AB 518 - 1999

Introduced on Mar 12, 1999

By Segerblom, Mortenson, Koivisto, Gibbons, Collins, McClain, Parnell, Williams, Lee, Manendo, Carpenter, Goldwater, Brower, Beers, Perkins, Arberry, Giunchigliani, Parks, Ohrenschall, Price, Chowning, de Braga, Anderson, Tiffany, Freeman, Neighbors, Thomas, Humke, Berman,

Fiscal Note

Effect On Local Government: No

Effect on the State or on Industrial Insurance: No

Revises provisions regarding reporting of expenditures by lobbyists. (BDR 17-1512)

Current Status: In Assembly at Governor

Chapter 192 Effective May 20, 1999.

Hearings

Assembly Elections, Procedures, and

Ethics

Mar-22-1999 No Action

Assembly Elections, Procedures, and

Ethics

Mar-24-1999 Amend, and do pass as amended

Senate Government Affairs

Apr-21-1999 No Action

Senate Government Affairs

Apr-29-1999 Do pass

Bill Text (PDF)

As Introduced 1st Reprint As Enrolled

Bill Text (HTML)

As Introduced 1st Reprint As Enrolled

Amendments (HTML) Amend. No.263

12-Mar-99 Read first time. Referred to Committee on Elections, Procedures, and Ethics. To printer.

15-Mar-99 From printer. To committee.

31-Mar-99 From committee: Amend, and do pass as amended.

✓01-Apr-99 Read second time. Amended. (Amend. No. 263). To printer.

102-Apr-99 From printer. To engrossment. Engrossed. First reprint. Read third time. Passed, as amended. Title approved. (Yeas: 38, Nays: 2, Excused: 2). To Senate.

06-Apr-99 in Senate. Read first time. Referred to Committee on Government Affairs. To committee.

05-May-99 From committee: Do pass.

07-May-99 Read second time.

10-May-99 Read third time. Passed. Title approved. (Yeas: 21, Nays: None). To Assembly.

12-May-99 In Assembly. To enrollment.

14-May-99 Enrolled and delivered to Governor.

20-May-99 Approved by the Governor.

21-May-99 Chapter 192.

01



BILL SUMMARY

70th REGULAR SESSION OF THE NEVADA STATE LEGISLATURE

PREPARED BY RESEARCH DIVISION LEGISLATIVE COUNSEL BUREAU

Nonpartisan Staff of the Nevada State Legislature

ASSEMBLY BILL 518 (Enrolled)

Assembly Bill 518 stipulates that a registered lobbyist must not itemize, on reports filed with the Legislative Counsel Bureau, an expenditure made on behalf of a legislator if that expenditure is the cost of a function to which every legislator was invited. The measure defines "function" as a party, meal, or other social event.

This measure is effective on May 20, 1999.

Background Information

Testimony indicated that many legislators have become increasingly concerned about attending functions of certain groups or organizations to which all legislators are invited. Current law provides that these groups or organizations must file an itemized report of individual expenses made on behalf of each legislator in attendance, even if a large number of legislators attend the function as a group. Testimony further noted that this may limit important discourse between organizations and legislators that does not constitute lobbying.

LEGISLATIVE HEARINGS

MINUTES AND EXHIBITS

MINUTES OF THE ASSEMBLY COMMITTEE ON ELECTIONS, PROCEDURES, AND ETHICS

Seventieth Session March 22, 1999

The Committee on Elections, Procedures, and Ethics was called to order at 6:55 p.m., on Monday, March 22, 1999. Chairwoman Chris Giunchigliani presided in Room 3138 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Guest List. All Exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Ms. Chris Giunchigliani, Chairwoman

Mr. Bob Beers

Mr. Joseph Dini, Jr.

Ms. Sheila Leslie

Ms. Kathy McClain

Mr. Richard Perkins

Ms. Sandra Tiffany

Ms. Kathy Von Tobel

COMMITTEE MEMBERS EXCUSED:

Mr. Bob Price, Vice Chairman

GUEST LEGISLATORS PRESENT:

Assemblywoman Genevieve Segerblom, District 22 Assemblywoman Genie Ohrenschall, District 12

STAFF MEMBERS PRESENT:

Scott G. Wasserman, Chief Committee Counsel Michael Stewart, Committee Policy Analyst Jodie Van Wyhe, Committee Secretary Assembly Committee on Elections, Procedures, and Ethics March 22, 1999
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OTHERS PRESENT:

Ray Bacon, Executive Director, Nevada Manufacturers Association
Thelma Clark, member, Silver Senator, National Silver-Haired Congress
Barbara Curti, Advisory Board, Department of Natural Resources
James Dan, member, Libertarian Party of Nevada
Edwin Fend, Vice Chairman, Legislative Committee, American Associat

Edwin Fend, Vice Chairman, Legislative Committee, American Association of Retired Persons

Alan Glover, Carson City Clerk Recorder, Association of Election Officials Daniel Hansen, State Chairman, Independent American Party

Janine Hansen, President, New Eagle Forum; member, United States
Taxpayers Party

Gilda Haus, member, Clark County Senior Citizens Task Force

Harvard, "Larry", Lomax, Clark County Registrar of Voters, Election Department

Margaret McMillan, Director, Government Affairs, Sprint

Rick Panelli, Chief of the Bureau of Licensure and Certification, State Health Division

Wayne Perock, Administrator, Nevada Division of State Parks

Barbara Reed, Douglas County Clerk-Treasurer; President, Nevada Association of County Election Officials

Jim Richardson, member, Nevada Faculty Alliance

Richard Winger, Editor; member, Coalition for Free and Open Elections Carole Vilardo, President, Nevada Taxpayers Association

Chairwoman Giunchigliani opened the hearing on A.B. 518 and called on the main sponsor, Assemblywoman Segerblom.

Assembly Bill 518; Revises provisions regarding reporting of expenditures by lobbyists. (BDR 17-1512)

Assemblywoman Segerblom expressed concern about the lobbyist expenditure report. She stated there were large organizations who had functions for legislators every year and all expenditures were required to be reported by both parties. She distributed a handout (Exhibit C) explaining to the committee that the areas she felt should be exempt from reporting. Lobbyist who took one legislator to lunch or gave a gift should report that expenditure as should the legislator. When every legislator in the Assembly was invited to a large function, the bill would exempt the lobbyist from having to report the expense. A.B. 518 gave the lobbyist an option of not having to worry about reporting expenditures. One of her areas of concern was the organization for the Humboldt River Basin

Assembly Committee on Elections, Procedures, and Ethics *March 22*, 1999
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which gave a large function each year. She felt the areas of exemption should be those sponsored by an educational institution, an organization that the Secretary of the Treasury had determined to be an exempt organization under 501(c) of the Internal Revenue Code, 26 U.S.C. 501(c), or a function to which every legislator was invited. The bill would become effective upon passage and approval by both houses. She had asked other people to testify in favor of A.B. 518.

Ms. Carole Vilardo, President, Nevada Taxpayers Association, testified in favor of A.B. 518. Some legislators who chose to pay and some legislators who chose to attend free of charge attended the Nevada Taxpayers Association function. Until legislators were paid a higher salary, she felt a real problem existed. Some who wanted to attend could not as they had no other source of income available. It created a hardship when they tried to support two households on the current salary. She noted for the record that people attended those functions not as a political function but as a social function to get to know the legislator. The bill became a point of equity where some functions need not be reported while others would fall under the normal regulations for lobbyist reports of expenditure. She suggested an amendment to the bill on page 3, section 2. The amendment was that the bill would become retroactively effective upon passage and approval.

Ms. Vilardo suggested a second amendment to the bill that would pertain to the amount of gifts given without being reported. She gave as an example an informational booklet published by the Taxpayers Association on understanding property taxes. The cost of the booklet was \$3, and the cap set by the Legislative Counsel Bureau was \$2. If a legislator wanted the booklet she needed to ask for payment. Chairwoman Giunchigliani asked if a \$10 cap would be agreeable as an amendment to the bill. Ms. Vilardo stated that amount would be agreeable.

Ray Bacon, Executive Director, Nevada Manufacturers Association, spoke in favor of A.B. 518 and stated the Nevada Manufacturers Association was in the same position as the Taxpayers Association. He was rated in the top four in lobbyist expenditures on the latest report. He pointed out the top lobbyists were rated at zero expenditure, and he wondered how that had happened. His group had hosted a social event to which all legislators were invited, and had itemized for each legislator.

Chairwoman Giunchigliani recognized Jim Richardson, member, Nevada Faculty Alliance, representing President Crowley of the University of Nevada Reno (UNR). He stated President Crowley could not be in attendance. President Crowley wanted to have his support of <u>A.B. 518</u> noted for the record. Mr.

Assembly Committee on Elections, Procedures, and Ethics March 22, 1999
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Richardson explained UNR gave the silver and blue dinner every year and an invitation was sent to every legislator. He felt the function was well attended and made the issue of what to report a concern for the university.

Margaret McMillan, Director, Government Affairs, Sprint, spoke in favor of A.B. 518. She stated every year there was a telecommunications affair in which people from the rural areas went to the function just to meet and get acquainted with their legislators.

Assemblywoman Segerblom explained that usually a constituent had given a verified amount of money to the legislator's campaign. To ask those same people for \$20 here and there for a dinner was asking too much of them when everyone was invited to the same function. Chairwoman Giunchigliani asked Assemblywoman Segerblom if the \$10 amount suggested by Ms. Vilardo was acceptable, and she stated yes.

Janine Hansen, President, New Eagle Forum, stated she had several concerns about the bill even though she was in favor of A.B. 518. She had spoken to the attorneys for Nevada New Eagle Forum and they stated that on page 2, lines 39 to 40 of the bill it defined what organizations were exempt under 501(c). She distributed a handout to the committee with all of the organizations listed (Exhibit D). She stated an organization need not always apply to the IRS for a letter of exemption. The larger organizations applied and received a letter under the IRS rules giving them an exempt status and the cost of that procedure was \$200. She suggested the language in the bill be amended to state an organization described in the 501(c) could claim exemption. The proposed amendments would mean an organization, regardless of size, could be exempt and no discrimination would be involved. She felt more people would not have to report rather than the opposite, so the committee needed to look at the other organizations to make sure it was equitable and suggested lines 34 to 37 be deleted from the bill.

Chairwoman Giunchigliani asked if there were any further questions or comments. Hearing none, the hearing closed on <u>A.B. 518</u> with no action taken by the committee. She opened the hearing on <u>A.C.R. 27</u> and called on the main sponsor, Assemblywoman Ohrenschall.

<u>Assembly Concurrent Resolution 27:</u> Directs Legislative Commission to conduct interim study of residential facilities for elderly persons. (BDR R-1605)

- 4. A report filed pursuant to this section must not itemize with respect to each legislator an expenditure if the expenditure is the cost of a function:
 - (a) That was sponsored by:
 - (1) An educational institution; or

(b) To which every legislator was invited.

- (2) An organization that the Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of section 501(c) of the Internal Revenue Code, 26 U.S.C. 501(c); and
- For the purposes of this subsection, "function" means a party, meal or other social event.
 - Sec. 2. This act becomes effective upon passage and approval.

Organization Reference Chart

Section of 1966 Code	Description of organization	General nature of activities	Application Form No.	Annual return required to be filed	Contributions allowable
501(c)(1)	Corporations Organized Uniter Act of Congress (including Federal Credit Unions)		No Form.	None	Yes, il mede ter . exclusively public . purposes
501(c)(2)	Title Holding Corporation For Exempt Organization	Hotoling title to property of an exempt organiza-	1024	9901 or 990EZ	Ne
501(c)(5)	Refigious, Educational, Charitable, Scientific, Literary, Testing for Public Salety, to Foster National or International American Sports Competition, or Prevention of Cru-	Activities of nature implied by description of class of organization	1023	8901, 990EZ4, or 990-PF	Generally, Yes
501 (c)(4)	elly to Children or Animala Organizations Civic Leagues, Social Welfare Organiza- tions, and Local Associations of Employ-	Promotion of community welfare; charitable, educational or recreetional	1024	990' or 990EZ	Generally, No ^{2,8}
501(c)(5)	Labor, Agricultural, and Horizultural Organizations	Educational or instructive, the purpose being to improve conditions of work, and to improve products and efficiency	1024	990' C 910EZ	No
501(c) (6)	Business Leagues, Chambers of Commerce, Real Estate Boards, Etc.	Improvement of business conditions of one or 1 more lines of business	1024	990' or 990EZ*	Not :
501(c)(7)	Social and Recreation Clubs	Pleasure, recreation, social activities	1024	9901 or 990EZ4	No
501 (c)(8)	Fratemal Beneficiary Societies and Associations	Lodge providing for payment of life, sickness, accident, or other benefits to members	1024	9901 or 990EZ ⁶	Yes, if for certain Sec. 801(c)(3) purposes
501(c) (9)	Voluntary Employees' Beneficiary Associations	Providing for payment of life, sickness, acci- dent or other benefits to members-	1024	8901 or 990EZ ⁹	Ne ^a
501(c)(10) .	Domestic Fratemal Societies and Associations	Lodge devoting its net earnings to cheritable, tratemat, and other specified purposes. No life, striness, or accident benefits to members	1024	990¹ or 990€Z*	Yes, if for certain Sec. 501(c)(3) purposes
iO1(c)(11)	Teachers' Retirement Fund Associations	Teachers' association for payment of refrement benefits	No Form	990' or 990EZ*	No
501 (c)(12)	Benevolent Life Insurance Associations, Mutual Ditch or Imgalian Companies, Mutual or Cooperative Telephone Companies, Etc.	Activities of a mutually beneficial nature similar to those implied by the description of class of organization	1024	990' or 990EZ®	No ^a
501(c)(13)	Cemetery Companies	Burials and incidental activities	1024	990' or 990EZ	Generally, Yes
501(c)(14)	State Chartered Credit Unione, Mutual Reserve Funds	Loane to members	. No Form ^e	990' or 890EZ4	Not
501(0)(15)	Mutual Insurance, Compenies or Associations	Providing Insurance to members substantially at cost	. 1024 .	990' or 990EZ"	Not
501 (c)(16)	Cooperative Organizations to Finance Crop Operations	Financing crop operations in conjunction with activities of a marketing or purchasing associa- tion	No Form	990' or 990EZ*	No ²
501(c)(17)	Supplemental Unemployment Benefit Trusts	Provides for payment of supplemental unem- ployment compensation benefits	1024	990° or 990EZ	Not a series
501(c)(18)	Employee Funded Penalon Trust (created before June 25, 1959)	Payment of benefits under a pension plan. funded by employees	No Form ⁴	990° or 990EZ*	No ^a .
501(c)(19) `	Post or Organization of Past or Present Members of the Armed Forces	Activities implied by nature of organization	1024	990' or 990EZ	Generally, No.
501(c)(21)	Black Lung Banefit Trusts	Funded by coal mine operators to eatisfy their liability for disability or death due to black lung diseases.	No Form*	990-BL	No ¹
501(c)(22) ·	Withdrawal Usbiity Payment Fund	To provide funds to meet the liability of employers withdrawing from a multi-employer pension fund	No Form ^d	990 or 990EZ ⁶	No ^s
501(c)(23)	Veterans Organization (created before 1880)	To provide insurance and other benefits to veterans	No Form ^e	990 or 890EZ*	Generally, No
501(d) V	Religious and Apostolic Associations	Regular business activities. Communal religious community	No Form	1065	Not
501(0)	Cooperative Hospital Service Organizations	Performs cooperative services for hospitals	1023	990' or 990EZ4	Yes
501 (ŋ .	Cooperative Service Organizations of Operating Educational Organizations	Performs collective investment services for educational organizations	C-1023	990' or 990EZ*	Yes
501(k)	Child Care Organization	Provides care for children	1023	990 or 990EZ* .	Yes
521(a)	Farmers' Cooperative Associations:	Cooperative merketing and purchasing for agri- cultural producers	. 1028	, 990-C	· Né

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For exceptions to the fiting requirement, see Chapter 2 and the Form instructions. An organization exempt under a Subsection of Code Séc. 501 other than (c)(3), may establish a charitable fund, contributions to which are deductible. Such a fund must itself meet the requirements of section 501(c)(3) and the related notice requirements of section 508(a).

Section scores.

'Contributions to volunteer fire companies and similar organizations are deductible, but only if made for exclusively public purposes.

'Deductible as a business expense to the extant allowed by Code section 192.

*Coductible as a business expense to the extent allowed by Code section 194A.

*Application is by letter to the key District Director. A copy of the organizing document should be attached and the letter should be algred by an officer.

*Contributions to these organizations are deductible only if 90% or more of the organization's members are wer veterans.

For limits on the use of Form 980EZ, see Chapter 2 and the general instructions for Form 990EZ (or Form 980).

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Chapter 4

EXHIBIT D

08



MINUTES OF THE ASSEMBLY COMMITTEE ON ELECTIONS, PROCEDURES, AND ETHICS

Seventieth Session March 24, 1999

The Committee on Elections, Procedures, and Ethics was called to order at 6:45 p.m., on Wednesday, March 24, 1999. Chairwoman Chris Giunchigliani presided in Room 3138 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Guest List. All Exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Ms. Chris Giunchigliani, Chairwoman

Mr. Bob Price, Vice Chairman

Mr. Bob Beers

Ms. Sheila Leslie

Ms. Kathy McClain

Mr. Richard Perkins

Ms. Sandra Tiffany

Ms. Kathy Von Tobel

COMMITTEE MEMBERS EXCUSED:

Mr. Joseph Dini

GUEST LEGISLATORS PRESENT:

Assemblyman Kelly Thomas, District 16
Assemblywoman Genie Ohrenschall, District 12

STAFF MEMBERS PRESENT:

Scott G. Wasserman, Chief Committee Counsel Michael Stewart, Committee Policy Analyst Jodie Van Wyhe, Committee Secretary Assembly Committee on Elections, Procedures, and Ethics March 24, 1999
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Ms. Reed stated most elections were done before tax season so as not to create more problems. The tax collections started on the third Monday in August. According to Ms. Reed, the recount could not be finished in less than 30 days. She noted only a couple of states had primary elections later than the State of Nevada.

Assemblyman Beers asked about the new people who came into the districts to vote, and those people would be used to an earlier primary. He wondered what the reason was for the Nevada primary to be so late in the season. Mr. Glover replied the dates suggested in Exhibit O would enable a short campaign period for the candidates. The advantage of a short campaign was to enable each candidate to save money in the campaign. If minor parties filed on the same date as all of the other parties, there would be fairness to all parties.

Assemblyman Perkins inquired about the handling of municipal elections. Mr. Glover stated there were few municipal candidates in the primary, as those candidates had been elected during a general election. Ms. Reed stated the federal deadlines had to be met, otherwise there was a possibility of being sued. Mr. Glover noted the state and the local elections could be run at the same time, although it was not practical and would cause an impact on the counties.

Chairwoman Giunchigliani stated her intent with A.B. 479 was to have the filing dates similar for all party affiliations, not to change the interpretation of a minor party. She asked if there were any further questions or comments. Hearing none, the work session closed on A.B. 479 with no action taken by the committee. She opened the work session on A.B. 518 and asked for discussion.

<u>Assembly Bill 518; Revises provisions regarding reporting of expenditures by lobbyists. (BDR 17-1512)</u>

Chairwoman Giunchigliani called on Michael Stewart for explanation of the proposed amendments to <u>A.B. 518</u> as stated in <u>Exhibit O</u>. The proposed amendments included were:

- Deleted lines 37 through 41 on page 2;
- Added language to the measure establishing a "de minimis" rule stipulating gifts with a value of \$10 or less needed not be reported; and
- Additional amendment received from Jan Gilbert, League of Women Voters of Nevada, requested committee consideration of existing language found on page 1, line 13, and page 2, line 1, referencing a "registrant's express or implied consent."

Assembly Committee on Elections, Procedures, and Ethics *March* 24, 1999
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Introduced into the record was a letter from Jan Gilbert, League of Women Voters of Nevada, in favor of <u>A.B. 518</u> (Exhibit P). She suggested the committee look at the language in section 1, line 13 and page 2, line 1, as to the disclosures reported against those disclosures not reported.

Mr. Stewart called upon Mr. Wasserman for clarification about the expenditures of lobbyists. The question who paid for what and when became an issue in the bill. Lorne Malkiewich, director, legislative counsel bureau, had stated all of the expenditures must be reported, and if not there were legal actions. He noted many lobbyists did not declare expenses. Chairwoman Giunchigliani noted someone could have an open tab at a restaurant or somewhere else and once that tab was paid, it became an expenditure to be declared. Mr. Wasserman stated that was a true statement.

Assemblywoman Von Tobel wanted clarification about a person not spending up to \$10, and would that same person have to report the amount when it totaled \$10. Mr. Wasserman explained the exemption was meant for the infrequent gift not everyday gifts. According to current policy when the gift exceeded the \$2 cap, it must be reported.

Chairwoman Giunchigliani stated that she would entertain a motion on A.B. 518.

ASSEMBLYMAN BEERS MOVED TO AMEND AND DO PASS AS AMENDED A.B. 518.

ASSEMBLYWOMAN MCCLAIN SECONDED THE MOTION.

THE MOTION CARRIED. ASSEMBLYMAN DINI WAS NOT PRESENT FOR THE VOTE.

Chairwoman Giunchigliani asked for a motion to be made to send a letter of intent to the Legislative Commission.

ASSEMBLYWOMAN LESLIE MADE A MOTION FOR A LETTER OF INTENT TO BE SENT TO THE LEGISLATIVE COMMISSION FOR THE REVIEW OF THE "DE MINIMIS" BETWEEN \$5 AND \$10.

ASSEMBLYWOMAN MCCLAIN SECONDED THE MOTION.

THE MOTION CARRIED. ASSEMBLYMAN DINI WAS NOT PRESENT FOR THE VOTE.

REGARDING AUGUST PRIMARY

Current Dates	New Dates	NRS W	Description	
irst Monday in April until st Friday in May	First Monday in March until the third Monday in March	293.180	Designation of Candidates for nomination	
irst Monday in May nor ter than the third Ionday in May	First Monday in April nor later than the third Monday in April	293.177(1)	Filing Declaration or Acceptance of Candidacy. (Major Party candidates and Nonpartisan Offices)	
irst Monday in May nor ter than last Friday in me	First Monday in April nor later than last Friday in May	293.1725(1b)	Minor parties filing list of candidates with the SOS.	
rst Monday in May nor ter than first Wednesday July	First Monday in April nor later than first Wednesday in June	293.200(10)	Independent Candidates filing declaration of Candidacy.	
rst Monday in May nor ter than third Tuesday in ugust	First Monday in April nor later than third Tuesday in July	293.200(4)	Independent Candidate filing a petition of candidacy.	
ot before the list is filed ith the SOS, nor later an the first Wednesday July	Not before the list if filed with the SOS, nor later than the first Wednesday in June	293.1725(3)	Minor party candidates filing declaration of candidacy.	
hird Monday in May	Third Monday in April	293.481(1b)	Questions submitted to County Clerks for Primary Election.	
nird Wednesday in May	First Wednesday in March	293.205 293.208	Establishing Election Precincts	
n or before the last day	On or before the last Friday in March	293.206	Submission of precinct maps to SOS and Legislature	
ard Tuesday in June	First Monday in May	293.187	Certification of Candidates by SOS	
o later than 90 days fore the general election	No later than 120 days before the general election	293.3594	Submit a pan for the security of unvoted ballots for early voting.	
ot later than the second iday in August	Not later than the second Friday in July	293.1715(2c)	Minor Parties to file petition with SOS.	
ot later than 40 days fore the third Tuesday August	Not later than 40 days before the third Tuesday in July	293.172(1c)	Petitions filed with the county clerk for signature verification, before filing with the SOS.	
iird Thursday in August	Third Thursday in July	293.345	County Clerk to mail official mailing ballots for primary.	
ot later than the third iday in August	Not later than the third Friday in July	293.174(1)	Challenges of the qualification of minor political parties.	
ot later than the fourth lesday in August	Not later than the fourth Tuesday in July	293.200(8)	Challenges for Independent Candidate.	
st Tuesday in ptember	First Tuesday in August	293.175	Primary Election	
fore second Tuesday in ptember	Before second Tuesday in August	293.165 293.166	Vacancy in nominations after primary	
ird Tuesday in ptember and before the le closing of the polls the day of the election	Second Tuesday in August and before the time closing of the polls on the day of the election	293.368	A candidate dies before a general election.	
later than July 1	Not later than June 1	293B.354	The County Clerk to submit a plan to the Secretary of State regarding counting ballots.	

Callen .	MANUS PRINCE		
First Monday in April until the first Friday in May	First Monday in March until the third Monday in March	293.180	Designation of Candidates for nomination
First Monday in May nor later than the third Monday in May	First Monday in April nor later than the third Monday in April	293.177(1)	Filing Declaration or Acceptance of Candidacy
Third Monday in May	Third Monday in April	293.481(1b)	Questions submitted to County Clerks for Primary Election
Third Wednesday in May	First Wednesday in March	293.205 293.208	Establishing Election Precincts
On or before the last day in May	On or before the last Friday in march	293.206	Submission of precinct maps to SOS and Legislature
Third Tuesday in June	First Monday in May	293.187	Certification of Candidates by SOS
Third Thursday in August	Third Thursday in July	293.345	County Clerk to mail official mailing ballots for primary.
First Tuesday in September	First Tuesday in August	293.175	Primary Election
Before second Tuesday in September	Before second Tuesday in August	293.165 293.166	Vacancy in nominations after primary
Third Tues in Sept & before the time closing of the polls on the day of the election	Second Tues in Aug &	293.368	A candidate dies before a general election
Not later than July 1	Not later than June 1	293B.354	The County Clerk to submit a plan to the Secretary of State regarding counting ballots.

Giunchigliani, Chris Assemblywoman

From:

Sent:

Jan Gilbert [planjan@accutek.com] Wednesday, March 24, 1999 7:21 AM

To:

Cc:

Subject:

Segerblom, Gene Assemblywoman; Von Tobel, Kathleen Assemblywoman; Tiffany, Sandra Assemblywoman; Beers, Bob Assemblyman; McClain, Kathy Assemblywoman; Giunchigliani,

Chris Assemblywoman; Leslie, Sheila Assemblywoman; Price, Bob Assemblyman; Dini.

Joseph Assemblyman

Betty Pardo; Abby Johnson; Anne Golanka; Bobbie Gang; DeAnn Stout; Dot Gayton; Janice

Barbour; Mary Albers; Mary Bennington; Nancy Wall; Sophena Karim

To Election Committee.

I am very sorry that I was unable to attend the hearing on AB 518 because I did have some comments on the bill. The League of Women Voters were involved with the last lobbyist disclosure bill and we know that there are problems with the law.

I really appreciate Assemblywoman Segerblom's bill to try to fix some of the failings of the law. I do feel the smaller non profits are hindered by the reporting requirements and all it has done is made Legislators feel that attendance at events will harm them in the eyes of the public.

But, I would like to make a suggestion that we look at the language in Section 1 on line 13 and on page 2 line one. The way it is working now, the bigger lobbyists manage to interpret the law that if they do not consent to the expense (ie. members of their organizations take Legislators to lunch but do not report). Then they do not have to put it on their disclosure. One only has to look at the new disclosure reports to see that many of them report \$0. We find that hard to believe and see that they have interpreted this part to mean that they are at the lunch/dinner/whatever but do not have "express or implied consent".

If you can look at this in your work session, we would really appreciate it. I again apologize for missing your meeting, but it is becoming very difficult for a one person lobbying team to cover it all.

Thank you very much for your consideration. JAN GILBERT, League of Women Voters of Nevada

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENT AFFAIRS

Seventieth Session April 21, 1999

The Senate Committee on Government Affairs was called to order by Chairman Ann O'Connell, at 2:45 p.m., on Wednesday, April 21, 1999, in Room 2149 of the Legislative Building, Carson City, Nevada. <u>Exhibit A</u> is the Agenda. <u>Exhibit B</u> is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Ann O'Connell, Chairman Senator William J. Raggio, Vice Chairman Senator William R. O'Donnell Senator Jon C. Porter Senator Joseph M. Neal, Jr. Senator Dina Titus Senator Terry Care

GUEST LEGISLATORS PRESENT:

Assemblywoman Dawn Gibbons, Washoe County Assembly District No. 25
Assemblywoman Gene Wines Segerblom, Clark County Assembly District
No. 22

Assemblywoman Christina R. Giunchigliani, Clark County Assembly District No. 9

Assemblyman Bob Beers, Clark County Assembly District No. 4
Assemblywoman Sandra J. Tiffany, Clark County Assembly District No. 21

STAFF MEMBERS PRESENT:

Kim Marsh Guinasso, Committee Counsel Juliann Jenson, Committee Policy Analyst Julie Burdette, Committee Secretary

OTHERS PRESENT:

Patricia D. Cafferata, Concerned Citizen
James W. Hulse, Lobbyist, Common Cause

The Chairman closed the hearing on <u>A.B. 40</u>, and opened the hearing on Assembly Bill (A.B.) 518.

ASSEMBLY BILL 518: Revises provisions regarding reporting of expenditures by lobbyists. (BDR 17-1512)

Assemblywoman Gene Wines Segerblom, Clark County Assembly District No. 22, stated this was a simple bill enabling people to meet, especially southerners meeting northerners throughout the state. In her opinion it had worked out very poorly. Assemblywoman Segerblom read the proposed amendment into the record and for the committee:

A report filed pursuant to this section must not itemize with respect to each legislator an expenditure if the expenditure is the cost of a function if every legislator was invited. For the purpose of this subsection, "function" means a party, a meal or other social event.

The assemblywoman continued that this would not include an invitation to dinner by a lobbyist. However, invitations to meet with miners, the Utility Shareholders Association of Nevada, and University of Nevada functions are not meetings with lobbyists, but rather people in those industries. If the public wants to know how much you get they can check how much you are given. Assemblywoman Segerblom went on to say she had been to other functions, the Nevada Taxpayers Association, for example. Everyone had been invited, but only 24 legislators attended, because they were worried their attendance would be used against them. That is a shame. She mentioned other group events where she had the opportunity to meet the Carson City people and the industry people. She emphasized legislators must meet the industry representatives throughout the state; not the lobbyists. Assemblywoman Segerblom noted that the legislators know the lobbyists; they are in the halls. These people are not lobbyists; they run the state, and they are the representatives of the industries. She pointed out the Lieutenant Governor hosted a party in an antique building, and still legislators were hesitant to attend. She wanted this section of the bill cleaned up so that all the legislators can attend these functions and the lobbyists would not have to keep track of who came, on whom did they spend \$10, or on whom did they spend \$20.

Assemblywoman Segerblom inquired of the chairman if several lobbyists could join her at the table to testify.

Carole A. Vilardo, Lobbyist, Nevada Taxpayers Association, noted that the association gave a function during the Legislature, every other year. It is, however, an annual function for the Nevada Taxpayers Association; in the off years the event is held in Las Vegas. The legislators are invited, and the benefit is for the members of the association who attend the function. So many of the legislators who do wish to attend, in fact, pay to attend. It becomes very expensive for some of the legislators. Ms. Vilardo stated it was her opinion that this bill should be passed. This proposed amendment says "all" legislators being invited.

Ms. Vilardo explained that for the past two sessions, the Nevada Taxpayers Association has appeared as one of the top three lobbyists in expenditures. That is incorrect, the same amount of money or more is spent in an off-session year. But, because the Legislature is not in session and the association is not lobbying, the expenditure does not have to be reported.

Ms. Vilardo continued, assuming the committee chose to pass this bill and forward it to the Governor's Office, there would still be some functions during the session to which all legislators would be invited that would not require this reporting requirement; therefore, she asked that the act become effective retroactive to February 1, 1999. Ms. Vilardo stated that she would like to be able to return the checks paid to the association for an event to which the legislators had been invited. Secondly, she pointed out the de minimis exemption set by the Legislative Counsel Bureau by regulation/policy is \$2, and that was approved by the Legislative Commission. Ms. Vilardo referred to a new brochure by the Nevada Taxpayers Association titled: <u>Understanding Nevada's Property Tax System</u>. This brochure is strictly informational but the cost is \$3. She added she could not make this available to the Legislature without reporting all the legislators on the expenditure item.

Ms. Vilardo related that in a discussion with Lorne J. Malkiewich, Director, Legislative Counsel Bureau, regarding the de minimis regulation, he reiterated the amount of \$2 as being considered the amount the Legislative Counsel Bureau would allow. Ms. Vilardo asked the committee to consider raising the amount to \$10, or at least set the amount at \$5. But, in her opinion, \$2 is ridiculous. The Nevada Taxpayers Association would like to provide information

without the need to inform in person, or in writing, to advise each legislator that receipt of this will be reported as a lobbying expense and asking whether the legislator would like to accept, refuse or pay for the information.

Senator Neal posited that perhaps a cap could be set for each legislator, for example \$700. Ms. Vilardo replied that she would have difficulty with that and explained to the committee referencing the seventy-fifth anniversary function, which coincided with the 1997 Legislative Session. The expenditures associated with that event were considerable insofar as the association offered a no-host bar and special table decorations; therefore, according to the reporting requirements for lobbyists, all the additional expenses became a part of that function and that function was very expensive.

Senator Neal expressed his concern pointing out a potential increase for expenditures for legislators in terms of food. Assemblywoman Segerblom interjected that the language says that "all" or "every" legislator is invited to a function. Senator Neal reiterated that this bill spoke only to those events where every legislator is invited. Ms. Segerblom agreed.

Joyce A. Newman, Lobbyist, Utility Shareholders Association of Nevada, addressed the committee stating that she had little to add, other than her amazement at picking up a newspaper and finding that she is one of the 'big spenders.'

Lucille Lusk, Lobbyist, Nevada Concerned Citizens (NCC), pointed out this was a bill in which NCC did not have a vested interest. The NCC has no money and they do not spend any money on anyone. The Nevada Concerned Citizens wanted to be on record as speaking in favor of common sense. The level of detail required, as outlined by Ms. Vilardo, is truly a bookkeeping nightmare. The NCC would also wish to be on the record as agreeing with the de minimis amount. She said detailed requirements have gotten out of hand and discourage participation in the process. The NCC wants the legislators to be able to hear from people of all points of view. They certainly think it is important for the legislators to hear not only from government, but also industry and private interests in the state. This restriction actually infringes on the ability to have that communication in a timely fashion. Therefore, the Nevada Concerned Citizens would appreciate the committee's support of A.B. 518.

James Richardson, Lobbyist, Nevada Faculty Alliance, stated that they would like to register support for this bill. Mr. Richardson said he had been asked by Joseph Crowley, Ed.D., President, University of Nevada, Reno, who was unable to attend the hearing to inform the committee that only 28 legislators event, it had been found that some legislators had not attended because of the reporting requirement. It was their opinion that the caliber of the speaker for that function was such that having people stay away because of the 'hassle' of reporting the \$10 - \$15 was a shame. He urged the committee to pass A.B. 518.

Mr. Richardson also said he would like to be on record, although not with Dr. Crowley's authorization, but certainly the Nevada Faculty Alliance would urge the committee to consider the de minimis issue as well. It occurred to him that he might have violated that provision at some point because he had handed things out to people that have a cost attached.

Assemblywoman Christina R. Giunchigliani, Clark County Assembly District No. 9, spoke as chairman of the elections committee. She said the committee did take into consideration the de minimis account and felt that it was worthwhile to look at; but in their understanding, it was a policy matter that had been done by the commission. They had sent a letter or were going to send a letter requesting that the commission increase that amount. Assemblywoman Giunchigliani offered that information to the committee, in order to explain why that issue was not contained within this piece of legislation, but stated she was sympathetic to the groups making that argument.

Ms. Chapman stated that the Nevada Eagle Forum supports the elimination of lobbyist reporting of expenditures by a legislator for a party or social event if all legislators are invited. Reporting requirements have become ridiculous and extreme. They only hamper the honest citizen and citizen organizations from participating in the legislative process. The restrictive laws do not ensure honesty, but infringe on free speech and political discourse.

There being no further testimony the Chairman closed the hearing on <u>A.B. 518</u>, and opened the hearing on <u>Assembly Bill (A.B.) 130</u>.

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENT AFFAIRS

Seventieth Session April 29, 1999

The Senate Committee on Government Affairs was called to order by Chairman Ann O'Connell, at 5:18 p.m., on Thursday, April 29, 1999, in Room 2149 of the Legislative Building, Carson City, Nevada. <u>Exhibit A</u> is the Agenda. <u>Exhibit B</u> is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Ann O'Connell, Chairman Senator William J. Raggio, Vice Chairman Senator William R. O'Donnell Senator Jon C. Porter Senator Joseph M. Neal, Jr. Senator Dina Titus Senator Terry Care

GUEST LEGISLATORS PRESENT:

Assemblyman Bob Beers, Clark County Assembly District No. 4
Assemblyman Harry Mortenson, Clark County Assembly District No. 42

STAFF MEMBERS PRESENT:

Robert E. Erickson, Research Director Kim Marsh Guinasso, Committee Counsel Juliann Jenson, Committee Policy Analyst Angela Culbert, Committee Secretary

<u>OTHERS PRESENT:</u>

Janine Hansen, Lobbyist, Nevada Eagle Forum
Kristine K. Jensen, Lobbyist, Nevada Concerned Citizens
Lucille Lusk, Lobbyist, Nevada Concerned Citizens
Richard R. Ziser, Lobbyist, Nevada Concerned Citizens
John E. Jeffrey, Lobbyist, Southern Nevada Building and Construction Trades
Council

The chairman drew the committee's attention to A.B. 260.

ASSEMBLY BILL 260: Revises definition of "public officer" for purposes of provisions governing ethics. (BDR 23-638)

SENATOR NEAL MOVED TO DO PASS A.B. 260.

SENATOR O'DONNELL SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR TITUS VOTED NO.)

Next, the committee addressed A.B. 461.

ASSEMBLY BILL 461: Makes various changes relating to land use planning in certain counties. (BDR 22-556)

SENATOR RAGGIO MOVED TO DO PASS A.B. 461.

SENATOR PORTER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Chairman O'Connell requested review of A.B. 518.

ASSEMBLY BILL 518: Revises provisions regarding reporting of expenditures by lobbyists. (BDR 17-1512)

SENATOR RAGGIO MOVED TO DO PASS A.B. 518.

Chairman O'Connell drew attention to an amendment (<u>Exhibit I</u>) presented by Carole A. Vilardo, Lobbyist, Nevada Taxpayers Association, which would raise the de minimis exemption to a \$10 limit for reporting purposes.

Senator Raggio agreed to include the amendment in the motion if it was the committee's request.

Ms. Guinasso pointed out the statute does not currently reference the de minimis standard. She indicated a suggestion by the director of the Legislative Counsel Bureau would be to include a provision which would permit the setting of this standard by the Legislative Commission for a more proper proceeding.

Senator Neal questioned the reason reporting takes place if standards are not currently set. Ms. Guinasso said the standard is not specifically set forth in statute, noting granting the authority to the director of the Legislative Counsel Bureau would be the preferable way to raise the de minimis standard.

Prompted by Chairman O'Connell, Ms. Vilardo indicated when she spoke with the director about setting the de minimis exemption at \$2, it was found this standard could be changed by Legislative Commission. She suggested \$10 was a more practical number, noting the director had indicated that setting the standard to a number more than a nominal amount would require legislative authority.

Prompted by Senator O'Donnell's request for further information, Chairman O'Connell pointed out the intended change of the bill was to waive lobbyist reporting requirements of functions to which every legislator is invited. The amendment, she noted, would affect the same statute but is separate from the intent of the measure.

Ms. Vilardo stated she would agree to the request by the director of the Legislative Counsel Eureau to allow the Legislative Commission set the de minimis exemption. She pointed out she had proposed the amendment because the Nevada Taxpayers Association creates publications that carry a specific price. She noted the publications do not take a position, but are intended for informational purposes. She indicated these are given to legislators to provide information on property taxes so as to assist in responding to constituent requests. Due to an increase in the size of the publication, the price was raised, and therefore, could not be distributed to legislators because it had exceeded the \$2 de minimis exemption. She contended it would be logical to raise the de minimis standard to adjust for increased costs, noting the current standard had been set long ago. Ms. Vilardo restated the suggestion from the Legislative Counsel Bureau for statutory authority to raise the standard.

Senator Titus questioned the way in which the \$2 standard was set. Ms. Vilardo indicated this was set by the Legislative Commission, though there is nothing in statute that allows for the de minimis exemption.

Senator Care drew attention to section 1, subsection 4 of A.B. 518, which states, "A report filed pursuant to this section must not itemize" He suggested the language be changed to "A report filed pursuant to this section may itemize" He expressed concern regarding the possible perception that this information has been made confidential.

Senator Raggio and Senator O'Donnell agreed this would defeat the purpose of the bill.

Ms. Vilardo stated Senator Care's suggestion was raised in the Assembly hearing, noting many legislators choose to pay for or choose not to attend functions. She pointed out if the lobbyists were to be responsible for itemizing, rather than reporting the aggregate amount of the total function, some legislators would be reported who would otherwise prefer paying for or not attending the event. She indicated by not providing an absolute distinction, confusion would be created.

Referring to his previous motion, Senator Raggio stated, "Well, I am not anxious to fool around with it because if we put \$10 in, somebody is going to posture on the floor and say well you can get \$10 a day and that adds up to a lot of money. And I am not going to get myself into that situation."

SENATOR RAGGIO MOVED TO DO PASS A.B. 518.

SENATOR NEAL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Chairman O'Connell requested the committee review A.B. 588.

ASSEMBLY BILL 588: Makes various changes to provisions relating to state purchasing. (BDR 27-431)

ASSEMBLY BILL 461 — Makes various changes to land use planning in certain counties (Requested on behalf of Washoe County.) Heard April 27.

Representatives from Washoe County explained that A.B. 461 authorizes a local governing body to consider, when deciding whether to approve a second or subsequent parcel map for land that has been previously divided by a parcel map recorded within the last five years, the same criteria it must use when considering approval of tentative subdivision maps.

This measure also increases the maximum filing fee for division of land into large parcels to \$750.

Finally, Assembly Bill 461 requires the preparer of an approved parcel map to cause the map to be recorded with the county recorder within one year of the date the map was approved, unless a longer time not to exceed two years is established by ordinance.

There was no opposition to the bill.

No amendments were proposed at the hearing.



ASSEMBLY BILL 518 — Revises provisions regarding reporting of expenditures by lobbyists. (Requested by Assemblywoman Segerblom.) Heard on April 21.

Assembly Bill 518 stipulates that a registered lobbyist must not itemize, on reports required to be filed with the Legislative Counsel Bureau, an expenditure made on behalf of a legislator if that expenditure is the cost of a function to which every legislator was invited. The measure defines "function" as a party, meal, or other social event.

Testimony indicated that many legislators have become increasingly concerned about attending functions of certain groups or organizations to which all legislators are invited. Current law stipulates that these groups or organizations must file an itemized report of individual expenses made on behalf of each legislator in attendance, even if a large number of legislators attend the function as a group. Testimony further noted that this may limit important discourse between organizations and legislators that does not constitute lobbying.

Proposed Amendment

Carole Vilardo proposed two amendments to the measure:

1. Retroactively apply the effective date to February 1, 1999, in order for the provisions to include the 1999 Legislative Session.

2. Raise the de minimus exemption to \$10 for reporting purposes. (Note: There are currently no provisions in the statutes regarding de minimus exemptions. Assemblywoman Giunchigliani reported that this issue was debated in the Assembly Committee on Elections, Procedures, and Ethics but determined that it was a policy issue to be decided by the Legislative Commission.)

ASSEMBLY BILL 588 — Makes various changes to provisions relating to state purchasing. (Requested on behalf of the Purchasing Division.) Heard on April 28:

A representative from the Purchasing Division and the Office of the Attorney General testified that the State's purchasing procedures are presently oriented toward the purchase of goods rather than services. This measure would modernize the State Purchasing Act regarding contracts for services. In particular, A.B. 588 requires the Chief of the Purchasing Division to adopt regulations establishing procedures for awarding contracts under the State Purchasing Act. Except as otherwise provided by statute, the Chief must contract for services whose estimated value is \$100,000 or more, and may authorize an executive agency to contract for such services if he determines it would be in the State's best interests. Upon request from an executive agency, the Chief must provide assistance on contracts for services whose estimated value is less than \$100,000.

Assembly Bill 588 also establishes procedures for evaluating proposals and making awards. Further, the bill provides that the State is not required to accept the lowest-priced proposal.

There was no opposition to the measure.

No amendments were proposed at the hearing.

* Note: There is a conflict amendment to this bill.

ASSEMBLY BILL 611 — Revises provisions governing financial disclosure statements of certain public and judicial officers. (Requested by the Committee on Elections, Procedures and Ethics.) Heard on April 26.

Assemblywoman Giunchigliani explained that A.B. 611 stipulates that only public or judicial officers who are entitled to receive compensation must file the Statement of Financial Disclosure produced by Nevada's Commission on Ethics. The measure also permits a public officer who holds more than one public office to file a single statement to tulfill the filing requirement for all offices held. Finally, A.B. 611 requires the public officer to list on the Statement of Financial

BILLS

(a) The population in any district exceeds the population in any other district by more than 10 percent pursuant to estimates of population prepared by an employee of the county in consultation with the demographer employed by the department of taxation pursuant to NRS 360.283; and

(b) The measure of population used in paragraph (a) is found to be reliable by the board of county commissioners.

5. If the board of county commissioners revises the county commissioner election districts pursuant to subsection 4, the revisions must be based on a special census conducted pursuant to NRS 244.183 or other legally acceptable enumeration of population.

6. Any county commissioner election district established or adjusted pursuant to this section must be composed of entirely contiguous territory, be as compact as practicable and preserve natural, political and traditional representation.

7. This section does not authorize an increase or decrease in the number of county commissioner election districts in a county.".

Amend the title of the bill by deleting the first and second lines and inserting:

"AN ACT relating to county commissioners; authorizing additional redistricting of county commissioner election districts; and providing other matters".

Amend the summary of the bill to read as follows:

"SUMMARY—Authorizes additional redistricting of county commissioner election districts. (BDR 20-1431)".

Assemblyman Bache moved the adoption of the amendment.

Remarks by Assemblyman Bache.

Amendment adopted.

Assemblyman Bache moved that Assembly Bill No. 465 be re-referred to the Committee on Elections, Procedures, and Ethics after reprint.

Bill ordered reprinted, engrossed and to the Committee on Elections, Procedures, and Ethics.

Assembly Bill No. 481.

Bill read second time and ordered to third reading.

Assembly Bill No. 518.

Bill read second time.

† The following amendment was proposed by the Committee on Elections, Procedures, and Ethics:

Amendment No. 263.

Amend section 1, pages 2 and 3, by deleting lines 36 through 41 on page 2 and lines 1 and 2 on page 3 and inserting: "function to which every legislator was invited. For the purposes of this subsection, "function" means a party, meal or".

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill-No. 545.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary: Amendment No. 248.

Amend section 1, page 1, line 2, by deleting "For" and inserting: "[For] Except as otherwise provided in subsection 3, for".

Amend section 1, page 1, line 6, by deleting "\$154" and inserting "\$150".

Amend section 1, page 1, line 12, by deleting "\$33" and inserting "\$35".

Amend section 1, page 2, line 1, by deleting "\$7.16" and inserting "\$7.10".

Amend section 1, page 2, line 3, by deleting "\$5.37" and inserting "\$5.32".

Amend section 1, page 2, line 6, by deleting "\$4.48" and inserting "\$4.43".

Amend section 1, page 2, line 9, by deleting "\$3.58" and inserting "\$3.55".

Amend section 1, page 3, by deleting lines 34 through 38 and inserting: "court in a criminal proceeding, each reporter is entitled to receive [the]:

- (a) The fees set forth in paragraphs (a) and (b) of subsection 1, as appropriate [. Each reporter in a criminal proceeding is entitled to receive an additional]; and
- (b) A fee equal to one-half of {the fee to which he is entitled pursuant to paragraph (e) of subsection 1} \$3.55 per page for the original draft and one copy, and one-half of 55 cents per page for each additional copy for transcribing a proceeding of which the transcripts are".

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblyman Anderson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 624.

Bill read second time and ordered to third reading.

Assembly Bill No. 645.

Bill read second time and ordered to third reading.

Assembly Bill No. 670.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 6.

Resolution read second time.

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 116.

Amend the resolution, page 2, line 1, by deleting "incarceration" and inserting: "all obligations of incarceration and restitution".

Amend the title of the resolution, third line, by deleting: "incarceration" and inserting: "all obligations of incarceration and restitution".

Roll call on Assembly Bill No. 481:

YEAS-40.

Nays-None.

Excused—Nolan, Williams—2.

Assembly Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 518.

Bill read third time.

Remarks by Assemblywomen Segerblom and Giunchigliani.

Roll call on Assembly Bill No. 518:

YEAS-38.

Nays-Buckley, Cegavske-2.

Excused—Nolan, Williams—2.

Assembly Bill No. 518 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 545.

Bill read third time.

Remarks by Assemblyman Brower.

Roll call on Assembly Bill No. 545:

YEAS-40.

Nays-None.

Excused—Nolan, Williams—2.

Assembly Bill No. 545 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 62:4.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Assembly Bill No. 624:

YEAS-40.

NAYS-None.

Excused—Nolan, Williams—2.

Assembly Bill No. 624 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 645.

Bill read third time.

Remarks by Assemblyman Anderson.

Roll call on Assembly Bill No. 645:

YEAS-40.

Nays-None.

Excused-Nolan, Williams-2.

Assembly Bill No. 255 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 260.

Bill read third time.

Roll call on Assembly Bill No. 260:

YEAS-21.

Nays-None.

Assembly Bill No. 260 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 414.

Bill read third time.

Roll call on Assembly Bill No. 414:

YEAS-19.

NAYS-James, Mathews--2.

Assembly Bill No. 414 having received a two-thirds majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 447.

Bill read third time.

Remarks by Senators Neal and Carlton.

Roll call on Assembly Bill No. 447:

YEAS-21.

Nays-None.

Assembly Bill No. 447 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 461.

Bill read third time.

Roll call on Assembly Bill No. 461:

YEAS-21.

NAYS-None.

Assembly Bill No. 461 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 518.

Bill read third time.

Roll call on Assembly Bill No. 518:

YEAS-21.

NAYS-None.

Assembly Bill No. 518 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

FLOOR ACTIONS

AMENDMENTS ON SECOND READING
FLOOR VOTES AND STATEMENTS
OTHER ACTIONS

ASSEMBLY BILL NO. 518-ASSEMBLYMEN SEGERBLOM, MORTENSON, KOIVISTO, GIBBONS, COLLINS, MCCLAIN, PARNELL, WILLIAMS, LEE, MANENDO, CARPENTER, GOLDWATER, BROWER, BEERS, PERKINS, ARBERRY, GIUNCHIGLIANI, PARKS, OHRENSCHALL, PRICE, CHOWNING, DE BRAGA, ANDERSON, TIFFANY, FREEMAN, NEIGHBORS, THOMAS, HUMKE AND BERMAN

MARCH 12, 1999

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Revises provisions regarding reporting of expenditures by lobbyists. (BDR 17-1512)

FISCAL NOTE:

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Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.



EXPLANATION - Matter in bolded italics is new, matter between brackets (omitted material) is material to be omitted.

AN ACT relating to lobbyists; revising the provisions regarding the reporting of expenditures by lobbyists; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 218.926 is hereby amended to read as follows:

218.926 1. Each registrant shall file with the director within 30 days after the close of the legislative session a final report signed under penalty of perjury concerning his lobbying activities. In addition, each registrant shall file with the director between the 1st and 10th day of the month after each month that the legislature is in session a report concerning his lobbying activities during the previous month, whether or not any expenditures were made. Each report must be on a form prescribed by the director and must include the total of all expenditures, if any, made by the registrant on behalf of a legislator or an organization whose primary purpose is to provide support for legislators of a particular political party and house, including expenditures made by others on behalf of the registrant if the expenditures were made with the registrant's express or



implied consent or were ratified by the registrant. [The] Except as otherwise provided in subsection 4, the report must identify each legislator and each organization whose primary purpose is to provide support for legislators of a particular political party and house on whose behalf expenditures were made and must be itemized with respect to each such legislator and organization. An expenditure on behalf of a person other than a legislator or an organization whose primary purpose is to provide support for legislators of a particular political party and house need not be reported pursuant to this section unless the expenditure is made for the benefit of a legislator or such an organization.

2. If expenditures made by or on behalf of a registrant during the previous month exceed \$50, the report must include a compilation of expenditures, itemized in the manner required by the regulations of the legislative commission, in the following categories:

(a) Entertainment;

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(b) Expenditures made in connection with a party or similar event hosted by the organization represented by the registrant;

- (c) Gifts and loans, including money, services and anything of value provided to a legislator, to an organization whose primary purpose is to provide support for legislators of a particular political party and house, or to any other person for the benefit of a legislator or such an organization; and
- (d) Other expenditures directly associated with legislative action, not including personal expenditures for food, lodging and travel expenses or membership dues.
- 3. The legislative commission may authorize an audit or investigation by the legislative auditor that is proper and necessary to verify compliance with the provisions of this section. A lobbyist shall make available to the legislative auditor all books, accounts, claims, reports, vouchers and other records requested by the legislative auditor in connection with any such audit or investigation. The legislative auditor shall confine his requests for such records to those which specifically relate to the lobbyist's compliance with the reporting requirements of this section.
- 4. A report filed pursuant to this section must not itemize with respect to each legislator an expenditure if the expenditure is the cost of a function:
 - (a) That was sponsored by:
 - (1) An educational institution; or
- (2) An organization that the Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of section 501(c) of the Internal Revenue Code, 26 U.S.C. 501(c); and





(b) To which every legislator was invited.

For the purposes of this subsection, "function" means a party, meal or other social event.

Sec. 2. This act becomes effective upon passage and approval.





(REPRINTED WITH ADOPTED AMENDMENTS) FIRST REPRINT A.B. 518

ASSEMBLY BILL NO. 518-ASSEMBLYMEN SEGERBLOM, MORTENSON, KOIVISTO, GIBBONS, COLLINS, MCCLAIN, PARNELL, WILLIAMS, LEE, MANENDO, CARPENTER, GOLDWATER, BROWER, BEERS, PERKINS, ARBERRY, GIUNCHIGLIANI, PARKS, OHRENSCHALL, PRICE, CHOWNING, DE BRAGA, ANDERSON, TIFFANY, FREEMAN, NEIGHBORS, THOMAS, HUMKE AND BERMAN

MARCH 12, 1999

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Revises provisions regarding reporting of expenditures by lobbyists.
(BDR 17-1512)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

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EXPLANATION - Matter in bolded italics is new; matter between brackets formitted material; is material to be omitted.

AN ACT relating to lobbyists; revising the provisions regarding the reporting of expenditures by lobbyists; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 218.926 is hereby amended to read as follows:

218.926 1. Each registrant shall file with the director within 30 days after the close of the legislative session a final report signed under penalty of perjury concerning his lobbying activities. In addition, each registrant shall file with the director between the 1st and 10th day of the month after each month that the legislature is in session a report concerning his lobbying activities during the previous month, whether or not any expenditures were made. Each report must be on a form prescribed by the director and must include the total of all expenditures, if any, made by the registrant on behalf of a legislator or an organization whose primary purpose is to provide support for legislators of a particular political party and house, including expenditures made by others on behalf of the registrant if the expenditures were made with the registrant's express or



implied consent or were ratified by the registrant. [The] Except as otherwise provided in subsection 4, the report must identify each legislator and each organization whose primary purpose is to provide support for legislators of a particular political party and house on whose behalf expenditures were made and must be itemized with respect to each such legislator and organization. An expenditure on behalf of a person other than a legislator or an organization whose primary purpose is to provide support for legislators of a particular political party and house need not be reported pursuant to this section unless the expenditure is made for the benefit of a legislator or such an organization.

- 2. If expenditures made by or on behalf of a registrant during the previous month exceed \$50, the report must include a compilation of expenditures, itemized in the manner required by the regulations of the legislative commission, in the following categories:
 - (a) Entertainment;

- (b) Expenditures made in connection with a party or similar event hosted by the organization represented by the registrant;
- (c) Gifts and loans, including money, services and anything of value provided to a legislator, to an organization whose primary purpose is to provide support for legislators of a particular political party and house, or to any other person for the benefit of a legislator or such an organization; and
- (d) Other expenditures directly associated with legislative action, not including personal expenditures for food, lodging and travel expenses or membership dues.
- 3. The legislative commission may authorize an audit or investigation by the legislative auditor that is proper and necessary to verify compliance with the provisions of this section. A lobbyist shall make available to the legislative auditor all books, accounts, claims, reports, vouchers and other records requested by the legislative auditor in connection with any such audit or investigation. The legislative auditor shall confine his requests for such records to those which specifically relate to the lobbyist's compliance with the reporting requirements of this section.
- 4. A report filed pursuant to this section must not itemize with respect to each legislator an expenditure if the expenditure is the cost of a function to which every legislator was invited. For the purposes of this subsection, "function" means a party, meal or other social event.

(30)

Sec. 2. This act becomes effective upon passage and approval.





- 4.] A local government authority may inspect Nevada manufacturers of factory-built housing or manufactured buildings to finsure ensure compliance with all the provisions of NRS 461.170. Before conducting an initial inspection of any such manufacturer, a local government authority finally must give 10 days' written notice to the administrator of the division. The local government authority fineed is not required to give notice to the administrator before conducting subsequent inspections of the manufacturer.
 - Sec. 5. NRS 461.270 is hereby amended to read as follows:
- 461.270 Any person who violates any of the provisions of this chapter or any regulations adopted pursuant to this chapter shall be punished by a fine not exceeding \{\\$500\} \\$2,500, or by imprisonment not exceeding 30 days, or by both fine and imprisonment.

Sec. 6. NRS 461.200 is hereby repealed.

Sec. 7. This act becomes effective on July 1, 1999.

Assembly Bill No. 518-Assemblymen Segerblom, Mortenson, Koivisto, Gibbons, Collins, McClain, Parnell, Williams, Lee, Manendo, Carpenter, Goldwater, Brower, Beers, Perkins, Arberry, Giunchigliani, Parks, Ohrenschall, Price, Chowning, de Braga, Anderson, Tiffany, Freeman, Neighbors, Thomas, Humke and Berman

CHAPTER 192

AN ACT relating to lobbyists; revising the provisions regarding the reporting of expenditures by lobbyists; and providing other matters properly relating thereto.

[Approved May 20, 1999]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 218.926 is hereby amended to read as follows:

218.926 1. Each registrant shall file with the director within 30 days after the close of the legislative session a final report signed under penalty of perjury concerning his lobbying activities. In addition, each registrant shall file with the director between the 1st and 10th day of the month after each month that the legislature is in session a report concerning his lobbying activities during the previous month, whether or not any expenditures were made. Each report must be on a form prescribed by the director and must include the total of all expenditures, if any, made by the registrant on behalf of a legislator or an organization whose primary purpose is to provide support for legislators of a particular political party and house, including expenditures made by others on behalf of the registrant if the expenditures were made with the registrant's express or implied consent or were ratified by the registrant. [The] Except as otherwise provided in subsection 4, the report must identify each legislator and each organization whose primary purpose is to provide support for legislators of a particular political party and house on whose behalf expenditures were made and must be itemized with respect to each such legislator and organization. An expenditure on behalf of a person

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other than a legislator or an organization whose primary purpose is to provide support for legislators of a particular political party and house need not be reported pursuant to this section unless the expenditure is made for the benefit of a legislator or such an organization.

2. If expenditures made by or on behalf of a registrant during the previous month exceed \$50, the report must include a compilation of expenditures, itemized in the manner required by the regulations of the

legislative commission, in the following categories:

(a) Entertainment;

(b) Expenditures made in connection with a party or similar event hosted

by the organization represented by the registrant;

(c) Gifts and loans, including money, services and anything of value provided to a legislator, to an organization whose primary purpose is to provide support for legislators of a particular political party and house, or to any other person for the benefit of a legislator or such an organization; and

(d) Other expenditures directly associated with legislative action, not including personal expenditures for food, lodging and travel expenses or

membership dues.

- 3. The legislative commission may authorize an audit or investigation by the legislative auditor that is proper and necessary to verify compliance with the provisions of this section. A lobbyist shall make available to the legislative auditor all books, accounts, claims, reports, vouchers and other records requested by the legislative auditor in connection with any such audit or investigation. The legislative auditor shall confine his requests for such records to those which specifically relate to the lobbyist's compliance with the reporting requirements of this section.
- 4. A report filed pursuant to this section must not itemize with respect to each legislator an expenditure if the expenditure is the cost of a function to which every legislator was invited. For the purposes of this subsection, "function" means a party, meal or other social event.

Sec. 2. This act becomes effective upon passage and approval.

Assembly Bill No. 611–Committee on Elections, Procedures, and Ethics

CHAPTER 193

AN ACT relating to ethics in government; revising the provisions governing the financial disclosure statements of certain public and judicial officers; and providing other matters properly relating thereto.

[Approved May 20, 1999]

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 281.561 is hereby amended to read as follows:

1. Except as otherwise provided in subsection 2 or 3, if a candidate for public or judicial office {and every} or a public or judicial officer is entitled