critical areas while in session; the legislative commission must deal with them between sessions. Subcommittees of the commission may reach decisions and know what course should be followed. Legislation introduced and requests for appropriations to carry out these decisions can only be successful in the long run with the backing of the electorate. An informed electorate, with professionalized presentation, chiefly by television, would be the best guarantee the legislature could have toward public acceptance of its plan of action.

Individual legislators would likewise find necessary support for their stands on issues before the legislature, with knowledge that their constituents had been properly informed on the issues and decisions that had to be made.

Action that would be required: Budget item for contract services to legislative counsel bureau. Legislative commission to authorize and direct expenditures.

9. Public relations publication for the legislature.

An informational publication could present the legislative story to the public at less expense than the sophisticated public relations televised coverage suggested. Its impact and educational coverage at the school level would not be as great. However, in association with tailored televised material, public relations at all levels would be increased through still another medium. Either as a replacement or an augmentation, the legislature should give consideration to at least a quarterly issue.

Such a publication is not entirely new to our legislature. At one time several years ago, a newsletter was issued by the legislative counsel bureau, and as recently as a few months ago letter-type information was made available.

Three elements would distinguish the suggested publication from the former issues: (a) Distribution would not be limited to legislators and those closely associated with the legislature. Public distribution would be paramount in importance, through schools, service organizations, shopping centers, dispatched with other mailings such as the Nevada Highways magazine. (b) Information content would be beamed at the public by way of analysis of issues facing the legislature, actions taken by the legislature, and questions before the voters. Feature articles would be encouraged by those in legislative, executive and judicial positions. (c) Format would be eye-catching, with a popular treatment of issues through photography, sketches, charts and a generally concise coverage that could be absorbed by the public.

Considerable public participation should be encouraged by invitation to a letters-to-the-editor section, and the format could be such that adaptability to a radio or television program could be developed from the publication. The possibility of nonpolitical advertising content could also be considered.

By having their own organ, members of the legislature could improve their composite image without having a public relations man trying to place items in the press, radio and television, only to have material cut, mangled or ignored. Desirable legislation and interior policy of the legislative commission could be treated without error or distortion, deliberate or inadvertent.

This form of public relations could be initiated well in advance of the completion of the new legislative building and should be continued along with further public relations development that will be made possible with new facilities later available.

Action that would be necessary: Could probably be accomplished without additional staff in research division of legislative counsel bureau. Legislative commission to decide feasibility and policy.

10. Codification of special and local acts.

Nevada Revised Statutes contain only those provisions enacted by the legislature with general application on a statewide basis, with some few exceptions.

Not codified are those special acts which have application on a local basis such as city charters and county officers' salaries. So that attorneys and local officials would have a code of special acts to determine quickly what the latest provisions are that relate to local governments, including districts, the legislature should give attention to providing for such a compilation.

Action that would be required: Would require additional staff in the legal division with special assignment to produce such a code over a period of time as an adjunct to Nevada Revised Statutes.

11. Requirement of all incorporated municipalities, counties and unincorporated towns to produce a code of ordinances.

At first glance this might not seem to be a problem of the legislature. However, the legislature is indirectly responsible for government at the local level and if local government is not carried out in an efficient and just manner the legislature should guarantee and provide for necessary corrections.

Many of our municipalities have codes of their legislative acts or ordinances and the code is amended by ordinance in much the same fashion as the legislature amends Nevada Revised Statutes. When such a code does exist the citizens and attorneys are in a position to know what the law is rather than searching through a maze of ordinances attempting to determine which provisions are current. All municipalities should be required to provide a code of law.

Most of our counties do not have a code that can be amended by ordinance adopted by the boards of county commissioners. Boards of county commissioners acting as ex officio boards for unincorporated towns adopt ordinances for these local subdivisions in the absence of a town board. However, codes of ordinances for unincorporated towns are almost nonexistent. Without an up-to-date code of ordinances citizens and attorneys alike are placed at considerable disadvantage in not knowing what the law is at any particular time. All counties and unincorporated towns should be required to codify their ordinances.

Provision should be made in a legislative act providing for codification of all municipal, county and unincorporated town ordinances that, if not accomplished by a certain time, codification would be accomplished at cost to the local government entity by the legal division of the legislative counsel bureau. In view of the fact that out-of-state codification staffs might not produce as accurate a code as could be accomplished by the legislature's own legal division, thought might be given to the mandatory codification by our own staff.

Action that would be required: Statutory provision requiring codification of all ordinances of municipalities, counties and unincorporated towns. Adequate staff under direction of the legal division of the legislative counsel bureau with salary to be paid by local governments indirectly through charges for services rendered.

12. Publication, information and education on statutes affecting local government subdivisions to their officials by staff of legislative counsel bureau at termination of sessions.

Local officials are presumed to have knowledge of the law. Copies of all bills are mailed during the course of the session to officials upon request with statutory authorization for them to be received without cost.

Under the present system all local officials do not receive copies of enrolled bills which become law unless vetoed by the governor. Those that do receive copies may not spot all bills affecting their entity from the hundreds of bills received nor recognize a bill's total impact and significance. If the legislature has a genuine desire to see its acts become effective, attention should be given to the possibility of staff of the legislative counsel bureau preparing a digest of bills for county, municipal and other local government entities. Possibly staff of the legislative counsel bureau reviewing these prepared digests at annual meetings of associations of local officials would serve to disseminate more widely information regarding recent legislation affecting local governments.

Action that would be required: A digest would not be difficult to assemble, and present staff of the legislative counsel bureau could be made available at local government annual meetings. Policy could be established by the legislative commission.

13. Issuance of opinions to be exclusive with legislative counsel.

The 1963 session of the legislature gave authority to the legislative counsel to issue opinions when requested by a member of the legislature. This was an exceptionally wise move and strengthened the legislature by providing legal opinions with parallel standing to those issued by the attorney general in the executive branch of government. The move was also wise in that the legislative counsel is in a far better position to know the intent of the law since he is directly involved in the legislative process that produced the law. Drafting of a new law or amendments to an existing one are deeply involved in what the legislature intends, what a requestor has in mind, the problem that produced the act and what it was designed to overcome or establish.

The legislature and state government generally would be greatly strengthened if opinion-writing authority by the legislative counsel were extended to answer questions posed by agencies of the executive department in matters involving statutory construction and legislative intent. The state attorney general would still be available to advise the executive branch. This action would assure state government and guarantee to the legislature that matters of law that the legislature enacted would be interpreted within the framework of legislative intent by those most familiar with that intent.

Action that would be required: Amendment to statutory provisions.

14. Authorization of the legislative counsel to test the constitutionality of statutes, and obtain interpretations of constitutional and statutory provisions from the supreme court without a justiciable issue.

Action that would be required: Constitutional amendments authorizing "opinions of the justices" similar to that followed in Massachusetts.

XII. RULES, PROCEDURE AND BILLS

1. Houses to convene at the same time each legislative day.

Consideration of having both houses convene early and at the same time should provide for better overall functioning of the legislature.

In the event the legislature provides for joint committee meetings of parallel committees as discussed in the Committees section, such procedure would be almost a necessity.

Joint committee meetings aside, early convening of both houses at the same time would allow for more committee meeting time both prior to and after noon.

Better utilization of staff could be achieved with this suggested uniformity between the houses. The following is from a report made by the legislative counsel in 1964:

It certainly is the prerogative of both houses to set their daily convention times upon adjournment on the preceding day. However, it is my observation that when one house convenes at 9:00 a.m. and the other at 11:00 a.m., personnel of the office of the bill drafter are constantly interrupted by legislators dropping in to exchange social niceties. These interruptions result in many cases in a most unproductive work day when most afternoons must be devoted to committee meetings. I believe that the work of the legislature could be expedited if both houses regularly could convene at an early time notwithstanding the fact that the floor work is not demanding, the remaining time before luncheon could be devoted to committee hearings.

Action that would be required: Amendment to joint rules by concurrent resolution, or one-house resolutions.

2. Prohibition of other than legislators, staff and accredited press from floor.

Some thought might be given, in the interests of establishing an atmosphere conducive to proper deliberation, to a provision that only persons with official business be allowed on the floors of the houses when the legislature is in daily session.

Since this may be a hard custom to break, possibly the issue could be met when the legislature moves into its new legislative building.

(Exhibit N, A.R. No. 10, 1967, provided a suggested definition of those to be admitted to the floor.)

Action that would be required: Amendments to rules of the houses more correctly and with better latitude to establish those who would have authorization to be admitted on the floor.

3. Discontinuance of introduction and welcoming of visitors and guests.

Somewhat similar to the preceding suggestion. This would eliminate a time-consuming element in the legislature which

has no relationship to the legislative process. Also, the daily and final journals would be that much less encumbered by such entries.

Action that would be required: Common agreement among legislative leaders.

4. Skeleton bills.

Many bills are requested by legislators which require extensive statutory search and hours of bill drafting. The germ of an idea may often result in a 100-page printed bill which, after introduction, dies in the committee to which it was referred. In such case, it might be advisable to introduce a skeleton bill containing the result desired by the requester, but making it the committee's responsibility to inquire then of the bill drafter, after consideration and a do pass recommendation; and the work and labor then would be exerted in the preparation of amendments to the bill before reporting it back to the house. If the bill is not to be reported out from committee, literally thousands of dollars would be saved during the course of a session and could have been saved over the past 10 years if this procedure had been followed.

(From legislative counsel's recommendations 1964.)

Skeleton bills might also curb bill drafting requests for identical, or nearly identical, measures by two or more legislators, who could, through consultation, arrive at but one measure to be reported out of committee to the body.

Action that would be required: Amendment to NRS 218.250 to provide for specific authority.

5. Elimination of some special bills.

The legislature should not become so deeply involved as it does at present with purely local matters. Any authority that can be granted to local government that would eliminate legislation referred to select committees for consideration should be examined.

Action that would be required: Modified home rule provisions.
Example--Adoption of a statutory provision providing salary ranges for county officials for classes of counties. County officers' salary bills would be unnecessary, since counties could set salaries under a general act on a uniform basis.

6. Wider use of preamble in bills.

The judicious use of preamble material set forth in short, concise statements as a series of "whereas" paragraphs would serve rapidly to identify the reason for the bill and what it is designed to accomplish. Legislative intent would be more clearly stated, something not easily found in many complex pieces of legislation of a technical nature.

Such preamble material forms the basis of most resolutions and a very few bills. Such material is relatively easy to understand since there is no requirement for technical language at that point. Material of this nature would serve a useful purpose at the outset of many bills introduced in the legislature. A

well prepared preamble, defined with the help of the legislator, might also serve a useful purpose to a bill drafter since he would have a better understanding of what the requestor actually had in mind and what the problem was that produced his request.

7. Limitation on bill introduction, the Michigan rule.

We are all aware of the logjam existing in the bill drafter's office which is most pronounced midway during the legislative session. It is recommended that consideration be given to the enactment of a statute providing a series of limitations and requirements for the reference and reporting back of bills from committees, enactment by one house and transmission to the other, and action thereon with similar limitations. Michigan has enacted such a procedure, the result being that for a period of approximately 30 days there is a limitation that no bill will be processed by the bill drafter unless a request has been made on a certain day. The recommendation that this be effected by statute rather than by rule is to avoid suspension of the rule.

(From legislative counsel's recommendations in 1964.)

Generally accepted as possibly the best schedule of legislative procedure to control logjam developments is Michigan Joint Rule No. 24. Michigan companion Rule 23 is designed for their longer session in odd-numbered years and offers several weeks' additional time for legislation for their much larger volume of measures.

(Exhibit O contains a schedule developed by applying the Michigan Rule to Nevada's 1969 session. Also, a modified schedule, some Michigan Rule exceptions, and the entire Michigan rule.)

Action that would be required: If following the Michigan rule with convening on the 2nd Wednesday of January, an amendment to the constitution.

Following a modified Michigan schedule, the adoption of joint rules for such a schedule by concurrent resolution, and for effectiveness, a statutory provision to prevent suspension of the rules.

8. Joint rule requiring that bills be given second reading on day following committee report.

Bills being reported from committee, with or without amendments, are in order for second reading. Constitutional and statutory provisions do not prevent this second reading from being accomplished on the same day.

Some thought should be given to requiring that second reading would be given only on the day following reporting from committee. This is the practice now in the Assembly, where a second reading file is maintained.

Reasoning behind such a suggestion lies both in providing a more democratic procedure and allowing a more practical method of handling amendments.

Without such a provision, a bill can be reported out of committee with extensive amendments and shortly thereafter on the same day be taken up for second reading. Legislators not on the committee(s)

that processed the bill may not be familiar with amendments to the bill and are not in a very good position to consider same immediately. In the Assembly, bills reported from committee go on a second reading file for consideration on the following legislative day.

In the interim, legislators in the Assembly are provided with a listing of bills to be considered on the next legislative day as a second reading file. They are also provided with copies of the amendments. In the Senate, no second reading file is posted. Amendments may or may not be available for general distribution in time for adequate consideration by all interested persons. No list is available and no posting made to serve as notice of which bills will be coming up for second reading.

Provision for a second reading file should be seriously considered for both houses, and provision made that such file be considered on the next legislative day. Copies of all suggested amendments should be available for general distribution on the day the bill is reported from committee, and legislators should be provided with a copy of both the second and third reading files for the next legislative day at adjournment.

Action that would be required: Joint rule adopted by a concurrent resolution, or statutory provision to prevent suspension of the rule.

9. Consent calendar procedure.

The following is from a report made by the legislative counsel in 1964.

Experience in drafting bills during the past 14 years reveals that during each legislative session approximately 35 percent of the bills drafted and introduced deal with special and local matters. The time of the legislative houses could be reduced by the institution of a consent calendar procedure used by the Congress of the United States and some state legislatures. Implementation of such a procedure will require a constitutional amendment. Briefly, such a local or special bill, once reported from committee with a do pass recommendation, would be placed on the "consent calendar." If any legislator wished to object to the bill he would be required to file a written objection with the Chief Clerk or Secretary. No such written objection being filed, the consent calendar would be called regularly and the bill passed without vote or by viva voce, thus eliminating debate and rollcall votes.

(Exhibit P contains the California consent calendar provision.)

Action that would be required: Amendment to Article 4 of the constitution.

10. Return of bills to desk when no committee action.

It is recommended that either by house rule or by statute it be required that all bills upon which no action was taken by a committee shall be returned before adjournment sine die to the desk with a committee report on a form provided.

(From legislative counsel's recommendations, 1964.)

Although Assembly Rule 25 and Senate Rule 32 contain language which if followed would result in the eventual return of bills referred to their respective committees, such is not always the practice.

Possibly more specific rules should be adopted by the houses requiring the reporting of all bills back to the body before the end of the session. Bills destined not to be acted upon favorably by the committee would be reported back by the committee to be placed with the chief clerk or secretary for filing. A statute or rule would provide that the bill would be dead at this point.

(Exhibit O--Examples of forms now available but seldom employed.)

Action that would be required: Statutory requirement or joint rule of the houses by a concurrent resolution.

11. Revision of Senate Standing Rules.

Recently the standing rules of the Assembly were revised * * *. The standing rules of the Senate are substantially in the same form and contain the same substance as the rules written by Senator William M. Stewart during territorial days.

(From legislative counsel's observation, 1964.)

(Exhibit R contains a suggested new body of rules for the Senate with indication of the disposition of all current rules.)

Action that would be required: Amendments to Senate Standing Rules by Senate resolution(s).

12. Revision of Joint Standing Rules:

It is recommended that the houses of the Nevada legislature, even if they wish to make no substantial revisions in their rules, at least eliminate the obsolescent and repetitious. Also, certain amendments should be made to give authority to practices being observed without sanction of rule, or in actual conflict with existing rules.

Although, as previously noted, the Assembly Standing Rules were extensively amended fairly recently, the Joint Standing Rules, like the Senate Standing Rules, have stood for many years with only token acknowledgment of the passage of time and custom.

Need for revision of Joint Standing Rules was an observation made by the legislative counsel in 1964.

(Exhibit S contains suggested revisions of the Joint Standing Rules.)

Action that would be required: Amendments to Joint Standing Rules by concurrent resolution.

13. Consideration of parallel rules for houses.

Legislative complexity could be significantly reduced with the adoption of similar rules for both houses. There might be a few rules unique to the houses, but basically the procedure and rules could be exactly the same. With the adoption of parallel

committee structure, suggested elsewhere in this report, and a member of the legislature as presiding officer in the Senate, few if any rules would be exceptions from uniformity.

With a set of joint rules for the houses to govern all house procedures, both legislators and those interested in the legislative process would find the operation of the legislature less perplexing. Efficiency of the bodies should be improved with more persons knowledgeable of procedure which would not differ from one house to the other.

Action that would be required: Adoption of a set of joint rules for governing both houses by concurrent resolution.

14. Joint hearings of substantive committees.

(See Committees No. 2.)

15. Record of committee proceedings.

(See Committees No. 12.)

16. Presiding officers and committees continuous until next session.

To provide for continuity of structure in the legislative branch, consideration might be given to maintaining the same officers and committee structure through to the next session.

Technically, when the legislature adjourns sine die, committee structure and officers (by rule in the Assembly), except the president of the Senate, who is the lieutenant governor, cease to function in their capacities on an official basis. Consideration of continuing committee membership, chairmanship, and officer positions through until a following special or regular session would provide these legislators with some official standing between sessions. They could then assume a continuing official standing, and contacts with constituents, other legislators, and out-of-state officials could be made with authority.

The constitution implies that at least officer standing is intended to extend between sessions since the line of succession to the governorship makes mention of legislative officers. The suggested provision would tie in with the constitutional provision.

Action that would be required: Statutory provision for officers and committees' structure to continue until the next session, at which time any changes desired by the body or vacancies due to resignation, election, death or inability to serve can be made.

17. Adjournment to a time certain rather than adjourning sine die between sessions.

(See Sessions No. 6.)

18. Legislature to convene itself upon request of two-thirds of the members of each house.

(See Sessions No. 7.)

XIII. SESSIONS

1. Length of sessions as related to legislators' salaries.

Provisions for salaries should not become an indirect limitation on the length of sessions.

Although the Nevada constitution was amended to remove the time limit on regular and special sessions, a complementary action placed a limit on the number of days legislators could receive salary for these sessions.

(See Compensation, Section No. 2, for suggestion.)

2. Greater length of time between installation of new governor and meeting of legislature.

Sessions immediately following elections at which governors are elected might be held at a later date. Provision could be made that if the governor succeeds himself the normal time of convening would prevail.

A new governor coming into office is in a poor position to recommend a program to the legislature and is placed in the awkward position of practically subscribing to a budget with which he may have little familiarity. Since there is but the short period of only a portion of a month before he must address the legislature, the session might convene some 30 to 45 days after a new governor is sworn in order to enable the governor to install his administration and develop a legislative program.

Action that would be required: Constitutional amendment.

3. Budget session in even-numbered years.

Such sessions have been tried in many states, and the Nevada legislature has considered budget sessions. There is a temptation to expand a budget session into urgent matters which face the state. Should a budget session be specifically restricted to legislation relating to such a matter, there are ways in which some latitude can be offered for the legislature to consider other matters as long as they are present and in session. These of course lead to the disintegration of the budget session into a regular annual session. However, the following methods could be used to curtail an outright annual session.

- (a) The governor could call a special session immediately following the budget session. This session would of course be restricted to the call as issued by the governor. A more simplified method is found in A.J.R. No. 11 of the 1967 session authorizing the governor to expand the budget session to cover matters he feels should receive attention.
- (b) The budget session provision could contain authorization for the session to consider any other issues which two-thirds or three-fourths of the legislators of both houses agree is of a nature desirable to legislate upon before the next regular session. This provision would in effect give the legislature control of agenda.

(Exhibit T--A.J.R. No. 11, 1967, File No. 86, provides for a budget session to be expanded by the governor to other matters.)

Action that would be required: Constitutional amendment to Art. 4, §§ 2 and 33.

4. Veto session to consider vetoed bills.

Since the governor in Nevada has 10 days after adjournment sine die in which to consider bills passed toward the end of the session of the legislature, many bills vetoed are not available for the legislature to sustain or override during the session.

A suggestion is made that the legislature provide for a veto session to be held a few days after the last day the governor can act upon bills. Employing such a procedure would enable the legislature to act while the issues are fresh in mind and to be acted upon by the legislature that passed the bills.

Action that would be required: Decision of bodies to adjourn for more than 3 days. Might possibly require a constitutional amendment since adjournment sine die is implied. However, a limited adjournment of 5 days and then adjournment sine die would provide for review of all vetoed measures.

5. Special sessions called by the governor to be expanded by the legislature.

To allow the legislature to consider matters it feels are emergency in nature but have not been identified by the governor, some consideration might be given to allowing the legislature to expand the call of the session upon the application of two-thirds or three-fourths of the members of both houses.

Action that would be required: Constitutional amendments to Art. 4 and 5.

6. Adjournment to a time certain rather than adjourning sine die between regular sessions.

Consideration might be given to the following possibilities which would be available to the legislature if it in effect recessed from time to time rather than adjourning sine die after the regular session following elections.

- (a) The legislature could reconvene for the purpose of considering bills vetoed by the governor. Reconvening would be shortly after the governor's time had expired to act upon bills. The matters contained in the vetoed bills would be fresh in the minds of the legislators and be acted upon by the legislature that passed them.
- (b) The legislature could reconvene for the purpose of any technical changes necessary which may have escaped correction toward the end of the regular session. It would not be necessary to hold these matters until the next regular session, they could be processed when needed.

- (c) The accumulated pressure of matters needing legislative correction would not be dammed up for 2 years awaiting relief, with only the major ones possibly coming before a special session which is controlled by the executive branch. The legislature could reconvene for consideration of the state's problems as they developed or, with foresight, act to prevent their development.
- (d) Adjourning to a time certain would give the legislature the equivalent of a special session at which it would set the agenda.
- (e) Committees and officers of the legislature would retain their active status. At present all officers, except the lieutenant governor as president of the Senate, and all committees and chairmen die with adjournment sine die.

The matter of when the legislature would reconvene from time to time would have to be considered if the legislature decided to allow for such latitude.

General connotation of the usual adjournment is that the body disband until a time certain. Such a date could easily be selected for the matter of consideration of the governor's vetoed bills, and established as a few days after limitation of the governor's action. (He would have 5 days without an adjournment sine die.) Additional dates for recess would be harder to envision. To provide for the equivalent of a special session under the control of the legislature on an annual basis (annual session), the third Monday of the following January might be selected. Such action would preclude meeting at some time through the balance of the year for emergencies, except at the call of the governor.

In any event, the legislature as a body would be establishing the date for reconvening before the usual adjournment and such dates could not be altered.

This would not provide quite the latitude some legislatures have of reconvening themselves upon the application of two-thirds of the members of both houses, provision for which would require amending the constitution. Suggestions offered for adjourning to a time certain do not require constitutional amendment.

The consideration of the legislature's adjourning to a time certain in the following January, although practical from a legal standpoint, would raise the issue of salary. In all probability, legislators' salaries would have run the 60 days, and reconvening to consider governor vetoes, emergencies and to hold the equivalent of an annual or special session under control of the legislature would find the legislators serving without salary.

From a practical standpoint, adjournments to a time certain to accomplish the suggested latitude would only be practical when associated with annual salaries, a matter identified under the Compensation section of this report.

Action that would be required: Policy of legislative leaders could accomplish adjournments to a time certain in the following year.

7. Legislature to call itself into session.

Several states' legislatures are authorized to reconvene their bodies for consideration of an unlimited agenda. The usual provision for such action depends upon two-thirds of the members of both houses or a majority of the members of the houses to make such a request within a specific period of time.

This would require amendment to the Nevada constitution. In 15 states, the legislature is empowered to call itself into session without executive action. These states are as follows:

Alaska	Hawaii	New Jersey
Arizona	Louisiana	New Mexico
Connecticut	Massachusetts	Tennessee
Florida	Nebraska	Virginia
Georgia	New Hampshire	West Virginia

Action that would be required: Constitutional amendment to Art. 4.

8. Annual or continuing sessions with no limit on time or subject.

The following statements serve to identify the general concern for annual or continuing sessions. The Nevada legislature will undoubtedly have a continued consideration of the issue.

To develop more responsibility in legislative performance, and more independence, Legislatures should be continuing bodies meeting in annual plenary sessions, without limitation of time or subject.

Legislatures should meet on a continuing basis, providing for necessary recesses, committee hearings and reports, and floor considerations during its constitutional term. Short, restricted agenda sessions are inappropriate in an age when problems are complex, expensive and immediate.

Although Nevada is still a small state in population and apparently has not been faced with overwhelming problems of the more metropolitan areas of the nation, in some degree almost every element of government and society and issues that should receive attention are present. Just when the volume of these and their importance should suggest an extension of the time during which the legislature is in session to consider them, is not easily determined.

(Exhibit U--S.J.R. No. 9, 1967, File No. 107, provides for annual sessions.)

Action that would be required: Constitutional amendment to Art. 4, § 2.

XIV. STAFF AND SERVICES

1. Orientation sessions in advance of session.

(See Orientation Section No. 1.)

2. Informational service for legislators.

While some legislatures lack adequate legislative staff upon which they can rely for assistance, Nevada has been fortunate in supplying its legislators with a year-round operating arm for the legislature. Emphasis to date has been placed in legal and fiscal areas where the most immediate needs of legislators usually lie. However, it is anticipated that an expansion in the area of general research of governmental problems will be made in the near future, providing a balanced professional staff.

3. Bill analyses.

Provision should be made for: (a) Analyses by the Fiscal Analyst of all bills proposing the expenditure and appropriation of public moneys. (b) Analyses of all bills.

(Recommendation by legislative counsel, 1964, with explanation as follows:)

* * * there are two types of bills involving the expenditure of state moneys--those making direct appropriations and those not making an appropriation but having a direct fiscal impact. As an example of the second type he cited the instance of a bill expanding the duties of a state agency, which would eventually cost more money and which would require an appropriation to be included in the general appropriation act or an additional appropriation by a later legislature. If the present law requiring a confidential relationship between the legislative counsel and legislature could be modified to allow a bill having fiscal impact to be sent to the office of the Fiscal Analyst for analysis at the time it is being drafted, information could be available to committees considering the bill after its introduction and committee assignment. The fiscal analysis would not be made available to anyone but the bill's requester until after the bill's introduction. * * * it would be almost impossible for the Fiscal Analyst's staff to prepare such analyses of bills after their introduction because of the press of time.

Bill analysis should not be confused with preparation of a digest of bills. A digest merely states the bill in condensed form but does not analyze the bill relative to why the legislation is proposed and what specific problem(s) it is designed to counter and how it actually attempts to accomplish the intent. The overall effect if enacted should be a part of analysis and this would, if funds are involved, contain adequate fiscal notes.

Provision for complete bill analysis would involve unusually competent persons. Analysis would be made available at bill introduction and additional staff should be considered, since analysis would be contemporary with drafting.

(See Fiscal Policymaking and Review No. 7 for fiscal notes.)

Action that would be required: Statutory provision.

4. Published calendar available and uniform for both houses.

Both a second and third reading file published at the end of the daily history of each house for the next legislative day would assist legislators and the public in having information on bills to be considered.

(See Rules and Procedure Section No. 8, which provides for second reading files.)

Action that would be required: Statutory provision.

5. Trained and skilled indexing staff.

Availability of a full-time indexer should be considered. In the interest of maintaining some continuity between legislative publications, daily and final histories, session laws, Nevada Revised Statutes and journals of the sessions, and also to obtain the best indexing assistance for the legislature and the public generally, one person or one staff under the direction of an experienced indexer is vital.

(Such a position has recently been authorized by the legislative commission.)

6. Professional staff and clerical assistance for committees.

(See Committees No. 13.)

7. Committee lawyers.

(See Committees No. 14.)

8. Establishment of professional legislative staff.

The legislature should give serious consideration to establishing the offices of chief clerk of the assembly and secretary of the senate as permanent employees of the legislative counsel bureau in order to guarantee continuity in office and legislative procedures. Ideally one might recommend the establishment of an entire permanent professional legislative staff. However, idealism here probably will be overcome by patronage.

(From legislative counsel's recommendations, 1964.)

The legislative bodies have been fortunate in retaining qualified persons to serve in the houses at the rostrums, with legislative leaders selecting personnel with no particular assistance of the legislative service arm. On occasions, legislative counsel bureau staff have served on a permanent or temporary basis in some positions during sessions.

Serious thought should be given to the possibility of making certain that personnel for the houses would always be available for regular and special sessions. The staff serving the houses now, while unusually competent, is thin. Any loss of a secretary, chief clerk or their assistants during a session would result in some immediate difficulty in the operation of the house involved. Adequate backup personnel should be available. Such persons and their training is a long-term proposition and cannot be developed overnight.

There has been remarkable continuity of recent years, and one would hope that such would continue in the future. However, government should not be run on hope alone. The suggestion is made that persons who are interested in and qualified for this type of work could be made a part of the legislative counsel bureau permanent staff. They would be employed in the interim between sessions on projects requiring completion between sessions, and then be available to the houses during sessions without jeopardizing the functioning of the divisions of the legislative counsel bureau. It would not be necessary that all positions in the houses be supplied with full-time bureau personnel, but certainly the key positions should be readily available from the bureau staff, and there should be persons on the staff that could back them in cases of emergency.

Clerical staff for the houses should be selected well in advance of legislative sessions and screened for competency of the jobs they will be required to perform. In both cases, the key positions and clerical staff would be the responsibility of the full-time operational arm of the legislature. Any political changes wrought by November elections or emergencies occurring immediately prior to or during the sessions would not disrupt the continuity and proper functioning of the houses of the legislature.

Action that would be required: Statutory provisions.

9. Centralized stenographic and billbook staffs.

There should be one pool of stenographers to serve both houses and one pool of billbook clerks, notwithstanding the fact that both houses make appointments. A supervisor should be appointed who assigns the work and to whom everyone is responsible. A glaring example of legislative inefficiency occurs when one set of billbook clerks have completed their assigned labors and refuse to assist employees of the other house in servicing the billbooks of that house's members.

(From legislative counsel's recommendations, 1964.)

Less reasoning exists for the houses to be placed in the position of selection of stenographic and billbook personnel. The creation of two groups performing exactly the same work for two houses from separate pools is completely inefficient.

It would be expected that legislators would like to be relieved from the concern of having constituents requesting these legislative session jobs since quite obviously one cannot please them all. On occasions such legislative help has been a continuing source of concern when they are not satisfied with the positions they have been given.

The suggestion is made that stenographic and billbook personnel be hired directly by the legislative counsel bureau well in advance of the legislative session. Standard testing of applicants for these positions would be done, most critical with stenographic help, and persons most competent would be selected and available for the legislature. Both groups would be under a supervisor who would assign the work in a more uniform and efficient manner. No employee would have any particular attachment to either house, and the workload would be spread evenly among all employees as the requirements of the houses dictated.

Action that would be required: Statutory provision, or general agreement among legislative leaders.

10. Coordinator for each house.

Nevada's legislative activities in each house are probably not so extensive as to suggest the employment of a full-time coordinator during the sessions to arrange hearing rooms, times and dates for hearings, and generally handle all arrangements necessary. The present positions of sergeants-at-arms of the houses appears to be adequate, working in conjunction with house leaders, secretary of the senate, and chief clerk of the assembly.

Should there be a marked increase in public hearings, with scheduling, facilities and notifications becoming a problem, then consideration might be given to some additional assistance for the houses. In the long run, such assistance could undoubtedly be furnished by the legislative counsel bureau, without a coordinator, a position that might lack a desirable degree of continuity between sessions.

11. Physical protection for legislators while in session.

Unless there is some tangible indication of the development of disregard for law and order at and during Nevada legislative sessions, there is possibly no immediate concern for protective officers for the legislature. However, it should be recognized that many legislative bodies, including the Congress of the United States, have had to reckon with such violence. Possibly an officer should be assigned to each house, recommended by law enforcement agencies, as a deterrent to possible difficulties that could occur.

Action that would be required: Additional staff for houses, by resolutions, to be paid out of legislative fund.

12. Legislative reference library separate from state library.

Since the materials for researching current governmental areas of interest to the legislature must in most cases be as contemporary as possible, bound editions of books frequently are dated. In the interest of maintaining timely information, pamphlets and bulletins with current coverage are essential. A very large state library system would be necessary to reach the level where this flood of legislative interest material would normally be cataloged and kept.

In view of this, a highly selected and specialized pamphlet library has been maintained for many years by the research division. Provision has been made in the new legislative building for a central legislative library which will house basic legal and research publications and provide a depository for legislative exchange materials from counterpart agencies, private organizations, federal and other governmental agencies.

13. Data and retrieval systems.

Large legislatures operating in states having a flood of bills and volume transactions on an almost continuing basis have had to turn to electronically operated equipment to keep themselves relatively organized. This has been especially true in states not having a state printing plant to assist in the legislative process. Many states do not provide a printed daily history for information relative to the status of bills in the legislature. In such situations, data and retrieval systems to assist in status-of-bill information has proven to be of unusual assistance and highly practical.

Nevada has been fortunate in having a state printing plant which operates closely with the legislature to produce bill copies, reprints of bills amended, daily histories and journals. These are available on the next legislative day and information available only through an electronic retrieval system in many states is available in Nevada as printed copy on the next legislative day.

The above does not suggest that little thought should be given to such sophisticated equipment here in Nevada. It would certainly be an advantage for those interested in the law and in drafting bills if the Nevada Revised Statutes were in an electronic system and all sections pertinent to a given issue could be identified in a matter of seconds. As an extension of this, a general data bank of state information would obviously be of value for fiscal information and in general research. Such information systems have been discussed and several state officials and legislative staff are familiar with their potential.

(See also Fiscal Policymaking and Review No. 2.)

Action that would be required: Adequate appropriation for staff and equipment.

14. Establishment of a branch service agency in Nevada's largest metropolitan area.

The logistics of the state, with several hundred miles separating the state capital and the largest metropolitan area centering on Las Vegas, suggests that at some time in the future some thought might be given to establishment of a branch agency of the legislative counsel bureau at Las Vegas. This suggestion may have added impetus given to it in the next decade, when probably over half of the state's legislators will come from Clark County.

15. Secretarial and administrative assistant staff on a year-round basis for legislators.

At first thought such a suggestion might seem out of place for consideration by the Nevada legislature. However, with increasing demands being placed on some of the legislative leaders, the time might not be far off when some assistance beyond the normal staff of the legislative counsel bureau could be used to advantage.

Chairmen of the subcommittees of the legislative commission, legislative leaders and chairmen of legislative committees, if they are expected to cover their assignments with dispatch, should have assistance at their right hands (possibly on a continuing basis) if the legislature is to gain the initiative in dealing with complex government problems. Experience gained over the last 2 years has shown how extensive and time-consuming the work of the legislative commission and subcommittee chairmen can be.

To provide for full-time secretarial and administrative assistant staff to all legislators at this time would undoubtedly not only be wasteful but probably incur the wrath of the electorate. Just how selectivity can be developed and to whom and at what point such assistance might be seriously considered will be difficult. At the moment, the staff of the legislative counsel bureau, through its three divisions, has been able to render necessary secretarial, legal, fiscal and general research assistance.

Possibly the most efficient method of supplying necessary assistance to the legislative commission, subcommittees and chairmen

of legislative committees would be through eventual increase in counsel bureau staff rather than an administrative assistant for certain legislators. Independent administrative assistants for legislators might generate political overtones and provide in effect aids to legislators who might be directed to work on purely political matters for a certain legislator. Staff assistance directly out of a legislative counsel bureau pool would only be expected to work on purely committee, subcommittee or commission projects.

16. Use of citizen organizations, foundations, university personnel.

Greater use should be made of the many resources of colleges and universities, associations of local governments, citizen organizations, interested groups and other agencies of special competence.

Both the executive and legislative branches of government have turned to these groups in recent months. The various subcommittees of the legislative commission are composed not only of legislators but of persons from these suggested areas. There is no doubt that persons of particular competence in various organizations and on the staff of the university could contribute ever-increasing assistance directly to the legislature in such a capacity. Many of them contribute directly at the time the legislature is in session, and possibly there should be more recognition of their potential.

17. Legislative internship program.

Various national foundations make available to state legislatures interns in government at a minimum cost. Perhaps the services of such interns could be utilized during legislative sessions. However, the lack of continuity of personnel is a justifiable criticism.

(From legislative counsel's recommendations, 1964.)

There is also some concern that during pressure of a legislative session, considerable time and energy might be expended working with interns to have them become familiar with procedures. Just how this might be balanced by the contribution to the session is not overly clear. In divisions that have enough staff, interns could be briefed prior to the session. They should then be in a better position to be of assistance to the legislature.

(Exhibits V, W and X contain information on intern programs in other states and a proposed Nevada legislative internship program.)

MEASURES REFERRED ON INTRODUCTION TO
ASSEMBLY COMMITTEES (1967 SESSION)

There are a number of reasons why there are 20 committees in the Assembly with their present names. Usually, the members of the Assembly are reluctant to reduce the number of committees because the members benefit politically by serving on several committees. The names of a number of the Assembly committees have been unchanged for the most part since 1864. It would be desirable to consolidate and reduce the number of the committees, and to use different names in order to cover the broader scope of the bills introduced and processed in modern times in the Assembly.

As a general rule, and with the exception of the Committee on Legislative Functions, any committee that has 10 or less bills referred to it for a regular legislative session is probably an unnecessary committee on the grounds that its workload is too small. During the 1967 Session, the following committees received 10 or less bills as referrals when introduced.

NAME OF COMMITTEE	NUMBER OF BILLS REFERRED
1. Building and Construction	0
2. State Publicity and Economic Development	1
3. Civil Defense and Veterans' Affairs	3
4. Legislative Functions	4
5. Federal, Indian and Military Affairs	4
6. Mines, Mining and Public Lands	5
7. Labor	9

Considering the workload of the following committees, and the fact that the legislation that they consider is usually closely related, the following committees should be consolidated:

1. Public Health and Public Morals with Social Welfare
2. Taxation with Ways and Means

Thus, in accordance with the foregoing, (with the exception of Legislative Functions) the Assembly committees could be reduced from 20 to 12, and the committee functions would not be impaired. However, this is only a partial solution, and the names of the Assembly committees are still carry-overs from 50 years ago when legislation in the Assembly involved different problems from those of the present time. The correct way to approach the problem of committees is to visualize what would be done if the State of Nevada had just been created and if the forthcoming session of the Nevada Legislature were the first session. In such case, a student of the problems considered by the Nevada Legislature would divide those problems into general areas, and he would start with a minimum number of committees with broad, general names that would cover the field, and would enable most of the assemblymen to serve on at least two committees. Assembly Standing Rule No. 20 would set forth the new names of the committees and specify the number of members, and, in addition, contain some wording specifying the different fields of legislation that would come under the jurisdiction of each committee. For instance, a starting list of such committees would be as follows:

1. COMMERCE, including banking, insurance, corporations, labor, trade practices, occupations--seven members.
2. PHYSICAL RESOURCE DEVELOPMENT, including agriculture, livestock, water, fish and game, natural resources, mines, public lands, recreation, publicity--nine members.

- *3. FINANCE, including appropriations, revenue and taxation--nine members.
- *4. GOVERNMENT AFFAIRS, including federal, state, county, city, civil defense, elections--nine members.
- *5. JUDICIARY, including judicial matters, remedial, civil and penal codes--nine members.
- 6. LEGISLATIVE FUNCTIONS, including credentials, rules, legislative administration--seven members.
- *7. HUMAN RESOURCE DEVELOPMENT, including education, health, welfare, veterans, institutions--nine members.
- 8. TRANSPORTATION, including aviation, railroads, highways--seven members.

* Major committees

Careful examination of the aforesaid list shows that if the Assembly decided on more than eight committees, the Committee on Physical Resource Development and the Committee on Human Resource Development could be divided into several committees. However, if they were so divided, some of the committees would inevitably have a considerably larger workload than others.

Turning to the Committee on Finance, there has never been any practical reason for both a Committee on Taxation and a Committee on Ways and Means. Revenue and taxation tie very closely to the appropriation and expenditure of the public funds, and one committee should consider taxation as well as appropriation measures. An outstanding example of this occurred in 1963 when the bill providing for an increase in the sales tax, with provisions for a special election by the people, was tied closely with a number of bills appropriating from the General Fund if the sales tax increase was approved.

Turning to the Committee on Legislative Functions, this committee would be an exception to the general attempt to distribute the workload of the committees. It is absolutely necessary to have one committee in the Assembly to work on legislative administration, the hiring of attaches, credentials, rules, salaries and subsistence of legislators, and bills pertaining to the Legislative Counsel Bureau.

It is a well-known fact that it is almost impossible to consolidate or abolish committees at the beginning of a legislative session, because the assemblyman who campaigns for the speakership must gather his support based upon the committees as they existed at the end of the previous session, and once he has promised a variety of chairmanships and memberships, it is almost mandatory that those committees be retained and the promises kept. Consequently, the best time to achieve committee reorganization is near the end of a legislative session, keeping in mind that at that stage of the session the legislators are usually too busy with the major problems that must be decided near the end. An exception to this situation would occur in the event political control of a house shifted from one party to another as a result of elections for the legislature. Should this occur, all chairmanships and the former organization of the house would not be considered for reappointment. A new party in control could agree to a reduction in the number of committees without any party member losing a committee chairmanship which he had held previously.

WORKLOAD OF COMMITTEES AS CURRENTLY
DESIGNATED IN THE ASSEMBLY--1967

Of 540 bills introduced in the Assembly during the 1967 session, 539* were referred as follows:

Judiciary	119 (22.07%)
State, County and City Affairs	96 (17.81%)
Ways and Means	59 (10.94%)
Public Health and Public Morals	32 (5.93%)
Social Welfare	29 (5.38%)
Agriculture, Irrigation and Livestock	27 (5.00%)
Roads, Transportation and Aviation	25 (4.63%)
Taxation	22 (4.08%)
Banking, Insurance and Corporations	21
Education	19
State Institutions and Libraries	19
Fish and Game	16
Elections	15
(Select Committees)	14
Labor	9
Mines, Mining and Public Lands	5
Federal, Indian and Military Affairs	4
Legislative Functions	4
Civil Defense and Veterans' Affairs	3
State Publicity and Economic Development	1
Building and Construction	<u>0</u>
	539

* A.B. 390 was declared an emergency measure and not referred to committee.

Over 50 percent of total bills introduced were handled by only three committees; more than 75 percent of all bills were referred to just eight committees. It therefore appears that the number of Assembly standing committees could be materially reduced,

particularly when it is noted that five of the eight committees handling 75 percent of the total load processed between 22 and 32 bills each, not a burdensome chore by any means for a session that lasted more than 90 days.

This tabulation does not consider bills originating in the Senate and passed to the Assembly for action. However, a former study done in 1964 indicated that almost an identical pattern existed with bills crossing to the other house. The same committees had referred to them approximately the same percentage distribution of bills.

WORKLOAD OF COMMITTEES AS CURRENTLY
DESIGNATED IN THE SENATE--1967

Of 527 bills introduced in the Senate during the 1967 session,
524* were referred as follows:

Judiciary	151 (28.65%)
Finance	114 (21.65%)
Federal, State and Local Governments	58 (11.00%)
Taxation	43 (8.15%)
Transportation	29 (5.50%)
Health and Welfare	28 (5.30%)
(Select Committees)	25
Commerce	21
Education	20
Labor	16
Public Resources	13
Legislative Functions	3
State Institutions	<u>3</u>
	524

* Three bills were declared emergency measures
and not referred to committee.

Just over 50 percent of total bills were processed by two
committees; over 80 percent were considered by just six com-
mittees. The remaining six standing committees handled between
three and 21 bills each. A balance of bills (25) was divided
among assorted select committees.

SUGGESTED RULES FOR GOVERNING
COMMITTEES OF THE SENATE
AND ASSEMBLY - NEVADA
LEGISLATURE

Extensive examination of all constitutional, statutory and rule provisions pertaining to the Nevada legislature reveals first that there are no specific provisions in the constitution of the State of Nevada that are applicable to Senate and Assembly committees.

1. There are 10 sections in the Nevada Revised Statutes that pertain to committees, as follows:

218.150 Senate employees: Appointment and suspension. A standing committee of the senate shall recommend by resolution the appointment of all senate employees authorized by law other than the secretary of the senate. The standing committee shall have authority to suspend any such employee for incompetency or dereliction of duty pending final action by the senate.

218.160 Officers and employees of the assembly. The number of officers and employees of the assembly shall be determined by each session of the assembly as recommended by the assembly committee on legislative functions.

218.180 Assembly employees: Appointment and suspension. A standing committee of the assembly shall recommend by resolution the appointment of all assembly employees authorized by law other than the chief clerk of the assembly. The standing committee shall have authority to suspend any such employee for incompetency or dereliction of duty pending final action by the assembly.

218.240 Legislative counsel and legal division of legislative counsel bureau to prepare and assist in preparation of legislative measures.

1. The legislative counsel and the legal division of the legislative counsel bureau shall prepare and assist in the preparation and amendment of legislative measures.

* * *

4. The legislative counsel shall give consideration to and service concerning any measure before the legislature and which is in any way requested by the governor, the senate or assembly, or any committee of the legislature having the measure before it for consideration.

218.540 Disturbing legislature or intimidating a member. Every person who shall willfully disturb the legislature, or either house thereof, while in session, or who shall commit any disorderly conduct, in the presence or view of either house thereof, tending to interrupt its proceedings or impair the respect due to its authority, or who willfully, by intimidation or otherwise, shall prevent any member of the legislature from attending any session of the house of which he shall be a member or any committee thereof, or from giving his vote upon any question which may come before such house or committee, or from performing any other official act, shall be guilty of a gross misdemeanor.

218.550 Failure of witness to testify, produce documents before the legislature or a committee. Every person duly summoned to attend as a witness before either house of the legislature, or any committee thereof authorized to summon witnesses, who shall refuse or neglect, without lawful excuse, to attend pursuant to such summons, or who shall willfully refuse to be sworn or to affirm or to answer any material or proper question or to produce, upon reasonable notice, any material or proper books, papers or documents in his possession or under his control, shall be guilty of a gross misdemeanor.

218.590 Bribery of legislative member. Every person who shall give, offer or promise, directly or indirectly, any compensation, gratuity or reward to a member of the legislature, or attempt, directly or indirectly, by menace, deceit, suppression of truth or other corrupt means, to influence such member to give or withhold his vote or to absent himself from the house of which he is a member or from any committee thereof, shall be punished by imprisonment in the state prison for not more than 10 years, or by a fine of not more than \$5,000, or by both.

218.695 Legislative counsel: Powers and duties; opinions. The legislative counsel shall:

* * *

2. Upon the request of any member or committee of the legislature or the legislative commission, give his opinion in writing upon any question of law, including existing law and suggested, proposed and pending legislation which has become a matter of public record.

218.695 Legislative counsel: Powers and duties; opinions. The legislative counsel shall:

1. Have the powers and duties assigned to him in this chapter and chapters 219 and 220 of NRS, and such other powers and duties as may be assigned to him by the legislature and the legislative commission.

2. Upon the request of any member or committee of the legislature or the legislative commission, give his opinion in writing upon any question of law, including existing law and suggested, proposed and pending legislation which has become a matter of public record.

218.697 Commencement, defense of actions, proceedings by legislative counsel when directed by legislative commission; payment of costs, expenses.

1. When deemed necessary or advisable to protect the official interests of the legislature or one or more legislative committees, the legislative commission may direct the legislative counsel and his staff to appear in, commence, prosecute, defend or intervene in any action, suit, matter, cause or proceeding in any court or agency of this state or of the United States.

2. Expenses and costs incurred pursuant to this section may be paid by the legislative commission from any funds available to the legislative commission.

2. There are 12 Senate standing rules that pertain to committees, as follows:

28

STANDING COMMITTEES

The Standing Committees of the Senate shall be as follows:

1. Commerce, five members.
2. Education, seven members.
3. Federal, State, and Local Governments, seven members.
4. Finance, seven members.
5. Health and Welfare, five members.
6. Judiciary, seven members.
7. Labor, seven members.
8. Legislative Functions, five members.
9. Public Resources, seven members.
10. State Institutions, five members.
11. Taxation, seven members.
12. Transportation, seven members.

29

APPOINTMENT OF COMMITTEES

All committees of the Senate, special and standing, and all joint committees on the part thereof, shall be appointed by the President, unless otherwise ordered by the Senate.

30

TO INCUR EXPENSE

No committee shall employ assistance or incur any expense, except by permission of the Senate previously obtained.

REFERENCE

When a motion is made to refer any subject, and different committees are proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

DUTIES OF COMMITTEES

The several committees shall fully consider all measures referred to them and report thereon. They shall acquaint themselves with the interests of the State specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the State, and shall fully consider and report their opinion upon any matter committed or referred to them by the Senate.

The Committee on Legislative Functions shall recommend by resolution the appointment of all attaches and employees of the Senate not otherwise provided for by law. It shall have authority to suspend any attache or employee for incompetency or dereliction of duty, pending final action by the Senate.

TO RETURN BILLS

Any bill or other matter referred to a committee of the Senate shall not be withdrawn or ordered taken from such committee for consideration by the Senate, recommitment, or for any other reason without a two-thirds vote of the Senate, and at least one day's notice of the motion therefor. No such motion shall be in order on the last day of the session, or on the day preceding the last day of the session. Nothing in this rule shall be construed to take from any committee the rights and duties of committees provided for in Rule 32 of the Senate Standing Rules.

COMMITTEE OF THE WHOLE

In forming the Committee of the Whole Senate the President shall name a chairman to preside, and all bills considered shall be read by sections, and the chairman shall call for amendments at the conclusion of the reading of each section. All amendments proposed by the committee shall be reported by the chairman to the Senate.

RULES OF SENATE

The Rules of the Senate shall apply to proceedings in Committee of the Whole, except that the previous question shall not be ordered, nor the ayes and noes demanded, but the committee may limit the number of times that any member may speak, at any stage of proceedings, during its sitting. Messages may be received by the President while the committee is sitting; in which case the President will resume the chair, receive the message, and vacate the chair in favor of the chairman of the committee.

MOTION TO RISE

A motion that the committee rise shall always be in order, and shall be decided without debate.

PRIVILEGED COMMITTEES

The Committees on Enrolled and Engrossed Bills may report at any time.

CONCURRENT REFERRALS

When a bill or resolution is referred to two committees the bill or resolution will go to the first committee named, where it will be acted upon; then, regardless of the action or recommendation of that committee, the bill or resolution will pass to the second committee named, and that committee will pass upon it. The two committees will then prepare their recommendations separately and report simultaneously to the Senate. If one committee reports unfavorably and the other favorably, the bill or resolution must be reported to the Senate. If both committees report unfavorably the chairman of the first committee named may hold the bill or resolution.

3. There are seven Assembly standing rules that pertain to committees, as follows:

20

STANDING COMMITTEES

The standing committees of the Assembly shall be as follows:

1. Agriculture, Irrigation and Livestock, seven members.
2. Banking, Insurance and Corporations, seven members.
3. Building and Construction, seven members.
4. Civil Defense and Veterans' Affairs, five members.
5. Education, seven members.
6. Elections, five members.
7. Federal, Indian and Military Affairs, five members.
8. Fish and Game, seven members.
9. Judiciary, nine members.
10. Labor, seven members.
11. Legislative Functions, five members.
12. Mines, Mining and Public Lands, seven members.
13. Public Health and Public Morals, seven members.
14. Roads, Transportation and Aviation, seven members.
15. Social Welfare, seven members.
16. State, County and City Affairs, nine members.
17. State Institutions and Libraries, seven members.
18. State Publicity and Economic Development, seven members.
19. Taxation, nine members.
20. Ways and Means, nine members.

The number of members representing the majority political party on a standing committee shall only exceed the number of members of the minority political party by one.

21

COMMITTEE ON LEGISLATIVE FUNCTIONS

The Committee on Legislative Functions shall recommend by resolution the appointment of all attaches and employees of the Assembly not otherwise provided for by law. It shall have authority to suspend any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly. It shall function as the Committee on Rules and as the Committee on Credentials of the Assembly. It shall be composed of no more than two members from each county.

22

APPOINTMENT OF COMMITTEES

All committees shall be appointed by the Speaker, unless otherwise directed by the Assembly.

POWERS OF COMMITTEES

All committees shall take into consideration such appropriate matters as may be referred to them, or as shall come under their respective titles, and shall report their opinion thereon. When a bill or resolution is referred to two committees, it shall be delivered to the chairman of the first committee named. The two committees may meet as one committee for the consideration of the bill or resolution, or the two committees may meet separately at the discretion of each committee, but if the two committees meet as one committee, the chairman of the first committee named shall preside. In either event, the vote on the bill or resolution shall be taken separately in each committee, and a majority vote of each committee with a quorum present shall be required for any action to be taken. Assemblymen having membership on both committees may vote on the bill or resolution in each committee.

COMPENSATION OF WITNESSES

Witnesses summoned to appear before the Assembly or any of its committees shall be compensated as provided by law for witnesses required to attend in the courts of the State of Nevada.
[See NRS 48.290]

REPORTS OF COMMITTEES

All bills, resolutions, or other matter referred to any committee shall be reported back by such committee to the Assembly, together with the action of the committee thereon, as soon as practicable after such reference.

LIMITATION UPON INTRODUCTIONS

After the first forty days of a regular legislative session, bills and joint resolutions may be introduced in the Assembly only after consent is given by a two-thirds vote of the members present. However, bills and joint resolutions may be introduced by standing committees without consent. Select committees composed of county delegations shall not be considered as standing committees. Consent to suspend this rule shall be made on roll call vote, which vote shall be entered in the Assembly Journal for that day, and such consent shall apply to no more than one bill or joint resolution.

4. There are three joint rules that pertain to committees, as follows:

1

COMMITTEES OF CONFERENCE

To Be Appointed by One house at Request of the Other.

In every case of an amendment of a bill, or joint, or concurrent resolution, agreed to in one house, dissented from in the other, and not receded from by the one making the same, such house shall appoint a committee to confer with a like committee to be appointed by the other; and the committee so appointed shall meet at a convenient hour to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either house, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments, unless such bills or resolutions are comprised entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills, or resolutions, as the case may be.

The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. But such report shall not itself be subject to amendment, and if either house refuse to adopt such report, the conferees may be discharged and other conferees appointed; provided, however, that no more than three different conference committees shall be appointed on any one bill. No member who has served on a conference committee shall be appointed a member of another conference committee on the same bill.

4

INDORSED AND PRESENTED TO THE GOVERNOR

After a bill or joint resolution shall have passed both Houses it shall be duly enrolled by the Enrolling Clerk of the House from which it originated, and shall be examined by the Enrolling Committee of such House, who shall carefully compare the enrollment with the engrossing bill or joint resolution as passed, correcting any errors that may be discovered therein.

Such bill or joint resolution shall thereupon be presented to the presiding officers of both Houses for signature, who shall, after announcement is made of their intention to do so, sign the same in open session and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Immediately thereafter such bill or joint resolution shall be presented to the Governor for action, as provided by law, and the Chairman of the Enrollment Committee shall forthwith report to such House the time when such presentation was made and that a receipt was obtained therefor.

The Enrolling Clerk shall indorse upon the back of each bill or joint resolution the House wherein it originated.

PRINTING

Conditional.

The Standing Committees on Printing of the two Houses shall be a Joint Standing Committee, who shall examine all matters proposed to be printed by concurrent order, and shall report what part of such matter is needful to print. Each House may order the printing of bills introduced, reports of its own committees, and other matter pertaining to such House only; but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

5. Recommendations:

(a) Introduction.

Since 1947, the rules of parliamentary practice contained in Mason's Manual of Legislative Procedure have governed the Senate and Assembly in all cases in which they are not inconsistent with the constitution, the statutes, the standing rules of the Senate and Assembly, and the joint rules. Chapters 55 to 64, inclusive, and portions of chapters 71, 72 and 75 of Mason's Manual contain 82 sections pertaining to the organization, functions, powers and duties of committees in the Nevada legislature. Practically all of the 82 sections fit nicely with provisions in Nevada statutes and in the standing rules of the Senate and Assembly. Obviously, then, there is a comparatively large set of rules that should be followed by the chairmen and members of committees of the Nevada legislature, and it only remains for the chairmen and members to read them and become reasonably familiar with them in order to put them to good use. Also, no committee can adopt procedural rules in conflict with those in Mason's Manual; any deviation would have to be contained in a new standing rule adopted by the Senate or Assembly.

In addition, minute examination of all of the above-mentioned statutes and standing rules, and the sections in Mason's Manual reveals that they provide an almost complete framework for the functioning of committees in the Nevada legislature. It should never be forgotten that there are 12 Senate and 20 Assembly standing committees with varying public and government problems to consider, and composed of different members who may desire to proceed with their meetings, hearings and studies in a somewhat different manner. Thus, many years of experience with the Nevada legislature have proven the wisdom of not including too much detail in the rules pertaining to standing committees. There is no doubt that reasonable flexibility has contributed much to the efficiency of committees of the Nevada legislature for many years. Of course, when Mason's Manual was adopted in 1947, many matters were covered immediately that had been uncertain prior to that time. The Manual is the outstanding parliamentary authority for legislative bodies in America today; the rules contained there are the result of an enormous amount of experience; and changes or additions to the standing rules of the Senate and Assembly pertaining to committees should be adopted only as the result of demonstrated need.

The Assembly adopted a set of new and streamlined standing rules after considerable study in 1957. But only minor changes have been made in the Senate Standing Rules and the Joint Rules since 1864, and complete revision should be undertaken immediately in order to promote the procedural efficiency of the Senate especially.

(b) List of recommendations.

Assuming that there are no overall revisions of the Senate Standing Rules nor of the Joint Rules, the following recommendations are offered for certain statutory changes and changes in the standing rules of the houses that would be of benefit to committees.

Recommendation No. 1.

Nowhere are there clear cut provisions at law pertaining to the authority of the Nevada legislature to appoint committees. The functions of committees are defined only briefly in the standing rules. There is no authority for the appointment of special committees to perform special functions and investigations. These basic matters should be written into the law so that there could never be a question raised in the future on the legality of their existence, and the general nature of their functions.

SUGGESTED PROVISIONS:

SELECTION OF COMMITTEES

Sec. 1. Each house of the legislature shall have authority, by adoption of its standing rules or by one-house resolution, to determine the number, composition, function, membership and authority of its committees, and the two houses acting together by concurrent resolution shall have similar authority with respect to committees created jointly by the two houses.

Sec. 2. Standing committees of each house of the legislature shall be and they are hereby charged with the duty and responsibility of formulating legislative programs, initiating legislation and making inquiry into the administration and execution of all laws pertaining to the matters within the jurisdiction of each such committee. Each standing committee shall make a continuing study of the matters under its jurisdiction, as well as the instrumentalities of government administering or executing such matters, and shall conduct such investigations as the committee deems necessary to supply it with adequate information and material to discharge its responsibilities. To the extent that each such standing committee deems it necessary and desirable, it shall draft legislation within the area of its jurisdiction and shall recommend such legislation to the house of the legislature of which such committee is a part. It shall be the duty of the chairman of each standing committee to introduce, or cause to be introduced, the legislative programs developed by such committee and to mobilize the efforts of such committee to secure the enactment into law of the proposals of such committee. No standing committee of either house of the legislature shall be confined in its legislative endeavors to bills, resolutions or proposals submitted to it by individual members of the legislature, but each standing committee shall have full authority and responsibility to seek out problems within its area of jurisdiction and to develop, formulate, initiate and secure passage of legislative programs which the committee deems desirable in its approach to such problems.

Sec. 3. To the extent practicable when the legislature is in session, each standing committee shall conduct regular committee meetings in accordance with the standing rules and other requirements of its respective house of the legislature. Each standing committee shall meet at such other times as may be determined by the committee. Each committee shall meet as often as necessary to transact effectively the business of such committee. Unless otherwise determined by the committee, all committee meetings shall be in Carson City, but such committee may meet elsewhere in the State of Nevada if deemed necessary by the committee for the orderly transaction of its business.

SPECIAL COMMITTEES

Sec. 4. Each house of the legislature acting individually, or the two houses acting jointly, shall have full power and authority to provide for the creation of special committees to perform such functions and to exercise such powers and responsibilities as are determined in the resolution creating such committee. During the life of a special committee, it shall have and exercise the same powers and authority as are herein granted to standing committees, subject to such limitations as may be imposed in the resolution creating such special committee, and shall have such other and additional powers and authority as may be delegated to it by the resolution creating the committee, subject to the limitations of law.

Repeal Senate Standing Rules 32 and 37, and the first sentence of Assembly Standing Rule 23, by resolution.

Recommendation No. 2.

NRS 218.550 provides some brief authority for legislative committees to summon and swear witnesses, when authorized to do so by their respective houses. Senate Standing Rule 53 provides for some specific compensation for witnesses, and Assembly Standing Rule 24 provides that witnesses shall be compensated in amounts provided for witnesses required to attend in the courts of Nevada. Complete and new provisions should be written into the law so as to clarify specifically the power of committees to summon witnesses, compel their attendance, place them under oath, define their compensation, compel the production of books, records, documents and instruments, prosecution and punishment for refusal to testify and for contempt, and prosecution and punishment for perjury. From time to time, the fact that such matters are not properly and adequately covered in the law has seriously interfered with the functioning of legislative committees.

SUGGESTED PROVISIONS:

Sec. 1. The President of the Senate, the Speaker of the Assembly, the chairman or vice chairman or acting chairman of any standing or special committee of either house of the legislature, or the chairman or vice chairman or acting chairman of any joint committee created by the two houses shall have authority and is empowered to administer oaths to all witnesses offering testimony on any matter under consideration.

Sec. 2. All committees of the legislature, or of either house thereof, whether standing or special, and whether created by a single house or by the joint action of both houses, shall require

all witnesses to give their testimony under oath, subject to the penalties of perjury as herein provided, unless such oath is waived by the committee.

Sec. 3. Each committee of the legislature, or of either house thereof, standing or special, when authorized by resolution or by rule of procedure of the house or houses creating such committee, shall have the power and authority to issue process to witnesses at any place in the State of Nevada, to compel the attendance of such witnesses, and to compel the production of all books, records, documents and instruments which the committee requires. If necessary to obtain compliance with subpoenas and other process issued by the committee, each committee shall have the power to issue writs of attachment. All process issued by a committee may be addressed to and served by any peace officer of the State of Nevada or any of its political subdivisions or may be served by the sergeant-at-arms of the house creating such committee. The chairman shall issue in the name of the committee such subpoenas and other process as the committee determines to be required.

Sec. 4. No witness is privileged to refuse to testify to any fact or to produce any paper respecting which he will be examined by either house of the legislature, or by any committee of either house, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous. Any person, called upon to testify or to give testimony or to produce papers upon any matter under inquiry before either house or in the committee of either house of the legislature or joint committee of both houses, who refuses to testify, give testimony or produce papers upon any matter under inquiry upon the ground that his testimony or the production of papers would incriminate him, or tend to incriminate him, shall nevertheless be required to testify and to produce papers; but when so required, over his objections for the reasons above set forth, such person shall not be subject to indictment or prosecution for any transaction, matter or thing concerning which he truthfully testified or produces evidence, documentary or otherwise. Any person testifying before the legislature or any committee thereof shall have the right to counsel.

Sec. 5. Every person who, having been summoned as a witness by the authority of either house of the legislature, or by any committee of either house, or by any joint committee of both houses, to give testimony or produce papers upon any matter under inquiry before either house, or any committee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the matter under inquiry, or refuses to produce any books, papers, records or documents, as required, when ordered to do so, is guilty of a gross misdemeanor, known as contempt of the legislature, and on conviction thereof shall be punished as provided by NRS 193.140.

Sec. 6. Whenever a witness summoned as mentioned in section 3 hereof fails to appear to testify, or fails to produce any books, papers, records or documents as required, or whenever any witness so summoned refuses to answer any questions pertinent to the subject under inquiry before either house of the legislature or

any committee thereof, and the fact of such failure or failures is reported to either house while the legislature is in session, or when the legislature is not in session, a statement of facts constituting such failure is reported to and filed with the President of the Senate or the Speaker of the Assembly, as the case may be, the President of the Senate or the Speaker of the Assembly, as the case may be, shall certify such statement of facts to the district attorney of Ormsby County, Nevada, whose duty it shall be to bring the matter before the grand jury for its action; and the district attorney shall see that any indictment returned by the grand jury is prosecuted in the manner prescribed by law.

Sec. 7. Every person appearing as a witness before either house of the legislature, any committee thereof or any joint committee of the two houses, and who testified before such house or such committee, as the case may be, by either written or verbal testimony, and who deliberately and willfully makes a false statement when such testimony is given under oath or affirmation as authorized by law and as required by such house or such committee, is guilty of perjury, and on conviction thereof shall be punished as provided by NRS 199.120.

Sec. 8. Witnesses attending proceedings of either house of the legislature or any committee thereof, under process of such house or such committee, shall be compensated as provided by NRS 48.290, and such compensation shall be paid from the legislative fund.

Sec. 9. Upon the request of any committee of the Senate or Assembly, standing or special, or of joint committees of the two houses, every elective state officer in the state, every board or commission provided for by the laws of the state, every head of every department in the state, and every employee or agent thereof, acting by, for or on account of any such office, board, commission or officer receiving, paying or otherwise controlling any public funds in the State of Nevada, in whole or in part, whether such funds are provided by the State of Nevada, are received from the Federal Government of the United States or any branch, bureau or agency thereof, or are received from private or any other sources, and whether or not such funds are on deposit in the state treasury, shall assist such committee and shall make available to such committee all books, papers, information and records of a public nature under their control necessary or convenient to the proper discharge of the duties of such committee within the area of its jurisdiction.

Sec. 10. NRS 218.550 is hereby repealed.

Repeal Senate Standing Rule 53 and Assembly Standing Rule 24 by resolution.

Recommendation No. 3.

Senate Standing Rule 29 and Assembly Standing Rule 22 provide that all committees shall be appointed by the President or by the Speaker unless otherwise ordered by the particular house. For many years the implication has been followed that the chairmen and vice chairmen are also appointed by the President and Speaker. The two standing rules should be clarified.

SENATE STANDING RULE 29

All committees of the Senate, special and standing, and all joint committees on the part thereof, shall be appointed by the President, unless otherwise ordered by the Senate, and he shall designate the chairman and vice chairman of each committee.

ASSEMBLY STANDING RULE 22

All committees shall be appointed by the Speaker, unless otherwise directed by the Assembly, and he shall designate the chairman and vice chairman of each committee.

Recommendation No. 4.

No guidance for the conduct of public hearings by committee chairmen has ever been provided in the standing rules of the Senate and Assembly. At public hearings the impression gained by the general public concerning the conduct of the hearing will be derived largely from the manner in which the committee chairman presides. It is important, therefore, that public hearings be conducted in an orderly and dignified manner. The following is offered for consideration, and could be incorporated into the standing rules of the houses.

PUBLIC HEARINGS

Public hearings shall be called to order by the chairman promptly at the hour scheduled. It is desirable but not necessary that a quorum of the committee be present at public hearings. The chairman shall open the public hearing by calling the assembled committee members and persons attending the hearing to order. The chairman shall announce the number and title of the bill which is before the committee for public hearing, or, if no bill is involved, he shall announce the public or government problem that is the subject of the hearing. If requested by a member of the committee, the bill may be read in its entirety or summarized. There shall be sufficient copies of the bill available at the hearing for the use of committee members and other persons attending the hearing. The chairman shall announce that applause is not permitted.

After the hearing has been opened, the chairman shall inquire if any person present desires to be heard in favor of the enactment of the bill. Persons addressing the committee shall be required to arise, address the chairman, and to furnish their names, addresses, and firms, groups or organizations represented. After this introduction, the chairman may permit them to proceed to address the committee on the bill or subject under consideration. As each person addressing the committee completes his remarks, the chairman shall afford members of the committee the opportunity to ask questions of such person. Committee members desiring to ask questions shall first address the chairman, and, after obtaining permission to ask questions, may question the witness directly. The asking and answering of questions shall be supervised strictly by the chairman in order to avoid running debate between committee members and witnesses. Members of the public shall not be permitted to ask questions of witnesses.

After all persons desiring to address the committee in favor of the bill have had the opportunity to do so, the chairman shall inquire whether there are persons present wishing to be heard in opposition

to the enactment of the bill. All such persons shall be heard in the same manner as those who spoke in favor of the bill, with similar opportunity for questioning at the conclusion of their remarks.

When all persons have been heard who wish to be heard, the chairman shall declare the public hearing closed on the particular bill or subject before proceeding to consider any other matters.

Recommendation No. 5.

There is no provision anywhere pertaining to the powers and duties of vice chairmen, and it appears that some wording should be included in the standing rules of the houses covering this matter, along with the situation when both the chairman and vice chairman are absent.

VICE CHAIRMEN OF COMMITTEES

In the absence of the chairman, the vice chairman of a committee shall have all of the powers and duties of the chairman. In the absence of both the chairman and the vice chairman, such powers and duties shall be vested in the third named member of the committee.

Recommendation No. 6.

Some provision should be made for resignations from committees to be made in writing in order that such resignations are a matter of record.

RESIGNATIONS FROM COMMITTEES

A member may resign from a committee by submitting his resignation in writing to the appointing authority.

Recommendation No. 7.

The following rule is offered for obvious reasons.

CONFLICT OF INTEREST

No member shall serve on any committee nor vote on any question in committee where his private right or interest is immediately concerned, distinct from the public interest.

Recommendation No. 8.

There is no provision anywhere pertaining to the functions of subcommittees.

SUBCOMMITTEES

Rules governing committees shall govern subcommittees.

Recommendation No. 9.

While the matter has arisen only rarely, there should be a positive prohibition against voting by proxy, on the grounds that it violates a basic principle in a representative form of government.

PROXY VOTING IN COMMITTEES

No member of a committee shall be allowed to vote by proxy under any circumstances.

Recommendation No. 10.

There have been occasions in past years where committee chairmen have endeavored to kill legislation by the simple device of never calling meetings of their committees to consider the legislation. In addition, such attempts have been made contrary to the wishes of a majority of the members of the committee. What can they do, keeping in mind that the committee chairmen have physical possession of the official bill?

SPECIAL MEETINGS

In addition to regularly scheduled meetings, committee chairmen may call special meetings at such times as deemed necessary. In case of the failure of a chairman to call a meeting upon the request of a member, a majority of the members of such committee shall have the right to call a special meeting of the committee.

Recommendation No. 11.

It appears that from time to time only perfunctory oral notice of pending committee meetings is given on the floors of the houses. This means that interested citizens, newspapermen and legislators may be denied the opportunity of appearing before committees to discuss a particular bill under consideration. Considerable posting of meetings on the chamber blackboards is occurring now, but perhaps a standing rule focusing attention on the need for adequate notice might be helpful. In addition, in most cases it is unknown just what legislation is going to be considered at a given meeting.

NOTICES OF COMMITTEE MEETINGS

The Secretary (Chief Clerk) shall post, in a conspicuous place in the chamber, at least one day in advance, a daily list of committee meetings or hearings, such list to contain the day, hour and place of such meetings or hearings and the numbers of bills or resolutions to be considered. In addition, such list shall be mimeographed and copies placed upon the desks of the members and the Sergeant-at-Arms. In addition, such list shall be published in the Senate (Assembly) Daily History.

Recommendation No. 12.

There have been occasions in past years where committee chairmen have reported measures back to the houses accompanied by official committee reports without consulting with their committees or having meetings. The following rule might provide a solution.

COMMITTEE REPORTS

Committee reports shall be adopted at a committee session actually assembled and meeting as a committee with a quorum present.

Recommendation No. 13.

Official bills in the possession of committee chairmen are not scraps of paper; they are official documents of the State of Nevada.

NRS 218.560 makes it a felony to alter an official bill with the intent to procure its enactment with language different than intended by the houses. After the session is over, the official bills are needed in order to check the final histories, and those not enacted are stored with the original records of the session for future reference. The Secretary of the Senate and the Chief Clerk of the Assembly have endeavored to recover on the last day from committee chairmen those official bills that die in committee. It might be helpful if a rule were adopted merely requiring such bills to be reported back to the rostrums without further action.

REPORTING OF MEASURES AT ADJOURNMENT SINE DIE

In the absence of a motion carried on the floor of the Senate (Assembly) making disposition of bills or resolutions referred to committees, they may remain in the possession of committees until adjournment sine die. However, immediately prior to adjournment sine die all such measures shall be reported back without further action, and such committee reports shall be read in open session as other committee reports are read.

Recommendation No. 14.

For many years, most committee chairmen have maintained few or no records of committee proceedings. Exceptions are the chairmen of the Assembly Committees on Judiciary and Ways and Means, who, in recent sessions, have required stenographers to be present at committee meetings and to keep records of proceedings. In the absence of such records, absolutely nothing can be known of intent and action of the committees. The following rule would appear to be desirable.

COMMITTEE RECORDS

The chairman of each committee shall keep, or cause to be kept, a complete record of the committee proceedings in which there shall be entered:

- (a) The time and place of each meeting.
- (b) The attendance and absence of members.
- (c) The names of all persons appearing before the committee, with the names of persons, firms, corporations or associations in whose behalf such appearance is made.
- (d) The subjects or measures considered.

Such record shall be read and approved at the next regular meeting of the committee. The minutes shall be subject to correction only in committee assembled, and by the vote of a majority of the quorum present.

Recommendation No. 15.

Following Recommendation No. 14, minutes, records and documents in the possession of committee chairmen would have no value if they were thrown away at the end of a legislative session, or if they were carried away by the chairmen. They should be stored in the Legislative Counsel Bureau with the other original records of each session.

FILING OF COMMITTEE RECORDS

All minutes, records and documents in the possession of committees and their chairmen shall be filed in the offices of the Legislative Counsel Bureau immediately prior to adjournment sine die.

Senate Joint Resolution No. 27 (1967)

FILE NUMBER 131

SENATE JOINT RESOLUTION—Proposing amendment of section 33 of Article 4 of the constitution of the State of Nevada, relating to the compensation and expenses of members of the legislature.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 33 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec.] Sec. 33. [The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected. Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.] 1. Compensation of members of the legislature, and reimbursement for travel and living expenses in connection with their official duties, shall be prescribed by statute passed by roll call vote entered in the journal, two-thirds of the membership of each house concurring.

2. Commencing with 1971, in any statute enacted making an adjustment of the annual compensation of a member of the legislature, the adjustment may not exceed an amount equal to 5 percent for each calendar year following the operative date of the last adjustment of the salary in effect when the statute is enacted. Any adjustment in the compensation may not apply until the commencement of the regular session commencing after the next general election following enactment of the statute.

LEGISLATIVE ETHICS

Legislative decisions have a marked bearing on the private interests of virtually everyone. Bills in State legislatures provide services or regulation of economic and social importance in practically every field of individual and community endeavor. In addition, statutes, together with proposals for repealing or amending them, directly affect an infinite number and variety of private rights. These are the facts that create ethical problems of special severity and delicacy for members of legislatures and the general public alike.

In the literal sense, it is impossible for any legislator to go through a session without helping to enact or defeat measures that will advance or prejudice his personal fortune or desires. He is an inhabitant of the State; his children attend its schools; his automobile travels its roads; his relatives are eligible for treatment in public institutions; his own business or professional activities are carried on under the laws he participates in passing.

The situation is made even more acute by the fact that virtually all State legislators are only part-time public servants. The length of sessions, the relatively small compensation and the generally accepted assumptions on which legislative service are based make it certain that the average member will make the major part of his living from other sources. These are affected by what he does as a legislator, but they are part of his "private" life.

A related aspect of the situation is that a whole host of private persons and interests know that the legislator can help them, either by his direct actions as a public official or by interceding with other public officials who also know the importance to themselves of the good will of members of the legislature.

On the one hand, legislators are open to special temptations not available to private persons. On the other hand, they too have legitimate private interests which it is unreasonable to expect them to sacrifice. How a balance between these forces can be struck without doing injustice to the general public or the members of the legislature is a perennial question. How to express such a balance in specific and enforceable statutory language is an even more difficult problem. Starting with a 1954 New York enactment of a statute dealing with the problem of legislators' ethics, eight States have adopted statutes on the subject. In addition to New York these are Kentucky, Louisiana, Massachusetts, Minnesota, Missouri, Texas and Washington. A number of other jurisdictions have studies of the subject underway. It would appear that to whatever extent the matter is susceptible of statutory treatment, two main ingredients should be present -- (1) the prohibiting of certain conduct on the part of legislators, and (2) required disclosure of interests and activities that cannot reasonably be prohibited but whose nature and extent should be public knowledge. The former may help to remove or ameliorate some of the more obvious temptations, while the latter may act as a regulator by exposure to publicity.

Suggested Legislation

[Title should conform to State requirements.
The following is a suggestion: "An Act relating
to legislative ethics."]

(Be it enacted, etc.)

Section 1. Legislator Defined.

1 "Legislator" means a member or member-elect of either house of the State
2 Legislature.

Section 2. Prohibited Acts.

1 A legislator is prohibited from:

- 2 1. Receiving any form of compensation from private sources for his
3 normal duties as a public official, or entering into any agreement, express
4 or implied, for compensation for services in connection with any judicial or
5 administrative proceeding or activity wherein his official position might rea-
6 sonably be expected to give him unusual influence.
- 7 2. Asking, receiving, or agreeing to receive any thing of value upon
8 any understanding that his official vote, opinion, judgment or action will be
9 influenced thereby.
- 10 3. Receiving any gift having a value of [\$] or more regard-
11 less of the form of such gift, under circumstances in which it could reasonably
12 be inferred that the gift was made to influence him in the performance of his
13 official duties.
- 14 4. Using his official position to secure privileges or exemptions
15 for himself or others, or to have any interest, financial or otherwise, direct
16 or indirect, or engage in any business transaction or professional activity or
17 incur any obligation of any nature, which is in substantial conflict with the
18 proper discharge of his duties in the public interest.

Section 3.

Disclosure.

1 Each legislator shall file annually with the clerk of the house of which
2 he is a member or member-elect a written report of each financial interest,
3 direct or indirect, of himself, his spouse and his dependents in any activity
4 which is subject to the jurisdiction of a regulatory agency of this State or
5 any subdivision thereof. The report shall specify which of such interests
6 are over [\$5,000] in value and which are under [\$5,000] in value.

Section 4. Joint Legislative Committee on Ethics.

1 There is hereby established a Joint Legislative Committee on Ethics, to
2 consist of [] members of the Senate and [] members of the [lower
3 house].¹ The Committee shall:

- 4 1. Receive complaints against legislators alleged to have violated
5 this Act.
- 6 2. Investigate the complaints and, upon finding probable cause, re-
7 port the results to the [Legislature] for further action.
- 8 3. From time to time, recommend legislation relating to legislative
9 ethics.

Section 5.

Effective Date.

1 [Insert effective date.]

1. It may be desirable to add a limited number of other officials and outstanding citizens to the Committee membership. If this is done, it may be necessary to consider whether the body can be constituted as a Legislative Committee or is legally required to take some other form. In any event, it will be necessary to expand this provision to specify the method of selecting the members of the body, their length of service, and any desirable administrative detail.

S. J. R. 2

**SENATE JOINT RESOLUTION NO. 2—COMMITTEE
ON JUDICIARY**

JANUARY 19, 1967

Referred to Committee on Judiciary

**SUMMARY—Proposes amendment to Nevada constitution to limit use of
initiative and referendum in fiscal matters. (BDR C-162)**

**EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.**

SENATE JOINT RESOLUTION—Proposing an amendment to article XIX of the
constitution of the State of Nevada, relating to initiative and referendum, by
adding a new section limiting the use of the initiative and referendum in
matters of revenue, appropriation and taxation.

Resolved by the Senate and Assembly of the State of Nevada, jointly,
That article XIX of the constitution of the State of Nevada be amended
by adding thereto a new section which shall read as follows:

*Sec. 6. Neither the initiative nor the referendum may be used to
dedicate revenues, to make or repeal appropriations from either a general
or special fund or to levy taxes.*

SENATE JOINT RESOLUTION NO. 24—SENATOR
CHRISTENSEN

MARCH 6, 1967

Referred to Committee on Judiciary

SUMMARY—Proposes impartial method of legislative
apportionment. (BDR C-1266)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

SENATE JOINT RESOLUTION—Proposing to amend the constitution of the
State of Nevada by providing for legislative apportionment by an impartial
body at prescribed intervals according to a prescribed mathematical formula.

WHEREAS, The Constitution of the United States as now interpreted by
the Supreme Court requires that the apportionment of state legislatures
be reviewed decennially to assure equal representation according to pop-
ulation; and

WHEREAS, Such review and apportionment by the legislature is difficult
and time-consuming; and

WHEREAS, The establishment of mathematical criteria and the delega-
tion of their application to an impartial body can free the limited time
of the legislature for other tasks which by their nature cannot be dele-
gated to any other body; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of Nevada,
jointly,* That section 6 of article 15 of the constitution of the State of
Nevada be repealed and that section 5 of article 4 and section 13 of
article 15 of the constitution of the State of Nevada be amended to read
as follows:

SEC. 5. Senators and members of the assembly shall be duly qualified
electors in the respective counties and districts which they represent.
[, and the number of senators shall not be less than one-third nor more
than one-half of that of the members of the assembly.

The senate shall consist of one senator from each county. The mem-
bers of the assembly shall be apportioned on the basis of population;
provided, that each county shall be entitled to at least one assemblyman.
It shall be the mandatory duty of the legislature at its first session after
the taking of the decennial census of the United States in the year 1950,
and after each subsequent decennial census, to fix by law the number
of assemblymen, and apportion them among the several counties of the

state, according to the number of inhabitants in them, respectively.] *The number of legislative districts is fixed at 20, each of which shall be represented by one senator and two members of the assembly chosen at large.*

[Sec: 13. The enumeration of the inhabitants of this State shall be taken under the direction of the Legislature if deemed necessary in AD Eighteen hundred and Sixty five, AD Eighteen hundred and Sixty seven, AD Eighteen hundred and Seventy five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States in A.D. Eighteen hundred and Seventy, and every subsequent ten years shall serve as the basis of representation in both houses of the Legislature.] *Sec. 13. 1. Eight members of the legislature, chosen in the following manner, constitute the legislative commission:*

(a) At each regular session of the legislature held in odd-numbered years, the senate shall, by resolution, designate four senators as regular members of the legislative commission, and the assembly shall, by resolution, designate four assemblymen as regular members of the legislative commission. Two senators and two assemblymen shall be chosen from each party in the houses.

(b) In addition to the members designated in paragraph (a):

(1) The senate shall, by resolution, designate four senators, two from each party, as first alternate members and second alternate members.

(2) The assembly shall, by resolution, designate four assemblymen, two from each party, as first alternate members and second alternate members.

(c) A vacancy in the regular membership created by death or resignation shall be filled, first, by the proper first alternate member of the same party in the same house, and second, if there is no first alternate member, then by the proper second alternate member of the same party in the same house. If there is no proper alternate member, the legislative commission shall fill the vacancy by appointing a member of the legislature of the same party in the same house.

(d) The members shall serve until their successors are appointed as provided in this section, notwithstanding that their terms of office may have expired, except that the membership of any member who does not become a candidate for reelection or who is defeated for reelection shall terminate on the day next after the election and the vacancy shall be filled as provided in paragraph (c).

In addition to the duties provided in this section, the legislature may provide by law for other duties to be performed by the legislative commission.

2. After the taking of each decennial census, in 1970 and subsequently, under the direction of the Congress of the United States, the legislative commission shall, within 6 months after it is first able to obtain the final population figures for the requisite political subdivisions and census tracts in this state, revise the boundaries of the several legislative districts as may be required to afford representation according to population.

3. *The legislative commission shall:*

(a) *First determine the ideal population of a legislative district, which is one-twentieth of the total population of the state. No district may deviate in population from such figure by more than 15 percent.*

(b) *Next construct as many legislative districts as possible out of whole counties, whole incorporated cities or towns, or combinations of whole counties.*

(c) *Next construct as many additional legislative districts as possible out of combinations of whole townships or unincorporated towns or cities, or combinations of whole townships or unincorporated towns or cities with whole counties or incorporated cities or towns.*

(d) *Next construct any remaining number of legislative districts which may be required out of combinations of whole census tracts. Any such district shall be wholly within one city, town or township.*

Where any district is composed of a combination of political subdivisions or census tracts, such units shall be contiguous and the district shall be compact as reasonably may be.

4. *The legislative districts so established shall be used as the basis of electing senators and members of the assembly at the next ensuing general election. Where one senator whose term does not expire on the day next after such election resides in any district, he shall serve out, as senator from such district, the term for which he was elected. Where two such senators reside in any district, the registered voters of the district shall choose between them a senator for the remainder of the unexpired term. If no such senator resides in the district, a new senator shall be elected, and the legislative commission shall provide for the drawing of lots among all the senators so elected to preserve equality in the number of senators to be elected at each succeeding general election.*

FISCAL NOTES

A fiscal note is a statement, attached to proposed legislation, containing an estimate of the effect the passage of the bill would have on the expenditures and revenues of the State (or local) government. Since the first use of the fiscal note procedure in Wisconsin in 1955, seventeen States have formally adopted it. It appears to be actively used in fourteen States today. The procedure usually has been made effective by statute, although in a few States this has been done by joint rule.

The fiscal note procedure has been utilized because of certain advantages claimed to accrue from its use:

1. It provides an estimate of the costs, revenues, or savings resulting from implementation of proposed legislation.
2. It spotlights fiscal implications not always readily apparent in the bill.
3. The information is usually reproduced in a form available to all legislators, not just to committee members.
4. It provides a more responsible fiscal analysis than one made informally.

In the administration of the fiscal note procedure, certain difficulties can arise. The estimate may be affected by the desire of the agency preparing it to bring about either passage or defeat of a bill. Furthermore, it can be most difficult to take into consideration amendments to bills during the closing days and hours of a legislative session. However, most States which have utilized the procedure find that, on the whole, it has proven to be a valuable legislative tool.

The major provisions of the Suggested Act follow, with comments:

1. No bill shall be heard by committee unless accompanied by a fiscal note or a waiver of the note. Some States have required fiscal notes upon introduction. This helps the sponsor of the bill determine whether it should be introduced, but is apt to delay introduction. The procedure in the draft buys time, and makes the note available when most needed. There are other possible times for inclusion of the note, such as: before the bill is referred to committee, before committee vote, before reporting the bill out of committee, or before final vote in house of origin.
2. The fiscal note procedure applies not only to bills affecting the State, but also to those affecting local finances. Some States may prefer to start by applying the procedure only to bills affecting State finances in order to keep more manageable the number of bills requiring notes. Nevertheless, the long-run objective should be to require fiscal notes on a comprehensive State-local basis.
3. The fiscal note is to be prepared for the first two fiscal years the bill is in effect, or beyond if the full fiscal effect is not felt within that time. Those States which are linking long-range program planning with

budgeting may wish to require fiscal notes to cover a longer period, such as five years.

4. The note is prepared by the State Budget Agency, or other agency designated by it. In practice, the agency most affected by the bill is usually in the best position to estimate its fiscal effects. However, the agency estimate should be reviewed by the central budget agency, and this is provided for in the bill. As an alternative, a State may wish to have the legislative fiscal staff administer the procedure. Even in this instance, assistance by the affected agency and the central budget agency should be required.

5. The note must be prepared and returned to the committee in fourteen days, or three days before the hearing, whichever is later. This is a liberal provision; many States allow only five days for preparation. Fourteen days should provide ample time for making a careful estimate.

6. The note shall be available for public inspection at least one day before the hearing. No hearing shall be held until a note or waiver of note, indicating the bill has no fiscal effect, is received.

7. The note shall be revised whenever amendments are adopted changing the fiscal effect of the bill. While this provision will create difficulties in the closing days of a session, it should be carried out as far as possible in order to have the best possible estimates on hand for the final decision on the bill.

Suggested Legislation

[Title should conform to State requirements.
The following is a suggestion: "An Act to require
a fiscal note for a bill or joint resolution having
a fiscal effect upon State or local government, and
for related purposes."]

(Be it enacted, etc.)

Section 1.

- 1 A bill [or a joint resolution] shall not be heard by a standing
- 2 committee in either House of the [Legislature] unless it is accompanied
- 3 by a fiscal note or a waiver of a fiscal note prepared by the [State
- 4 Budget Agency] or by an agency or department of the State Government
- 5 designated by the [State Budget Agency]. The fiscal note shall be
- 6 required for all bills [or joint resolutions] that have an effect upon

7 the revenues or the expenditures of State [or local] government.

Section 2.

1 A fiscal note shall contain an estimate of the fiscal impact of a bill
2 [or a joint resolution] for the fiscal year in which it would become effec-
3 tive if enacted and for the next [four] succeeding fiscal years. If the
4 fiscal impact of the bill [or joint resolution] is not expected to be totally
5 evident within this period, the estimate shall be projected beyond that
6 period to include an estimate for the first fiscal year in which it is ex-
7 pected to be fully effective.

Section 3.

1 The [head of the State Budget Agency] shall have the fiscal note pre-
2 pared by the [State Budget Agency] or by other departments or agencies of
3 the State Government. A waiver of the fiscal note shall be prepared by the
4 [State Budget Agency] for any bill that does not have an effect upon the
5 revenues or expenditures of State [or local] government. If the fiscal note
6 is not prepared by the [State Budget Agency] the department or agency of
7 State Government preparing the fiscal note shall be clearly indicated on
8 the fiscal note along with the signature of the [head of the State Budget
9 Agency] or his authorized representative indicating that the [State Budget
10 Agency] does not disagree with the fiscal impact estimated thereon.

Section 4.

1 A fiscal note or waiver of fiscal note shall be prepared and returned
2 to the appropriate committee within [fourteen] days of receipt of the bill
3 [or joint resolution] by the [State Budget Agency] or [three] days prior
4 to hearing date fixed by the committee responsible for the bill, whichever
5 is later.

Section 5.

1 The fiscal note or a waiver of fiscal note shall be attached to the
2 the bill [or joint resolution] by the secretary of the committee at least
3 one day prior to the committee hearing and shall be available for inspection
4 prior to the hearing by any member of the [Legislature] and by the public.
5 If the fiscal note or a waiver of a fiscal note is not attached to the bill
6 [or joint resolution], the bill [or joint resolution] shall be dropped from
7 the hearing schedule by the secretary of the committee until the provisions
8 of this Section are complied with, unless the chairman of the committee
9 certifies that prompt committee action on the bill [or joint resolution]
10 is necessary to the proper conduct of legislative business.¹

Section 6

1 The fiscal note shall be revised at each successive stage of the legis-
2 lative process in which an amendment is adopted and which changes the fiscal
3 effect of the bill [or joint resolution]. The revised fiscal note shall not
4 be subject to the time limitations prescribed for initial committee hearing,
5 but shall be processed by the [State Budget Agency] and returned as quickly
6 as possible to the committee or to the Clerk of the House or Senate if the
7 latter is responsible for the custody of the bill [or joint resolution] at
8 that time.

Section 7.

1 A waiver of a fiscal note shall be replaced at any time with a fiscal
2 note if an amendment to a bill [or joint resolution] causes the bill [or

1. An alternative method would be to place responsibility for the administration of this Act in the hands of the legislative fiscal staff in those States where the Legislature has such personnel.

3 joint resolution] to have an effect upon the revenues or expenditures of
4 State [or local] government.

Section 8.

1 Nothing in this Section shall prevent or limit the preparation of the
2 analysis of any bill [or any joint resolution] by the [Legislative Service
3 Agency].

Section 9.

1 The attachment of a fiscal note or waiver of a fiscal note shall not
2 be a condition or prerequisite for the introduction of a bill [or a joint
3 resolution] by any member of the [Legislature].

Section 10.

1 [Insert effective date.]

NORTH CAROLINA LOBBY REGISTRATION ACT

120-40. Lobbying defined; registration of lobbyists. Every person, corporation or association which employs any person to act as counsel or agent to promote or oppose in any manner the passage by the General Assembly of any legislation affecting the pecuniary interests of any individual, association or corporation as distinct from those of the whole people of the State, or to act in any manner as a legislative counsel or agent in connection with any such legislation, shall, within one week after the date of such employment, cause the name of the person so employed, to be entered upon a legislative docket as hereafter provided. It shall also be the duty of the person so employed to enter or cause to be entered his name upon such docket. Upon the termination of such employment such fact may be entered opposite the name of any person so employed either by the employer or employee.

120-41. Legislative docket for registration. The Secretary of State shall prepare and keep the legislative docket for the uses provided in this article. In such docket shall be entered the name, occupation or business, and business address of the employer, the name, residence and occupation of the person employed, the date of employment or agreement therefor, the length of time that the employment is to continue, if such time can be determined, and the subject or subjects of legislation to which the employment relates. Such docket shall be a public record and open to the inspection of any citizen at any time during the regular business hours of the office of the Secretary of State.

120-42. Contingent fees prohibited. No person shall be employed as a legislative counsel or agent for a compensation dependent, in any manner, upon the passage or defeat of any proposed legislation or upon any other contingency connected with the action of the General Assembly, or of either branch thereof, or any committee thereof.

120-43. Written authority from employer to be filed; copy for legislative committee. Legislative counsel and agents required to have their names entered upon the legislative docket shall file with the Secretary of State with ten days after the date of making such entry a written authorization to act as such, signed by the person or corporation employing them. A copy of such written authorization executed by those persons, firms, corporations or organization for whom they claim to be authorized to speak shall also be filed by such legislative counsel or agents with the chairman of any committee of either branch of the General Assembly at or before the time of appearance before the committee in a representative capacity.

120-44. Detailed statement of expenses to be filed. Within thirty days after the final adjournment of the General Assembly every person, corporation or association, whose name appears upon the legislative docket of the session, shall file with the Secretary of State a complete and detailed statement, sworn to before a notary public or justice of the peace by the person making the same, or in the case of a corporation by its president or treasurer, of all expenses paid or incurred by such person, corporation or association, in connection with promoting or opposing in any manner the passage by the General Assembly of any legislation coming within the terms of this article. Such statements shall be in such form as shall be prescribed by the Secretary of State and shall be open to public inspection.

120-45. Going upon floor during session prohibited. It shall be unlawful for any person, employed for a pecuniary consideration to act as legislative counsel or agent, as defined by this article, to go upon the floor of either house of the General Assembly while the same is in session, except upon invitation of such house.

120-46. Application of article. The provisions of this article shall not apply to any county, city, town or municipality, but shall apply to the executive officers of all other corporations who undertake, in such capacity, to perform services as legislative counsel or agent for such corporations, regardless of whether they receive additional compensation for such services.

120-47. Punishment for violation. Any legislative council or agent and any employer of such legislative counsel or agent, violating any provision of this article, shall be guilty of a misdemeanor and upon conviction, shall be fined not less than fifty nor more than one thousand dollars, or imprisoned not exceeding two years, or both.

APPORTIONMENT OF THE NEVADA LEGISLATURE 1909 - 1961

(Year indicates session at which apportionment was made)

First column under year represents Senators;
Second column under year represents Assemblymen,
boldface numbers indicate points of change.

	1909	1911	1915	1919	1927	1931	1943	1947	1951	1961
CHURCHILL.....	1 2	1 2	1 2	1 2	1 2	1 2	1 2	1 2	1 2	1 1
CLARK.....	1 2	1 2	1 2	1 2	1 2	1 4	1 5	1 6	1 9	1 12
DOUGLAS.....	1 2	1 2	1 1	1 1	1 1	1 1	1 1	1 1	1 1	1 1
ELKO.....	2 4	2 5	1 4	1 4	1 4	1 4	1 4	1 4	1 4	1 2
ESMERALDA.....	2 7	2 5	1 3	1 3	1 1	1 1	1 1	1 1	1 1	1 1
EUREKA.....	1 2	1 2	1 1	1 1	1 1	1 1	1 1	1 1	1 1	1 1
HUMBOLDT.....	2 5	2 5	1 3	1 3	1 2	1 2	1 2	1 2	1 2	1 1
LANDER.....	1 2	1 2	1 1	1 1	1 1	1 1	1 1	1 1	1 1	1 1
LINCOLN.....	1 2	1 2	1 1	1 1	1 1	1 2	1 2	1 2	1 2	1 1
LYON.....	1 3	1 3	1 2	1 2	1 2	1 2	1 2	1 2	1 2	1 1
MINERAL.....	—	1 3	1 1	1 1	1 1	1 1	1 1	1 2	1 2	1 1
NYE.....	2 7	2 5	1 4	1 4	1 3	1 3	1 3	1 3	1 3	1 1
ORMSBY.....	1 3	1 2	1 1	1 1	1 1	1 1	1 1	1 1	1 2	1 1
PERSHING.....	—	—	—	1 1	1 1	1 1	1 1	1 1	1 1	1 1
ROOP (Lake).....	—	—	—	—	—	—	—	—	—	—
STOREY.....	1 4	1 2	1 1	1 1	1 1	1 1	1 1	1 1	1 1	1 1
WASHOE.....	2 7	2 9	1 7	1 7	1 9	1 9	1 9	1 9	1 10	1 5
WHITE PINE.....	2 3	2 4	1 3	1 3	1 4	1 4	1 4	1 4	1 4	1 1
TOTALS.....	21* 55*	22 53	16 37	17 37	17 37	17 40	17 41	17 43	17 47	17 3*

*Apportionment in excess of constitutional limit of 75 (Art. 15, Sec. 6). Court reduced to 20 Senators and 49 Assemblymen.

SIZE OF STATE LEGISLATURES

House and Senate

January, 1967

<i>State</i>	<i>House</i>	<i>Senate</i>	<i>State</i>	<i>House</i>	<i>Senate</i>
Alabama.....	106	35	Montana.....	104	55
Alaska.....	40	20	Nebraska.....	(a)	49
Arizona.....	60	30	Nevada.....	40	20
Arkansas.....	100	35	New Hampshire.....	400	24
California.....	80	40	New Jersey.....	60	29
Colorado.....	65	35	New Mexico.....	70	42
Connecticut.....	177	36	New York.....	150	57
Delaware.....	35	18	North Carolina.....	120	50
Florida.....	117(b)	48	North Dakota.....	98	49
Georgia.....	205	54	Ohio.....	99	33
Hawaii.....	51	25	Oklahoma.....	99	48
Idaho.....	70	35	Oregon.....	60	30
Illinois.....	177	58	Pennsylvania.....	203	50
Indiana.....	100	50	Rhode Island.....	100	46
Iowa.....	124	61	South Carolina.....	124	50
Kansas.....	125	40	South Dakota.....	75	35
Kentucky.....	100	38	Tennessee.....	99	33
Louisiana.....	105	39	Texas.....	150	51
Maine.....	151	34	Utah.....	69	28
Maryland.....	142	43	Vermont.....	150	30
Massachusetts.....	240	40	Virginia.....	100	40
Michigan.....	110	38	Washington.....	99	49
Minnesota.....	135	67	West Virginia.....	100	34
Mississippi.....	122	52	Wisconsin.....	100	33
Missouri.....	163	34	Wyoming.....	61	30

(a) Unicameral.

(b) A subsequent court plan has increased the size of the House to 119.

From--"Mr. President - Mr. Speaker"

E. XII. Orientation Conferences for Legislators

Beginning with Massachusetts in 1933, more and more states have provided orientation programs for legislators. In recent years, at least twenty-two states have held orientation conferences on a regular, periodic basis, and nine other states have held such conferences occasionally.

One of the basic purposes, if not the primary purpose, of the orientation conference is to acquaint new legislators with the essentials of the legislative process, prior to their involvement in the rush of the legislative session. Due to the large turnover in membership that is common to most state legislatures, particularly in the lower house, each session finds many members who are new to their duties, to legislative procedures, to governmental programs, and to each other. Orientation programs can be and are being fashioned so as to compensate for all of these lacks.

The business sessions, as well as the social gatherings commonly included in such programs, permit the new member to become acquainted with his legislative colleagues and with state administrative officials. A general discussion of the powers and functions of state government and of the role of the legislature gives the individual legislator a conception of the framework in which he is to operate. Explanations of parliamentary procedures, of legislative processes, and of the workings of the committee system introduce him to the tools and rules of the legislative profession. And equally essential is a description of the legislative services and aids available to the legislature—including such of those discussed in this report as are to be found in his state—with instructions how to obtain and use them. In twenty-eight of the thirty-one states which reportedly hold such conferences, discussion topics have included parliamentary procedures; in twenty-seven states, legislative organization was discussed; and in twenty-six states, the services available to the legislature were reviewed.

Some states prepare and distribute to new legislators a legislative handbook or manual covering most of the above matters, in lieu of the orientation conference. Useful as such a manual is, it is more effective when employed as a text for an orientation program and then made available for continued reference during the session.

The importance of the orientation conference for the new legislator should not be minimized. The "apprentice" method, historically used to develop knowledgeable and effective legislators, is wasteful of time, talent, and dignity. Rather than making the new member wander, confused and unproductive, through the legislative household, a bit of orientation in the vestibule permits him to enter the legislative halls immediately and effectively.

Conference Agenda, Timing and Location

Increasingly, it is being recognized that a proper and necessary part of the orientation conference is advance review of existing and contemplated legislative and administrative programs; a description of major state problems and plans, of the general revenue and expenditure patterns, of the fiscal condition of the state, and of legislation proposed by executive agencies and resulting from interim legislative study. Where such items are on the agenda, the orientation conference is attractive and useful to the experienced, as well as the new, legislator. In seven states, the legislative programs of executive agencies have been included on the orientation conference agenda. Major budgetary problems have been discussed at the conference in eleven states, and the major tax and fiscal problems have been discussed at such conferences in twelve states.

An orientation conference designed for the entire membership and meeting *before* the legislative session has an additional utility. It presents a convenient opportunity for organizational discussions, planning, and decisions that are best held before the legislature convenes. Caucuses may be convened to elect the party leaders, to nominate a slate of candidates for the legislative officers, and to make decisions concerning the temporary legislative employees.

Many orientation conferences are held following the general election and prior to the legislative session. Others occur during the first days of the session. The brief sittings of the legislature usual during the opening days permit afternoon or evening orientation periods. The practice in many states of scheduling a long weekend recess in the first week or so leaves this period open for a conference. Of the twenty-two states with regular orientation programs, sixteen hold them prior to the session. In addition, two of the states which occasionally hold such conferences have them prior to the session's convening. Six states which regularly hold orientation conferences present them during the early days of the session, as do two of the states occasionally having such conferences.

Generally, these conferences are held at the state capitol. This practice aids the newly elected members to get oriented to the physical arrangements of the legislature, its service agencies, and the executive offices. However, other locations such as the state university campus or a state park have been used successfully, especially for pre-session conferences. Such an arrangement permits more concentration on the agenda with less "competition" from the business of the session or other capital city distractions.

Various methods of financing the cost of legislative orientation conferences have been used. The cost has been covered by a direct legislative appropriation to an agency (such as the legislative council)

for the purpose of conducting a pre-session conference; or for conferences that are held early in the session, the cost has been handled as part of the expenses of the session. In some states, a legislative service agency has covered all or part of the costs. Educational institutions have underwritten part of the cost of the conference in some states. During 1956-59, the Ford Foundation provided financial assistance to four states for orientation conferences.

Legislative leaders have been involved in the arrangements for the orientation conferences held in most states. Legislative service agencies, including the legislative clerks, customarily work on conference arrangements. Universities have arranged or helped with the arrangements for orientation conferences in nine states. Ordinarily, it is a combination of these various groups which shares responsibility for the planning and operation of orientation conferences.

THE COMMITTEE RECOMMENDS:

1. Each state should provide an orientation session, at least as often as members are elected to the legislature. The orientation session should be held, if possible, in advance of the legislative session. All legislators should be invited to attend and participate. Especially for new members, a systematic review and explanation of legislative organization, procedures, and services should be given. In addition, major administrative proposals, important budgetary and fiscal problems, and major recommendations resulting from interim legislative study should be discussed.

2. The sponsorship and over-all planning of such conferences should lie in the legislature, its officers and service agencies.

3. If possible, appropriate ways should be found to defray the expenses of legislators and legislators-elect for meals, lodging and travel in participating in pre-session orientation conferences. Conferences held during the early part of the legislative session may be financed as part of the expenses of the session.

4. A legislative manual or handbook should be prepared and distributed to each legislator. This manual can be used in the orientation conference and as a ready reference book during the session.

A. R. 10

ASSEMBLY RESOLUTION NO. 10—COMMITTEE ON LEGISLATIVE FUNCTIONS

JANUARY 31, 1967

Resolution read

SUMMARY—Amends Assembly Standing Rule 26 relating to the
privilege of the floor and lobbying. (BDR 708)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

ASSEMBLY RESOLUTION—Amending Assembly Standing Rule 26 relating
to the privilege of the floor and lobbying.

*Resolved by the Assembly of the State of Nevada, That Assembly
Standing Rule 26 be amended to read as follows:*

26

PRIVILEGE OF THE FLOOR AND LOBBYING

No person, except Senators [and state officers, shall be admitted at
the bar of the Assembly,] , *state officers, the Legislative Counsel and his
employees and accredited representatives of news media, shall be admitted
at the bar or on the floor of the Assembly while the Assembly is in ses-
sion, in recess or adjourned,* except by special invitation on the part of
some member; but a majority may authorize the Speaker to have the
Assembly cleared of all such persons. No person shall do any lobbying
upon the floor of the Assembly at any time, and it shall be the duty of
the Sergeant-at-Arms to remove any person or persons violating any of
the provisions of this rule.

Michigan Joint Rule No. 24 would develop this schedule for a 1969 session in Nevada.

Michigan Joint Rule No. 24

(Final Adjournment in Their Second Regular Session)

Schedule for 1969 Nevada Session

January 8 (Wednesday)	(2nd Wed. in Jan.)	Session opens at 12:00 noon.
February 12 (Wednesday)	(after 5 weeks)	Final day to file requests for bills.
February 19 (Wednesday)	(after 6 weeks)	Final day to introduce bills.
March 12 (Wednesday)	(3 weeks later)	Final day for committees to report bills in house of origin.
March 19 (Wednesday)	(1 week later)	Final day for passage of bills in house of origin.
April 2 (Wednesday)	(2 weeks later)	Final day for committees to report bills originating in other house.
April 16 (Wednesday)	(2 weeks later)	Final day for passage of bills originating in other house.
April 17 & 18	(Thurs.-Fri. following)	Each house meets at 10:00 a.m. for conference committee meetings, consideration of amendments of other house and conference reports.
34 day recess.		
May 22 (Thursday)	(34 days later)	Each house meets at 10:00 a.m.
May 23 (Friday)	(following day)	Session adjourns sine die, 12:00 noon unless the session be extended by concurrent resolution.

A general rule holds throughout the first part of the session in addition to the schedule developed from their rules. Committees have 21 days in which to report a bill back to the body. An exception is made that upon written request of a committee, the body may extend the 21-day limit for committee consideration of a bill but not beyond the deadline established. This would allow bills introduced early in the session to be in committee for considerably longer than 21 days. However, a bill introduced on the final day for introduction would only have 21 days for consideration in any event.

A second exception is made to the schedule-tax and appropriation bills may be introduced after the deadline for introduction of all other bills.

Michigan Joint Rule 24 could be modified to fit closer to the time of convening of Nevada's legislature with a later starting date and somewhat shorter periods of time in the schedule to relate more closely to experience of our most recent regular sessions. Such a suggested schedule employing the general Michigan approach might be as follows:

Michigan Rule Applied to Nevada, with Modifications.

January 20 (Monday)	(3rd Monday in Jan.)	Session opens at 12:00 noon.
February 19 (Wednesday)	(after 4-1/2 weeks)	Final day to file requests for bills.
February 26 (Wednesday)	(after 5-1/2 weeks)	Final day for introduction of bills.
March 12 (Wednesday)	(2 weeks later)	Final day for committee to report bills in house of origin.
March 19 (Wednesday)	(1 week later)	Final day for passage of bills in house of origin.
April 2 (Wednesday)	(2 weeks later)	Final day for committees to report bills originating in other house.
April 16 (Wednesday)	(2 weeks later)	Final day for passage of bills originating in other house.
April 17 and 18	(Thursday, Friday following)	Each house meets at 10:00 a.m. for conference committee meetings, consideration of amendments of other house and conference reports.

Recess if it appears to be desirable, and meet at later date to adjourn sine die.

A further modification of the Michigan Rule could produce a schedule for a 60-day Nevada session in the event that seems to be desirable. Since the Michigan Rule would tend to move sessions along more rapidly, a 60-day session could be a reality.

Michigan Joint Rule No. 24 from the Michigan Legislative Handbook 1967-68 reads in unabridged form as follows:

Joint Rules - Senate and House

Final Adjournment in Second Regular Session.

Rule 24. In the regular session in even numbered years this rule for adjournment shall govern.

Upon receipt by a standing committee of an official printed bill by original reference in either body, such committee shall have 21 days in which to report such bill back to the body, unless otherwise restricted by this rule. Upon written request of a committee, the body may extend the 21 day limit for committee consideration of a bill but not beyond the deadline hereinafter provided for reporting bills from committee. Such requests for extension of time shall be decided without debate.

Whenever a bill has been reported to the body and referred to the same or any other standing committee in the same House, the committee to which the bill is then referred shall have 7 legislative days in which to report thereon unless otherwise restricted by this rule.

No bills other than tax and appropriation bills shall be introduced after the 3rd Wednesday of February.

The 21st day thereafter shall be the final day for committees to report bills originating in their own House.

The 7th day thereafter shall be the final day for passage of bills in the House of origin and transmission to the other House.

The 14th day thereafter shall be the final day for committees to report bills originating in the other House.

The 14th day thereafter shall be the final day for passage of bills originating in the other House.

On the following Thursday and Friday, each House shall meet daily at 10:00 a.m. for conference committee meetings, consideration of amendments of the other House and conference reports. Upon adjournment on such Friday, the Legislature shall convene the 31st day thereafter at 10:00 a.m. On the following day, unless the session be extended by concurrent resolution, the Legislature shall adjourn without day at 12:00 noon.

During the last week of the session prior to the 34 day adjournment, no concurrent resolutions shall be received for introduction in either House, except

resolutions relative to the procedure and business of the Legislature and resolutions of sympathy. Requests for bills will not be processed unless filed with the Legislative Service Bureau not later than the 2nd Wednesday of February.

During the interim between the 1st and 2nd regular sessions the members may file bills with the Secretary of the Senate and Clerk of the House of Representatives. Such bills shall be numbered, printed, filed and referred to standing committees in the same manner as provided in regular sessions.

CALIFORNIA

JOINT RULES OF THE ASSEMBLY AND SENATE---1967

Uncontested Bills

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the consent calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman appropriate forms for such report. As used in this rule, "uncontested bill" means a bill, except a revenue measure or a measure as to which the 30-day limitation prescribed by Subdivision (a) of Section 8 of Article IV of the Constitution has been dispensed, which: (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present; and (b) has no opposition expressed by an person present at the committee meeting with respect to the final version of the bill as approved by the committee; and (c) prior to final action by the committee has been requested, by the author, to be placed on the consent calendar.

Consent Calendar

22.2. Following their second reading and the adoption of an committee amendments thereto, if any, all bills certified by the committee chairman as uncontested bills shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the consent calendar, and shall be known as "consent calendar bills." Any consent calendar bill which is amended from the floor shall cease to be a consent calendar bill and shall be replaced on the second reading file. Upon objection of any Member to the placement or retention of any bill on the consent calendar, such bill shall cease to be a consent calendar bill and shall be replaced on the second reading file. No consent calendar bill shall be considered for adoption until the second legislative day following the day of its placement on the consent calendar.

Consideration of Bills on Consent Calendar

22.3. Bills on the consent calendar are not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit the proponents of such bills to answer such questions. Immediately prior to voting on the first bill on the consent calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the Members the fact that the next roll call will be the roll call on the first bill on the consent calendar.

The consent calendar shall be considered as the last order of business on the Daily File.

REPORTS OF COMMITTEES

Mr. President:

Your.....Committee on / of.....

....., to which was / were referred

Senate Bill..... No.....
.....
.....
.....
.....

Assembly Bill..... No.....
.....
.....
.....
.....

Senate..... Resolution..... No.....
.....

Assembly..... Resolution..... No.....
.....

respectfully reports the same back without further action.

....., Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City,.....

To the Honorable the Assembly:

Also, I have the honor to inform your honorable body that the Senate on this day returns without further action

Assembly Bill..... No.....

[illegible]

Assistant Secretary of the Senate

1

MASON'S MANUAL

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the Standing Rules and orders of the Senate, and the Joint Rules of the Senate and Assembly.

(See Mason's Manual, Sec. 30-32.)

2

RESCINDING, AMENDING OR SUSPENDING RULES

No standing rule or order of the Senate shall be rescinded or changed without a vote of two-thirds of the Senate and one day's notice of the motion therefor; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called for, and after due notice from the President no objection is offered, he can announce the rules suspended and the Senate may proceed accordingly; but this shall not apply to that portion of Senate Standing Rule No. 9 relating to the third reading of bills, which cannot be suspended.

(See Mason's Manual, Sec. 22 and 279-287.)

3

DUTIES OF OFFICERS

The President shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and if a quorum be present shall cause the Journal of the preceding day to be read. He shall preserve order and decorum, and in the case of any disturbance or disorderly conduct within the Chamber, shall order the Sergeant at Arms to suppress the same, and may order the arrest of any person creating any disturbance within the Senate Chamber. He may speak to points of order without debate, subject to an appeal to the Senate by two members, on which appeal no member shall speak more than once without leave of the Senate. He shall see that all officers and clerks perform their respective duties, and shall sign all Acts, addresses and joint resolutions, and all writs, warrants and subpoenas issued by order of the Senate; all of which shall be attested by the Secretary. He shall have general direction of the Senate Chamber, and shall have a right to name any Senator to perform the duties of the Chair--but such substitution shall not extend beyond an adjournment, nor authorize the Senator so substituted to sign any document requiring the signature of the President.

(See Mason's Manual, Sec. 230, 575, 583.)

The President pro Tempore shall have all the power and authority, and discharge all the duties of the President during his absence or inability to discharge the duties of his office. In the absence or inability of the President pro Tempore to discharge the duties of the President's office, the Chairman of the Committee on Legislative Functions shall preside until the Senate elects one of its members as the presiding officer for that occasion. In the absence of the Chairman, the Vice Chairman of the Committee on Legislative Functions shall preside until the Senate elects one of its members as the presiding officer for that occasion.

The Sergeant at Arms shall attend the Senate during its sittings, and execute its commands and all process issued by its authority.

(See Mason's Manual, Sec. 586.)

PRIVILEGE OF THE FLOOR AND LOBBYING

No person, except State officers and officers and members of the Senate and Assembly, shall be admitted within the bar of the Senate, except by special invitation on the part of some member; and a majority may authorize the President to have the Senate Chamber cleared of all persons except Senators and officers of the Senate; and the Senate Chamber shall not be used for any but legislative business except by permission given by a two-thirds vote.

No person shall do any lobbying upon the floor of the Senate at any time, and it shall be the duty of the Sergeant at Arms to remove any person or persons violating any of the provisions of this rule.

(See Mason's Manual, Sec. 705 and 706.)

BEHAVIOR

Indecorous conduct or boisterous or unbecoming language shall not be permitted in the Senate Chamber.

(See Mason's Manual, Sec. 123 and 575.)

5

ORDER OF BUSINESS

1. Roll Call.
2. Prayer by the Chaplain.
3. Pledge of allegiance to the Flag.
4. Reading and Approval of the Journal.
5. Presentation of Petitions.
6. Report of Standing Committees.
7. Report of Select Committees.
8. Messages from the Governor.
9. Communications from State Officers.
10. Messages from the Assembly.
11. Introduction, First Reading, and Reference.
12. Second Reading and Amendment.
13. Motions, Resolutions, and Notices.
14. General File and Third Reading.
15. Unfinished Business.

(See Mason's Manual, Sec. 710-714.)

SPECIAL ORDER OF BUSINESS

The President shall call the Senate to order on the arrival of the time fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall be considered, unless it be postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall go to Unfinished Business.

(See Mason's Manual, Sec. 257-266.)

PETITIONS

The contents of any petition or memorial shall be briefly stated by the President or any Senator presenting it. It shall then be placed on the Secretary's desk or be referred, as the President or Senate may direct.

(See Mason's Manual, Sec. 148.)

COMMITTEES

All committees of the Senate shall be appointed by the President, unless otherwise ordered by the Senate, and he shall designate the chairman and vicechairman of each.

(See Mason's Manual, Sec. 602.)

The Standing Committees of the Senate shall be as follows:

1. Education and State Institutions, seven members.
2. Finance, seven members.
3. Health and Welfare, five members.
4. Judiciary, seven members.
5. Labor and Management, seven members.
6. Legislative Functions, five members.
7. State, Local and Federal Affairs, seven members.
8. Taxation, seven members.

COMMITTEE FUNCTIONS

All committees shall consider such matters as may be referred to them and shall report their opinion thereon. When a bill or resolution is referred to two committees, it shall be delivered to the chairman of the first committee named. The two committees may meet as one committee for the consideration of the bill or resolution, or the two committees may meet separately at the discretion of each committee. If the two committees meet as one, the chairman of the first committee named shall preside. In either event, the vote on the bill or resolution shall be taken separately in each committee, and a majority vote of each committee with a quorum present shall be required for any action to be taken. Senators having membership on both committees may vote on the measure in each committee.

(See Mason's Manual, Sec. 615-629.)

Bills may be referred only to standing committees.

The Committee on Legislative Functions shall recommend by resolution the appointment of all attaches and employees of the Senate not otherwise provided for by law. It shall have authority to suspend any attache or employee for incompetence or dereliction of duty, pending final action by the Senate.

The Committee on Legislative Functions shall function also as a committee on rules and as a committee on credentials of the Senate.

REFERENCE

When a motion to refer any subject is modified and different committees are proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Special or Select Committee

(See Mason's Manual, Sec. 387.)

COMMITTEE EXPENDITURES

No committee shall employ assistance or incur any expense, except by permission of the Senate previously obtained.

Witnesses summoned to appear before the Senate or any of its committees shall be compensated as provided by law for witnesses required to attend in the courts of the State of Nevada.

(See Nevada Revised Statutes, Sec. 48.290.)

8

COMMITTEE OF THE WHOLE

In forming the Committee of the Whole Senate, the President shall name a chairman to preside. All amendments proposed by the committee shall be reported by the chairman to the Senate.

(See Mason's Manual, Sec. 650, 656.)

The rules of the Senate shall apply to proceedings in Committee of the Whole, except that the previous question shall not be ordered, nor the ayes and noes demanded, but the committee may limit the number of times that any member may speak, at any state of proceedings, during its sitting. Messages may be received by the President while the committee is sitting; in which case the President will resume the chair, receive the message, and vacate the chair in favor of the chairman of the committee.

(See Mason's Manual, Sec. 651-656.)

A motion that the committee rise shall always be in order except while voting or while a member has the floor, and shall be decided without debate.

(See Mason's Manual, Sec. 656.)

9

READING OF BILLS

Every bill shall receive three readings previous to its passage, unless, in case of emergency, two-thirds of the Senate shall deem it expedient to dispense with this rule. The President shall give notice at each whether it be first, second, or third reading.

The first reading of the bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall then take the usual course. No bill shall be referred until once read, nor amended until twice read. The third reading of every bill shall be by sections.

(See Mason's Manual, Sec. 720.)

All bills shall be read the second time in the order in which they are reported by committees, unless different order is designated by motion. Upon second reading, Senate bills reported without amendments shall be engrossed and placed on the General File, and Assembly bills reported without amendments shall be placed on the General File. Committee amendments shall be considered upon their second reading and may be adopted by a majority vote of the members present. Senate bills so amended shall be reprinted, engrossed, and placed on the General File; Assembly bills so amended shall be reprinted, re-engrossed, and placed on the General File.

Any member may move to amend a bill during its second or third reading, and such motion may be adopted by a majority vote of members present. Bills so amended on second reading shall be treated the same as bills with committee amendments. Any bill amended upon the General File shall be reprinted and re-engrossed.

Reprinting of amended bills may be dispensed with only in accordance with the provisions of law.

(See Nevada Revised Statutes, Sec. 218.320, 218.330; Mason's Manual, Sec. 734.)

GENERAL FILE (THIRD READING)

All bills reported to the Senate, after receiving second reading, shall be placed upon a General File, to be kept by the Secretary. No bill shall be considered by the Senate until the regular order of business shall have been gone through. Then bills shall be taken from the General File and acted upon in the order in which they were reported, unless otherwise ordered by the Senate. Engrossed bills shall be placed at the head of the file in the order in which they are received. The Secretary shall post conspicuously in the Chamber a daily statement of the bills on the General File, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day. He shall likewise post notices of special orders as made.

(See Mason's Manual, Sec. 736.)

10

OBJECTION TO READING OF PAPER

Where the reading of any paper is called for, and is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

11

VOTING

No Senator shall be allowed to vote except when at his seat, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the ayes and noes are being called, nor change his vote after the result is announced; and the announcement of the result of any vote shall not be postponed.

(See Mason's Manual, Sec. 520-528, 530, 532, 535.)

REQUEST FOR ROLL CALL VOTE

The ayes and noes on a question shall be taken when called for by three members of the Senate, and every Senator within the bar of the Senate shall vote, unless excused by unanimous vote of the Senate, and the votes shall be entered upon the Journal, and names of the Senators demanding the ayes and noes shall also be entered upon the Journal.

(See Mason's Manual, Sec. 532.)

TIE VOTE

A bill or joint resolution is lost by a tie vote, but when the Senate is equally divided on a question, motion or concurrent or one-house resolution, the President may give the deciding vote.

(See Constitution, Art. 5, Sec. 17; Mason's Manual, Sec. 513-514.)

RECONSIDERATION

On the day next succeeding the final vote on any bill, said vote may be reconsidered on motion of any member, provided notice of intention to move reconsideration was given on the day such final vote was taken. Notice of reconsideration must be given by a Senator who voted on the prevailing side, and no motion to reconsider shall be in order on day such final vote was taken, except by unanimous consent. Motions to reconsider a vote upon amendment to any pending question may be made and decided at once.

(See Mason's Manual, Sec. 450-473.)

12

JOINT RESOLUTIONS

The procedure of enacting joint resolutions shall be identical to that of enacting bills; provided, however, that joint resolutions amending the Constitution of the State of Nevada shall be entered in the Journal in their entirety.

(See Constitution, Art. 4, Sec. 18, Art. 16, Sec. 1; Nevada Revised Statutes, Sec. 218.280-218.440.)

13

MOTIONS

No motion shall be debated until distinctly announced by the President.

A motion may be reduced to writing and read by the Secretary, if desired by the President or any Senator, before it shall be debated. A motion may be withdrawn by the maker thereof at any time before amendment or decision.

(See Mason's Manual, Sec. 156.)

PRECEDENCE OF MOTIONS

When a question is under debate, no motion shall be received but the following, which shall have precedence in the order named:

1. To adjourn.
2. For a call of the Senate.
3. To place on the Secretary's desk.
4. For the previous question.
5. To postpone to a day certain.
6. To refer.
7. To amend.
8. To postpone indefinitely.

The first four shall be decided without debate.
(See Mason's Manual, Sec. 158, 176-187.)

DIVISION OF QUESTION

Any Senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away, a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert shall not be divided.

(See Mason's Manual, Sec. 101, 113.)

MOTION TO ADJOURN

A motion to adjourn shall always be in order and shall be entered on the Journal.

(See Mason's Manual, Sec. 200-202.)

MOTION TO RECONSIDER

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending or before passing the order of Motions and Resolutions, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding adjournment sine die.

(See Mason's Manual, Sec. 469.)

CALL OF THE SENATE

A call of the Senate may be moved by three Senators, and if carried by a majority of those present, the Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called over. The doors shall then be closed and the Sergeant at Arms directed to take into custody all who may be absent without leave, and all Senators so taken into custody shall be presented at the bar of the Senate for such action as to the Senate may seem proper.

(See Mason's Manual, Sec. 190-197.)

SECRETARY'S DESK

A motion to place on or take from the Secretary's desk shall be carried by a majority vote.

(See Mason's Manual, Sec. 330-341, 492-493.)

PREVIOUS QUESTION

The previous question shall be put only when demanded by three Senators. When sustained by a majority of Senators present, it shall put an end to all debate and bring the Senate to a vote on the question or questions before it, and all incidental questions arising after the motion was made shall be decided without debate. The previous question shall not be moved by the member last speaking on the question.

(See Mason's Manual, Sec. 345-352.)

MOTIONS NOT ENTERTAINED

When a motion to refer, to postpone to a day certain, or to postpone indefinitely has been decided, it shall not be again entertained on the same day and at the same state of proceedings, and when a question has been postponed indefinitely, it shall not again be introduced during the session except this rule be suspended by a two-thirds vote, and there shall be no reconsideration of a vote on a motion to indefinitely postpone.

(See Mason's Manual, Sec. 372, 390, 430, 436.)

REMARKS OR PROTEST

It shall be in order for Senators to protest against the action of the Senate upon any question, or for Senators to make remarks and have such protest or remarks entered in the Journal.

DECORUM AND DEBATE

Every Senator when he speaks, shall, standing in his place, address "Mr. President," in a courteous manner, and shall confine himself to the question before the Senate, and when he has finished, shall sit down. No Senator shall speak more than twice (except for explanation) during the consideration of any one question on the same day, nor a second time without leave when others who have not spoken desire the floor; but incidental and subsidiary questions arising during debate shall not be considered the same question.

(See Mason's Manual, Sec. 91-95.)

When two or more Senators rise at the same time the President shall name the one who may first speak--giving preference, when practicable, to the mover or introducer of the subject under consideration.

(See Mason's Manual, Sec. 91.)

POINTS OF ORDER

If any member, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the President, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the President shall be subject to an appeal to the house, but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the President.

(See Mason's Manual, Sec. 122, 240-246.)

In breaches of decorum or propriety, any Senator, officer, or other person shall be liable to such censure or punishment as the Senate may deem proper, and if any Senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language or conduct excepted to, which shall be taken down or noted at the Secretary's desk, and no member shall be held to answer for any language used on the floor of the Senate if business has intervened before exception to the language was taken.

(See Mason's Manual, Sec. 123.)

ABSENCE

No Senator shall absent himself from the service of the Senate without leave, except in case of accident or sickness, and if any Senator or officer shall so absent himself, his per diem, salary and travel expense shall not be allowed him, and no Senator shall obtain leave of absence or be excused without consent of two-thirds of the Senate.

EXPLANATION OF CHANGES FROM CURRENT TO
PROPOSED STANDING RULES OF THE SENATE

Shifts were made in the order and arrangement of the rules in order to conform with the Order of Business in the Senate. Also, certain rules were combined under one number with separate titled sections which refer to special procedures applying to a given category or order of business. For instance, under "Committees" are several pertinent sections; Committee of the Whole is shown separately from the "Committees" category because that procedure is not a normal committee meeting but primarily a means of permitting the body to engage in informal discussion of a question.

The proposed changes, abridgments and rearrangement are offered with all due respect to tradition, but with the hope that the untutored may find answers to parliamentary questions more readily; and, with rules gathered under numbered categories, additions can be placed in logical sequence rather than given another number and tacked on at the end, out of order.

The first four proposed rules are placed ahead of Order of Business because they establish some fundamental procedures which apply almost throughout a session without regard to Order of Business.

CURRENT SENATE STANDING RULES
(with notes on their disposition)

1

MEETING

Time of Meeting.

The President shall call the Senate to order each day of sitting at 11 o'clock a.m., unless the Senate shall have adjourned to some other hour.

The above is unnecessary as this matter is covered in the first sentence of No. 3 of the proposed rules.

2

ORDER OF BUSINESS

1. Roll Call.
2. Prayer by the Chaplain.
3. Pledge of Allegiance to the Flag.
4. Reading and Approval of the Journal.
5. Presentation of Petitions.
6. Report of Standing Committees.
7. Report of Select Committees.
8. Messages from the Governor.
9. Communications from State Officers.
10. Messages from the Assembly.
11. Second Reading and Amendment of Bills.
12. Introduction, First Reading, and Reference of Bills.
13. Motions, Resolutions, and Notices.
14. Business on General File and Third Reading of Bills.
15. Unfinished Business.

This appears as No. 5 of the proposed rules.

PETITIONS

Disposition of.

The contents of any petition or memorial shall be briefly stated by the President or any Senator presenting it. It shall then lie on the table or be referred, as the President or Senate may direct.

This appears as No. 6 of the proposed rules.

Notice of Bills--Reading of Bills.

At least one day's notice shall be given of the introduction of a bill unless by consent of two-thirds of the Senate, or the bill be presented by a committee in the discharge of its duty. Every bill shall receive three readings previous to its passage, unless, in case of emergency, two-thirds of the Senate shall deem it expedient to dispense with this rule. The President shall give notice at each whether it be first, second, or third reading. The first reading of the bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall then take the usual course. No bill shall be committed until once read, nor amended until twice read. The third reading of every bill shall be by sections.

This appears as the first section under No. 9 of the proposed rules. The first sentence should be abolished as obsolete and sometimes ignored in practice; the section is almost always suspended by motion near the beginning of a session.

Printing.

One thousand copies of all bills and resolutions of general interest shall be printed for the use of the Senate and Assembly, and two hundred and fifty copies of such as are of only local interest; also such other matter shall be printed as may be ordered by the Senate.

This rule is unnecessary and of no concern to a Senator in any event. The statutes governing duties of the State Printer (Sec. 218:390) cover this point adequately.

Appropriation Bills.

Bills appropriating money may be considered in Committee of the Whole Senate upon request of any three Senators, but must in all cases be first considered by a Standing Committee of the Senate.

An unnecessary rule. Almost without exception, bills are referred to a committee; and, if not, objections can be made from the floor. At any rate, the word "may" removes it from the mandatory classification.

General File.

All bills shall be read the second time in the order in which they are reported by committees. Upon second reading, Senate bills reported without amendments shall be engrossed and placed on the general file, and Assembly bills reported without amendments shall be placed on the general file. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Senate bills so amended shall be reprinted, engrossed, and placed on the general file, and Assembly bills so amended shall be reprinted, reengrossed and placed on the general file. Engrossed bills shall be placed at the head of the file in the order in which they are reported engrossed, except general appropriation bills, which shall be at the head of the file. The file, with each bill in order, shall be conspicuously posted in the Senate Chamber each day by the Secretary.

Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as bills with committee amendments. Any bill so amended upon the general file shall be reprinted and reengrossed.

The reprinting of amended bills may be dispensed with only in accordance with the provisions of law. Unless otherwise ordered by the Senate, one thousand copies of all amended bills shall be printed.

The above appears as a section under No. 9 of proposed rules, along with certain provisions adapted from the Assembly Standing Rules on the subject. The last sentence, as remarked under No. 5, is unnecessary.

8

May Be Committed.

A bill may be committed with special instructions to amend at any time before taking the final vote.

Unnecessary. Special instructions can be placed in any referral motion at any time, and a bill can be referred any time after introduction and before the final vote.

9

Reconsideration.

On the day next succeeding the final vote on any bill, said vote may be reconsidered on motion of any member, provided notice of intention to move a reconsideration was given on the day such final vote was taken, by a Senator who voted on that side which prevailed, and no motion to reconsider shall be in order on the day such final vote was taken, except by unanimous consent. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

This is now a section under No. 11 of proposed rules.

Different Subject Not Admitted as Amendment.

No subject different from that under consideration shall be admitted as an amendment; and no bill or resolution shall be amended by incorporating any irrelevant subject matter or by association or annexing any other bill or resolution pending in the Senate, but a substitute may be offered at any time so long as the original is open to amendment.

This should be eliminated. Of late years, substitute bills are introduced as new bills and the original bill, by agreement, dies in committee or on the desk. The question of subject matter is covered by the constitutional provision on bills themselves; any amendment certainly becomes part of the bill it amends, and thus different subject matter cannot be introduced. At any rate, it is unnecessary since the legislative counsel, as bill drafter, is governed by the constitutional provision.

11

Treated as Bills.

Joint and concurrent resolutions addressed to Congress, or to either House thereof, or to the President of the United States, or the heads of any of the National Departments, or proposing amendments to the State Constitution shall be subject, in all respects, to the foregoing rules governing the course of bills.

The difference between joint and concurrent resolutions is defined in the Joint Standing Rules and the latter should be omitted from this rule. However, there should be wording to clarify the constitutional requirement that joint resolutions amending the Constitution be entered in the Journal, as in fact they are at present. See No. 12 of proposed rules.

12

MOTIONS

To Be Seconded.

No motion shall be entertained until it shall be seconded; nor debated until announced by the President. It shall be reduced to writing and read by the Secretary, if desired by the President or any Senator, before it shall be debated, and by consent of the Senate may be withdrawn before amendment or decision.

13

To Adjourn.

A motion to adjourn shall always be in order. The name of the Senator moving to adjourn, and the time when the motion was made, shall be entered on the Journal.

14

Lie on the Table.

A motion to lie on or take from the table shall be carried by a majority vote.

Precedence of Motions.

When a question is under debate no motion shall be received but the following, which shall have precedence in the order named:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

The first four shall be decided without debate.

When Not Entertained.

When a motion to commit, to postpone to a day certain, or to postpone indefinitely has been decided, it shall not be again entertained on the same day and at the same stage of proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session except this rule be suspended by a two-thirds vote, and there shall be no reconsideration of a vote on a motion to indefinitely postpone.

Rules 12-16 are incorporated into No. 13 of proposed rules, except provision for "second" of first section (12), which is archaic.

MOTION TO STRIKE OUT ENACTING CLAUSE

A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to commit or amend, and if carried shall be equivalent to its rejection.

Unnecessary. Such action would amount to rejecting a bill, in view of the constitutional requirement of an enacting clause.

PREVIOUS QUESTION

How Put.

The previous question shall not be put unless demanded by three Senators, and it shall be in this form: "Shall the main question be now put?" When sustained by a majority of Senators present it shall put an end to all debate and bring the Senate to a vote on the question or questions before it, and all incidental questions arising after the motion was made shall be decided without debate.

This is now part of No. 13, proposed rules.

OBJECTION TO READING OF PAPER

How Determined.

Where the reading of any paper is called for, and is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

This is now No. 10 of proposed rules.

DIVISION OF QUESTION

Necessary to Division.

Any Senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away, a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert shall not be divided.

RECONSIDERATION

Precedence Of.

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending, or before passing the order of Motions and Resolutions, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding the last day of the session.

Now incorporated into No. 13 of proposed rules.

BLANKS

Filling Of.

In filling blanks the largest sum and longest time shall be first put.

A useless rule.

PRIORITY OF BUSINESS

Without Debate.

All questions relating to the priority of business shall be decided without debate.

Unnecessary. The rule on Order of Business settles this in most instances. Anything outside regular order of business can be decided by the President, and appeal made from his decision if necessary.

RESOLUTIONS

Exceptions.

Resolutions, other than those referred to in Rule 11, shall be treated as motions in all proceedings of the Senate.

Superfluous. One house and concurrent resolutions are universally adopted by motion, voice vote, by a majority of members present.

MESSAGES

Always in Order.

Messages from the Governor, state officers and from the Assembly may be considered at any time by a vote of the Senate.

Unnecessary. Power to consider, at any time, by a vote, any proposition not prohibited by the Constitution or statutes is inherent to a deliberative body.

AYES AND NOES

Three Required to Call For.

The ayes and noes shall be taken when called for by three members, and every Senator within the bar of the Senate shall vote, unless excused by unanimous vote of the Senate, and the votes shall be entered on the Journal, and the names of Senators demanding the ayes and noes shall also be entered on the Journal.

Now a section of No. 11, proposed rules.

TIE VOTE

President to Decide.

A question is lost by a tie vote, but when the Senate is equally divided, the President may give the deciding vote.

This appears, with wording clarified, under No. 11, proposed rules.

STANDING COMMITTEES

Standing committees of the Senate shall be as follows:

1. Commerce, five members.
2. Education, seven members.
3. Federal, State, and Local Governments, seven members.
4. Finance, seven members.
5. Health and Welfare, five members.
6. Judiciary, seven members.
7. Labor, seven members.
8. Legislative Functions, five members.
9. Public Resources, seven members.
10. State Institutions, five members.
11. Taxation, seven members.
12. Transportation, seven members.

This, with some further consolidation of committees, appears under No. 7, proposed rules.

Below is another suggested listing of Standing Committees, which might be particularly useful if the Senate and Assembly decided to create parallel committees in their respective houses.

1. COMMERCE, including banking, insurance, corporations, labor, trade practices, occupations--three members.
2. PHYSICAL RESOURCE DEVELOPMENT, including agriculture, live-stock, water, fish and game, natural resources, mines, public lands, recreation, publicity--five members.
- *3. FINANCE, including appropriations, revenue and taxation--five members.
- *4. GOVERNMENT AFFAIRS, including federal, state, county, city, civil defense, elections--five members.
- *5. JUDICIARY, including judicial matters, remedial, civil and penal codes--five members.
6. LEGISLATIVE FUNCTIONS, including credentials, rules, and legislative administration--three members.
- *7. HUMAN RESOURCE DEVELOPMENT, including education, health, welfare, veterans, institutions--five members.
8. TRANSPORTATION, including aviation, railroads and high-ways--three members.

* Major committees

29

Appointment of Committees.

All committees of the Senate, special and standing, and all joint committees on the part thereof, shall be appointed by the President, unless otherwise ordered by the Senate.

30

To Incur Expense.

No committee shall employ assistance or incur any expense, except by permission of the Senate previously obtained.

31

Reference.

When a motion is made to refer any subject, and different committees are proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

32

Duties of Committees.

The several committees shall fully consider all measures referred to them and report thereon. They shall acquaint themselves with the interests of the State specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the State, and shall fully consider and report their opinion upon any matter committed or referred to them by the Senate.

The Committee on Legislative Functions shall recommend by resolution the appointment of all attaches and employees of the Senate not otherwise provided for by law. It shall have authority to suspend any attache or employee for incompetency or dereliction of duty, pending final action by the Senate.

Rules 29-32a have all been incorporated into No. 7, proposed rules.

To Return Bills.

Any bill or other matter referred to a committee of the Senate shall not be withdrawn or ordered taken from such committee for consideration by the Senate, recommitment, or for any other reason without a two-thirds vote of the Senate, and at least one day's notice of the motion therefor. No such motion shall be in order on the last day of the session, or on the day preceding the last day of the session. Nothing in this rule shall be construed to take from any committee the rights and duties of committees provided for in Rule 32 of Senate Standing Rules.

This is undemocratic and poor parliamentary practice and should be eliminated.

COMMITTEE OF THE WHOLE

Forming Of.

In forming the Committee of the Whole Senate the President shall name a chairman to preside, and all bills considered shall be read by sections, and the chairman shall call for amendments at the conclusion of the reading of each section. All amendments proposed by the committee shall be reported by the chairman to the Senate.

Rules of Senate.

The Rules of the Senate shall apply to proceedings in Committee of the Whole, except that the previous question shall not be ordered, nor the ayes and noes demanded, but the committee may limit the number of times that any member may speak, at any stage of proceedings, during its sitting. Messages may be received by the President while the committee is sitting; in which case the President will resume the chair, receive the message, and vacate the chair in favor of the chairman of the committee.

Motion to Rise.

A motion that the committee rise shall always be in order, and shall be decided without debate.

Rules 34-36 appear as No. 8, proposed rules.

PRIVILEGED COMMITTEES

Always in Order.

The Committees on Enrolled and Engrossed Bills may report at any time.

Obsolete.

DUTIES OF OFFICERS

President.

The President shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and if a quorum be present shall cause the Journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the Chamber, shall order the Sergeant-at-arms to suppress the same, and may order the arrest of any person creating any disturbance within the Senate Chamber. He may speak to points of order in preference to members, rising from his seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the Senate by two members, on which appeal no member shall speak more than once without leave of the Senate. He shall see that all officers and clerks perform their respective duties, and shall sign all Acts, addresses and joint resolutions, and all writs, warrants and subpoenas issued by order of the Senate; all of which shall be attested by the Secretary. He shall have general direction of the Senate Chamber, and shall have a right to name any Senator to perform the duties of the Chair--but such substitution shall not extend beyond an adjournment, nor authorize the Senator so substituted to sign any document requiring the signature of the President.

President Pro Tem.

The President pro tem shall have all the power and authority, and discharge all the duties of the President during his absence or inability to discharge the duties of his office. In the absence or inability of the President pro tem to discharge the duties of the President's office, the Chairman of the Committee on Legislative Functions shall preside until the Senate elects one of its members as the presiding officer for that occasion. In the absence of the Chairman, the Vice Chairman of the Committee on Legislative Functions shall preside until the Senate elects one of its members as the presiding officer for that occasion.

[Amended - Stats. 1965, File No. 22]

Sergeant-at-Arms.

The Sergeant-at-Arms shall attend the Senate during its sittings, and execute its commands and all process issued by its authority. He shall be sworn to keep the secrets of the Senate. He shall receive for every arrest within the Capitol building or grounds, one dollar; within the limits of Carson City and without the Capitol grounds, one dollar and fifty cents; for each day's custody and releasement, one dollar; and for traveling expenses of himself or special messenger outside of Carson City, for one way only, twenty-five cents per mile. All fees for arrest of members shall be paid by

members arrested, unless excused by the Senate; and when excused, the Sergeant-at-Arms shall not be allowed fees, except when the arrest was made outside of Carson City, when mileage shall be allowed.

See No. 3, proposed rules relative to rules 38-40. Everything after first sentence under "Sergeant at Arms" is archaic.

41

Assistant.

The Assistant Sergeant-at-Arms shall be doorkeeper and shall preserve order in the Senate Chamber and shall assist the Sergeant-at-Arms. He shall be sworn to keep the secrets of the Senate.

No such position shown in law establishing positions and salaries.

42

DECORUM AND DEBATE

Points of Order.

If any Senator, in speaking or otherwise, transgress the Rules of the Senate, the President shall, or any Senator may, call him to order, and when a Senator shall be so called to order he shall sit down and shall not proceed without leave of the Senate, which leave, if granted, shall be upon motion, "That he be allowed to proceed in order," when he shall confine himself to the question under consideration and avoid personality. Every decision of points of order by the President shall be subject to appeal, and no discussion of a question of order shall be allowed, except upon appeal of two Senators, and in all cases of appeal the question shall be, "Shall the decision of the Chair stand as the judgment of the Senate?"

43

Breaches of Decorum.

In cases of breaches of decorum or propriety any Senator, officer or other person shall be liable to such censure or punishment as the Senate may deem proper, and if any Senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language or conduct excepted to, which shall be taken down or noted at the Secretary's desk, and no member shall be held to answer for any language used on the floor of the Senate if business has intervened before exception to the language was taken.

44

When Not Entitled to the Floor.

Every Senator when he speaks, shall, standing in his place, address "Mr. President," in a courteous manner, and shall confine himself to the question before the Senate, and when he has finished, shall sit down. No Senator shall speak more than twice (except for explanation) during the consideration of any one question on the same day, nor a second time without leave when others who have not spoken desire the floor; but incidental and subsidiary questions arising during debate shall not be considered the same question.

Preference to Speak.

When two or more Senators rise at the same time the President shall name the one who may first speak--giving preference, when practicable, to the mover or introducer of the subject under consideration.

Rules 42-45 appear under No. 15, proposed rules.

Privilege.

Any Senator may rise and explain a matter personal to himself by leave of the President, but he shall not discuss any pending question in such explanation.

So rarely used as to be unnecessary. If the occasion arises, it is covered better by Mason's Manual, Ch. 23.

ELECTION--VOTING

Manner Of.

In all cases of election by the Senate the vote shall be taken viva voce, and no Senator or other person shall remain by the Secretary's desk while the roll is being called or the votes are being counted. No Senator shall be allowed to vote except when at his seat, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the ayes and noes are being called, nor change his vote after the result is announced, and the announcement of the result of any vote shall not be postponed.

Now part of No. 11, proposed rules.

ABSENCE

Leave Required.

No Senator shall absent himself from the service of the Senate without leave, except in case of accident or sickness, and if any Senator or officer shall so absent himself his per diem shall not be allowed him, and no Senator shall obtain leave of absence or be excused without consent of two-thirds of the Senate.

Now No. 16 of proposed rules.

PRIVILEGE OF THE FLOOR

Who Entitled.

No person, except State Officers and officers and members of the Senate and Assembly, shall be admitted within the bar of the Senate, except by special invitation on the part of some member; and a majority may authorize the President to have the Senate Chamber cleared of all persons except Senators and officers of the Senate; and the Senate Chamber shall not be used for any but legislative business except by permission given by a two-thirds vote.

BEHAVIOR

Indecorous conduct or boisterous or unbecoming language shall not be permitted in the Senate Chamber.

Rules 49-50 are incorporated into No. 4, proposed rules.

PROTEST

Entered in Journal.

Any Senator, or Senators, may protest against the action of the Senate upon any question, and have such protest entered upon the Journal.

See No. 14, proposed rules.

SPECIAL ORDER

Time to Consider.

The President shall call the Senate to order on the arrival of the time fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall be considered, unless it be postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall go to Unfinished Business.

See second section of No. 5, proposed rules.

WITNESSES

Compensation.

Witnesses summoned by order or on behalf of the Senate to appear before the Senate, or any of its committees, shall be paid for each day's attendance three dollars. For each mile traveled in coming to the place of examination, twenty-five cents, and nothing shall be paid for travel where the witness was served at the place of examination, and no mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

See fourth section under No. 7, proposed rules. Obsolete wording has been eliminated.

CALL OF THE SENATE

Moved by Three Members.

A call of the Senate may be moved by three Senators, and if carried by a majority of all present, the Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called over. The doors shall then be closed and the Sergeant-at-Arms directed to take into custody all who may be absent without leave, and all Senators so taken into custody shall be presented at the bar of the Senate for such action as to the Senate may seem proper.

See sixth section under No. 13, proposed rules.

MASON'S MANUAL

To Govern.

The Rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the Senate, and the joint rules of the Senate and Assembly.

Shown as No. 1 of proposed rules.

SUSPENSION OF RULE

How Effected.

No standing rule or order of the Senate shall be rescinded or changed without a vote of two-thirds of the Senate and one day's notice of the motion therefor; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called for, and after due notice from the President no objection is offered, he can announce the rule suspended and the Senate may proceed accordingly; but this shall not apply to that portion of Senate Standing Rule No. 4 relating to the third reading of bills, which cannot be suspended; and further, this rule shall not apply to the suspension of Senate Standing Rule No. 33.

See No. 2, proposed rules.

CONCURRENT REFERRALS

When a bill or resolution is referred to two committees the bill or resolution will go to the first committee named, where it will be acted upon; then, regardless of the action or recommendation of that committee, the bill or resolution will pass to the second committee named, and that committee will pass upon it. The two committees will then prepare their recommendations separately and report simultaneously to the Senate. If one committee reports unfavorably and the other favorably, the bill or resolution must be reported to the Senate. If both committees report unfavorably the chairman of the first committee named may hold the bill or resolution.

The only reason for this rule would seem to be the requirement that a measure must be reported back to the Senate if one committee gives a favorable recommendation. Otherwise, the second section of No. 7, proposed rules, would seem adequate. In any event, the physical mechanics of "simultaneous" reports are fraught with pitfalls. Used rarely enough to be unnecessary, and quite clumsy to handle. A device, at best.

PROPOSED JOINT RULES OF THE SENATE AND ASSEMBLY

1

PRECEDENCE OF PARLIAMENTARY AUTHORITY

The precedence of parliamentary authority in the Senate and Assembly of the Nevada Legislature shall be as follows:

1. The Constitution of the State of Nevada.
2. The Statutes of the State of Nevada.
3. The Standing Rules of the Assembly and the Joint Standing Rules of the Senate and Assembly.
4. Mason's Manual of Legislative Procedure.

(See Mason's Manual, Sec. 6, 7, 19-31.)

2

MESSAGES

Proclamations by the Governor convening the Legislature in extra session shall be read immediately after the convening thereof, filed and entered in full upon the Journal of proceedings.

Messages from the Senate to the Assembly shall be delivered by the Secretary or Assistant Secretary, and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or Assistant Chief Clerk, who may enter within the bar and deliver the message.

Each house shall communicate its final action on any bill or resolution, or matter in which the other may be interested, in writing, signed by the Secretary or Chief Clerk (or their assistants).

3

COMMITTEES ON CONFERENCE

In every case of an amendment of a measure, agreed to in one house, dissented from in the other, and not receded from by the one amending, such house shall appoint a committee to confer with a like committee from the other house. The committees so appointed shall meet as agreed upon by their respective chairmen and shall confer upon the differences between the houses as indicated by the amendments made in one and rejected by the other, and the result of their conference shall be reported as early as convenient to their respective houses. The whole bill or resolution shall be considered by the committees on conference, which may recommend recession by either house, new amendments, new measures, or other changes as it sees fit.

The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein; but such report shall not itself be subject to amendment. If either house refuses to adopt such report, the committees may be discharged and other committees appointed. However, no more than three different conference committees shall be appointed for any one bill. No member who has served on a conference committee shall be appointed to another conference committee on the same bill.

(See Mason's Manual, Sec. 767-771.)

RESOLUTIONS

Concurrent Resolutions shall be used as a means of expressing facts, principles, opinions and purposes of the Senate and Assembly, and for authorizing joint committees of the two houses. They shall not be binding on either house until agreed to by both. They shall not be sent to the Governor for approval. Concurrent Resolutions may be used to memorialize former members of the Legislature and other public figures, living or dead, but shall not be used for the purpose of congratulating any person or organization for insignificant accomplishments. No congratulatory resolution shall be introduced without prior approval of the Committee on Legislative Functions of the appropriate house.

Joint Resolutions proposing amendment to the State Constitution shall not be submitted to the Governor for his approval or signature, but shall, after enrollment, be delivered to the Secretary of State for filing and recording.

Joint Resolutions, other than as enumerated in the preceding paragraph, shall be used as a means in addressing the President of the United States, Congress, or either house thereof, Representatives in Congress and the National Departments, and shall be delivered to the Governor for action as provided by law.

(See Mason's Manual, Sec. 145.)

GOVERNOR'S SIGNATURE

After a bill or joint resolution shall have passed both houses, it shall be duly enrolled by the Engrossing and Enrolling Clerk in the manner provided by law, and he shall carefully compare the enrollment with the engrossing bill or joint resolution as passed, correcting any errors that may be discovered therein.

Such bill or joint resolution shall thereupon be presented to the presiding officers of both houses for signature, who shall sign the same, their signaturer to be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Immediately thereafter such bill or joint resolution shall be presented to the Governor for action, as provided by law.

(See Constitution, Art. 4, Sec. 18, 35; Nevada Revised Statutes, 218.340, 218.350, 218.360, 218.380.)

VETOES.

Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order of business. When the special order for their consideration is reached and called,

the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the message and bill shall be read by the Secretary or Chief Clerk without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is, immediately following such reading the only question (except as hereinafter stated) which shall be put by the presiding officer is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order at any time to vote upon such vetoed bill until it shall have been read, and no motion shall be entertained after the presiding officer has stated the question except a motion for "the previous question," but the merits of the bill itself may be debated.

(See Constitution, Art. 4, Sec. 35; Nevada Revised Statutes, Sec. 218.420, 218.430; Mason's Manual, Sec. 458.)

7

EXPENDITURES FROM LEGISLATIVE FUND

Except for routine salary, travel, equipment, and operating expenses, no expenditures shall be made from the Legislative Fund without the Authority of a Concurrent Resolution regularly adopted by the Senate and Assembly.

8

ADJOURNMENT

Neither house, during the session of the Legislature, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

In adjourning for not more than three days, either the day of adjourning or the day of meeting shall be taken into the count, but Sunday shall not be taken into the count in making this computation.

The Legislature is adjourned for more than three days by Concurrent Resolution.

(See Constitution, Art. 4, Sec. 15.)

EXPLANATION OF CHANGES FROM CURRENT TO PROPOSED
JOINT RULES OF THE SENATE AND ASSEMBLY

Inasmuch as precedence of parliamentary authority is the same in the houses, it was felt that this provision might well be removed from the Assembly Standing Rules (it does not appear in the Senate Rules) and become a part of the Joint Rules. This appears as Rule No. 1 of the proposed rules.

Certain shifts in the order of the rules were made with the idea of conforming this order as much as possible to the Order of Business in the houses.

CURRENT JOINT RULES OF THE SENATE AND ASSEMBLY
(with notes as to their disposition)

1

COMMITTEES OF CONFERENCE

To Be Appointed by One House at Request of the Other.

In every case of an amendment of a bill, or joint, or concurrent resolution, agreed to in one house, dissented from in the other, and not receded from by the one making the same, such house shall appoint a committee to confer with a like committee to be appointed by the other; and the committee so appointed shall meet at a convenient hour to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either house, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments, unless such bills or resolutions are comprised entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills, or resolutions, as the case may be.

The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. But such report shall not itself be subject to amendment, and if either house refuse to adopt such report, the conferees may be discharged and other conferees appointed; provided, however, that no more than three different conference committees shall be appointed on any one bill. No member who has served on a conference committee shall be appointed a member of another conference committee on the same bill.

The above now appears as Rule No. 3 in the proposed rules.

MESSAGES

Procedure Concerning.

Proclamations by the Governor convening the Legislature in extra session shall, by direction of the presiding officer of each House, be read immediately after the convening thereof, filed and entered in full upon the Journal of proceedings.

Whenever a message from the Governor is received the Sergeant-at-Arms will announce: "Mr. President, or Mr. Speaker, the Secretary of the Governor is at the bar." The secretary will, upon being recognized by the presiding officer, announce: "Mr. President, or Mr. Speaker, a message from His Excellency, the Governor of Nevada, to the Honorable, the Senate or Assembly," and hand same to the Sergeant-at-Arms for delivery to the Secretary of the Senate or Chief Clerk of the Assembly. The presiding officer will direct the biennial message of the Governor to be received and read, and all special messages to be received, read and entered in full upon the Journal of proceedings.

Messages from the Senate to the Assembly shall be delivered by the Secretary or Assistant Secretary, and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or Assistant Clerk, who shall be announced by the doorkeeper, enter within the bar, announce and deliver his message.

The second paragraph of this was abridged to remove procedures which are no longer observed.

BILLS

Communications.

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, in writing, signed by the Secretary or Clerk of the House from which such notice is sent.

This is incorporated into No. 2 of the proposed rules.

INDORSED AND PRESENTED TO THE GOVERNOR

After a bill or joint resolution shall have passed both Houses it shall be duly enrolled by the Enrolling Clerk of the House from which it originated, and shall be examined by the Enrolling Committee of such House, who shall carefully compare the enrollment with the engrossing bill or joint resolution as passed, correcting any errors that may be discovered therein.

Such bill or joint resolution shall thereupon be presented to the presiding officers of both Houses for signature, who shall, after announcement is made of their intention to do so, sign the same in open session and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Immediately thereafter such bill or joint resolution shall be presented to the Governor for action, as provided by law, and the Chairman of the Enrollment Committee shall forthwith report to such House the time when such presentation was made and that a receipt was obtained therefor.

The Enrolling Clerk shall indorse upon the back of each bill or joint resolution the House wherein it originated.

This is covered by No. 5 of the proposed rules. Certain obsolete wording was corrected, and other provisions were changed to conform to actual practice in the houses.

TRANSMIT PAPERS

Each House shall transmit to the other, papers on which any bill or resolution shall be founded.

The above was omitted because it is never complied with.

PRINTING

Conditional.

The Standing Committees on Printing of the two Houses shall be a Joint Standing Committee, who shall examine all matters proposed to be printed by concurrent order, and shall report what part of such matter is needful to print. Each House may order the printing of bills introduced, reports of its own committees, and other matter pertaining to such House only; but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

This rule is obsolete.

RESOLUTIONS

Concurrent resolutions shall be used as a means of expressing facts, principles, opinions and purposes of the Senate and Assembly, and for authorizing joint committees of the two Houses. They shall not be binding on either House until agreed to by both. They shall not be sent to the Governor for approval. Concurrent resolutions may be used to memorialize former members of the Legislature and other public figures, living or dead, but shall not be used for the purpose of congratulating any person or organization for insignificant accomplishments. No congratulatory resolution shall be introduced without prior approval of the Committee on Legislative Functions of the appropriate House.

Joint Resolutions, proposing amendment to the State Constitution shall not be submitted to the Governor for his approval or signature, but shall, after enrollment, be delivered to the Secretary of State for filing and recording.

Joint Resolutions, other than as enumerated in the preceding paragraph, shall be used as a means in addressing the President of the United States, Congress, or either House thereof, Representatives in Congress and the National Departments, and shall be delivered to the Governor for action as provided by law.

This appears as No. 4 in the proposed rules.

VETOES

Special Order.

Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the message and bill shall be read by the Clerk without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of its title to and including the last word of its final section; and no motion shall be entertained after the Chair has stated the question save a motion for "The previous question," but the merits of the bill itself may be debated.

This appears as No. 6 in the proposed rules.

ADJOURNMENT

Neither House, during the session of the Legislature, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

In adjourning for not more than three days, either the day of adjourning or the day of meeting shall be taken into the count, but Sunday shall not be taken into the count in making this computation.

The Legislature is adjourned for more than three days by concurrent resolution.

This appears as No. 8 of the proposed rules.

EXPENDITURES FROM THE LEGISLATIVE FUND

Except for routine salary, travel, equipment, and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a Concurrent Resolution regularly adopted by the Senate and Assembly.

This appears as No. 7 in the proposed rules.

Assembly Joint Resolution No. 11—Mr. Bryan Hafen

FILE NUMBER...86....

ASSEMBLY JOINT RESOLUTION—Proposing to amend sections 2 and 33 of article 4 of the constitution of the State of Nevada, relating to the sessions of the legislature and the compensation of members of the legislature, by requiring the legislature to hold annual sessions; limiting the regular sessions held during even-numbered years to matters relating to the budget and other matters brought to the attention of the legislature by the governor and limiting the compensation received by legislators during such a session to not more than 30 days; and providing other matters properly relating thereto.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 2 and 33 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 2. The sessions of the Legislature shall be ~~biennial,~~ *annual*, and shall commence on the 3rd Monday of January, ~~next ensuing the election of members of the Assembly,~~ unless the Governor of the State shall, in the interim, convene the Legislature by proclamation. *All regular sessions held in even-numbered years shall be limited to matters relating to the budget and other matters which may be brought to the attention of the legislature by the governor.*

~~[Sec:]~~ Sec. 33. The members of the Legislature shall receive for their services ~~[.]~~ a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature *held during odd-numbered years, not to exceed 30 days during any regular session of the legislature held during even-numbered years*, and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.

Senate Joint Resolution No. 9—Committee on Federal, State and
Local Governments

FILE NUMBER...107...

SENATE JOINT RESOLUTION—Proposing to amend section 2 of article 4 of the constitution of the State of Nevada, relating to the legislature, by providing for annual sessions.

Resolved by the Senate and Assembly of the State of Nevada, jointly,
That section 2 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 2. The sessions of the Legislature shall be [biennial,] *annual*, and shall commence on the 3rd Monday of January [next ensuing the election of members of the Assembly,] *of each year*, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

In each of their last two regular sessions, members of the North Carolina General Assembly have been assisted by ten interns from undergraduate ranks of higher educational institutions in the State, through a program sponsored by the North Carolina Center for Education in Politics. That benefits have been substantial for both legislators and interns is attested by this article. Preston W. Edsall, its author, is Professor Emeritus of Politics at North Carolina State University and Internship Director of the program described. He tells here how the project was launched and how it works, indicates the warmth with which legislators and interns have appraised it, and suggests points for consideration in other States where comparable programs might commend themselves.

North Carolina's Legislative Internship Program



by Preston W. Edsall

LEGISLATIVE internship programs exist or have existed with varying degrees of success in thirteen States, from Massachusetts to Hawaii. These programs, supported in part by Ford Foundation matching grants, have been manned largely by graduate students in political science, law, journalism and related fields.¹ The experience of a fourteenth State, North Carolina, demonstrates that undergraduates also make good interns. Here, under the sponsorship of the North Carolina Center for Education in Politics, twenty such students—ten each in the 1965 and 1967 biennial General Assembly sessions—have invested at least 10,000 hours, or the equivalent of 1,250 eight-hour days, to the work of the Legislature at no cost to it and, in addition,

have each simultaneously earned twelve semester hours of academic credit in two regular courses and a special seminar offered by the North Carolina State University Department of Politics.

ORIGIN, STRUCTURE, OBJECTIVES

Because of my long association with the General Assembly, Donald R. Matthews, Director of the Center for Education in Politics, invited me to suggest to its 1964 annual conference ways of bringing students from its twenty or more affiliated universities and senior colleges into direct contact with the 1965 legislative session. My suggestions were two: the establishment of legislative workshops, as they came to be called, and a legislative internship program. Both proposals were adopted.

The workshops have brought to Raleigh students from each campus of institutions rep-

¹See Robert Seaver, "Internships and Legislative Staffing," *State Legislatures Progress Reporter*, vol. 2, no. 3 (Dec. 1966). California's program has been described by Speakers L. H. Lincoln and Jesse M. Unruh in the January 1953 and Summer 1963 numbers, respectively, of *State Government*.

resented in NCCEP for a five-day period of intensive observation of, and contact with, the General Assemblies of 1965 and 1967. These workshops have been scheduled so as to cause only minimal interruptions in the students' programs of study and have returned them to their home campuses with realistic and communicable insights.²

The internship proposal involved the transfer of carefully selected undergraduates from their home campuses to North Carolina State University, located at Raleigh, for the second semester of 1964-65, which was expected to conform roughly to the legislative session. As the internship plan developed in the months following the annual conference, the academic and internship features were carefully correlated. NCSU's senior three-credit courses in Problems of State Government and the Legislative Process were obvious choices for inclusion in the program. Specially created for it was a six-credit course somewhat clumsily titled Governmental Internship and Seminar. These courses were taught, respectively, by three senior members of the Politics Department, William J. Block, Abraham Holtzman and myself.

The earlier periods of each day were reserved for the first two courses, and the seminar convened for its regularly scheduled meeting at 10 a.m. each Monday, a day when legislators were normally in transit to Raleigh for a night session. This scheduling avoided, insofar as possible, conflict with legislative functions and enabled interns to reach the State Legislative Building by 9:30 or 10 on legislative days.

The objectives of the internship program were at least three. First, we hoped that service in staff capacities with legislators would provide an unexcelled educational experience for the interns. Second, we sought to perform a genuine service for understaffed, overworked legislators. Third, we hoped to deepen the political and governmental involvement of an initially highly motivated group of under-

graduates. My judgment is that all three objectives were achieved. I do not claim that the present concern of legislators with staffing was the result of our programs, but only that these programs played a part in demonstrating the need for and value of staffing.

RECRUITMENT AND SELECTION

With the opening of the affiliated colleges and universities in the fall of 1964 and again in December 1966, printed announcements of the internship and workshop programs, together with specially designed application forms, were sent from the NCCEP Director's office to the center's representative on each campus. Although any student was entitled to apply, the announcements stated a clear preference for "upperclassmen with strong preparation in political and social sciences."

Thirty-seven applications for internships were received for 1965 and twenty-two for 1967. That these numbers were not larger is attributable to the careful screening by NCCEP's representatives on the different campuses, and the marked decline in 1967 is probably due to a sizeable reduction in internship stipends made unavoidable by a sharp decline in the funds of the center.

After careful examination of the applications, the most promising candidates were brought to North Carolina State University to be interviewed by an NCCEP committee augmented in each case by a member of Governor Dan K. Moore's staff and a legislative leader—in 1964 Lieutenant Governor-Elect Robert W. Scott and in 1967 Herman A. Moore, the designated President Pro Tempore of the Senate. On both occasions the incoming House Speaker expected to be present but was detained because of a simultaneous and prolonged session of the Study Commission on the Courts. The participation of these political figures in a predominately academic group helped markedly in choosing interns who would fit well in the General Assembly.

On each occasion ten interns were selected. Each group came from six campuses, including NCSU. In each there was one Negro. One woman was chosen for 1965, two for 1967. The

²The workshops were directed by Mrs. Carolyn Lindh Ball, a political scientist and former public interest lobbyist.

two groups had two and three seniors respectively. The 1965 group included one outstanding sophomore, who performed brilliantly. Fourteen interns were second semester juniors. Students majoring in political science were most numerous, but there was in each group one student majoring in history and one in mathematics. All had taken basic work in American government and politics and some work in at least one other social science. In most instances, candidates who were called for interview but not selected were invited to participate in a workshop.

ORIENTATION AND ASSIGNMENT

With one or two exceptions, the interns were unfamiliar with the General Assembly and, at least in 1965, legislators had no previous experience with interns. Some orientation therefore was needed by both groups. Fortunately, the Institute of Government at the University of North Carolina at Chapel Hill had published in 1965 a handbook for legislators.⁸ This and several earlier Institute of Government publications provided interns a concise introduction to the processes and ways of the General Assembly. Helpful also in the orientation were the IOG Legislative Service Director, Milton S. Heath, Jr., the presiding officers and principal clerks of the two houses of the Legislature, the Secretary of State, who regularly gives lectures to new legislators, and numerous others.

Time was allowed to enable interns to familiarize themselves with the legislative building and the general location of governmental agencies. Stress was put on the confidential character of the relationship between the intern and the legislator for whom he was to work. An early episode demonstrated the importance of this emphasis, and no difficulty was subsequently encountered.

Because the internship program had originated outside the Legislature, I took steps in

the summer of 1964 to gain the friendly support of the probable presiding officers and the gubernatorial candidates. The warm and friendly manner in which Lieutenant Governor-to-be, Robert W. Scott, and House Speaker-Designate, H. P. Taylor, Jr., welcomed the program, and the endorsement of Dan K. Moore, the incoming Governor, insured a good reception in 1965. Their continued support in 1967, together with that of David M. Britt, the incoming Speaker, proved equally valuable.

When the 1965 and 1967 Legislatures convened, each member was given a memorandum explaining the program in detail, listing the interns, and telling members to whom interns were not assigned how their services might be obtained when needed. Included were suggestions concerning the types of service that might be expected.

The actual assignment of interns was my responsibility as Director of the program, and in its fulfillment I had the advice and cooperation of the presiding officers, including in 1967 Senate President Pro Tempore Herman A. Moore. In 1965, each presiding officer selected an intern. Since the program was, in a sense, breaking a color line that had existed since 1900, the choice of the Negro intern by the 1965 Speaker was a happy circumstance. Neither presiding officer had a regularly assigned intern in 1967, but from time to time during the session Speaker Britt called upon various interns, including the Negro, who was permanently assigned to the House Rules Committee.

Chairmen of the heavily worked committees received most of the interns and, in varying degrees, used them in committee work and in their own legislative projects. My own task included checking the performance and work loads of interns, whose services in slack periods could be lent to other legislators. Sometimes interns were shared by two chairmen on a regular basis. Reassignments were occasionally made when work loads proved consistently small. In the case of an intern assigned to the Chairmen of the Senate and House Congressional District Committees, a

⁸Clyde L. Ball, *The General Assembly of North Carolina: A Handbook for Legislators*, The Institute of Government, Chapel Hill, preliminary edition, 1967; revised by Milton S. Heath, Jr., 1967. One could scarcely overemphasize the services rendered by the Institute of Government to the General Assembly, its committees and interim bodies.

job originally expected to last a few weeks took five months. In general, half the interns were assigned to each house. Sometimes, as in the instance just mentioned, one intern would work for corresponding committee chairmen in both houses. And an intern assigned to a chairman frequently helped other members of his committee.

WHAT INTERNS DID

The duties of interns varied. Where a legislator had or developed skill in delegation of work, his intern tended to be pressed for time. "I was saved untold hours of work," wrote one chairman who had this skill. Research, bill drafting, speech and news release writing, correspondence with constituents, committee scheduling, committee attendance, mathematical computations, map making, visits to state agencies, out-of-town trips with the General Assembly and, in one instance, a trip to the National Conference of Lieutenant Governors, appear in the lists of intern activities. On the very first day in 1965, one busy legislator calmly entitled his intern his administrative assistant and put him in charge of his office. In short, the interns served as genuine staff assistants to members who previously were without staff.

Whenever possible, interns attended the legislative sessions. A special group of seats in the right front corner of the House was normally available to them. Senate rules specifically included interns among those entitled to privileges of the floor.

There are many evidences of appreciation for the work of the interns. Joint resolutions of thanks, introduced in both years by Senator Voit Gilmore and others, were unanimously adopted. My files contain numerous personal letters of appreciation. One from Representative Nick Galifianakis, now a Congressman, includes the following passage: "I can speak with some authority when I tell you that the research and time and effort the interns spent on proposed legislation was of inestimable value. . . . It not only relieved a great burden from our shoulders but [also] resulted in many instances in better legislation."

SPECIAL EVENTS

Interns were expected to take such part in the workshops as their duties permitted and to attend certain scheduled dinner and seminar meetings where legislators, members of the Governor's staff, lobbyists and newsmen discussed frankly North Carolina's problems and politics. Governor Moore and his two predecessors, Terry Sanford and Luther H. Hodges, either addressed the interns as a group or gave them off-the-record interviews.

Perhaps, however, the most exciting events were those the 1967 interns planned for themselves in their exclusive "Potted Pine Club." Their most ambitious venture was a two-day expedition to Washington on June 5 and 6. I was their surprised guest on this expedition, which the Governor, the legislators and North Carolina's Congressional delegation endorsed, and which Congressman L. H. Fountain's office engineered. The high points of this visit were generously long interviews with the Chief Justice, the Vice President, and the President of the United States. Mr. Johnson received us in the Cabinet room shortly after the U.N. Security Council had adopted its first Middle East cease-fire resolution. The President later described the interns as a "wonderful group of young Americans" whose "spirit is a warm memory that sustains me to this day."⁴

WHERE ARE THE INTERNS NOW?

What has become of the interns since their programs ended? Of the first group, six are in law school—three at Chapel Hill, one at Duke, one at Yale (the woman intern), and one at Harvard (the Negro). Another is a National Defense Education Act fellow in political science at the University of Arizona, one is in business in New England, and one is in the Armed Forces. The juniors in the 1967 group are now finishing college; one 1967 senior is a graduate student at Chapel Hill; another is in the Harvard Graduate School of Business Administration; the third is entering law school next fall.

Several of those still in the State are taking

⁴Letter to the writer, July 6, 1967.

active parts in politics, often in research capacities for candidates with whom they worked in the Legislature. One intern served last summer on Congressman Galifianakis' staff, but none has yet run for office. And I emphasize *yet*.

Whatever their political futures, the interns have testified repeatedly to the quality and value of their Raleigh experience. Two of them had previously held summer internships in Congress. One of these had served her internship in the office of a prominent New England Congressman. Here is her comparison of the two internships: "The semester was the most worthwhile one that I have ever spent. It was preferable to my Congressional internship because the interns were drawn into the very central workings of the General Assembly." The smaller size of the Legislature enabled her to get "a much more complete overview" of the Legislature, "whereas I have a one member's viewpoint of Congress."

PROBLEMS: FINANCIAL AND OTHERWISE

The continuation of North Carolina's legislative internship program depends upon the availability of financial support. We come then to the question of money: At the outset, we of the North Carolina Center for Education in Politics believed that the program should not involve expense to the General Assembly. Making an intern available for service without compensation took him out of the legislative employee category and assured him special status. Application of this doctrine was easy in 1965, when NCCEP was receiving adequate support from the National Center for Education in Politics. The \$500 stipend then given interns was sufficient to cover tuition, fees and dormitory room rent at North Carolina State University, and still leave \$200 for other expenses. It was different in 1967; the National Center no longer existed, and NCCEP resources were nearly exhausted. Repeated efforts to win foundation support either for the center's total program, or for the state legislative features thereof, produced courteous approval of objectives and best

wishes for success but no hard cash. Serious consideration was given to abandoning the venture, but finally nearly all of NCCEP's remaining funds were committed to it, and ten internships were offered with stipends sufficient to cover only tuition and fees. All other expenses had to be borne by the intern himself.

Necessarily interns found the financial going more difficult. As was suggested earlier, the decline in the number of applicants probably resulted in part from the \$322 reduction in the stipend. I do not think we were wrong in discouraging offers of aid in gaining legislative financial support in 1967. Such offers came from several quarters. But it is now evident that, if there is to be a 1969 program, legislative support will be necessary. Encouraging signs point to this support and, if it is forthcoming, stipends will be in line with the compensation paid to other legislative employees.

Another genuine problem is the likelihood that the 1969 legislative session, which will begin in mid-January instead of early February, will overlap the second NCSU semester at each end. Legislators are understandably interested in having interns present throughout the entire session, but the last two sessions have run respectively three and five weeks beyond the end of the semester. The effect of the new legislative opening date is uncertain; hopefully it will make earlier adjournment possible. In any case, more adequate stipends should help interns adjust.

The earlier starting date also makes the problems of orientation and assignment more difficult. At least in the orientation area more, not less, time is desirable. Though the problem is difficult, ways of solving it are already being devised. If, for example, interns are chosen early enough, they should be able to share in an orientation program that the Institute of Government is expected to put on for legislators. Selection came too late for this in 1967.

LOOKING TO THE FUTURE

I am hopeful that other States may consider programs like ours. It is entirely feasible if there is a university or senior college of qual-

ity in the capital city. There are advantages in having the interns quartered in dormitories and, where feasible, in close proximity to each other. It is helpful, but not essential, if the faculty director of the program already knows the Legislature well.

Finally, whether or not the internship pro-

gram survives, we have had the satisfaction of initiating and operating successfully "for the first time in the history of the internship movement" a plan by which interns could "combine full-time service with political leaders and a nearly full-time schedule of academic studies."

Internships and Legislative Staffing

By ROBERT SEAVER

Office of Reports, The Ford Foundation

Internships in government and politics are far from new. Especially since World War II, their support by foundations, schools and government bodies for purposes ranging from summertime enrichment of studies to serious scholarly research or personnel recruitment and training has been widespread. Yet only in the past decade have internships been given serious trial in state legislatures as, among other things, an approach to augmenting staff services.

Since 1957, legislative staff internships have been initiated, with Ford Foundation assistance, in thirteen states — California, Hawaii, Illinois, Indiana, Kansas, Massachusetts, Michigan, New York, Ohio, Oklahoma, Texas, Washington and Wisconsin — and in Puerto Rico. In view of the growing consensus, most recently underlined in the recommendations of the 29th American Assembly, that more and better-qualified staff is among the essentials for effective legislative performance, a brief review may be of interest.

The first of the programs was launched in the California Assembly, largely through the efforts of Peter Odegard, then chairman of the department of political science at the University of California's Berkeley campus. Odegard's concept dovetailed legislative needs with some academic ones felt in the university and was designed to help meet both. While legislators struggled shorthanded to meet the growing demands of responsible public policy-making, he noted, graduate students studying the same problems had little chance to see the process first hand. Why not, he asked, give them a chance to expand their insights by helping in the work of the Assembly? Funds for their support would be a worthwhile investment in a novel educational experiment if nothing else, and the interns would be drawn from academic fields — political science, law and journalism — offering valuable preparation for productive service. Careful selection on a nonpolitical basis by a bipartisan committee of legislators and university professors would minimize the risk of political or other indiscretion.

The idea won support, and from it emerged a program co-sponsored by the Assembly and the university, modeled on the established and widely-praised Congressional Fellowships of the American Political Science Association (initiated in 1953 and conducted since with aid from several foundations, including the Ford Foundation). Each year, up to fifteen interns from participating graduate schools — the university's Berkeley and Los Angeles campuses, the Claremont Graduate School, Stanford University and the University of Southern California — would spend ten months in Sacramento as salaried legislative staff aides. They would receive special orientation in legislative problems from the Assembly staff and attend a graduate seminar for credit. A Foundation grant provided funds — to be matched by the Assembly — for salary plus administrative costs.

One immediate effect was that interns found themselves catapulted into full-scale staff work. "What few consultants were on the staff normally worked only during the interim," recalls one former intern. "When the legislature convened, they were fired. The only continuous employees were the secretaries who typed correspondence and minutes of meetings and hearings. But the interns stayed on and provided continuity so the committees could for the first time begin looking at bills and analyzing them in some serious way, a function for which they formerly had to depend on lobbyists." The interns were assigned to committees for full-time duties — research, arranging hearings, intercommittee staff liaison, constituent service.

Initiation of the internships marked the beginning of a rapid expansion of Assembly staff services, vigorously supported by the then newly-elected speaker, Jesse M. Unruh. Whereas in earlier years consultants, usually hired on a temporary basis, seldom numbered a dozen at any one time, by 1966 those in permanent posts numbered 60. They included at least one consultant for each of the Assembly's 24 standing committees; a chief consultant and staff, attached to the Committee on Rules, to coordinate consultant services;

a legislative reference service available to all members; and a staff of four consultants for the minority leadership. Also augmented was the staff of the Assembly desk under the chief clerk.

Supporters of the internships agree that, as one put it, "The most important ingredient is a strong leadership, convinced of the value of staff, who take the concept and make it their own." Most also echo the opinion of Assemblyman Robert Crown, chairman of the Committee on Ways and Means, that "The internships laid the groundwork for expansion of staff. We had to prove to people, both inside the Assembly and outside, that it would work." Furthermore, "Presence of the interns provided a ready-made pool of talent for permanent staff," says Joseph P. Harris, professor emeritus of political science at Berkeley, a close associate of Odegard's in initiating the program, and chairman of its executive committee. "Before, the Assembly staff was notoriously political and not very able. Although they worked hard, they were simply not equal to the task. At the first interviews of candidates, several legislators present commented on the contrast which these young people presented compared to the usual staff type." The interns, in his view, set a standard of academic training and professional commitment for staff recruitment, whether from among their number or from other sources.

Nearly half of the interns in the first five years of the program subsequently served as full-fledged members of the Assembly staff. One, James Driscoll, is chief clerk of the Assembly. In more recent years, as the staff approached full strength, the proportion of interns who stay on has dropped. Nevertheless, at the expiration of the Foundation's assistance in 1965, more than one-third of the 88 interns who had served in the program were in government at levels ranging from Congressional staff in Washington to district attorneys' offices. Nine were teaching and 18 were still in graduate study. At the end of the grant period, the Assembly voted to assume full support of the program and to continue it on the ground that, in addition to the role it had played in the professionalization of the staff, it was inherently worthwhile.

Internship programs for which Foundation assistance has been sought in other states have followed closely the California model. Thus, with few variations, they display joint sponsorship by the legislature and one or more academic institutions, interns drawn from a professionally-oriented postgraduate group, some academic activity — usually a seminar — in addition to actual staff work, at least one-half of the program funds provided by the legislature. In some cases, interns are assigned to a legislative council or similar service unit, in others to the leadership.

No other state's internship program has been in operation as long as California's (most are still operating with Foundation assistance), so it is too soon to tell how many will repeat California's distinct success. But at least two have given signs of doing so. In New York, the legislature voted an increased proportion of support to extend the life of the program from two to four years, and Illinois appropriated funds for full support for eight interns in addition to six supported under the matching program in 1965-66.

Not all internship efforts have had happy outcomes. Two states where proponents sought and obtained pledges of Foundation assistance later had to abandon their plans when the legislatures failed to appropriate matching funds. Another program, after a faltering start plagued by cross purposes in the sponsoring institutions and the legislature, has been suspended indefinitely. Nevertheless, reaction in most states continues favorable. "The program has stimulated a growing demand by many legislators for professional research services," reports John S. Waggaman, academic coordinator of the Indiana program. "Probably the most obvious characteristic of the interns has been their ability to adjust to many different kinds of assignments. The rising expectations of legislators have provided the impetus for the development of a genuine legislative research organization."

From another viewpoint, Donald C. Sampson, executive secretary of the Washington State Legislative Council, says, "There is no question that the services purchased by the salary payments made by the agencies have had value far in excess of the dollar cost. It is clear that a permanent program would be highly desirable and would justify financial sponsorship as in California and Illinois."

PROPOSED NEVADA LEGISLATIVE INTERNSHIP PROGRAM

In order to provide additional assistance to the Legislature of Nevada and a valuable educational experience for graduate students of the University of Nevada, the Legislature and the University will cooperate in offering a legislative internship program for the academic year of 1967-1968.

Two interns will be selected by the Legislative Commission from candidates proposed by the Department of Political Science, Reno, after consultation with the Department of Political Science at Nevada Southern University. Interns must be accepted for graduate study in political science at either branch of the University, and must be enrolled as graduate students in political science at the University of Nevada, Reno, during the period of their internship.

Interns will serve from September 1, 1967, to June 1, 1968. During this period, they will work for 30 hours a week at tasks assigned them by the Legislative Commission. In addition, they will enroll in Political Science 606 for three hours credit each semester at the University of Nevada, Reno. As part of the work for this course, the intern will submit written reports to the Department of Political Science, Reno, every two weeks during the year and, on completion of the internship, will submit a report of term paper length on some topic arising out of his experience.

Political affiliation shall not be considered in making appointments, nor shall interns be permitted to engage in partisan activity during the period of their internship.

Interns will be paid \$500 a month, half of which will come from the Legislature and half of which will come, through the Department of Political Science, Reno, from the American Political Science Association.