

STUDY OF THE PROCEDURES TO CONTINUE  
THE STANDING COMMITTEES OF THE  
LEGISLATURE THROUGH THE  
INTERIM TO CONDUCT  
STUDIES



*Bulletin No. 87-36*

LEGISLATIVE COMMISSION  
OF THE  
LEGISLATIVE COUNSEL BUREAU  
STATE OF NEVADA

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Senate Concurrent Resolution No. 40—Committee on Legislative Affairs and Operations  
FILE NUMBER ~~112~~

SENATE CONCURRENT RESOLUTION—Continuing the standing committees of the legislature through the interim to conduct studies.

WHEREAS, The legislature has conducted more than 19 studies during the last three interim periods; and

WHEREAS, The experience and knowledge gained by the standing committees during each session are valuable resources which should be put to good use during those interim periods; and

WHEREAS, Interim studies conducted by ad hoc subcommittees of the legislative commission often do not receive the proper consideration because of the lack of continuity between the membership of the subcommittee and the standing committees having responsibility for that subject; and

WHEREAS, It is recognized that the legislature has a responsibility to oversee programs established under existing law; and

WHEREAS, A continuation of work by standing committees between sessions would promote the uninterrupted progression of effort, permit legislators to develop the expertise necessary to oversee programs and provide a more efficient use of time and money by the legislature and its staff; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the legislative commission is hereby directed to form its joint interim committees by combining the standing committees of the senate and assembly as follows:

Interim Committees	Senate Standing Committees	Assembly Standing Committees
Interim Finance Committee.....	Finance	Ways and Means
Joint Committee on Judiciary .....	Judiciary	Judiciary
Joint Committee on Human Resources.....	Human Resources and Facilities	Health and Welfare; Education
Joint Committee on Commerce and Labor .....	Commerce and Labor	Commerce; Labor and Management
Joint Committee on Natural Resources.....	Natural Resources	Natural Resources, Agriculture and Mining
Joint Committee on Government Affairs .....	Government Affairs	Government Affairs; Economic Development and Tourism; Elections
Joint Committee on Transportation.....	Transportation	Transportation
Joint Committee on Taxation.....	Taxation	Taxation
Legislative Commission .....	Legislative Affairs and Operations	Legislative Functions

and be it further

RESOLVED, That the speaker of the assembly and the majority leader of the senate of the 63rd session are hereby directed to select the chairmen and vice chairmen of the joint interim committees and, where there are conflicts in schedules of committees or members are unable to serve, to appoint alternates or adjust the membership of the committees as may be necessary; and be it further

RESOLVED, That the legislative commission assign each interim study directed by the legislature to the most appropriate joint interim committee based on the subject of the study; and be it further

RESOLVED, That the chairman of each joint interim committee shall designate one or more subcommittees to conduct the studies and carry out other duties assigned to the committee by the legislative commission; and be it further

RESOLVED, That a joint interim committee shall not have regularly scheduled meetings, but may meet on the call of the chairman as necessary to coordinate, review and approve the work of the subcommittees; and be it further

RESOLVED, That the legislative commission is hereby directed to:

1. Approve budgets for the joint interim committees;

2. Require the joint interim committees or their subcommittees to submit reports stating their progress; and

3. Review the final reports of the joint interim committees; and be it further

RESOLVED, That the legislative commission prepare an evaluation of the procedures set forth in this resolution for submission to the 64th session of the legislature.



LETTER OF TRANSMITTAL

TO THE MEMBERS OF THE 64TH SESSION OF THE NEVADA LEGISLATURE

This report is submitted in compliance with Senate Concurrent Resolution No. 40 of the 63rd session of the Nevada legislature, which directs the legislative commission to prepare an evaluation of the procedures set forth in the resolution to continue the standing committees of the legislature through the interim to conduct studies.

This report is transmitted to the members of the 64th session of the Nevada legislature for their consideration and appropriate action.

Respectfully submitted,

Legislative Commission  
Legislative Counsel Bureau  
State of Nevada

Carson City, Nevada  
February 1987

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LEGISLATIVE COMMISSION

Assemblyman Louis W. Bergevin, Chairman  
Assemblyman Bob L. Kerns, Vice Chairman

Senator Lawrence E. Jacobsen	Assemblyman Robert M. Sader
Senator Kenneth K. Redelsperger	Assemblyman Jim Schofield
Senator Sue Wagner	Assemblyman Danny L. Thompson
	Assemblyman Barbara A. Zimmer



## SUMMARY OF RECOMMENDATIONS

This summary represents the conclusions reached by the legislative commission. The members believe, although attractive in theory, the continuation of the standing committees between sessions to conduct studies is not practical for the Nevada legislature.

The legislative commission recommends:

The Nevada legislature continue to permit the legislative commission to appoint subcommittees composed of members it designates to carry out interim studies assigned to the legislative commission.



REPORT TO THE 64TH SESSION OF THE NEVADA LEGISLATURE  
BY THE LEGISLATIVE COMMISSION ON THE PROCEDURES TO  
CONTINUE THE STANDING COMMITTEES OF THE  
LEGISLATURE THROUGH THE INTERIM  
TO CONDUCT STUDIES

I. INTRODUCTION

During the 1985 legislative session, a joint subcommittee of the Senate Standing Committee on Legislative Affairs and Operations and the Assembly Standing Committee on Legislative Functions was formed to review recommendations contained in various reports and studies that have been carried out during the last two decades to modernize or streamline the operations of the legislature.<sup>1</sup>

One of those recommendations became the basis of Senate Concurrent Resolution (S.C.R.) No. 40 of the 1985 legislative session. That measure created nine joint interim committees<sup>2</sup>, created by combining standing committees of the 1985 session of the Nevada legislature, to carry out the interim studies assigned to the legislative commission.

The recommendation that standing committees continue into the interim to carry out their work has been put forth on several occasions. It is contained in Prospect for Greatness and Legislative Counsel Bureau Bulletin No. 114, "Counsel Bureau Organization and Legislative Procedures." It is also contained in Assembly Concurrent Resolution (A.C.R.) No. 10 of the 1975 legislative session, S.C.R. No. 46 of the 1979 legislative session and S.C.R. No. 32 of the 1981 legislative session. A portion of Assembly Bill (A.B.) 263 of the 1975 legislative session also relates to this matter.

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<sup>1</sup>Legislative Counsel Bureau Bulletin No. 75, "Legislative Techniques" (1969);  
Legislative Counsel Bureau Bulletin No. 114, "Counsel Bureau Organization and Legislative Procedures" (1974);  
Strengthening the Committee Process: Suggestions for Leaders, Chairmen and Staff, National Conference of State Legislatures (March 1982); and  
Strengthening the Legislative Process: An Agenda for Improvement, National Conference of State Legislatures (March 1982).

<sup>2</sup>Interim finance committee, joint committee on judiciary, joint committee on human resources, joint committee on commerce and labor, joint committee on natural resources, joint committee on government affairs, joint committee on transportation, joint committee on taxation and the legislative commission.

Senate Concurrent Resolution No. 32 of the 1981 legislative session, which died in the Assembly Standing Committee on Legislative Functions, lists several reasons why its authors believe standing committees should be continued throughout the interim as joint committees to conduct studies and other business. Those reasons include:

- Topics often arise before standing committees during legislative sessions for which there is not adequate time to make reasoned judgments on policy;
- The experience and expertise gained by the standing committees during the session is a valuable legislative resource which should be used during the interim;
- The interim studies often do not receive proper consideration because of lack of continuity between the membership of an interim subcommittee and that of a standing committee which has responsibilities for the same subject matter; and
- The continuation of work by standing committees between sessions promotes the uninterrupted progression of effort, permits legislators to develop the expertise necessary to oversee programs and provides a more efficient use of time by the legislators and their staff.

The joint subcommittee of the 1985 session of the Nevada legislature which recommended the passage of S.C.R. No. 40 felt that the objectionable portion of S.C.R. No. 32 of the 1981 legislative session is that it would have, if enacted, required the legislative commission to establish a master calendar of meetings of the joint committees including at least six 3-day meetings during which all joint committees would have been required to meet. It was felt that this procedure would increase the cost of the legislative process and place a financial and time burden on the majority of legislators.

The subcommittee suggested an option to the requirement for a master calendar of meetings. It thought that joint committees should be established, as suggested by S.C.R. No. 32 of the 1981 legislature, for committees such as commerce and labor, government affairs, human resources, judiciary, natural resources, taxation and transportation. It recommended, however, that the work of those committees be primarily carried out by subcommittees working on flexible time schedules. The schedules would be dictated by the topics being studied and the availability of the members of the committees. The subcommittee recommending S.C.R. No. 40 also suggested that the number of members of the joint committees be restricted to reduce cost and to keep the size of each joint committee, or subcommittee thereof, at a small enough level to efficiently carry out business. It advised

that the members be selected by the leadership based upon the legislators' interests and abilities. The subcommittee also recommended that studies be assigned to the subcommittees of the joint committees in a manner that would permit a joint committee with a high workload to be able to carry out several studies within an interim period.

As S.C.R. No. 40 was enacted it requires:

- The speaker of the assembly and the majority leader of the senate to select the chairmen and vice chairmen of the joint interim committees and to appoint alternates or adjust the membership of the committees as may be necessary;
- The legislative commission to assign each interim study to the most appropriate joint interim committee;
- The chairman of each joint interim committee to designate one or more subcommittees to conduct the studies and carry out other duties assigned to the committee by the legislative commission;
- That joint interim committees not hold regularly scheduled meetings, but permit them to meet on the call of the chairman as necessary to coordinate, review and approve the work of the their subcommittees;
- The legislative commission to:
  - Approve the budgets for the joint interim committees;
  - Require the joint interim committees or their subcommittees to submit reports stating their progress; and
  - Review the final reports of the joint interim committees.

The 1985 session of the Nevada legislature directed that 28 interim studies be carried out by the legislative commission or by committees whose membership was appointed by the legislative commission. In addition, the legislative commission created two more study committees on its own volition. The appendix is a listing of the joint interim committees and shows the studies that were assigned to each by the legislative commission. The list includes those studies that were not specifically assigned to the legislative commission by resolution or bill but which were placed under a joint interim committee for reporting purposes in adherence to the spirit of S.C.R. No. 40.

## II. FINDINGS AND RECOMMENDATIONS

The following section of this report represents the findings and recommendations of the legislative commission as required by S.C.R. No. 40 of the 1985 legislative session.

### Legislative Commission to Designate Membership of Interim Study Committees

The legislative commission found the provisions of S.C.R. No. 40 to be very appealing in theory but unworkable in practice. The requirements of the resolution pertaining to the appointment of chairmen of the joint interim committees and the assignment of the studies to those committees were followed. The organizational approach of S.C.R. No. 40 concerning the assignment of studies within the joint interim committees and the assignment of legislators to the study committees, however, did not lend itself well to Nevada's legislative environment.

Senate Concurrent Resolution No. 40 proved unworkable because of the sheer number of interim studies assigned to the legislative commission. The process of organizing the joint committees would have taken up much valuable time during the busy interim. Leadership recognized the problem and assisted in the designation of members to subcommittees. Moreover, leadership recognized the requirement for balance among the committees. Legislators' schedules had to be considered. Regional and party considerations needed attention. Certain legislators because of their tenure, knowledge or interest deserved to be chairmen of interim subcommittees.

It was also apparent that certain assumptions contained in S.C.R. No. 40 proved to be incorrect. The high turnover of members and changes in party control within the Nevada legislature contradict the notion that the membership of standing committees tends to remain static from session to session. A more pragmatic approach for the conduct of good studies and the favorable review of those studies by the next legislature is to appoint interested and able legislators to the interim study committees. A sound interim study, containing realistic recommendations and viable proposals for legislation, will stand on its own merit during the next legislature. It is highly improbable that at least one legislator from a study committee will not return to the next legislature. The staff of interim subcommittees, furthermore, are usually available to assist the next legislature in reviewing the recommendations and proposals for legislation of interim committees.

The legislative commission also believes that a citizen legislature, such as Nevada's, is best served by legislators who are generalists with an understanding of many topics and issues. The ability to participate in interim study committees which do not necessarily deal with the topics of the standing committees on which they normally serve provides legislators with the ability to gain knowledge and experience in a multitude of issues on which they may be asked to make judgments.

Senate Concurrent Resolution No. 40 provided the Nevada legislature with the opportunity to conduct an interesting experiment in the operation of its interim activities. The experiment was worthwhile and gave the members of the legislative commission many insights. A few of the joint interim committees did appear to function as a unit with the chairman coordinating activities and making reports for the subcommittees. All in all, however, the results of the interim show that the provisions of S.C.R. No. 40 are unworkable in Nevada at this time. The legislative commission believes that the Nevada legislature should return to its long-tested and proven techniques of carrying out interim studies.

The legislative commission, therefore, recommends:

The Nevada legislature continue to permit the legislative commission to appoint subcommittees composed of members it designates to carry out interim studies assigned to the legislative commission.



### III. APPENDIX

#### LISTING OF THE JOINT INTERIM COMMITTEES INCLUDING STUDIES ASSIGNED TO EACH

##### Interim Finance Committee

Senator James I. Gibson, Chairman  
Assemblyman John W. Marvel, Vice Chairman

- S.B. 256 Funding of Higher Education in Nevada
- S.B. 446 Section 1. Committee to Select Sites for New Prisons  
Section 4. Committee to Study Industrial Programs for Prisons
- S.C.R. 3 Financing of Public Schools
- S.C.R. 45 Adequacy of State's Standard of Need for Aid to Families with Dependent Children
- S.C.R. 62 Administration of Block Grants by Office of Community Services
- S.C.R. 65 Limitation of Taxes and of Public Expenses

##### Joint Committee on Judiciary

Assemblyman James A. Stone, Chairman  
Senator Thomas R. C. Wilson, Vice Chairman

- S.C.R. 33 Foster Care Provided to Children in Nevada
- A.C.R. 53 Insurance Against Medical Malpractice
- A.C.R. 45 Methods Used by Department of Transportation to Acquire Land for Highways

##### Joint Committee on Human Resources

Senator Joe Neal, Chairman  
Assemblyman Erik Beyer, Vice Chairman

- S.B. 460 Restraining Costs of Medical Care
- S.C.R. 34 Operation of Program for State Aid to Medically Indigent
- A.C.R. 41 Statutes Requiring Approval by Department of Human Resources of Certain Medical Projects
- Legislative Commission's Hazardous Materials Management Committee on Chemical, Toxic and Low-Level Radioactive Wastes
- Asbestos Abatement Activities



Joint Committee on Transportation

Senator Donald R. Mello, Chairman  
Assemblyman Mike Malone, Vice Chairman

Joint Committee on Taxation

Assemblyman Charles W. Joerg, Chairman  
Senator James H. Bilbray, Vice Chairman

S.C.R. 53 Funding of Cities and Counties

A.C.R. 31 Methods of Distributing Revenues from Taxation  
of Large Electrical Power Plants

A.C.R. 36 Fees and Taxes Which Produce Revenue for Con-  
struction and Maintenance of Highways

Legislative Commission

Assemblyman Louis W. Bergevin, Chairman  
Assemblyman Bob L. Kerns, Vice Chairman

S.C.R. 40 Procedures to Continue the Standing Committees  
of the Legislature Through the Interim to  
Conduct Studies

S.C.R. 60 Use of Chambers in Capitol Building for Meetings  
of Legislative Committees