

CHAPTER V
LEGISLATIVE STAFF AND FACILITIES

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INTRODUCTION

This chapter describes the organizational structure and responsibilities of the Legislative Counsel Bureau and its staff. This chapter also discusses the staff of the Senate and Assembly and the various buildings that house operations of the Legislature and the Legislative Counsel Bureau.

THE LEGISLATIVE COUNSEL BUREAU

The Legislative Counsel Bureau (LCB) is the permanent legislative agency that provides impartial assistance to the Legislature and facilitates core legislative operations year-round, both during legislative sessions and throughout the interim period between legislative sessions. (Chapter 218F of NRS) Uniquely, the Legislative Counsel Bureau is composed of two legislator-run bodies and a central office composed of nonpartisan staff who serve all members of the Legislature, regardless of political party. (NRS 218F.100)

The Legislative Counsel Bureau was established in 1945 after the Legislature recognized the need for more information and assistance to deal with the increasingly complex tasks of the Legislature. (Ch. 91, Statutes of Nevada 1945, 136-37) The Legislative Counsel Bureau of 1945 looked very different from the Legislative Counsel Bureau of today, consisting of one member of the Senate, one member of the Assembly, and the Governor, who served as Chair of the Legislative Counsel Bureau. The 1945 version of the Legislative Counsel Bureau also appointed one person to serve as the Legislative Counsel. (*Id.*)

Over the years the organizational structure and duties of the Legislative Counsel Bureau drastically expanded. Today, the Legislative Counsel Bureau's responsibilities encompass functions from simple administrative duties to extensive powers of legislative oversight, policy research, and emergency appropriations. (Ch. 218F of NRS) Additionally, the Legislative Counsel Bureau of today organizationally consists of the Legislative Commission, the Interim Finance Committee, the Director, the Audit Division, the Fiscal Analysis Division, the Legal Division, the Research Division, and the Administrative Division. (NRS 218F.100) The following sections describe activities of these entities.

Legislative Commission

The Legislative Commission is housed within the Legislative Counsel Bureau, and it is composed of 12 legislator members. (NRS 218E.150) At each regular session, the Senate and the Assembly each designate six members, and alternates for those

members, to serve on the Legislative Commission. (*Id.*) The Joint Standing Rules establish: (1) the method of determining the majority and minority party regular and alternate membership on the Legislative Commission; (2) the method of filling vacancies on the Legislative Commission; (3) the method of selecting the Chair; and (4) the term of office of the Chair. (*Id.*; Joint Standing Rule 11, *Standing Rules of the Senate and Assembly*, Nev. Leg., 82nd Sess. (2023)) Additionally, the Director of the Legislative Counsel Bureau acts as the nonvoting recording secretary for the Legislative Commission. (NRS 218E.155)

Each member of the Legislative Commission serves until the member's successor is appointed to the Legislative Commission. (NRS 218E.150) However, a retiring legislator or a legislator who has been defeated for reelection serves only until the day after the general election, and any resulting vacancy is filled in the same manner established for vacancies under the *Joint Standing Rules*. (*Id.*; Joint Standing Rule 11, *Standing Rules of the Senate and Assembly*, Nev. Leg., 82nd Sess. (2023))

In terms of responsibilities, the Legislative Commission exercises general policymaking and supervisory authority over the operations of the Legislative Counsel Bureau, assists the Legislature in maintaining its independent and coordinate status with the Executive and Judicial Departments of State Government, investigates any area within the competence of the Legislature, and performs various other tasks assigned to it by law. (NRS 218E.150 and 218E.175 to 218E.205, inclusive)

The Legislative Commission meets periodically throughout the year, as the accumulation of business requires. (NRS 218E.155) At these meetings, the Legislative Commission handles a variety of tasks. For example, at a single meeting, the Legislative Commission could approve administrative regulations, appoint members to committees and similar entities, and appoint the Director of the Legislative Counsel Bureau. (*See, e.g.*, NRS 218F.100, 219.020, and 233B.067)

Interim Finance Committee

The Legislature also created the Interim Finance Committee, which is housed within the Legislative Counsel Bureau. (NRS 218F.100) The Interim Finance Committee is composed of legislators who were members of the Senate Committee on Finance and the Assembly Committee on Ways and Means during the current or immediately preceding regular session. (NRS 218E.400) The position of Chair of the Interim Finance Committee alternates between the Chairs of the two legislative committees. Additionally, the Secretary of the Interim Finance Committee is the Director of the Legislative Counsel Bureau. (*Id.*)

The term of a legislator on the Interim Finance Committee expires on the convening of the next regular legislative session, unless a member is replaced before such time by the Speaker of the Assembly, for an Assembly member, or the Majority Leader of the Senate, for a Senator. However, a legislator's membership on the Interim

Finance Committee terminates on the next day after the general election in the case of a legislator's retirement or failure to be reelected. (*Id.*)

One of the main duties of the Interim Finance Committee is to administer the Contingency Account in the State General Fund between legislative sessions. (NRS 353.266 to 353.269, inclusive) In relevant part, the Contingency Account was set up for emergency use by state agencies to supplement regular appropriations that fail to cover certain unforeseen expenses when the Legislature is not in session. (NRS 353.266) Before the Interim Finance Committee allocates money from the Account, however, state agencies must follow various procedures to request the appropriation. (NRS 353.268 and 353.269)

The Interim Finance Committee also reviews state agency requests to accept certain gifts and grants, modify budgets for certain work programs, and reclassify state merit system positions in certain circumstances. (NRS 353.220, 353.224, and 353.335) Specifically, state agencies must receive prior approval of the Interim Finance Committee before they: (1) accept governmental grants in excess of \$200,000; (2) accept gifts or donations of a monetary value over \$200,000; (3) accept gifts or grants that involve the hiring of new employees; (4) amend work program budgets in an amount more than \$75,000, when considered with previous changes, would increase or decrease a budget category by the lesser of 20 percent or \$350,000; or (5) convert or reclassify certain merit system positions to another type of position when this conversion significantly changes the job scope or job duties of the position as budgeted by the Legislature. (*Id.*)

Additionally, when the Legislature is not in session, the Interim Finance Committee approves any change in the scope of the design or construction of certain capital improvement project authorized by the Legislature if the change increases or decreases the total square footage or cost of the project by 10 percent or more. (NRS 341.145)

The Director

The Director functions as the executive head of the Legislative Counsel Bureau and supervises the Legislative Counsel Bureau's daily administrative and technical activities. (NRS 218F.110) The Legislative Commission appoints the Director, and the Director, in turn, appoints the heads of the Legislative Counsel Bureau's various divisions, subject to the approval of the Legislative Commission. (NRS 218F.100)

The Director has various budgetary and fiscal duties related to the operation of the Legislative Counsel Bureau. For example, the Director employs staff for the Legislative Counsel Bureau at salaries within the limits of legislative appropriations and the salary schedule approved by the Legislative Commission. (NRS 218F.110) The Director, or the Director's designee, also authorizes claims against the Legislative Fund and deposits money into and signs checks for the Special Account for

Intergovernmental Activities. (NRS 218A.150, 218F.200, and 218F.210) Additionally, the Director makes the necessary deductions and contributions for legislators' retirement. (NRS 218C.390)

On the operational side, the Director assigns space in and supervises the upkeep of the legislative facilities and grounds. (NRS 331.135) With the authorization of the Legislative Commission, the Director may also enter into agreements for the acquisition of property necessary to support the Legislature and its staff. (NRS 218E.180)

The Director is also given the statutory responsibility of registering lobbyists. (NRS 218H.200) This responsibility includes issuing identification badges to lobbyists, accepting registration statements from lobbyists, receiving reports from lobbyists, and conducting investigations regarding lobbyists. (NRS 218H.200, 218H.300, 218H.400, and 218H.530) Additional information related to lobbying can be found in Chapter VI of this Manual.

The Director also has various duties related to various legislative committees. For example, the Director serves as Secretary to the Legislative Commission and the Interim Finance Committee. (NRS 218E.155 and 218E.400) The Director or the Director's designee also serves as the secretary for various other legislative committees. (*See, e.g.*, NRS 218E.325, 218E.560, and 218E.755)

The Audit Division

The Audit Division is one of the five divisions in the Legislative Counsel Bureau. (NRS 218F.100) The Legislative Auditor serves as the chief of the Audit Division and is supported by experienced staff who are familiar with government operations and accounting. (NRS 218F.100, 218G.100, and 218G.110)

One of the main focuses of the Audit Division is to conduct legislative audits of governmental entities, certain organizations that receive public funds, and entities that provide certain services for children. (Ch. 218G of NRS) These audits are conducted in accordance with rigorous professional standards for the purpose of providing an independent and unbiased evaluation of the entity's operations. (NRS 218G.110)

The findings and recommendations of the Audit Division are published in formal reports, which include suggestions for change. (NRS 218G.230) The final audit reports are then presented at a meeting of the Legislative Commission or the Audit Subcommittee of the Legislative Commission. (NRS 218G.240) However, if the Legislature is in session and the Chair of the Legislative Commission or the Chair of the Audit Subcommittee does not call a meeting within five days after being notified that an audit report is ready for presentation, the Legislative Auditor issues the report. (NRS 218G.230) After presentation of the final audit report, the Audit Division makes

copies of the audit report available to each member of the Legislature, state officials, and the public. (NRS 218G.240)

In addition to preparing audit reports, the Audit Division reviews corrective action plans and status reports that are required to be filed by audited agencies under certain circumstances after the presentation of the final audit report. (NRS 218G.250 and 218G.270)

Overall, the Audit Division improves accountability and effectiveness in state government through the performance of legislative audits. (Chapter 218G of NRS)

The Fiscal Analysis Division

The Fiscal Analysis Division is one of five divisions contained in the Legislative Counsel Bureau. (NRS 218F.100) It is responsible for various tasks related to analyzing the state's fiscal policy. (NRS 218F.100 and 218F.600). The Fiscal Analysis Division is led by the Senate Fiscal Analyst and the Assembly Fiscal Analyst. (NRS 218F.100)

The Fiscal Analysis Division examines the Executive Budget each fiscal year. (NRS 353.205) Additionally, every even-numbered year, the Fiscal Analysis Division also receives and interprets factual data related to the fiscal conditions of state and local governments and performs a budget stress test. (NRS 353.210 and 218F.600)

The Fiscal Analysis Division also administers the Legislative Bureau of Educational Accountability and Program Evaluation (LeBeape). (NRS 218E.625) The Bureau is responsible for collecting, analyzing, and conducting studies related to certain educational programs. (*Id.*)

During legislative sessions, the Fiscal Analysis Division analyzes appropriations bills, revenue bills, and bills that have a fiscal impact. (NRS 218F.600) To this point, the Fiscal Analysis Division prepares fiscal notes for bills and joint resolutions with certain fiscal implications. (NRS 218D.430 to 218D.495, inclusive) For more information related to fiscal notes, see Chapter IV of this Manual.

In this vein, the Fiscal Analysis Division provides fiscal and other administrative support to various standing and interim committees whose jurisdiction encompasses fiscal subjects, such as those committees dealing with revenue and other budgetary matters and the Interim Finance Committee. (NRS 218F.600) More information on the standing and interim committees can be found in this chapter and Chapter IV of the Manual.

The Fiscal Analysis Division also prepares various reports documenting the fiscal actions of the state. (*See generally* NRS 218F.600) For example, the Fiscal Analysis

Division prepares the Appropriations Report, which describes the fiscal and tax actions of the Legislature during the previous session.

Overall, the Fiscal Analysis Division provides essential support to the Legislature in its exercise of the power of the purse.

The Legal Division

The Legal Division is also housed within the Legislative Counsel Bureau. (NRS 218F.100) It provides a wide variety of legal support to the Legislative Counsel Bureau and the Legislature. (NRS 218F.700 and 218F.710). The Legal Division is led by the Legislative Counsel and General Counsel and is staffed by attorneys, paralegals, editors, indexers, and document technicians. (NRS 218F.700)

One of the Legal Division's primary duties is to draft bills and resolutions for legislative sessions. (NRS 218D.050 to 218D.220). More information related to the bill drafting process can be found in Chapter IV of this Manual. After each session, the Legal Division compiles the newly enacted and amended laws and codifies them into the Nevada Revised Statutes. (NRS 220.100 to 220.125, inclusive)

During legislative sessions and throughout the interim, the attorneys of the Legal Division also provide real-time legal advice and other legal support as Committee Counsels to each standing and interim committee. (NRS 218F.700 and 218F.710) More information related to the standing and interim committees can be found in this chapter and Chapter IV of this Manual.

The Legal Division also issues legal opinions, which interpret questions of law, regardless of whether the questions pertain to existing or proposed law. (NRS 218F.710) A legal opinion may be requested by the Director of the Legislative Counsel Bureau, a legislator, or a committee of the Legislature. (*Id.*)

At the direction of the Legislative Commission, or the Chair of the Legislative Commission under certain circumstances, the Legal Division also appears in, commences, prosecutes, defends, and intervenes in actions, suits, or other judicial or administrative proceedings to protect the official interests of the Legislature or any of its committees. (NRS 218F.720)

Additionally, the Legal Division is responsible for reviewing certain regulations adopted by the agencies of the Executive Department of the State Government. (NRS 233B.063). The Legal Division revises, if appropriate, the language of each regulation so that it is clear, concise, and appropriate for incorporation into the Nevada Administrative Code. (*Id.*) Additionally, the Legal Division codifies all adopted regulations that have been approved by the Legislative Commission in the Nevada Administrative Code. (NRS 233B.062)

The Legal Division acts as the chief legal adviser and legal counsel to the Legislative Department of State Government, supplying daily legal services that are essential to its fluid operations.

The Research Division

The Research Division is also housed within the Legislative Counsel Bureau. (NRS 218F.100) The Research Division provides various informational and policy services for the Legislative Counsel Bureau and the Legislature. (NRS 218F.810) The Research Division is led by the Research Director and is staffed by individuals with a wide variety of policy expertise. (NRS 218F.100 and 218F.800)

One of the primary responsibilities of the Research Division is to prepare and respond to requests for policy information, analysis, and assistance from legislators. (NRS 218F.810) In this vein, the Research Division provides policy and other administrative support to the standing committees during legislative sessions and the majority of the interim committees. (*Id.*) More information on standing and interim committees can be found in this chapter and Chapter IV of this Manual.

Additionally, the Research Division produces policy-related documents and answers requests for information from state agencies, legislative staff in other states, businesses, legislative constituents, and the public. The Research Division also staffs the Research Library, which provides professional library services, and a Constituent Services Unit that provides assistance to legislators with constituent concerns. (*Id.*)

In summary, the primary function of the Research Division is to provide legislators, legislative staff, and members of the public under certain circumstances with research services and all types of information regarding legislative issues that are not specifically fiscal or legal in nature.

The Administrative Division

The Administrative Division is also housed in the Legislative Counsel Bureau. (NRS 218F.100) The Administrative Division provides operating and technical support to the other divisions of the Legislative Counsel Bureau and to the Legislature. (NRS 218F.500) The support offered by the Administrative Division encompasses a wide variety of tasks, including: (1) broadcast and production services; (2) control of inventory, purchasing, and warehouse operations; (3) information technology services; (4) janitorial services; (5) construction, landscaping, and maintenance of legislative buildings and grounds; (6) preserving and maintaining order and security; (7) accounting and other financial services; and (8) other duties assigned to the Administrative Division by the Legislative Commission. (NRS 218F.500 and 218F.520)

SENATE AND ASSEMBLY STAFF

In addition to the services provided by the Legislative Counsel Bureau's staff, each house of the Legislature employs staff that is necessary for the operations of the house. (NRS 218A.510 to 218A.550, inclusive, and 218A.605) During sessions, the number of staff members employed by the houses increases to approximately 200 committee staff members, personal secretaries, and other people who ensure that the legislative sessions function smoothly. During the legislative interim, several staff members for each house of the Legislature remain in their positions and continue to perform various functions, including the Secretary of the Senate and the Chief Clerk of the Assembly. (*Id.*) Additional information related to the Secretary of the Senate and the Chief Clerk of the Assembly can be found in Chapter IV of this Manual.

LEGISLATIVE FACILITIES

The staff of the Legislative Counsel Bureau and the Senate and Assembly are located at various facilities in Carson City and Las Vegas. A detailed directory of legislative staff is included in the "Directory of State and Local Government" at the end of this Manual.

The Legislative Building

The Legislative Building is located at 401 S. Carson Street, Carson City, NV 89701. It contains the chambers of the Senate and Assembly and is the heart of the legislative sessions. The Legislative Building houses the staff of the Senate and Assembly, as well as the Legal and Administrative Divisions of the Legislative Counsel Bureau. The Research Library is also located on the first floor of the Legislative Building. The floor plan of the Legislative Building may be found in Appendix H.

The Sedway Office Building

The Sedway Office Building is located at 333 E. 5th Street, Carson City, NV 89701. It contains the Audit, Fiscal Analysis, and Research Divisions of the Legislative Counsel Bureau.

The State Printing Office

The State Printing Office is located at 301 S. Stewart Street, Carson City, NV 89701. This building contains the staff of the State Printing Office and various other divisions of the Legislative Counsel Bureau. The building also houses the Legislative Counsel Bureau's warehouse operations.

The Nevada Legislature Office Building

The Nevada Legislature Office Building is located at 7230 Amigo Street, Las Vegas, NV 89119. It includes offices for legislators and staff of the Administrative and Research Divisions of the Legislative Counsel Bureau, as well as the Legislative Police. This building has one large committee room with videoconference capabilities which can accommodate up to 120 people. It also includes conference and caucus rooms for legislators with real-time communication equipment. Additionally, one of two gift shops in southern Nevada is located in this facility, as well as a cafeteria.

The State of Nevada Building—Legislative Counsel Bureau

The State of Nevada Building-Legislative Counsel Bureau is located at 700 E. Warm Springs Road, Suite 300, Las Vegas, NV 89119. The third floor of the building includes offices for the Audit and Legal Divisions of the Legislative Counsel Bureau. The Legislative Counsel Bureau manages this property and leases the other floors of the building to the following state agencies:

- Nevada Cannabis Compliance Board, Suite 100
- Nevada Department of Taxation, Suite 200
- Nevada Legislative Counsel Bureau, Suite 300

Legislative Hearing Rooms

The Legislative Hearing Rooms building is located at 7120 Amigo Street, Las Vegas, NV 89119. The building accommodates up to nine committee rooms with videoconference capabilities as well as legislator caucus room space with real-time communications. One of the two gift shops in southern Nevada is located in this facility.

