PUBLICATIONS POLICIES OF STATE AGENCIES



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OF THE

LEGISLATIVE COUNSEL BUREAU

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PUBLICATIONS POLICIES OF STATE AGENCIES



Bulletin No. 77-8

Legislative Commission of the Legislative Counsel Bureau State of Nevada

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Senate Concurrent Resolution No. 25-Senator Young FILE NUMBER 151

SENATE CONCURRENT RESOLUTION—Directing the legislative commission to study the publication policies of state agencies.

WHEREAS, All publications produced by state agencies should serve the maximum useful purpose for all those using such publications; and

WHEREAS, The legislature through the legislative counsel bureau has taken on a special responsibility carried out in many states by commercial

publishing firms; and

WHEREAS, The legal profession of the state relies upon the accuracy, timeliness and comprehensiveness of publications of the legislative counsel bureau and other state agencies concerning statutes, legislative proceedings, supreme court decisions, and the regulations and decisions of executive agencies; and

WHEREAS, There have been questions raised within the legislature and among members of the State Bar of Nevada concerning the adequacy and usefulness of several publications and concerning ways to improve neces-

sary publication; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly concurring, That the legislative commission is hereby directed to conduct an interim study of all publications of state agencies with special emphasis on those used and depended upon by the legal profession; and be it further

Resolved, That the legislative commission involve the State Bar of Nevada in such study and that the results of the study along with recommendations for changes in publications policy be reported to the 59th session of the legislature.

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REPORT OF THE LEGISLATIVE COMMISSION

To the Members of the 59th Session of the Nevada Legislature:

This report is submitted in compliance with Senate Concurrent Resolution No. 25 of the 58th session of the Nevada legislature, which directs the legislative commission to study the publication policies of state agencies.

The legislative commission appointed a subcommittee to make the study and recommend appropriate legislation to the next session of the legislature. Assemblyman Albert M. Wittenberg was designated chairman of the subcommittee with Senator Carl F. Dodge as vice chairman. The following legislators were named as members: Senator Helen Herr and Assemblymen Lonie Chaney and Karen W. Hayes.

The subcommittee has attempted, in this report, to present its findings and recommendations briefly and concisely. A great deal of data was gathered in the course of the study. The data which bear directly upon recommendations in this report are included. The report is intended as a useful guide to busy legislators. All supporting documents, computer printouts and minutes are on file with the legislative counsel bureau and available to any member.

The report is transmitted to the members of the 1977 legislature for their consideration and appropriate action.

Respectfully submitted,

Legislative Commission Legislative Counsel Bureau State of Nevada

Carson City, Nevada

PREFACE

The 58th session of the Nevada legislature, through Senate Concurrent Resolution No. 25, directed the legislative commission "to study * * * all publications of state agencies with special emphasis on those used and depended upon by the legal profession."

At the original meeting of the subcommittee on the publications policy of state agencies, assigned by the legislative commission to study this topic, it was decided to divide the study into two distinct parts, the first dealing with executive agency publications and the second focusing on law-related publications produced by the legislative counsel bureau. Accordingly, this report has been separated into two parts, each discussing the findings and recommendations of the subcommittee related to each portion of its study. The following section, Part I, is an overview of the subcommittee's findings and recommendations pertaining to executive agency publications. Part II, which follows at page 75, presents the findings and recommendations resulting from the study of law-related publications.

Part I

EXECUTIVE AGENCY PUBLICATIONS

- I. Summary of Recommendations.
- II. Introduction and Background.
- III. Previous Executive Agency Publication Surveys and Studies.
 - A. Governor's Committee on Economy and Efficiency Report.
 - B. Office of Research Survey.
 - C. Assemblyman Jean E. Ford's Report.
 - D. Position Paper of the Nevada State Publications Distribution Center.
 - IV. Current Publications Survey.
 - V. Recent Executive Action Concerning State Agency Publication Activity.
- VI. Findings and Recommendations.
 - A. Annual and Biennial Reports.
 - B. Other Executive Agency Publications.

Appendices.

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PART I

EXECUTIVE AGENCY PUBLICATIONS

I. SUMMARY OF RECOMMENDATIONS

This summary represents the major conclusions reached by the subcommittee in its study of executive agency publications. These conclusions are based upon suggestions that came from subcommittee meetings, written communications to the subcommittee, testimony, staff research and experience of the subcommittee's members.

The subcommittee's recommendations concerning annual and biennial reports are that:

- 1. A separate, bound State of Nevada biennial report be established and that the existing practice of printing reports in the appendix to the journal be abolished through proper statutory amendment.
- 2. The statutes be amended to give the state planning coordinator the responsibility for compiling and issuing the State of Nevada biennial report and that this responsibility include:
 - (a) Determining, after consultation with the state library, department of economic development and other interested parties, the format, substance and time table for issuance of the report.
 - (b) Considering, in developing the format for the report, the format used in the biennial report approach now used in Kansas and other states.
 - (c) Preparing the report as soon after the end of the fiscal year immediately preceding the legislative session as possible.

- 3. The senate standing committee on finance and the assembly standing committee on ways and means choose, during their review of the executive budget, those agencies to be included in the State of Nevada biennial report.
- 4. Legislation reflecting the committees' choice of agencies to be included in the report be enacted and that this legislation include the repeal of existing annual or biennial reporting requirements in the statutes for agencies not chosen by the committees for inclusion in the State of Nevada biennial report.

The subcommittee's recommendations concerning all other executive agency publications are that:

- 1. The senate finance committee and the assembly ways and means committee give careful scrutiny to executive agencies' publication costs identified in the executive budget under the heading "Agency Publication."
- 2. The committees identify those publications in the "Agency Publication" category of the executive budget which no longer warrant production because of the lack of merit or utility of such publications.
- 3. Legislation be enacted which repeals any existing statutory requirement for any executive agency publication, in addition to annual and biennial reports, which the committees wish to be discontinued.

II. INTRODUCTION AND BACKGROUND

The interim study of executive agency publications was an outgrowth of legislative concern over the high volume of printed material being disseminated by state agencies, and with the formal annual and biennial reporting program conducted by certain state agencies. Of special concern to certain legislators has been the reports that appear in the appendix to the journal. It has been expressed that these reports (1) lack uniformity of style and size, (2) represent unnecessary duplication of printing and distribution costs, (3) offer no comparability in the data presented and (4) are not produced in

time for relevant use by individuals needing current and reliable information.

Senate Concurrent Resolution No. 25 of the 1975 legislative session, states that "all publications produced by state agencies should serve the maximum useful purpose for all those using such publications." In line with this directive and with the concerns noted above, the subcommittee decided to make an objective evaluation of all executive agency publications to determine, among other things:

- 1. What publications are produced by each state agency, including the cost of these publications.
- 2. Which publications are required by law.
- 3. Which publications are produced by virtue of agency decision.
- 4. Duplication of state agency published information.
- 5. What published information is actually needed by the governor, the legislature and the public.

The subcommittee's study included (1) a review of previous state agency publications studies, (2) a questionnaire survey of all state agencies, (3) discussions with various executive agency personnel, (4) a review of Nevada Revised Statutes to determine publications required by law and (5) the receipt of information from the state printing and records division of the department of general services concerning the printing costs of annual and biennial reports. Subcommittee meetings were held on March 19, 1976, and August 9, 1976. Part I of this report is a result of the subcommittee's activities pertaining to the executive agency publications portion of its study.

III. PREVIOUS EXECUTIVE AGENCY PUBLICATION SURVEYS AND STUDIES

One of the first activities the subcommittee performed was to review previous executive agency publication studies. This section of the report is an overview of these studies.

A. GOVERNOR'S COMMITTEE ON ECONOMY AND EFFICIENCY REPORT

In July 1971, the governor's committee on economy and efficiency was created to determine how, among other things, agencies can operate with a maximum output of services and a minimum input of time and expenses. The outcome of the committee work was a December 1972 report, To Conduct the Public Business, detailing a plan to improve the capability of Nevada's executive branch of government to perform its functions. A copy of the pertinent sections of the committee's report is attached as Appendix A to Part I of this report.

A portion of the committee's report dealt with the topic of state agency annual and biennial reports and recommended that most of them be discontinued. The report said, in part:

Requirements for annual and biennial reports were established in a far simpler era. Then, State government operated in relative obscurity, with agency reports being one of the main informational sources available to the Governor, the Legislature, and various citizen groups. Today, there are alternate and frequently far superior sources of information, especially for the Chief Executive who possesses modern tools of management and financial control. Governor, the Legislature, and the public have the same, or greater, informational needs; but these needs are being met in ways other than through agency reports: more extensive and open hearings, greater press coverage, more staffing in control and management agencies, and development of more comprehensive post-audit capabilities. Yet agency reports continue to be issued in generally the same format and with the same content as their predecessors.

The major question, then, is if annual and biennial reports issued by Nevada agencies are fulfilling an informational need that is not satisfied through other methods. In most cases, the statutes specify which agencies are required to submit formal reports to the Governor and the Legislature, and other agencies issue reports as a result of administrative

decision. There are no standard guidelines for report format or content, and most reports issued by Nevada agencies do not even meet minimal standards for clarity of presentation or for presentation of material germane to the functions and purposes of the organization. A questionnaire survey showed that agency reports in Nevada are little used as an evaluation document, present material readily obtained elsewhere, and tend to read like corporate reports which present management in the best possible light.

Because annual and biennial agency reports do not effectively present information about the agency's goals and management, because the reports are not widely or intensively used and tend to duplicate information readily obtainable elsewhere, and because of the considerable cost involved in their preparation and distribution, the Committee recommends discontinuance of most State Agency reports.

B. OFFICE OF RESEARCH SURVEY

In the fall of 1974, the office of research, at the request of Assemblyman Jean E. Ford, conducted a publications survey of 113 state agencies to determine types and costs of materials published by the state. Questions asked included the names of the documents, NRS reference, if any, and costs of publishing.

Out of the 113 departments, commissions, agencies or divisions to which the questionnaire was mailed, 78 entities responded. Of those 78 respondents, 65 enclosed lists of publications and 13 indicated that they had no publications of the type specified in the questionnaire. Thirty-five entities failed to respond at all.

The 65 entities who responded to the questionnaire with a list of publications reported a total of 529 different publications. Thirteen respondents reported as few as one publication while two large entities, the University of Nevada System and the department of human resources, listed 142 and 107 different documents, respectively.

The office of research found it difficult, if not impossible, to generalize about the specific responses to various questions in the questionnaire. For example, in listing non-printing costs, some state agencies did not consider labor costs. Furthermore, since various documents are published irregularly, the office found it even harder to compare printing costs for the different material.

C. ASSEMBLYMAN FORD'S REPORT

In December of 1974, Mrs. Ford issued a report (attached as Appendix B to Part I of this report) in which she summarized the methods used by state agencies in collecting and disseminating information concerning their functions and activities. Part of this report, which contains some of the above-noted survey information obtained by the office of research, included her suggestions concerning how the dissemination of state agency information could be improved and made less costly.

Of special concern to Mrs. Ford in her report was the biennial and annual reports issued by state agencies. After tracing the legal history and formal development of the report, she said,

It would appear that the current fragmented method of requiring, by law, certain reports and the inadequate format for the Appendix to the Journal is in need of revision. Generally, we find that biennial and other reports of agencies lack uniformity of style and size, sometimes represent unnecessary duplications of printing and distribution costs, may include sources of statistical data that is uncoordinated and in many cases not comparable, and represent a lack of consistency in the development and maintenance of resources in a current state of readiness for access to officials, researchers and the general public desiring the information.

Mrs. Ford also observed wide variance concerning agencies' adherence to their reporting requirements, and noted the lengthy delay involved before the appendix to the journal, which contains certain of the agencies' reports, is available. As she points out in her report, the 1973 appendix

to the journal was not available until December 1974, a year and a half after the end of the 1973 legislative session.*

Unlike the governor's committee on economy and efficiency, Mrs. Ford believes that certain information contained in the biennial and annual report is needed. In her report, she states,

In spite of the inadequate practices of the past regarding format and distribution of the Appendices, the information within the various reports has proved to be a valuable resource through the years to historians and others who were interested in the development of state government in Nevada.

Therefore, Mrs. Ford proposed in her report, several alternative methods for the compilation and distribution of executive agency information.

D. POSITION PAPER OF THE NEVADA STATE PUBLICATIONS DISTRIBUTION CENTER

During the subcommittee's study on executive agency publications, it received a position paper from the Nevada state publications distribution center concerning Nevada state agencies' publication practices. (A copy of the position paper is attached as Appendix C to Part I of this report.) Like the other reports mentioned above, the paper expresses dissatisfaction with the current annual and biennial reporting activities of various executive agencies and discusses what the state library believes to be the inadequacies of the reports. The paper goes on to say, however, that the state should continue, for various enumerated reasons, to provide the public formal information about its activities and recommends the retention of some method for continued biennial reporting of state agencies. The report adds that this report should

*The 1975 appendix to the journal is still not available as of the date of this writing, August 1976. The state printing division of the department of general services advises it will be through printing the appendix to the journal in September, but that the binding process will delay release of the books until at least November, 1976.

preferably be in the form of a single-volume consolidated report of all agencies such as the popularized biennial report approach found in many other states.

IV. CURRENT PUBLICATIONS SURVEY

Shortly after the subcommittee's initial meeting in March, a preliminary questionnaire and cover letter was drafted. A meeting was then held with executive agency personnel (Mr. Joseph J. Anderson, state librarian, Mr. Bruce D. Arkell, state planning coordinator, and Mr. Joel D. Pinkerton, management analyst for the department of administration), to review and edit these documents and to determine if the state librarian and state planning coordinator would permit their names to be used on the cover letter.

After the letter and questionnaire were edited and approved by the various individuals involved, they were typed in final format and sent to 322 departments, commissions, agencies, divisions and bureaus. Considerable time and effort were expended to insure that every known state agency and subdivision thereof received a questionnaire.

The approved questionnaire (attached to the Appendix of Part I of this report with the cover letter as Appendix D and E respectively) solicited a broad range of information concerning state agency publications including (1) workload and cost data, (2) source of funds for the publications, (3) user payment information, (4) statutory and other requirements for publication and (5) contents of the publication. One of the primary concerns in soliciting the publication information was to determine all of the state agencies' publication activities. In this regard, this survey was broader than the previous surveys and reports noted above, which were primarily concerned with formal agency reports such as annual and biennial reports.

All agencies were requested to return their completed questionnaires by April 23, 1976; however, only 196 entities had responded by June 9, 1976. Therefore, Mr. Arkell had his staff communicate with the nonrespondents in an effort to increase the size of the final respondent group. As of June 28, 1976, 292 separate entities (approximately 91 percent of the survey group) had responded.

Because of the volume of data received, the subcommittee obtained the assistance of the central data processing division in tabulating the information gathered in the questionnaires and received an initial printout on June 7, 1976. This printout was updated on June 28, 1976, which was determined to be an appropriate final cutoff date for returned questionnaires. After the cutoff date, five additional agencies, reporting seven publications, returned completed questionnaires. Appendix F, "Agency Coding Sheet," to Part I of this report indicates which agencies returned completed questionnaires, both before and after the updated printout was prepared.

The questionnaire survey indicated a total of 374 publications (367 shown in the printout and 7 identified after the printout was completed) produced by state agencies, or 155 less than the 529 publications reported to the office of research in its 1974 publications survey. It is possible that one reason for this apparent discrepancy in the two different survey findings is that many agencies do not have the detailed information the subcommittee requested in the questionnaire for each of their publications. Therefore, many agencies may have only responded for their so-called major publications for which they have workload and cost data. In analyzing the completed questionnaires it was apparent to the subcommittee that many one-time nonrecurring publications were not included in the survey response.

The difficulty in identifying the number of publications the state produces may be alleviated to a great extent in the fall of 1976 when the state library begins issuing a computerized book catalog of all the state agency publications that it receives. As required by NRS 378.150 et seg., "State Publications Distribution Center," the Nevada state library receives multiple copies of Nevada government publications. It estimates it receives 95 percent of such publications. When it begins using its new computer capability, the library will be able to produce lists of publications by issuing agency, year, title or subject matter. These data manipulations will be useful as a cross-check with the printout of the current survey information (and certain new line items in the governor's budget discussed later in this report) to determine, in fact, what publications state agencies produce. Also, both the survey printout and the state library data may be useful to members of the money committees during budget hearings.

As was the case in the 1974 office of research publications survey, there was a wide range in the completeness of the individual questionnaire responses in the current publications survey. Some agencies supplied very complete information for each of their publications, and others supplied very sparse data. Certain agencies just sent listings of their publications, by publication title, and did not provide any other data asked for in the questionnaire. Part of the variation in the quality of the questionnaire responses might have been, as noted above, because of individual agencies' ability to retrieve fiscal and workload data associated with their publications. As discussed later in this report under "recent executive action concerning state agency publication activity," more emphasis is going to be placed on publication cost in the next executive budget. With this emphasis, more reliable and accurate information concerning executive agencies' publication costs should become available for all those concerned with this matter.

Table I illustrates certain of the statewide totals of the fiscal and workload data obtained from the questionnaires. It should be reemphasized that the totals represent incomplete data. Certain other observations are also necessary. First, the data have been computed to reflect annual amounts; however, not all agencies produce publications or incur publication costs on this basis. Second, the total annual cost figure is not a true reflection of the sum of the other costs. The totals in each cost category (personnel, printing, total annual) are just summations of what the agencies reported in their questionnaire responses for that category. In many cases, agencies just indicated data for one or two of the cost categories in their questionnaire responses and did not include total cost information.

TABLE I

State Agency Publications Questionnaire Workload and Cost Data*

<u>Item</u>	Annual Amount
Number of Publications Produced Number of Copies of Publications Distributed Total Manhours Used Total Personnel Cost Total Printing Cost Total Distribution Cost Total Annual Cost General Funds Used User Payments	2,187,507 30,944 \$234,473.00 \$485,746.00 \$79,923.00 \$683,900.00 \$422,429.00

As mentioned earlier, the office of research has computer printouts on file showing individual agency questionnaire response data. These printouts are available for any member's review. Appendix G to Part I of this report contains examples of selected pages of the printout, a coding sheet for the printout and instructions on how to read the printout.

V. RECENT EXECUTIVE ACTION CONCERNING STATE AGENCY PUBLICATION ACTIVITY

Governor Mike O'Callaghan held a meeting on June 8, 1976, with subcommittee chairman, Mr. Wittenberg, and other interested parties to review state agency publication practices and possible improvements to such practices. Included in the discussion was the survey information the subcommittee obtained in its initial computer printout on June 7, 1976. One topic discussed was the concept of consolidating all of the annual and biennial reports, now found in the appendix to the journal, into a single bound volume with a standard reporting format. The governor appeared to be amenable to

^{*}Includes data received after preparation of the final printout on July 28, 1976.

this concept if it would reduce the state's publication activity costs. He suggested, however, that those attending his meeting meet separately to discuss the publication activities and policies of the state in more detail. This separate meeting was held immediately after the governor's meeting. Mr. William A. Bible, deputy budget director, was directed by the governor to report back, in a memorandum by June 16, 1976, what he believed the consensus of the separate meeting to be and also what his (Bible's) view of the subject is.

According to Mr. Bible, he made the following four suggestions to the governor, which the governor accepted:

- 1. That a separate, bound State of Nevada biennial report be established and that the existing practice of printing reports in the appendix to the journal be abolished.
- 2. That a small statistical abstract be created either as a part of the state biennial report or as a separate small volume.
- 3. That the state planning coordinator's office be responsible for compiling, with data provided by various state agencies, and issuing the biennial report and statistical abstract and that the office be given an appropriation of approximately \$15,000 to do these things.*
- 4. That two new line items be established in the executive budget in 1977 to enable both the executive and legislative branches to scrutinize more carefully the cost, workload and necessity for state agency publication activities. One line item is specifically for annual and biennial reports and the other is for all other publications. The first line item is to be discontinued when the state planning coordinator's office takes over

^{*}Mr. Arkell stated, during the meeting held immediately after the meeting with the governor, that his office could accomplish both tasks without additional manpower; however, he said that an unspecified amount of consultant funds would be necessary to do them.

the responsibility for the biennial report. The second line item, for all other executive agency publications, is to stay in the budget.

Mr. Bible's fourth recommendation has already been implemented through the department of administration's 1977-79 biennial budget instructions. Included on page 10 of the instructions is the following instruction pertaining to an agency publication.

Agency publications—Agencies that publish annual or blennial reports should request the funds necessary to print these reports under general ledger 7048 and identify the ledger as "Annual Report." In the narrative, agencies should indicate the statutory requirement for the report to be published and the cost of printing the report in 1975-76. Agencies that publish newsletters or other widely distributed reports should request the funds necessary to print these reports under general ledger 7049 and identify the ledger as "agency publications." The number of copies printed, the method of distribution, and information on the type of publication should be detailed in the agency narrative statement.

VI. FINDINGS AND RECOMMENDATIONS

The subcommittee found that there are, indeed, problems with the means and manner by which state agencies disseminate information for public consumption. These problems were clearly identified to the subcommittee by previous executive agency publication surveys and studies (shown in the Appendices to Part I of this report), by information gathered by the subcommittee and by the members' own experiences with executive agency publications.

A. ANNUAL AND BIENNIAL REPORTS

Of special concern to the subcommittee was the matter of executive agencies' annual and biennial reports, some of which appear in the appendix to the journal. The subcommittee found that these reports:

- 1. Lack uniformity of style and size.
- 2. Represent unnecessary duplication of printing and distribution costs.
- 3. Offer no comparability in the data contained in them.
- 4. Are not produced in time for individuals needing current, reliable and accurate information.

The subcommittee believes, however, that in spite of these current inadequate reporting practices, some form of periodic formal reporting should be continued. The governor, the legislature, other state agencies, researchers and the public all have need for some form of Nevada state government reference document.

Therefore, the subcommittee recommends:

- A separate, bound State of Nevada biennial report be established and that the existing practice of printing reports in the appendix to the journal be abolished through proper statutory amendment.
- 2. The statutes be amended to give the state planning coordinator the responsibility for compiling and issuing the State of Nevada biennial report and that this responsibility include:
 - (a) Determining, after consultation with the state library, department of economic development and other interested parties, the format, substance and time table for issuance of the reports.
 - (b) Considering, in developing the format for the report, the format used in the biennial report approach now used in Kansas and other states.
 - (c) Preparing the report as soon after the end of the fiscal year immediately preceding the legislative session as possible.
- 3. The senate finance committee and the assembly ways and means committees choose, during their review of the executive budget, those agencies to be included in the State of Nevada biennial report.

4. Legislation reflecting the committees' choice of agencies to be included in the report be enacted and that this legislation include the repeal of any existing annual or biennial reporting requirements in the statutes for agencies not chosen by the committees for inclusion in the State of Nevada biennial report.*

The subcommittee believes implementation of these recommendations would alleviate the problems noted above with the current annual and biennial reports, including the unnecessary costs associated with such reports. According to the state printing division of the department of general services, it will charge approximately \$65,000 to state agencies for printing their annual and biennial reports in the 2-year period immediately preceding the 1977 legislative session. A review of the division's cost estimate shows, however, that many agencies required by law to print annual or biennial reports apparently do not use the state printing division. An analysis of the computer printout of the subcommittee's questionnaire survey, discussed earlier under "Current Publications Survey," identified approximately \$4,000 spent by state agencies not included in the printing division's estimate to have their annual and biennial report printed in the time period of the printing division's estimate. Presumably, these reports were printed by private printing firms. on the figures provided by the printing division, and the printing costs shown in the computer printout of the subcommittee's questionnaire survey, approximately \$69,000 is spent biennially by the state for printing biennial or annual reports. This figure is conservative because many agencies failed to identify, in the questionnaire survey, the printing costs related to their annual reports. Also, many agencies required by law to print reports either did not indicate in the questionnaire survey preparation of the reports or did not prepare them.

^{*}Appendix H to Part I of this report lists those agencies required by Nevada Revised Statutes to issue annual or biennial reports.

The state printer estimates the cost of preparing a State of Nevada biennial report (based on 2,000 copies of a 1,200 page 8.5 inch by 11 inch, paper bound, camera ready book) to be approximately \$25,000 biennially. Even if all other costs (personnel, distribution) associated with the preparation of the existing annual and biennial reports remain the same, a conservative estimate of savings to the state for the preparation of a single biennial report, in place of the annual and biennial reports, should be \$44,000 for each biennium.

The savings estimate is \$29,000 if the cost of the additional \$15,000 of state funds for the state planning coordinator's office to prepare the state biennial report, discussed in this report under "Recent Executive Action Concerning State Agency Publication Activities," is included in the executive budget. There could be, however, additional personnel and distribution cost savings associated with the preparation of a single biennial report which would offset this \$15,000 appropriation.

B. OTHER EXECUTIVE AGENCY PUBLICATIONS

As discussed in this report under "Current Publications Survey," of major concern to the subcommittee in its questionnaire survey was to determine all executive agencies' publication activities. In this regard, the committee found a proliferation of executive agency publications having a substantial cost impact to the state. In many instances, the publications appear to serve mainly as a public relations vehicle for the agencies that produce them. As noted earlier in this report under "Recent Executive Action Concerning State Agency Publication Activity," the department of administration, after discussion with the subcommittee chairman, placed two new line items in the 1977-79 executive budget which identify publication costs. One line item is specifically for annual and biennial reports, covered in the subcommittee's recommendations earlier, and the other is for all other executive agency publications. The subcommittee believes that the second line item, shown in the executive budget as "Agency

Publication" (general ledger 7049), for all other executive agency publications will be of special value in helping to identify all the myriad of publications that state agencies produce and in determining the cost of such publications.

Therefore, the subcommittee recommends:

- 1. The senate finance committee and the assembly ways and means committee give careful scrutiny to executive agencies' publication costs identified in the executive budget under the heading "Agency Publications."
- 2. The committees identify those publications in the "Agency Publications" category of the executive budget which no longer warrant production because of the lack of merit or utility of such publications.
- 3. Legislation be enacted which repeals any existing statutory requirement for any executive agency publication, in addition to annual and biennial reports, which the committees wish to be discontinued.

APPENDICES

- A. REPORT OF THE GOVERNOR'S COMMITTEE ON EFFICIENCY AND ECONOMY
- B. NEVADA STATE GOVERNMENT INFORMATION ACT BY ASSEMBLYMAN JEAN E. FORD
- C. A POSITION PAPER OF THE NEVADA STATE PUBLICATIONS DISTRIBUTION CENTER
- D. MEMORANDUM TO ALL STATE AGENCIES
- E. STATE AGENCY PUBLICATIONS QUESTIONNAIRE
- F. AGENCY CODING SHEET
- G. EXAMPLES AND INSTRUCTIONS FOR USE OF THE COMPUTER PRINTOUT FROM THE SUBCOMMITTEE'S QUESTIONNAIRE SURVEY OF EXECUTIVE AGENCY PUBLICATIONS
- H. STATE AGENCIES REQUIRED TO ISSUE ANNUAL OR BIENNIAL REPORTS

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APPENDIX A

TO CONDUCT THE PUBLIC BUSINESS



Report of

THE GOVERNOR'S COMMITTEE ON EFFICIENCY AND ECONOMY

	,	

ANNUAL AND BIENNIAL REPORTS

During fiscal year 1970-71, agencies of Nevada State Government directly expended over \$16,000 General Fund dollars for printing and issuing annual and biennial reports. In addition, almost \$20,000 General Fund dollars for staff and clerical time were expended in the collection and compilation of data to be incorporated within the reports. Non-General Fund agencies expended another \$36,000 in the preparation and printing of annual and biennial reports. Since this represents a substantial outlay of public funds, it is appropriate to examine agency reporting practices to determine if the usefulness of such reports justifies their continuation.

Requirements for annual and biennial reports were established in a far simpler era. Then, State government operated in relative obscurity, with agency reports being one of the main informational sources available to the Governor, the Legislature, and various citizen groups. Today, there are alternate and frequently far superior sources of information, especially for the Chief Executive who possesses modern tools of management and financial control. The Governor, the Legislature, and the public have the same, or greater, informational needs; but these needs are being met in ways other than through agency reports: more extensive and open

hearings, greater press coverage, more staffing in control and management agencies, and development of more comprehensive post-audit capabilities. Yet agency reports continue to be issued in generally the same format and with the same content as their predecessors.

The major question, then, is if annual and biennial reports issued by Nevada agencies are fulfilling an informational need that is not satisfied through other methods. In most cases, the statutes specify which agencies are required to submit formal reports to the Governor and the Legislature, and other agencies issue reports as a result of administrative decision. There are no standard guidelines for report format or content, and most reports issued by Nevada agencies do not even meet minimal standards for clarity of presentation or for presentation of material germane to the functions and purposes of the organization. A questionnaire survey showed that agency reports in Nevada are little used as an evaluation document, present material readily obtained elsewhere, and tend to read like corporate reports which present management in the best possible light.

Because annual and biennial agency reports do not effectively present information about the agency's goals and management, because the reports are not widely or intensively used and tend to duplicate information readily obtainable elsewhere, and

because of the considerable cost involved in their preparation and distribution, the Committee recommends discontinuance of most State agency reports. However, reporting requirements should be continued for the Tax Commission, the Gaming Commission, and the Controller's Office.

Specifically, the Committee recommends discontinuance of the following agency reports:

Agency	NRS	Type	Approximate Cost
State Printer	344.040	Biennial	\$ 195
	Administrative		
Public Service Commission	703.180	Biennial	2,000
Labor Commissioner	607.080	Biennial	
Military Department	412.052	Biennial	515
Department of Agriculture	561.145	Biennial	1,810
Parole and Probation	213.1095	Annual	
Parole and Probation Conservation	232.070	Biennial	1,325
Banking Division	Administrative	Biennial	
Welfare Division	422.190	Biennial	
	278.050	Biennial	684
	501.337		585
Dairy Commission	534.660	Biennial	911
Nevada Youth Training Center	Administrative	Biennial	5 50
Historical Society	382.030	Biennial	295
Sheep Commission	562.150	Biennial	
	423.100		
Treasurer	226.120	Annual	
Division of Rehabilitation	Administrative	Biennial	644
So. Nevada Comprehensive			
	Administrative	Annual	763
Equal Rights Commission	233.080	Biennial	1,259

APPENDIX B

"NEVADA STATE GOVERNMENT INFORMATION ACT"

by Assemblyman Jean Ford*

INTRODUCTION & STATEMENT OF PURPOSE

Consistent with the policy of the state to maintain surveillance of its management and administrative procedures for the beneficial provision of services to the people of Nevada, this report focuses on the demonstrated need for more effective state government information services.

This summary of an extensive study begun in February 1974 provides a look at the current methods and practices, followed by a proposal which would result in a coordinated system for the collection, organization, and dissemination of both general information and statistical data regarding the functions, operation and activities of Nevada state government. Also included is a discussion of the cost factors involved in its implementation and a listing of the benefits to be derived.

Legislation to implement the proposal is being prepared for introduction in the 1975 legislature. Our overriding goal is to better meet the information needs of public officials, educators, researchers, the business community and individual citizens regarding the function, operation and cost of Nevada state government in a more effective, efficient and economic manner.

CURRENT STATUS OF INFORMATION SERVICES

Who is doing what at the present time? What kinds of information are we talking about? To whom is it available?

^{*}Research for this report was initiated by the author following a discussion of the current inadequate state publication practices at a meeting of the Nevada Council on Libraries. Appreciation is gratefully acknowledged for the cooperation and assistance of Secretary of State William Swackhamer, State Librarian Joe Anderson, State Planning Coordinator Bruce Arkell and Steve Robinson of his staff, Legislative Counsel Bureau Chief Deputy Research Director Andrew P. Grose and Researcher Mary Lou Love.

Presently being generated within state government is information in the following categories:

- Information mandated by state law.
 - a. Constitution of the State of Nevada, required by law to be published in the Statutes of Nevada of each legislative session and in the Nevada Revised Statutes with the enrolled copy in the custody of the Secretary of State. The State Department of Education is required in NRS 389, 394 and 396 to see that instruction in the essentials of the state constitution is included in every public and private school and university in the state. In order to perform this duty, the department makes available the constitution in pamphlet form and sufficient copies are printed so that reasonable requests for sources other than public schools may be met.
 - b. Records and reports of the Nevada legislature.

 These include the 33-volume Nevada Revised Statutes,
 Annotations to the NRS (citations to court decisions
 interpreting the NRS and the Constitution of the State
 of Nevada), the Nevada Digest (description of cases
 cited above), the Statutes of Nevada of each session of
 the legislature as well as the Journals and Histories.

Free distribution is made to a specific list of state and local officials; copies are available to the public at prices set by the Legislative Commission.

Following the 1973 session, minutes of all the standing committees of the senate and assembly were turned into the Legislative Counsel Bureau where they are available for public inspection along with incomplete minutes of committees in previous legislative sessions, minutes of interim committees and the Legislative Commission. Also printed for official and limited public distribution are the official reports of interim legislative subcommittee studies, audits of state agencies and commissions, and a Legislative Manual.

c. Records and reports of the Judicial Branch. These include the Nevada Reports which are bound volumes of all Nevada Supreme Court decisions, advance sheets, Rules of the Supreme Court and a quarterly calendar of cases. The Nevada Reports are available by purchase from the Legislative Counsel Bureau; single copies of the Rules and Calendar are available to the public upon request.

- d. Administrative Rules and Regulations, promulgated by state agencies, boards and commissions according to legislative mandate in the NRS. Copies of such regulations are required to be filed with the Secretary of State who has them available and indexed for public inspection. Copies are available to the public through issuing agency which has permission to charge a fee to cover costs of reproduction.
- e. Minutes and other public records of state officers and agencies. NRS 239 requires all contents of public books and records, unless otherwise declared by law to be confidential, to be open at all times during office hours to inspection by any person, and may be fully copied or an abstract prepared.
- f. Biennial and other reports. Over 65 state agencies, boards, commissions, etc., are directed in the NRS to prepare and submit a biennial or annual report of proceedings (Public Service Commission), statistical details (Labor Commissioner), or activities (Sheep Commission). NRS 218 requires that 125 copies be printed in excess of the number ordered and 50 copies of each report bound in an Appendix to the official Journals of the following legislative session. No specific distribution is stated.

Some statutes require a specific report to be sent only to the governor and the legislature; the agency makes its own decisions as to additional printing and distribution but is required to use the services of the State Printer; costs are charged to the issuing agency. Single copies are generally available without charge upon public request.

2. Special Reports and Informational Materials. These take the form of comprehensive plans relating to the function of state agencies, special task force studies, statistical analyses not required by law, promotional brochures, etc. Examples are the State Goals Report by the Office of the Governor's State Planning Coordinator, Master Plan for Lake Tahoe, Nevada State Park, Nevada Law Enforcement Plan, "Questions and Answers about the Division of State Lands," and "Ghost Towns of Nevada," a brochure prepared by the Department of Economic Development. Single copies are generally available at no charge.

- Newsletters and Magazines issued on a regular basis for general distribution. Examples are the Nevada Highways Magazine, State Fire Marshal Report, PERB issued by the Public Employees' Retirement Board. Some are distributed free upon request; others have a subscription price.
- 4. Films, Tapes and other Audio-Visual Materials, such as those produced at the direction of the Nevada legislature (informational film), the Division of State Parks (synchronized slide show-lecture on plants and animals of Valley of Fire State Park) and tapes on personnel interviewing developed by the Personnel Division for staff training.

In order to get a more definitive picture of the volume of materials described above, the Research Division of the Legislative Counsel Bureau surveyed all state agencies in October 1974 for specific information regarding preparation of resource materials in the 1973-75 biennium.

Of the 113 departments, commissions, agencies or divisions to whom the questionnaire was mailed, 65 responded with lists of publications which represents a response rate of 57 percent. Some agencies reported only one publication while a few departments listed over 100 different documents; a total of 529 different publications were noted in this partial response. Thirteen agencies indicated that they had no publications prepared in this biennium; 35 failed to respond at all.

IS THERE A BETTER WAY?

As can be seen from the results of the survey, there is a tremendous volume of informational materials available from many sources within state government today. The remainder of this report is particularly concerned with the effectiveness of those biennial and annual reports currently mandated by state law.

In a 1973 report of the Governor's Committee on Efficiency and Economy entitled To Conduct the Public Business, the question is raised as to whether or not the present practice of issuing annual and biennial reports is the most effective way of fulfilling an informational need. It points out that precedence for requiring the reports was established in a far simpler era with limited means of communication and travel and they were one of the main sources of information for the governor, legislature and the public.

It goes on to say: "...there are no standard guidelines for report format or content, and most reports issued by Nevada agencies do not even meet minimal standards for clarity of presentation or for presentation of material germane to the functions and purposes of the organization . . . " A question-naire survey showed that agency reports were little used as an evaluation document and sometimes tended to read like corporate reports presenting management in the best possible light. Because the reports are not widely used and considerable costs are involved in their preparation and distribution, the committee recommended discontinuance of most state agency reports. However, legislation to accomplish this was not introduced in the 1973 session.

The practice of preparing sets of all required reports in a bound Appendix to the Journal of the following session was begun in 1866. A later amendment requires the Appendixes to be printed and bound in book form in the same style as those of the 1927 session and this law is still in effect today. The style can be described as the compilation of the required documents and reports in the haphazard order received by the State Printer over the biennium; there is no provision for a more logical grouping of subject matter for easier use by the reader, indexing, cross referencing, or numbering of pages. No standard size was ever prescribed; as some state agencies went to layouts beyond normal book size, the printer had no way of binding these with smaller reports into a manageable volume and has omitted that particular report with a reference to its omission in the Table of Contents, but no clue as to even its subject matter. (A page of the Table of Contents of 1971 Appendix is attached as Exhibit A.)

A further amendment in 1957 directed the State Printer to print and retain 125 copies supplemental to the number ordered and 50 sets of these reports to be bound as an Appendix with the Journals of the next legislative session. In June of 1974, 46 of the 50 sets of the Appendixes for the 1971 session were still on the storage shelves of the Legislative Counsel Bureau and 3,340 copies of Appendixes of earlier sessions were also on hand. The 1973 Appendix and Journals were finally printed and available in late December of 1974. Following the establishment by the Legislative Commission of a new policy of pricing and distribution of various legislative publications, back copies of Appendixes were made available to public libraries and governmental agencies within the state for \$1 per volume and for \$5 per volume to other purchasers.

A review of the Table of Contents of the 1973 Appendix reveals that there are included reports of 29 agencies required by law and 3 of agencies not required by law to make a report; required reports from some 42 agencies required by law are not there. Some may have been printed by commercial firms or prepared "in house;" others may not have been prepared at all; we do not know in each instance.

In spite of the inadequate practices of the past regarding format and distribution of the Appendixes, the information within the various reports has proved to be a valuable resource through the years to historians and others who were interested in the development of state government in Nevada. An excellent project was begun in 1970 by Robert D. Armstrong, Special Collections Librarian of the University of Nevada, Reno, when he provided, for the first time, an accurate listing of the Tables of Contents of the Appendixes from 1865 to 1899 and, even more valuable, an Index of the Reports for these years. Jack Gardner, of the Nevada State Library References Division, in 1971 continued the tabulation of the contents through the Twenty-Second Session of 1905; both of these persons performed this work as part of their regular duties but were unable to continue further because of changing positions. The results of their work were published in Nevada Libraries, a monthly publication of the Nevada Library Association, from October 1970 to April 1972. There is considerable interest and merit in continuing this work up to the current volumes of the Appendixes and a proper publication and distribution of this valuable information.

In summary it would appear that the current fragmented method of requiring by law certain reports and the inadequate format for the Appendix to the Journal is in need of revision. Generally we find that biennial and other reports of agencies lack uniformity of style and size, sometimes represent unnecessary duplications of printing and distribution costs, may include sources of statistical data that is uncoordinated and in many cases not comparable, and represent a lack of consistency in the development and maintenance of resources in a current state of readiness for access to officials, researchers and the general public desiring the information.

A review of state agencies reveals that the State Library is the only agency presently organized and staffed to perform as a state information resource center. The library has operated an informal organization of state and local government publications

for many years. In 1971 the legislature, recognizing the information value of state government publications, created within the State Library a state publications distribution center. Under this program the state publications at the State Library became accessible throughout the state with the cooperation of other libraries acting as local access service points, serving and informing the general public as well as state personnel working in the field. The explosive growth of interest in and service demand for this type of information, together with the reference and research work for more extensive in-depth information, strongly indicates further action to meet the needs.

Since 1971, the State Library estimates that it has received greater than 95 percent of all state agency publications through excellent cooperation from state agencies pursuant to the passage of the State Publications Distribution Center Act. Cooperation of city, county and regional agencies has been better than 75 percent effective in completing the documentation of those government levels enabling compilation of a truly statewide and current working collection of great value which is realistically accessible locally wherever there is a library service point. Given this degree of success to date, the State Library considers that the timing is right to develop this data base for greater access and use, creating a series of tools which would tie the various documentation of the several governmental levels together as keys to the entire data base.

THE PROPOSAL

In order to improve the quality and availability of state government information, it is suggested that consideration be given to its compilation and distribution through the following documents:

1. Who's Who in Nevada Government.

Produced annually, the contents would consist of a directory of (a) elected state officials with brief biographies, photographs and mailing addresses; (b) names and addresses of appointed state personnel such as Governor's staff, department and major operating divisions; (c) names and addresses of appointees to statutory state boards and commissions; (d) names and addresses of local government elected officials.

2. Biennial Report of the State of Nevada.

This document would replace the Appendix of the Journals of the Senate and Assembly and most of the current individual agency reports and would be issued biennially, covering the 2-year period ending in July of each odd-numbered year and following the regular legislative session.

The contents would consist of (a) the Governor's State of the State Message (b) organizational chart of state government (c) state agency reports containing goals and objectives, brief description of organizational structure, highlights of the biennium including accomplishments and program activities, significant legislation or executive action affecting agency, summary of budget and bibliography of publications issued during biennium. An optional component could be a research paper or feature article on some aspect of state government, similar to those especially prepared for the Encyclopedia Britannica's Book of the Year.

3. Nevada Book of Facts.

Also produced biennially, the contents would consist of
(a) important statistics pertaining to state and local
government of the biennium being reported (these would not
be duplicated in the Biennial Report); (b) federal government data relating to the State of Nevada (c) a brief
listing of historical facts (d) the state seal, bird, animal,
flower, etc. (e) directory of place names and their meanings.
The statistical portion could be developed similar to the
contents and format of the Statistical Abstract of the U.S.

4. Legislative Handbook.

This biennial publication would contain (a) a more detailed directory of members of the legislature and a map of each election district (b) basic information on organizational structure of the legislature and its committees (c) purpose and activities of the Legislative Counsel Bureau (d) a chart of description of the step-by-step process of passage of a bill and (e) the standing rules of the assembly and senate. A publication containing this and other information has been prepared for several years through the Legislative Counsel Bureau.

IMPLEMENTATION

Utilizing the existing resources of the State Library as a base, and bearing in mind expertise of staff including ability to compile data, organize for easy access and retrieval, and indexing, it is suggested that the State Library, as the major de facto statewide information center, should be charged with the responsibility for the preparation and distribution of the Who's Who, the Biennial Report, and the Book of Facts.

The Legislative Manual would continue to be prepared under the direction of the Legislative Commission and would be coordinated with those documents developed through the State Library.

The State Library is including the potential impact of this function within its budget submission for the 1975-77 biennium. Upon approval, the staff assigned to this task would function intensively as the professional and technical support base for meeting this proposed objective within the required time frame. The experience and training of this unit during other times is needed to meet the rapidly growing demand for reference and research in-depth service from state and local government.

A major economic consideration is the savings of executive and professional level staff time currently spent on fragmented and uncoordinated research efforts apparent from current working experience in meeting the demands of state agencies. Improved efficiency in use of time and money would result.

A workable procedure for the preparation of the Biennial Report and Book of Facts could be as follows.

1 May
(odd-numbered year)

Send notice to state agencies submitting biennial reports alerting them to deadline for material to be included in report; provide format for submission; provide explanation of method of compilation. (The form used to assist in preparation of the Kansas Biennial Report is attached as an example - Exhibit B.)

1 June

State Library staff prepare procedures for internal handling, conduct necessary interagency liaison with various agencies and State Planning Coordinator.

1 July - 1 Sept.

Collect biennial reports of agencies and material needed for Book of

Facts.

1 July - 15 Sept.

Organize, index and compile for publications; maintain interagency

communication as necessary.

15 Sept. - 10 Oct.

Prepare copy for State Printer and

transmit.

1 Dec.

Distribution.

In following this procedure it is to be noted that the State Library staff would not make content change in state agency substantive report material but would make recommendations regarding final length, style and format as they collect, organize, index and compile the materials.

The Who's Who in State Government would first be issued in January 1977 following the General Election of 1976 and have a supplement following the municipal elections the following spring. It would need close coordination with the Legislative Counsel Bureau and the office of the Secretary of State.

The Nevada Book of Facts could first be issued in December of 1975 as most of the materials for its contents are already generated by state agencies for the 1973-75 biennium; there should be close coordination with the Bureau of Business and Economic Research at the University of Nevada, Reno.

The Biennial Report of the State could be scheduled for December of 1975 thus phasing the three publications in such a way to facilitate the orderly preparation of procedure and evening of workload.

After printing, the publications would then be distributed by the State Library to public officials, libraries and state agencies; beyond that a general policy might be for single copies to be free upon request with additional copies available at a reasonable charge based on costs.

FISCAL MEMORANDUM

In order for the State Library to perform the responsibilities suggested and implied in the study report it would have to be

100 percent successful in the personnel (salary category) budget request submitted for the 1975-77 biennium. In view of the fact that in 1971 and 1973 the State Publications Distribution Center and Cooperative Services Division responsibilities were added with the State Library remaining at the 1968 staffing level, additional personnel must be authorized for quality performance of existing and new responsibilities.

Presuming successful efforts for the agency staffing level requested, the fiscal impact within the approved agency budget would be as follows:

Salaries:	Tiberella TT	<u>FY 1975-76</u>	FY 1976-77
pararres:	Librarian II	\$11,000	\$11,000
	Library Asst. II Clerk Typist	8,000	8,000
	crery typise	6,000	6,000
		\$25,000	\$25.000

Following initial training procedure and planning period, performance by staff would result in an impact of two-thirds the original time spent on this function; remainder of time would be spent in support tasks essential to meet the greatly increased reference and research service demand from the public sector.

Travel: (in-state) \$ 600 \$ 600

To enable assigned staff to travel to contact those persons, institutions, agencies, etc., wherever in the state, that data, information, etc., is being generated.

Operating: \$ 9,800 \$ 7,300

Includes per annum: telephone, \$700 office supplies, \$350; operating supplies, \$350; xerox, \$200; interagency training, \$300; postage, \$400; printing, \$7,500 for year in which documents are produced.

Equipment: \$1,100 \$

Includes IBM Selectric Typewriter, \$700; two filing cabinets, \$400.

Project Total:

\$36,500 \$32,900 or \$69,400 for the 1975-77 biennium.

For comparison, we have tried to get some picture of costs of the present system of individual agency reports and compilation of the Appendix. An analysis of costs during fiscal year 1970-71, discussed in To Conduct the Public Business #2, pp. 46-47, indicated that state agencies expended the following:

General fund agencies

Printing and Issuing: over \$16,000 Staff and Clerical time: over 20,000 Nongeneral fund agencies: 36,000 over \$72,000

These figures must be considered on the conservative side as they come from a listing of only 21 agency reports when there are at least 65 mandated in some form by state law. Also, there are immediate savings to be subtracted if only the Appendix were dropped: the printing costs of 125 extra copies of each biennial or annual report and the binding and compilation costs of the Appendix which are about \$1,000.

Exhibit C at the end of this report is the most accurate list to date of presently required reports, listing NRS authority, deadline, 1973-75 costs, number of copies printed, etc. Printing costs alone, where available, total \$50,938 with no inclusion of staff time for preparation, postage for individual distribution, etc.

It is predicted that expenditures under the proposed concept will compare quite favorably with costs of the present method and offer substantial increased benefits.

CONCLUSION: THERE IS A BETTER WAY!

We can continue with the current situation.....

*Agency biennial reports have no standard format and are prepared in different sizes, manner of content, issued at different times of year, and cannot be conveniently filed together; in many cases it appears the law is not being complied with and no report is issued.

*Many biennial reports are presented to the legislature during the session when there is no time to digest their content; an informal survey of legislators shows that very few have read the reports or keep them for reference. *Binding copies of all reports into an Appendix to the Journals is required by law to be in the style of the 1915 Appendix without page numbering, indexing or logical grouping of content by subject matter.

*There is no prescribed distribution in the law of the 50 Appendixes to the Journals; therefore, they have accumulated for years with almost no use and little awareness of their existence.

*Considerable expense in staff time, printing and postage is involved in the present system of each agency developing and distributing its own type of report, some more interested in the public relations image transmitted than the quality of the material.

.....OR the proposal in this report can be implemented with the effect of:

*Significant savings of staff time at all levels of government in reference and research support to decision-makers in public service.

*All pertinent state government information, accurate and up-to-date, would be contained in four well-planned publications of matching size and binding so they could be shelved as companion four-volume sets.

*Improved interagency coordination of planning, programs and research would occur through improved access to knowledge about other agencies.

*More effective education of Nevada students through availability of better tools to use in required instruction on Nevada government.

*Continual updating of information through placing the authority for development of documents in one state agency, the State Library.

*Greater usefulness and impact of accurate and timely information through compiling in a consolidated manner and released at regular intervals.

*Return of considerable printing costs through sales utilizing current marketing techniques.

*Increased public confidence in state government through implementation of this proposal as evidence of desire of government to make its actions and information available to the public in an open, easily accessible and understood manner.

We welcome support for this proposal at the 1975 legislative session.

1-State of Nevada Message of Governor Mike O'Callaghan to the Legislature of Nevada, Fifty-sixth Session, 1971.

2-Report of the Treasurer for the fiscal year ending June 30, 1969.

3-Report of the Treasurer for the fiscal year ending June 30, 1970.

6-Attorney General Brief "In the Supreme Court, October Term, 1968. Utah Public Service Commission, Appellant v. El Paso Natural Gas Company, et al., Appellees. On Appeal from the United States District Court for the District of Utah. Petition for Rehearing."

7-1969 Tabulation of Annual Traffic Census.

8-Official Opinions of the Attorney General, July 1, 1969, to June 30, 1970, Inclusive.

9-Mines, Mills, and Smelters in Operation as of July 1, 1969.

10-Attorney General Brief "In the Supreme Court, October Term, 1969. TV Pix, Inc. and Wells TV, Inc., Appellants, v. Reese H. Taylor, Jr., Noel A. Clark, and Evo A. Granata, Commissioners of the Public Service Commission of the State of Nevada, Appellees. On Appeal from the United States District Court for the District of Nevada, Motion for Leave to File a Motion to Dismiss or Affirm, with Motion to Dismiss or Affirm and Brief in Support of Said Motion Annexed on Behalf of Appellees."

11-Historical Society Quarterly, Fall 1969 "Letters of Warren Wasson, Indian

Agent."

12-Historical Society Quarterly, Winter 1969 "Taxation of Mineral Wealth and the Nevada Constitutional Convention of 1864."

13-Report of State Museum for period July 1, 1968 through June 30, 1969.

14-Attorney General Brief "In the Supreme Court, October Term, 1969. Carl Hocker, Warden, Nevada State Prison, Petitioner, vs. James A. Heffley, Respondent. Motion for Leave to File Petition for Writ of Certiorari."

15-Historical Society Quarterly, Spring 1970 "The Yager Journals, Part One; The Centennial History of the University of Nevada; The American Colonial System in Nevada; What's Being Written and What's Going On."

16-Tax Commission Annual Report for period July 1, 1968 through June 30,

17-Rules and Regulations for the Conduct of Primary and General Elections.

18-Historical Society Quarterly, Summer 1970 "Accepting the Verdict; The Yager Journals, Part Two; Hot Creek and the Wide Gray Valley; What's Being Written and What's Going On."

19-Attorney General Brief "In the Supreme Court, October Term, 1969. Paul Laxalt, Individually, and as the Governor of the State of Nevada; John Koontz, Individually, and as the Secretary of State of the State of Nevada; The Nevada State Board of Education; Louis Bergevin, Donald Cooper, Mary Fulstone, George E. Harris, Lloyd L. Jones, Ronald Logar, Samuel C. McMullen and Hugh M. White, Individually and as Members of the State Board of Education of the State of Nevada, Appellants, v. Patricia Fahey, Bradley Haskins, George Lawson and Marcus White, on Behalf of Themselves and all others Similarly Situated, Appellees. On Appeal from a Three-Judge United States District Court for the District of Nevada. Jurisdictional Statement."

20-Constitutional Amendments and Other Propositions to be Voted Upon in State of Nevada at General Election, November 3, 1970.

OUTLINE FOR SUBMITTAL OF INFORMATION FOR CONSOLIDATED STATE BIENNIAL REPORT

(For the Biennium ended June 30, 1972)

- I. Name of Agency and Official Address.
- II. Name of Head of Agency and Title.
- III. Purpose and Organizational Structure.
 - A. Statement of purpose for which the department or division was created along with a brief outline of the history of the agency.
 - B. The overall or long-term goals which the agency pursues.
 - C. A description of the program of or services offered by the agency.
 - D. The organizational structure utilized by the agency in pursuing its activities and goals, in brief narrative form.
- IV. Highlights of the Biennium.
 - A. A brief summary of economic trends, sociological changes or problems which significantly affected the agency's activities during the biennium.
 - B. Statements about any new programs or activities which were begun during the biennium.
- V. Accomplishments and Program Activities.
 - A. Summary about trends in activites and accomplishments resulting from the agency's activities during the <u>two-year period</u>.
 - B. Statements about any activities or undertakings which were completed or discontinued during the biennium.
- VI. Summary of Financial Transactions.
 - A. A brief narrative statement of expenditures for each of the fiscal years; and
 - B. A general summary (with approximate figures) of fees collected or income realized; and to what state fund they were credited.

DO NOT SUBMIT DETAILED TABULAR MATERIALS INCLUDED IN OR COPIED EXACTLY FROM OTHER PUBLISHED MATERIAL.

- VII. Agency Publications.
 - A. Complete list of agency publications, including Laws and Rules and Regulations; informational booklets about agency activities or programs and other materials published for public use.
 - B. A statement about how individuals may obtain copies of agency publications, costs, etc.

EXHIBIT "C"

					PRINTING	NO. OF	INCLUDED IN
	NRS	AGENCY	DEADLINE	TO WHOM?	COST	COPIES	1973 APPENDIX
	180.080	Public Defender	A - nonspecific	Governor	?	?	No
	210.070	Nevada Youth Training Center	B - by Sept. 1 - even	Adm. of Youth Services	\$ 90	100	No
	210.480	Nevada Girls Training Center	B - by Sept. 1 - even	Adm. of Youth Services	81	225	Yes
	213.1095	Parole & Probation	B - at close	Governor, Parole Board	107	250	No
	218.830	Legislative Auditor	B - by Dec. 31 - even	Governor, Legislature, Sec. of St	tate ?	?	Ио
	219,040	Comm. on Uniform State Laws	"At each Legislative Session"	Legislature	7	?	No
	225.120	Secretary of State	B - by Aug. 1 - even	Governor	1,009	850	Yes
	226.120	Treasurer	A - by Sept. 1	Governor	707	630	Yes
	227.110	Controller	A - by Sept. 1	Governor, Legislature	140	360	Yes
	228.100	Attorney General	B - by Sept. 1 - even	Governor	4,303	1,680	Yes
		Economic Development Advisory Councils	B - by Sept. 1 - even	Governor	?	7	No
			Λ - nonspecific	Governors Advisory Councils	?	?	No
		Conservation and Natural Resources	B - by Oct. 1 - even	Governor	136	500	No
		Equal Rights Commission	B - by Jan. 15 - odd	Governor, Legislature	222	700	Yes
		Indian Affairs Commission	B - nonspecific	Governor	7 36	3,085	Yes
		Council on the Arts	B - by Sept. 1 - even	Governor, Legislature	?	7	No
		Bicentennial Commission	A - by Dec. 31	Governor	?	?	No
		Personnel Advisory Commission	B - nonspecific	Governor	?	?	No
	284.105	Personnel Division	B - nonspecific	Dir. of Administration, Advisory	?	?	No
W	000 000			Commission			
ေတ		Public Employees' Retirement Board	A - nonspecific	Members, employers	?	?	No
	293,253	Secretary of State - Constitutional	B - 1st Monday in Aug even	County clerks	390	1,090	Yes
	201. 252	amendments, ballot questions		•			
		State Register of Lands	B - by Sept. 1 - even	Comm. of Industry, Agriculture	?	?	No
	333.090	Purchasing	B - nonspecific	Director of General Services	?	. ?	No
		Public Works Board	nonspecific	Governor, Legislature	800	200	No
-		Printer	B - nonspecific	Governor, Legislative Commission	40	100	No
	353,230	Budget Division	B - "no later than 10th day of regular session"	Governor, Legislature	3	450	No
	353.263	State Board of Examiners	B - by Sept. 1 - even	Provident of Canata Charles of		•	No
			- 2 pohet r - oton	President of Senate, Speaker of Assembly	3	?	NO
	360.100	Tax Commission	A - nonspecific	nonspecific	792	1,195	Yes
	378.050	Library	B - nonspecific	Governor, Legislature	. ?	?	No

	NRS	AGENCY	DEADLINE	TO WHOM?	PRINTING COST	NO. OF COPIES	INCLUDED IN 1973 APPENDIX
	382.030	Nevada Historical Society	B - nonspecific	Governor	?	?	· No
	385,230	Education	B - by Dec. 1 - even	Governor, Legislature	,	,	No
	388.370	Vocational Education	B - nonspecific	Legislature	183	480	No Yes
	396.505	University Board of Regents	B - by Feb. 1 - odd	Legislature	7	700	No
	396.780	UNR, Agriculture Experiment Station	B - by Sept. 1 - even	Governor, Legislature	?	?	No
	397.070	Interstate Education Compact Comm.	B - by Sept. 1 - even	Governor, Legislature	,	?	No
	399.160	Manpower Training, Career Education	A - nonspecific	Governor	600	600	No
		Highway	B - by Sept. 1 - even	Highway Board	1,386	610	Yes
		National Guard	B - by Nov. 1 - even	Governor	281	580	Yes
		Welfare	B - nonspecific	Director of Human Resources	578	390	Yes
. *	423.100	Children's Homes	B - by Sept. 1 - even	State Welfare Board, Adm.	320	1,090	Yes
	427A.070	Aging Services	B - by Sept. 1 - even	Governor	5	1,030	No ·
		Mental Health Institute	B - nonspecific	Division Administrator	?	7	No No
	439.180		B - nonspecific	Director of Human Resources	63	310	Yes
		Commission on Anatomical Dissection	B - by Sept. 1 - even	President of University System and State Board of Health	7	3	No
		Fire Marshal	B - by Sept. 1 - even	Governor	415	875	No
		Fish and Game	B - nonspecific	Governor, Legislature, Fish and Game Commission	1,732	650	Yes
4.5		Inspector of Mines	B - on Aug. 1 - even	Governor	2,486	1,780	Yes
(i)		Bureau of Mines	B - by Sept. 1 - even	Board of Regents,	2,100	3	No
•		Agriculture	B - nonspecific	Governor, Legislature and Board of Agriculture	785	500	No
	562.150	Sheep Commission	B - by Oct. 31 - even	Governor	177	290	Yes
	584,660	Dairy Commission	B - within 30 days of Legislative session	Governor	181	310	Yes
	607.080	Labor	B - nonspecific	0	• .	•	
		Employment Security	B - by Dec. 1 - even	Governor, Legislature	817	390	Yes
	615.180		B - by Sept. 1 - even	Governor	1,344	590	Yes
	633.040		B - by Sept. 1 - even	Governor	350	1,400	No
	637.080		B - by Sept. 1 - even	Secretary of State	?	?	No
	639,060		B - by Sept. 1 - even	Attorney General	?	3	No
		Board of Cosmetology	B - by Sept. 1 - even	Governor	?	3	No
	653,100	Board of Public Health Sanitarians	B - by Sept. 1 - even	Governor	?	?	No
		Savings Association Commission	•	Governor, each Public Health Sanitarian	33	140	Yes
	675.270	Ranke	B - by Sept. 1 - even	Governor, each licensed associate	tion 117	100	No
	0/3.2/0	Daiks	A - nonspecific	nonspecific	853	350	Yes
1						•	
			2.	•			

NRS AGENCY	•	DEADLINE	TO WHOM?		PRINTING COST	NO. OF COPIES	INCLUDED IN 1973 APPENDIX
679B.210 Insurance 703.180 Public Service Commissi Art. 5 Governor's Message Section 10	on	A - "earliest practicable" B - nonspecific B - "at every regular session"	Director of Commerce nonspecific Legislature		\$1,200 605	? 500 840	No No Yes
Alcoholism		TO the day and the up and ago	; 800 000 000 000 000 000 000 000 000		428	435	Yes
Highway Traffic Census		****************	MIT have view mage dags made dalah		503	390	Yes
Museum		all 100 de est est ust up up			386	1,110	Yes
Secretary of State Elec	tions Returns	dir asi tri on on an asi asi asi	600 day 100 top on on on one	•	9,571	3,350	Yes
Historical Society Quar		offer their plant sizes data sizes were	*****		9,308	8,880	Yes
Colorado River Resource	8	100 00 00 An au sip ou ag	\$70 to 00 on up på as as		325	250	No
Industrial Commission		600 Day And And Co. and Gay Gay Gay	200 for 105 100 top top 100 .		6.880	17,000	No
Highway Patrol		****			230	300	No
Highway Safety			600 Get 100 400 500 500 500 500		431	500	No
Prison			600 (C)			1,000	No
	+				\$50,938+	57,409	·

(26 agencies not reporting)

APPENDIX C

NEVADA STATE PUBLICATIONS PROGRAM

A POSITION PAPER OF THE NEVADA STATE PUBLICATIONS DISTRIBUTION CENTER

By: Joan G. Kerschner Documents Librarian

For several years now, Nevada State Government has been openly concerned with its biennial reporting and publication program. Beginning with the 1971 Report of the Governor's Committee on Efficiency and Economy, (p. 46) and continuing through the legislative proposal for a change in reporting requirements in 1975, the current biennial reporting process has been subject to criticism. Legislators feel deluged with the scores of annual and biennial reports that reach their desks prior to and during each session; agencies feel pressed for staff-time and money to produce such reports; the printing office is under duress to meet agencies' reporting deadlines; mailing lists may or may not be adequate for distribution of the information; and there is no convenient access to the reporting for either members of the public or state employees.

Prior to the 1975 session of the Nevada Legislature, the Legislative Counsel Bureau did a preliminary study of biennial reporting in Nevada. It was learned that almost all agencies, boards, and commissions are required by law to report to either the Governor or to the Legislature on an annual or biennial basis, but because of the problems inherent in the present method of reporting, they have various ways of handling the requirements. A few either ignore the requirement or hedge it by offering some other annual publication, i.e., a list of licensees in the case of a board, etc. Another, slightly larger group, has abandoned the practice of reporting in a public document and begun writing a brief letter or memorandum to the Governor or to the Legislature to comply with the law. About one-third of the executive agencies (excluding boards and commissions) compile a traditional report of activities, accomplishments, statistics and general agency information in published form. The final group, feeling a need to reach the public, has turned their "biennial report" into a public relations piece containing little or no useful information.

The result of our present method is a hodge-podge of sizes and shapes of reports, no comparability in the data presented, uneven distribution, a wide variety of quality of information reported, and little or no access to reports after the original distribution is made. Obviously this is a situation which should be addressed, but what is the solution? Here are opinions that have been expressed to the State Library. 1) Biennial reporting has lost its usefulness. Agencies are accountable through the budgeting and planning process and through legislative auditing, making the reports unnecessary. Therefore, they should be abolished altogether. 2) There is no need for biennial reports to be public documents. Memoranda to the administrator in the case of divisions or to the Governor and the Legislature in the case of Departments, Boards and Commissions is adequate. 3) A public document such as a "Blue Book" with introductory information about each agency and its officers and a contact telephone number updated biennially is all that is necessary. 4) A consolidated biennial report would require systematic and comparable reporting, and an agency narrative of activities published in one volume as a handy reference for the Governor, the Legislature, other agencies and the public.

The Nevada State Library has collected and maintained complete sets of all known biennial reports since 1864 as well as those reprinted in the Appendix to the Journals of the Senate and Assembly, and therefore, has examined from an operational point of view, the difficulties of obtaining complete sets of agency reports and organizing them in a useable manner. However, the kind of reference and research work that state agencies and the public is demanding of the State Library collection conclusively denies opinions one & two. However undesirable our current method of reporting is, even the status quo is better than further loss of information. State government should feel a great concern and responsibility to provide public information about their activities for many reasons.

1. Interest in government is at an all-time high and growing, as evidenced by the 300-500 reference questions answered per month by the Government Documents Section of the Nevada State Library, the more than 2,000 questions answered by the State's libraries during the operation of the "Legislative Hot Line" during the 1975 session of the Legislature, and increased use of Nevada State documents in the documents depository libraries.

- 2. The public has a "right to know" about the activities and actions taken by state government in their behalf. A published document is the most efficient method of transmitting information to a large number of people. As the state grows it becomes harder for each agency to handle routine questions on a one-to-one basis or make the public aware of its services.
- 3. Familiarity with our colleagues in government is desirable for each of us in state offices. Published documents serve to help us avoid duplication of effort in our relationships with other government agencies, etc.
- 4. A very heavy use of state agency reports is made by people seeking to fill state positions. Very few agencies have orientation booklets or study guides, but the biennial reports give job seekers a feel for the agency they could receive nowhere else.
- 5. We are creating history. The older agency biennial reports are used in many cases more than current ones. This year alone, three new publications have been based on old Department of Education reports, and four on Department of Conservation reports. Much research is conducted each year from Warden of the State Prison Reports, State Mineralogist reports, etc. As hodge-podge in character as the old Appendix to the Journals of the Senate and Assembly are, they are used so often that the library community has begun indexing them.

For these reasons and others, the State Library feels it is imperative that the State of Nevada retain some method for public biennial reporting of agencies.

Two kinds of documents have been suggested to improve our current reporting method: the "blue book" or introductory readyreference tool approach, and the more in-depth consolidated biennial report. Which of these types of publication, or indeed what combination of them would prove most useful to the State of Nevada depends upon what purpose the proposed document is to serve.

A reporting system such as has been contemplated could serve many needs. The following alternative rolls should be considered:

1. It could be a reference document giving general facts about the state, light statistical reporting and any general description of agencies, their personnel and programs with contact names and phone numbers. This type of document is

highly sought by libraries and legislative reference bureaus out-of-state as well as John Q. Public, in-state. It is the "blue book" type of publication often published and/or distributed by economic development agencies for public relation reasons.

- 2. It could be a management and evaluation tool for use by the administrative agencies of the state.
- 3. It could be designed to fill the current information needs of state legislators and state employees or potential employees.
- 4. It could be designed to fill the historical needs of tomorrow's researcher by the inclusion of pertinent facts and statistics upon which forms a concise summary of the activities of the biennium being reported. The State Library has determined, based on our service demand and workload, that current information needs of the Legislature, the state agencies and the general public can best be met by a document that combines the traditional biennial report narrative of programs and services, in a pre-determined format that carefully includes answers to such questions as shall be determined in advance in combination with an appendix of facts about the state. While this may result in some usefulness to the administrative agencies for management purposes, the primary objective would be to fulfill current and historical public and legislative information needs. We feel that the current budgeting process, the A-95 review process, the State Goals document and the fiscal auditing procedure adequately fulfill the needs of management and evaluation, but the real void comes in not having a ready reference tool for the Executive Branch of government such as the Legislative Manual is for the Legislative Branch of Nevada State Government.

AT THIS POINT IT IS NECESSARY STATE LIBRARY RECOMMENDS: TO DETERMINE:

- 1. Should biennial report- 1. No.
 ing procedures be
 abolished?
- 2. If not, should there be 2. a change in biennial reporting procedure?
- 3. If so, what kind of change do we want?
- 3. Single volume consolidated report of all agencies.

Yes.

- 4. What should this report entail?
- 4. Reference document such as the Nevada Legislative Manual containing general narrative on agency programs, services, personnel, contact persons and telephone numbers, including an appendix of state fact in the "blue book" tradition.
- 5. Who should be responsible for such reporting?
- 5. There are several alternatives depending on the emphasis by the executive and legislative branches of government. A strictly popularized blue book approach may properly be the function of the Department of Economic Development while a state government management and evaluation tool might fall in the purview of the Department of Administration and the Office of the State Planning Coordinator. The public information document of current and historical significance recommended by the state library would properly fall into the State Library's program of organization and maintenance of state government publications. State Library with its finger on the pulse of state government, legislative, and public information needs as well as the needs of historic research, could well act as editor of such a publication.

The State Library's position, then, is that the current biennial reporting procedure is inadequate, inefficient and outmoded. However, it must be replaced, rather than abolished, by a publication program more responsive to current and future needs. The emphasis of this publication program should be determined by the Executive Department along with the Legislature. The emphasis may be a popularized "blue book" approach such as found in more than half the states currently; it may be a management and evaluation tool for use of the Governor's Office, the Department of Administration and the Legislature; it may be a public document of state government programs and services; or it may be a combination of these. With any of these emphases the State Library offers what assistance it may give in the design and editing of such a publication, should the State of Nevada feel this is a worthwhile endeavor.

APPENDIX D

STATE OF NEVADA

LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, Director (702) 885-5627



April 7, 1976

LEGISLATIVE COMMISSION (702) 885-5627

JAMES I. GIBSON, Senator, Chairman Arthur J. Palmer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640

DONALD R. MELLO. Assemblyman, Chairman Ronald W. Sparks, Senate Fiscal Analyst John F. Dolan, Assembly Fiscal Analyst

FRANK W. DAYKIN. Legislative Counsel (702) 885-5627 FARL T. OLIVER, Legislative Auditor (702) 885-5620 ANDREW P. GROSE, Research Director (702) 885-5637

MEMORANDUM

TO:

All State Agencies

FRCM:

Bruce D. Arkell, State Planning Coordinator; Acthur J. Palmer, Director, Legislative Counsel Bureau;

Joseph J. Anderson, State Librarian

SUBJECT: Publications

It is the policy of the state to constantly evaluate its operations to insure that it is providing beneficial and low cost services to the people of Nevada. In keeping with this policy, occasional review of one of the state's important activities, publishing information that it produces, has been conducted by both executive and legislative agencies. You may have received inquiries on this subject from one of those groups. It is accepted generally that publications produced by state agencies should (1) meet the needs of those using them, (2) be economical, (3) avoid redundancy with other state publications, and (4) not place undue strain on the operating budgets or personnel time of the agencies producing them.

Senate Concurrent Resolution No. 25, of the 1975 legislative session, directs the Legislative Commission to conduct an interim study of all state agency publications to determine their adequacy and usefulness. Staff assistance to the commission for the study is being provided by the Legislative Counsel Bureau's Office of Research and its Legal Division. Due to the importance of this study, assistance will also be provided by the State Planning Coordinator's Office and the State Librarian.

We are interested in any published information you produce and release, in print, for public distribution. Generally this published information falls into one of the following categories:

Publications April 7, 1976 Page 2

- 1. Biennial or other reports specifically required by law.
- 2. Administrative rules and regulations promulgated according to law.
- 3. Newsletters and magazines issued on a regular basis.
- 4. Any other informational materials relating to an agency's specific responsibilities.

Please complete the enclosed questionnaire and return it to Don Rhodes, Chief Deputy Research Director, Legislative Building, Capitol Complex, Carson City, Nevada 89710, by April 23, 1976. If you have any questions concerning the questionnaire, please call 885-5637.

If your agency does not produce any published material, please complete items 1 and 2 and check the "no" box in item 3 on the questionnaire and return it as directed above.

Your assistance is greatly appreciated in this important study.

DAR/jd Encl.

APPENDIX E

STATE AGENCY PUBLICATIONS QUESTIONNAIRE

dividual completing this questionnaire Phone number The session of this publication (please fill in separate question- programs of this publication).
Phone number des your agency produce any publications? (A publication a document issued in print and released, or available, or public distribution.) Yes No Tyes" is checked, complete the rest of this questionnair are of this publication (please fill in separate question—
the
pes your agency produce any publications? (A publication is a document issued in print and release, or available, or public distribution.) Yes No "yes" is checked, complete the rest of this questionnair when of this publication (please fill in separate question-
yes No "yes" is checked, complete the rest of this questionnair me of this publication (please fill in separate question-
"yes" is checked, complete the rest of this questionnair me of this publication (please fill in separate question-
wme of this publication (please fill in separate question-
me of this publication (please fill in separate question- ire for each publication).
equency of printing
weekly monthly quarterly annually
biennially other (please state other frequency)
ysical size of publication
-
mension (in inches)
mber of pages
stribution (please list recipient groups, i.e., legislatory councilmen, agency clientele, walk-ins, etc.).
•

Requirement for publication	
NRS citation	
Other mandate, rule or program requirement (please describe)	
Purpose or goal of this publication or other mandates requiring its publ	(aside from statutory ication)
Summary of contents of this publicate information, description of agency pedirectory of agency personnel, budget	cograms or activities
Publication workload and cost data	
Number of copies printed annually	
Total agency man-hours devoted annually to the preparation of this publication	
Total annual agency personnel cost related to preparation of this publication	
Annual printing cost of this publication	
Total annual distribution cost related to this publication (mailroom, postage, etc.)	
related to this publication	

12.	Source of funds used state General Funds, user payments)	for this publication other state fund	ation (please list ds, other funds and
	Source	Amount	Percent of Total Cost
	Total	*****	
13.	User payment informat	cion	
	Number of free copi publication distrib	es of this outed annually	
	Recipient group(s)		
	Number of reduced of this publication annually	cost copies distributed	·
	Recipient group(s)		
	Unit price(s) charg	eđ	
	Number of full cost publication distrib	copies of this uted annually	
	Recipient group(s)	_	
	Unit price(s) charg	eđ	

Please return completed questionnaire to Don Rhodes, Chief Deputy Research Director, Legislative Building, Capitol Complex, Carson City, Nevada 89710, phone 885-5637.

APPENDIX F

AGENCY CODING SHEET

- X = Returned questionnaires 292
- 0 = Returned questionnaires after printout 5
- X 1 ADMINISTRATION, DEPARTMENT OF
 - X l Budget Division
 - x 1 Pre-Audit Section
 - X 2 Personnel Division
 - x 1 Advisory Personnel Commission
 - X 2 Merit Award Board
 - X 3 Employee Management Committee
 - X 4 Committee on Group Insurance
 - X 5 Clear Creek Youth Center
- X 2 DEPARTMENT OF AGRICULTURE
 - X l Division of Animal Industry
 - X 2 Division of Brand Inspection
 - X 3 Division of Plant Industry
 - X 4 Bureau of Weights and Measures
 - 5 State Board of Agriculture
- X 3 NEVADA STATE COUNCIL ON THE ARTS
 - 1 Executive Board of the Nevada State Council on the Arts
- X 4 OFFICE OF THE ATTORNEY GENERAL
 - X 1 Private Investigators Licensing Board
- X 5 BICENTENNIAL COMMISSION
- X 6 CENTRAL NEVADA RESOURCE DEVELOPMENT AUTHORITY
 - X 1 Central Nevada Resource Development Authority Advisory Commission
- X 7 DEPARTMENT OF COMMERCE
 - X l Banking Division
 - X 2 Consumer Affairs Division
 - X 3 Housing Division
 - X 4 Insurance Division
 - X 5 Real Estate Division
 - X 1 Real Estate Advisory Commission

- X 6 Savings and Loan Division
 - X l Savings Association Appeals Board
- X 7 State Fire Marshal
 - X 1 State Fire Marshal's Advisory Board
 - X 2 Mobile Home and Travel Trailer Advisory Commission
 - 8 Thrift Companies
- X 9 COMPUTER FACILITY
 - X 1 Data Processing Commission
 - X 2 Data Processing Advisory Board
 - 10 CENTRAL COMMITTEE OF NEVADA STATE GRAZING BOARDS
- X 11 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
 - X l Division of Water Resources
 - X l Well Drillers Advisory Board
 - X 2 Division of State Lands
 - X 1 State Land Use Planning Agency
 - X 3 Division of Forestry
 - X 1 State Board of Forestry and Fire Control
 - X 4 Division of Oil and Gas Conservation
 - X 1 Nevada Oil and Gas Conservation Commission
 - X 5 Division of State Parks
 - X l State Park Advisory Commission
 - X 6 Division of Conservation Districts
 - X 1 State Conservation Commission
 - X 7 Division of Colorado River Resources
 - X l Colorado River Advisory Commission
 - X 2 Eldorado Valley Advisory Group
 - X 8 Environmental Commission Division
 - X 1 State Environmental Commission
 - X 9 State Multiple Use Advisory Committee on Federal Lands
 - X 10 Soil Conservation Districts

- X 12 OFFICE OF THE STATE CONTROLLER
- X 13 DEPARTMENT OF LAW ENFORCEMENT ASSISTANCE
 - X l Planning and Training Division
 - X 2 Identification and Communications Division
 - X 3 Investigation and Narcotics Division
 - X 4 Commission on Crimes, Delinquency and Corrections
 - X 1 Commission on Crimes, Delinquency and Corrections Advisors
 - X 2 Peace Officers Standards and Training Committee
 - X 5 Commission on Uniform State Laws
- X 15 DEPARTMENT OF ECONOMIC DEVELOPMENT
 - X l Industrial Development Advisory Board
 - X 2 Industrial Development Advisory Council
 - X 3 Tourism-Travel Advisory Council
- X 16 OFFICE OF ECONOMIC OPPORTUNITY
 - X l Rural Housing Authority
- X 17 DEPARTMENT OF EDUCATION
 - X 1 Office of Technical Assistance
 - X 2 Office of Internal Services
 - X 3 Office of Educational Accountability
 - X 4 State Textbook Commission
 - x 5 Indian Advisory Committee for Indian Education
 - X 6 Advisory Council for Manpower Training and Career Education
 - X 7 Advisory Committee for Environmental Education
 - X 8 Advisory Committee for Privately Owned Correspondence, Business and Trade Schools
 - X 9 Vocational Education Division
 - X 10 State Board of Education
- X 18 NEVADA EDUCATIONAL COMMUNICATIONS COMMISSION
 - X l Nevada Instructional Television Network
 - X 2 Friends of Channel 5

X 19 EMPLOYMENT SECURITY DEPARTMENT

- X 1 Employment Security Council
- X 2 State Farm Labor Advisory Council
- X 3 Board of Review
- X 4 Appeals Tribunal
- X 5 Administrative Services Division
- X 6 Manpower Services Division
- X 7 Unemployment Insurance Division
- X 20 ETHICS COMMISSION
- X 21 NEVADA COMMISSION ON EQUAL RIGHTS OF CITIZENS
- X 22 STATE BOARD OF EXAMINERS
- X 23 STATE BOARD OF FINANCE
- X 24 NEVADA DEPARTMENT OF FISH AND GAME
 - X 1 State Board of Fish and Game Commissioners
 - X 2 State Fish and Game Advisory Board
 - x 3 Game Division
 - X 4 Information and Education
 - X 5 Engineering Division
 - X 6 Fisheries Division
 - X 7 Administrative Services
- X 25 NEVADA GAMING COMMISSION
 - X 1 State Gaming Control Board
 - x l Administrative Division
 - X 2 Fiscal Division
 - X 3 Surveillance Division
 - X 2 Gaming Policy Committee
- X 26 DEPARTMENT OF GENERAL SERVICES
 - X 1 Agency Accounting
 - X 2 Buildings and Grounds Division
 - X 1 Mail Room
 - X 3 Central Data Processing Division

- X 4 Telephone Communications (Clerk)
- X 5 State Printing and Records Division
- X 6 Records Management Services
- X 7 Purchasing Division
- X 8 Motor Pool Division
- X 9 Lost City Museum
 - X l Lost City Museum Advisory Commission
- X10 Marlette Lake Water System Advisory Commission
- X 27 STATE GENERAL OBLIGATION BOND COMMISSION
- X 28 OFFICE OF THE GOVERNOR
 - 1 Advisory Council on Children and Youth
 - X 2 Comprehensive Health Planning Agency
 - X 1 State Comprehensive Health Planning Advisory Council
 - X 3 State Planning Coordinator
 - X 4 Manpower Services Council
 - 6 Governors Council on Youth Opportunity
 - X 7 Office of Traffic Safety
- X 29 DEPARTMENT OF HIGHWAYS
- X 30 NEVADA HISTORICAL SOCIETY
 - X 1 Nevada Historical Society Board of Trustees
- X 31 DEPARTMENT OF HUMAN RESOURCES
 - X l Division for Aging Services
 - X 1 Advisory Committee on Older Americans
 - X 2 Child Care Services Division
 - X l Child Care Services Advisory Board
 - X 2 Child Care Services Policy Board
 - X 3 Health Division
 - X 1 Community Health Public Nursing
 - X 2 State Board of Health
 - X 3 Consumer Health Protection Services

- X 4 Health Facilities Advisory Council
- X 5 Crippled Childrens Services Division
- X 6 Nevada Cancer Advisory Council
- X 7 Cervical Cancer Screening Project
- X 8 Dental Health
- X 9 Laboratory Research, Bureau of
- 0 X 10 Vital Statistics
- A X 11 Environmental Health
- B X 12 Renal Disease Advisory Committee
- C X 13 Emergency Medical Services
- D X 14 Community Health Service
- 0 4 Division of Mental Hygiene and Mental Retardation
 - X 1 Children's Behavioral Services
 - 0 2 Reno Mental Health Center
 - X 3 Las Vegas Mental Health Center
 - 0 4 Nevada Mental Health Institute
 - 0 5 Mental Hygiene and Mental Retardation Advisory Board
 - 0 6 Rural Clinics
- X 5 Rehabilitation Division
 - X 0 Planning Research and Program Development
 - X 1 Bureau of Alcohol and Drug Abuse
 - X 2 Alcohol and Drug Abuse Advisory Board
 - X 3 Bureau of Services to the Blind
 - X 4 Bureau of Vocational Rehabilitation
 - X 5 Bureau of Disability Adjudication
 - X 6 Governor's Committee on Employment of the Handicapped
- X 6 Welfare Division
 - X 1 State Welfare Board
- X 7 Youth Services Agency
 - X 1 Youth Services Agency Advisory Board

- X 2 Nevada Girls Training Center
- X 3 Nevada Girls Training Center Advisory Board
- X 4 Nevada Youth Training Center
- X 5 Nevada Youth Training Center Advisory Board
- X 6 Children's Home Board
- X 7 Northern Nevada Children's Home
- X 8 Southern Nevada Children's Home
- X 32 NEVADA INDIAN COMMISSION
- X 33 NEVADA INDUSTRIAL COMMISSION
 - X l Northern Industrial Commission Medical Board
 - X 2 Southern Industrial Commission Medical Board
 - X 4 Department of Occupational Safety and Health
 - X 1 Occupational Safety and Health Review Board
 - X 5 Industrial Rehabilitation Division
 - X 6 Claims Division
 - X 7 Employer Accounts Division
 - X 8 Field Audit Division
 - X 9 Inspector of Mines
 - X 1 Hoisting Engineers District Examining Boards
 - X 2 Mining Safety Advisory Board
- X 34 STATE COMMISSION OF INDUSTRY, AGRICULTURE AND IRRIGATION
- X 35 IRRIGATION DISTRICT BOND COMMISSION
- X 36 OFFICE OF THE LABOR COMMISSIONER
 - X 1 State Apprenticeship Council
- X 39 LIEUTENANT GOVERNOR, OFFICE OF
- X 40 NEVADA COUNCIL ON LIBRARIES
- X 41 NEVADA STATE LIBRARY
 - X l Cooperative Services Division
- X 42 NEVADA JUNIOR LIVESTOCK SHOW BOARD
- X 43 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

- X 45 MILITARY, DEPARTMENT OF
 - X l Civil Defense and Disaster Agency
 X l Civil Defense Advisory Council
 - X 2 Nevada National Guard
- X 46 DEPARTMENT OF MOTOR VEHICLES
 - X l Administrative Services Division
 - X 2 Automation Division
 - X 3 Driver's License Division
 - X 4 Nevada Highway Patrol
 - X 5 Motor Carrier Division
 - X 6 Motor Vehicle Registration Division
- X 47 NEVADA STATE MUSEUM
 - X 1 Nevada State Museum Board of Trustees
 - 48 STATE BOARD OF PARDONS COMMISSIONERS
 - 1 Department of Parole and Probation
 - 2 State Board of Parole Commissioners
- X 49 REGIONAL PLUMBING BOARDS
 - X l Northern Regional Plumbing Board
 - X 2 Southern Regional Plumbing Board
- X 50 NEVADA STATE PRISON
 - X l State Board of Prison Commissioners
 - X 2 Maximum Security Prison
 - X 3 Medium Security Prison
 - X 4 Women's Prison
- X 51 OFFICE OF THE STATE PUBLIC DEFENDER
 - X l Commission on State Public Defender Selection
- X 52 STATE PREDATORY ANIMAL AND RODENT COMMITTEE
- X 53 PUBLIC EMPLOYEES' RETIREMENT SYSTEM
 - X 1 Public Employees' Retirement Board
- X 54 PUBLIC SERVICE COMMISSION
 - X 1 Energy Resource Division

- X 55 STATE PUBLIC WORKS BOARD
- X 56 RAILROAD POLICE
- X 57 OFFICE OF SECRETARY OF STATE
 - X 1 Division of Archives
 - X 2 Security and Fraud Division
 - X 3 Elections
 - X 4 Corporations
 - 58 SEWAGE AND WASTE WATER ADVISORY COMMITTEE
- X 59 UNIVERSITY OF NEVADA
 - X l University of Nevada-Reno
 - X 2 University of Nevada-Las Vegas
 - X 3 Community Colleges
 - X 4 Desert Research Institute
 - X 5 Chancellor's Office
 - X 6 State 4-H Camp Advisory Council
 - X 7 Committee on Anatomical Dissection
 - X 8 State Board of Regents
- X 60 STATE BOARD OF SHEEP COMMISSIONERS
 - X 1 Ex Officio State Woolgrowers Predatory Animal Committee
- X 61 SUPREME COURT
 - X 1 Chief Justice
 - X 2 Clerk
- X 70 DEPARTMENT OF TAXATION
 - X 1 State Board of Equalization
 - X 2 Local Government Budget Advisory Committee
 - X 3 Nevada Tax Commission
 - X l Nevada Tax Commission Advisory Committee
- X 71 STATE TAXICAB AUTHORITIES
- X 72 OFFICE OF STATE TREASURER
 - 73 URBAN ACTION COMMITTEE
 - l Urban Renewal Agencies
- X 74 OFFICE OF THE NEVADA COMMISSIONER FOR VETERANS' AFFAIRS

- X 75 VIRGINIA CITY HISTORIC DISTRICT COMMISSION
- X 76 VOCATIONAL TECHNICAL EDUCATION, ADVISORY COUNCIL FOR
- X 77 REGULATORY AGENCIES
 - X 1 State Board of Accountancy
 - X 1 Certified Public Accountants' Grievance Committee
 - X 2 Public Accountants' Grievance Committee
 - 2 State Board of Architecture of Nevada
 - X 3 Nevada Athletic Commission
 - l Medical Advisory Board to Nevada Athletic Commission
 - 4 Board of Landscape Architecture
 - X 5 State Barbers' Health and Sanitation Board
 - X 7 State Board of Oriental Medicine
 - X l Chinese Medicine Advisory Committee
 - X 8 State Board of Chiropractic Examiners
 - 9 Contractors' Board
 - X 10 State Board of Cosmetology
 - X Il State Dairy Commission
 - X 12 Board of Dental Examiners
 - X 13 State Board of Registered Professional Engineers
 - · X 14 State Board of Funeral Directors and Embalmers
 - X 15 Board of Hearing Aid Specialists
 - X 16 Nevada Liquefied Petroleum Gas Board
 - 17 Board of Marriage and Family Counselor Examiners
 - X 18 Board of Medical Examiners
 - X 19 Medical Laboratory Advisory Committee
 - X 20 State Board of Nursing
 - 21 State Board of Examiners for Nursing Home Administrators
 - X 22 Board of Dispensing Opticians
 - 23 Nevada State Board of Optometry
 - X 24 State Board of Osteopathy
 - X 25 State Board of Pharmacy

- X 26 State Board of Physical Therapy Examiners
 - 27 State Board of Podiatry
- X 29 Board of Psychological Examiners
- X 30 Psychological-Medical Liaison Committee
- X 31 Board of Registration for Public Health Sanitarians
- X 32 Nevada Racing Commission
- X 33 Certified Shorthand Reporters Board of Nevada
- X 34 Nevada State Board of Veterinary Medical Examiners
- X 78 CALIFORNIA-NEVADA INTERSTATE COMPACT COMMISSION
- X 79 COLUMBIA BASIN INTERSTATE COMPACT COMMISSION
 - 80 TAHOE REGIONAL PLANNING AGENCY
 - 1 Tahoe Regional Planning Agency Advisory Planning Commission
 - 2 Tahoe Regional Planning Agency Governing Board
- X 81 MULTI-STATE TAX COMPACT ADVISORY COMMITTEE
 - X 1 Multi-State Tax Commission Local Government Consultants' Committee
- X 82 WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION
 - 83 WESTERN INTERSTATE NUCLEAR BOARD
 - 84 COMMUNICATIONS BOARD
- X 85 NEVADA COMMISSION ON POSTSECONDARY INSTITUTIONAL AUTHORIZATION .

APPENDIX G

EXAMPLES AND INSTRUCTIONS FOR USE
OF THE COMPUTER PRINTOUT FROM THE
SUBCOMMITTEE'S QUESTIONNAIRE
SURVEY OF EXECUTIVE AGENCY
PUBLICATIONS

This appendix contains an example of selected pages from the computer printout of the subcommittee's questionnaire survey of executive agency publications, a coding sheet for the computer printout and instructions for use of the computer printout.

CODING SHEET

Because of the volume of written data received in the questionnaire response, it was necessary to code certain of the responses for tabulation by the computer. The following coding sheet illustrates the numeric codes used in the printout to identify various responses. For example, under the Frequency of Publication heading in the printout the number 5 means that the publication is produced biennially.

In all but the Frequency of Publication headings, more than one number may be listed to indicate multiple responses to such category. For example, under the Distribution Groups heading in the printout, the number 14 means that the publication is distributed to state and federal agencies and to legislators and/or the governor.

CODING SHEET

State Agency Publications Questionnaire

FREQUENCY CODE

- l weekly
- monthly
- quarterly or ever 2 months
- annually
- biennially
- semi-annually
- every 4 years once so far or 6-10 years
- as supply is exhausted
- 0 as information develops for update

DISTRIBUTION CODE

- l state or federal agencies
- 2 public on request, walk-ins, alumni, selected mailing group or prospective students
- state employees, employee groups, or faculty
- legislators and/or governor
- public interest organization or news media
- agency clientele or in-house distribution
- law enforcement agencies, lawyers or judiciary University of Nevada or other universities and colleges
- libraries and/or state library
- local government agencies or schools

OTHER MANDATE CODE

- l governor or governing agency board
- 2 agency discretion
- agency rules or regulations federal regulation
- state administrative manual
- 6 federal law

PURPOSE CODE

- 1 to provide a reference for policies, procedures, laws or general information
- to provide a news letter or a means for donor solitation
- to provide a uniform classification and salary schedule or a reminder to send documents to the state library
- 4 to provide a reference for specific clientele or agency information
- 5 to provide budget, statistical or financial information pertaining to the agency
- 6 to provide a compilation of the laws relating to the agency's area of authority or a compilation of the agency's rulings
- to provide a directory of licensees, phone numbers, publications or classes
- 8 to provide a description of the agency's accomplishments, goals, objectives, needed improvements, capital improvements or legislation (annual report, biennial report or planning document)

Publications Questionnaire Page 2

9 to provide a training manual or recruitment material to provide historical, tourism, geographic or industrial information about Nevada or its counties

SUMMARY CODE

- l policies, procedures, regulations and laws
- 2 general information
- 3 budget, statistical or financial information relating to the
- 4 specific agency information or clientele information
- 5 legal opinions
- 6 specific compilation of laws relating to the agency's area
 - of authority or a listing of the agency's rulings
- directory of licensees, phone numbers, publications or classes
- 8 description of agency's activities, accomplishments, goals, objectives, needed improvements or needed capital improvements (biennial report, annual report or planning document)
- training manual or recruitment material
- historical, tourism, geographic or industrial information concerning Nevada and its counties

COSTING CODE

- 1 annual
- biennial
- 3 years
- 4 years
- 5
- 5 years 6 years 7 years 6
- 8 8 years
- 9 9 years
- 10 years 0

SOURCE OF FUNDS CODE

- 1 state general funds
- 2 other state funds
- user payments
- 4 federal funds
- 5 association or donor funds
- 6 other unspecified funds

MEANING OF TITLES IN THE PRINTOUT

Because of space limitations, it was necessary to abbreviate the headings used in the computer printout. The following is a listing of what the abbreviated headings mean:

INSTRUCTIONS FOR USE OF COMPUTER PRINTOUT

The volume of data received in the questionnaire survey necessitated the use of two separate printouts, report number 1 and report number 2, to compile the data. The printouts are structured to follow the format of the state agency publications questionnaire shown in Appendix E of Part I of this report. It is suggested that anyone reading the computer printouts obtain a copy of one of the questionnaires to facilitate interpretation of the printouts.

Attached are copies of page 121 of report 1, page 127 of report 1 and page 122 of report 2 of the printouts. The pages of the printouts reproduced in this report illustrate a portion of the University of Nevada, Reno Campus, response and of the Chancellor's office response. Reading across (left to right) from page 121 of report 1 to page 122 of report 2 of the printouts, one can obtain the following information for the first publication listed, the General Catalog.

Under the Publish Code heading there is a Y which means the agency publishes information for public consumption. The first publication, number 1, is the General Catalog.

The catalog is published annually (see number 4 on the coding sheet under frequency code) and its dimensions are $\frac{10 \times 7}{100}$ inches.

It has 292 pages and is distributed to students and other selected individuals that request it (see coding sheet under distribution code).

There is no NRS citation or mandate for publication shown.

The purpose for the publication (from the coding sheet) is to provide a reference for general university information and a summary of the contents of the publication (also from the coding sheet) is policies, procedures, general information and other specific information pertaining to the university and its programs.

There are 30,000 copies produced annually. No manhours or personnel cost is identified. The annual printing cost is \$26,443 and the annual distribution cost is \$4,236. The total annual cost of the publication, identified by the university, is \$30,679. The questionnaire number, for reference if further information is needed, is 216.

Going to report number 2, the general identification material is repeated. The first new information on report 2 is the unit cost of the catalog, which is \$1.02.

The source of funds for the catalog is the General Fund (from the coding sheet).

The amount of Annual General Funds used in the preparation of the catalog is \$30,678, which represents 100 percent of the total annual cost of the publication. There are 30,000 free copies distributed annually to students and other selected individuals that request it (see coding sheet under distribution code).

There are agency totals for all publications shown in the printouts for each department, or division thereof, and for the total questionnaire survey. As noted above, page 127 of report 1 of the printout is attached. This page shows the totals for the Chancellor's office of the university and the totals for the entire university.

It is suggested that anyone wishing to read the printouts review the proper method of doing so with the office of research, legislative counsel bureau.

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APPENDIX H

STATE AGENCIES REQUIRED TO ISSUE ANNUAL OR BIENNIAL REPORTS

NRS Citation	Agency	Report Required
180.080 210.085 210.510 213.290 216.130 217.250 218.830 219.040 225.120 226.120	Public Defender Nevada Youth Training Center Nevada Girls Training Center Parole and Probation, Department of Crime Commission Board of Examiners Legislative Auditor Comm. on Uniform State Laws Secretary of State State Treasurer	Annually Biennially Biennially Biennially Annually Biennially Biennially Biennially Annually
227.110 228.100	State Controller Attorney General	Annually Biennially
231.060	Economic Development Advisory Councils	Biennially
231.090	Department of Economic Development	Annually
232.070	Department of Conservation and Natural Resources	Biennially
233.080	Equal Rights Commission	Biennially
233A.065	Indian Affairs Commission	Biennially
233C.090	Nevada State Council on the Arts	Biennially
233E.130	Bicentennial Commission	Annually
284.065	Personnel Advisory Commission	Biennially
284.105	Personnel Division, Department of Administration	Biennially
293.253	Secretary of State - Constitutional	Biennially
293.233	amendments, ballot questions	premirarry
315.979	State Rural Housing Authority	Annually
324.050	State Register of Lands	Biennially
333.090	Purchasing Division, Department of General Services	Biennially
341.160	Public Works Board	Biennially
344.040	State Printer	Biennially
353.230	Budget Division, Department of	Biennially
	Administration	· · · · · · · · · · · · · · · · · · ·

NRS <u>Citation</u>	Agency	Report Required
353.263 360.100 378.050 382.030 385.230 388.370 396.505	State Board of Examiners Tax Commission Nevada State Library Nevada Historical Society Department of Education State Board for Vocational Education Board of Regents of the University	Biennially Annually Biennially Biennially Biennially Biennially Biennially
396.780 397.070 399.160 408.220 412.052 422.190 423.100 427A.070	of Nevada UNR, Agriculture Experiment Station Interstate Education Compact Commission Manpower Training, Career Education Highway Engineer Adjutant General State Welfare Administrator Nevada Children's Homes Administrator of the Aging Services Division, Department of Human Resources	Biennially Biennially Annually Biennially Biennially Biennially Biennially
433.254	Administrator of Mental Hygiene and Mental Retardation Division	Annually
433A.070	Clinic Directors of Mental Health Clinics	Annually
439.180 451.370 477.050	State Health Officer Commission on Anatomical Dissection State Fire Marshal, Department of Commerce	Biennially Biennially Biennially
501.337 512.140	Fish and Game, Department of Inspector of Mines, Nevada Industrial Commission	Biennially Annually
514.070	Bureau of Mines, Public Service Division of the University of Nevada System	Biennially
561.145 562.150 584.660 585.230 590.515	State Department of Agriculture State Board of Sheep Commissioners State Dairy Commission Commissioner of Food and Drugs Liquefied Petroleum Gas Board	Biennially Biennially Biennially Biennially Biennially

NRS <u>Citation</u>	Agency	Report Required
607.080	Labor Commissioner	Biennially
610.090	State Apprenticeship Council	Biennially
612.235	Executive Director of the Employment Security Department	Biennially
615.180	Chief of the Bureau of Vocational Rehabilitation, Department of	Biennially
633.040	State Board of Osteopathy	Biennially
637.080	Board of Dispensing Opticians	Biennially
639.060	State Board of Pharmacy	Biennially
644.160	State Board of Cosmetology	Biennially
653.100	Board of Registration for Public Health Sanitarians	Biennially
656.100	Certified Shorthand Reporter's Board of Nevada	Annually
673.042 675.270	Commissioner of Savings Associations Banks, Superintendent of	Biennially Annually
679B.210	Commissioner of Insurance	Annually
703.180	Public Service Commission of Nevada	Biennially

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Part II

LAW-RELATED PUBLICATIONS

- I. Summary of Conclusions and Recommendations.
- II. Introduction and Background.
- III. State Bar of Nevada Committee.
 - IV. Law-Related Publications and Their Usage.
 - A. Nevada Revised Statutes, Annotations to Nevada Revised Statutes, Nevada Digest and Later Case Service.
 - B. Statutes of Nevada (Session Laws).
 - C. Pamphlet Versions of Portions of Nevada Revised Statutes.
 - D. Nevada Reports.
 - V. Previous Studies.
- VI. Publication Policies and Procedures Since 1970.
- VII. Financial Aspects.
- VIII. Contacts with Commercial Publishers.
 - IX. Computerized Publication Methods.
 - X. Opinion Survey of State Bar Membership.

Exhibits.

Footnotes.

PART II

LAW-RELATED PUBLICATIONS

I. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

This summary presents the major conclusions reached by the subcommittee in its study of Nevada law-related publications and its recommendations based thereon. These conclusions and recommendations are based upon suggestions that came from subcommittee meetings, consultations with a special committee of the State Bar of Nevada, correspondence and consultations with commercial publishers, an opinion survey of State Bar membership, staff research and experience of the subcommittee's members.

- A. The subcommittee concludes that:
- The principal Nevada law-related publications are widely utilized and their quality has been generally excellent since the inception of Nevada Revised Statutes and related publications in 1957. Historically, timeliness of the publications has been the chief cause of complaint, and probably will continue to be until modern and more efficient production methods utilizing computer-assisted photocomposition are instituted. Despite the lack of modern equipment, significant improvements have been made since 1970 in the timeliness and quality of services rendered as a result of increased efficiency in the editorial and printing operations and the development of certain innovations such as use of the Advance Sheets as a temporary supplement to NRS, the Later Case Services to the Annotations and the Digest, and the projected Advance Opinion service for Nevada Reports. Nevada's law-related publications are now as current as any comparable publications.
- 2. The publications produced by the Legislative Counsel Bureau are no longer publicly funded. At least since July 1, 1974, if not earlier, overall the publications have been and now are self-supporting. They are not supported at taxpayer expense except to the extent that tax-supported public agencies are customers for the publications.

- 3. Publication of NRS, the Annotations and a Nevada Digest by a commercial publisher would not be economically feasible and would not be in the best interests of the State of Nevada or Nevada attorneys at this time because:
 - (a) None of them could produce the publications at less cost than the Legislative Counsel Bureau does using its present methods;
 - (b) Participation by any of them in any phase of production of the publications would entail conversion to use of computerized photocomposition methods because they are not equipped to use the methods now used by the Bureau; and
 - (c) The State of Nevada would be required to defray the very substantial costs of the necessary conversion to computer-assisted photocomposition methods, roughly estimated at a minimum of \$700,000, excluding the costs of the publications to purchasers.
- B. On the basis of the above conclusions, the subcommittee recommends that:
- 1. The present basic publications policies and programs of the Legislative Counsel Bureau be continued at least as long as the publications are overall self-supporting or until decisions are reached concerning application of computer technology to the entire legislative process--of which production of law-related publications is only one facet.
- 2. The Counsel Bureau staff continue their efforts to increase the efficiency of the publication process and to improve the timeliness and quality of the service rendered to the State Bar and other customers.
- Further serious consideration be given to the matter of utilization of computer technology and techniques in the legislative operation and production of law-related publications.

II. INTRODUCTION AND BACKGROUND

The Legislative Commission's Subcommittee on the Study of Publications Policy of State Agencies conducted a study of publications used and depended upon by the legal profession, with special emphasis on publications produced by the Legislative Counsel Bureau.

The subcommittee's study included (1) the nature and usage of major law-related publications, (2) a review of previous studies of Counsel Bureau publications, (3) a review of publication policies and procedures since 1970, (4) financial aspects of existing publications programs, (5) contacts with commercial publishers, and (6) an opinion survey of the membership of the State Bar of Nevada.

III. STATE BAR OF NEVADA COMMITTEE

Pursuant to the directive in SCR 25 to "involve the State Bar of Nevada" in the study, the Board of Governors of the State Bar of Nevada, at the request of the subcommittee, appointed a Special State Bar of Nevada Committee to assist the subcommittee in its study. The Special Committee was appointed on May 21, 1976, and consisted of Fred V. Scarpello, Esq., Chairman, Robert L. Crowell, Esq., Patrick D. Dolan, Esq., John Madariaga, Esq., and Daniel R. Walsh, Esq.

The Special Committee rendered invaluable advice and assistance to the subcommittee and staff, particularly in the areas of our study involving the survey of State Bar membership and contacts with commercial publishers. The cooperation and assistance of the Board of Governors and the Special Committee is deeply appreciated and gratefully acknowledged.

IV. LAW-RELATED PUBLICATIONS AND THEIR USAGE

The major law-related publications involved in the study were:

Nevada Revised Statutes, Annotations to Nevada Revised Statutes, Nevada Digest, and Later Case Services to Annotations to Nevada Revised Statutes and Nevada Digest

Statutes of Nevada (Session Laws)
Advance Sheets
Permanent bound volumes

Pamphlet versions of selected portions of Nevada Revised Statutes (Primarily on behalf of agencies of Executive Department)

Nevada Reports (Published by Clerk of Supreme Court; warehoused, distributed and sold by Legislative Counsel Bureau)

Their nature, purposes and usage are discussed in this section. Publication procedures are described in Section VI of this Part of our report.

A. NEVADA REVISED STATUTES, ANNOTATIONS TO NEVADA REVISED STATUTES, NEVADA DIGEST AND LATER CASE SERVICES

The number of sets of each of these publications outstanding in the hands of users and the number of saleable sets of each in inventory as of June 30, 1976, were as follows:

	Outstanding	In Inventory
Nevada Revised Statutes	1,966	484
Annotations to NRS	857	193
Nevada Digest	296	204

The survey of State Bar membership conducted as a part of the study showed that of those responding to the questions concerning usage 100% use NRS, 95.8% use the Advance Sheets, 96.1% use the Annotations, and 95.9% use the Nevada Digest.

1. Nevada Revised Statutes.

(a) Scope and Effect: Nevada Revised Statutes, including the supplementary and replacement pages, constitutes all of the statute law of Nevada of a general nature enacted by the legislature. All statutes of a general nature enacted prior to the regular legislative session of 1957 have been repealed; and all statutes of a general nature enacted since that time have been amendments to NRS (not independent statutes). See section 3 of chapter 2, Statutes of Nevada 1957.

Nevada Revised Statutes is the law of Nevada. The revised Statutes speak for themselves; and all sections of the Nevada Revised Statutes are considered to speak as of the same date, except that in cases of conflict between two or more sections or of any ambiguity in a section, reference may be had to the acts from which the sections are derived, for the purpose of applying the rules of construction relating to repeal or amendment by implication or for the purpose of resolving the ambiguity. See sections 4 and 5 of chapter 2, Statutes of Nevada 1957.

Method and Form of Publication: The complete set of (b) publications consists of Nevada Revised Statutes containing statute text, court rules, the General Index, Comparative Section Tables, and Table of Repealed and Replaced Sections, Annotations to Nevada Revised Statutes and the Nevada Digest. As required by NRS 220.120, all volumes are "bound in looseleaf binders of good, and so far as possible, permanent quality." The use of the looseleaf method makes it possible to keep Nevada Revised Statutes, the Annotations and Digest up to date, without using pocket parts or supplements or completely reprinting and rebinding each volume, simply by the insertion of new pages. As required by NRS 220.160, replacement and supplementary pages to the statute text made necessary by the sessions of the legislature are prepared as soon as possible after each session. Each user of Nevada Revised Statutes is urged to make arrangements for the retention of obsolete pages for reference purposes. In the statute text, index tabs appear at the beginning of each title. Following each index tab is a title outline. aids are designed to encourage and facilitate the use of the classification system in finding the law.

- Classification and Arrangement: Nevada Revised
 Statutes is a codification (not merely a compilation)
 of the statutes and is divided into four main parts
 or codes; the parts, in turn, are divided into titles
 and the titles into chapters. In each of the parts,
 an attempt has been made to arrange the titles, and
 the chapters within titles, in the most logical sequence. The four main parts are as follows:
 - (1) The remedial code, dealing with court structure and organization and civil procedure and remedies (chapters 1 to 74, inclusive, of NRS).
 - (2) The civil code, dealing with relationships between individuals (chapters 78 to 167, inclusive, of NRS).
 - (3) The penal code, dealing with criminal procedure, crimes generally and punishment (chapters 169 to 217, inclusive, of NRS).
 - (4) The political code, dealing with the structure and organization of state and local government and with the services rendered and the regulation exercised by government (chapters 218 to 712, inclusive, of NRS).

The Table of Titles lists the titles in each part, and attempts, with respect to the political code, to indicate the logic of their sequence. The Table of Titles and Chapters that follows the Table of Titles lists all the titles and chapters in the order in which they appear. With respect to the grouping of chapters, the user of the statutes will note that the chapters are arranged in small groups having to do with specific fields of the law, and that numbered titles have been inserted for each of these fields. A thorough understanding of the classification system, acquired through a study of the Table of Titles and the Table of Titles and Chapters, will enable the user of the statutes to find, without reference to the General Index, the statutes he seeks, or, in many cases, to determine with some degree of certainty that there are no such statutes to be found.

The arrangement of sections within each chapter, as well as the arrangement of chapters within titles, is intended to follow a logical pattern. If there are definitions applicable to a whole chapter, they are contained in the first section or sections of the chapter. Next comes a section or sections stating the leading principle of the chapter. Following this the details dealing with the carrying out or the enforcing of the principle are set down in logical If it is contemplated that certain steps shall be taken in chronological order, the steps are arranged in that order. If a chapter consists of several independent or separable laws, the sections dealing with each law are arranged according to the pattern just described. In all chapters, except those containing the ordinary criminal statutes and the applicable penalties, the criminal penalties for violating provisions of a chapter are contained in the last section or sections.

As a further aid to the quick location of statute sections, there has been placed at the beginning of each chapter a detailed chapter outline. After the user of the statutes has determined, first, by use of the Table of Titles, in which of the four major parts, or codes, the statute for which he is searching logically falls and, secondly, by use of the Table of Titles and Chapters (or the General Index), in which of the titles and chapters it would fall, he may utilize the chapter outline to direct his attention to the particular statute being sought.

- (d) Legislative History: The legislative history for each section of Nevada Revised Statutes appears immediately following the NRS section. Each legislative history contains a reference to the source section, chapter and year of the Statutes of Nevada from which the NRS section is derived, together with references to subsequent amendments and, when applicable, previous compilation section numbers.
- (e) <u>Cross References</u>: Immediately following most chapter outlines there have been inserted cross references to other related subjects found in the constitution of

the State of Nevada, Nevada Revised Statutes, Nevada Rules of Appellate Procedure, Nevada Rules of Civil Procedure, Nevada Justices' Courts Rules of Civil Procedure, Supreme Court Rules and District Court Rules. The Constitution of the United States has not been cross-referenced. Use of the information thus made available will enable a complete picture to be obtained of the law with reference to any particular subject. In considering any chapter of NRS, the cross references noted following the chapter outline should be examined. The cross references are designed to make the statutes more accessible without the use of the index.

(f) Index and Tables: The General Index to Nevada Revised Statutes was entirely new, being carefully and painstakingly constructed, entry by entry, over a period of 30 months. It is revised and reprinted following each session of the legislature. The objectives of the statute revision commission were to supply adequate index entries for all statutory and Nevada constitutional provisions, Nevada Rules of Civil Procedure, Nevada Justices' Courts Rules of Civil Procedure, Supreme Court Rules and District Court Rules, to avoid erroneous, misleading or useless index entries and to eliminate blind or cumulative index cross references. All index entries were reviewed, after preparation, by one indexer, and considerable attention was devoted to The United States the integration of the index entries. Constitution is not indexed in the General Index but has a separate index following the text material. Since an index is, at best, an inconvenient and time-consuming thing, every effort has been made in Nevada Revised Statutes to lighten the burden which the index must carry. The title outline at the beginning of each title, the chapter outline at the head of each chapter and the cross references following each chapter outline are intended to furnish a basis for finding the law on any subject without using the index. strongly urged that the users of the statutes avail themselves of these aids. The person who will first endeavor to find the law by looking in the place where logically it should be will meet more success than the man who in every case relies upon the alphabetical uncertainties of an index.

Immediately following the General Index appear comparative section tables showing the disposition in Nevada Revised Statutes of the statutes compiled in Nevada Compiled Laws (1929), Nevada Compiled Laws 1931-41 Supplement, Nevada Compiled Laws 1943-49 Supplement, and the statutes of general application enacted during the 1951 and subsequent legislative sessions. Following the comparative section tables appears a table composed of all chapters and sections of Nevada Revised Statutes which have been repealed or replaced in revision since its enactment in 1957.

Rules of Court: The texts of the various court rules are included in Nevada Revised Statutes although they are not of statutory origin and the legislative counsel has no responsibility for their content. Nevada Rules of Civil Procedure and Nevada Rules of Appellate Procedure appear following Title 2 (Civil Practice) and Nevada Justices' Courts Rules of Civil Procedure follow Title 6 (Justices' Courts and Civil Procedure Therein). The Supreme Court Rules, District Court Rules and the several local district court rules appear following Title 1 (Courts of Justice; Judicial Officers; Juries).

2. Annotations to Nevada Revised Statutes.

As amended in 1963, NRS 220.110 provides that Nevada Revised Statutes may contain citations to decisions of the Nevada supreme court and federal courts construing each statute and constitutional provision, a digest of cases decided by the Nevada supreme court, and such annotations and historical notes as the legislative counsel deems appropriate to include.

Annotations to Nevada Revised Statutes (six volumes) were completed and made available in January 1965. They are published separately from NRS for convenience of use and to achieve greater efficiency in the publication process. The material in the annotations is keyed to the section numbers of Nevada Revised Statutes and arranged in the same order as the section numbers of Nevada Revised Statutes.

The purpose of Annotations to Nevada Revised Statutes is to add to the framework of the law, as represented by the text of Nevada Revised Statutes, the constructions which the courts

and the various attorneys general have placed upon these laws. Annotations to Nevada Revised Statutes consist of:

- (1) Reviser's notes;
- (2) Legislative histories;
- (3) Notes of opinions of the attorneys general;
- (4) References, where applicable, to Nevada Constitutional Debates and Proceedings;
- (5) Notes of the advisory committees of the Nevada supreme court concerning Nevada Rules of Appellate Procedure, Nevada Rules of Civil Procedure, and Nevada Justices' Courts Rules of Civil Procedure; and
- (6) Notes of decisions of the Nevada supreme court, federal courts and courts of other jurisdictions.

The notes of judicial decisions include statements of holdings set forth in the reported decisions of the Nevada supreme court, federal courts, and courts of other jurisdictions which have construed the various provisions of Nevada Revised Statutes. (Notes are not supplied for decisions which merely mention a statute but do not construe it.) Also included are statements of holdings in cases decided under former statutes which were substantially the same as the Nevada Revised Statutes provisions. Existing notes are supplemented periodically by addition of citations to more recent cases which have followed or distinguished the earlier opinion. This feature provides information which is usually available only in a separate citator.

"Reviser's notes" which appear in the Annotations under the appropriate sections were prepared in the process of revising the statutes and are used primarily to explain the reason for each omission, change of wording or other revision made. Also included are preambles which accompanied statutes (usually for the purpose of expressing legislative intent) but which are not included in Nevada Revised Statutes.

3. Nevada Digest.

Nevada Digest (43 volumes) was completed in 1966 and contained 521 alphabetical topic headings, each being a receptacle for a certain field or branch of law, and outlines generally parallel to those found in California Jurisprudence, 2d Edition. Additional topic headings for Definitions and Constructions of Words and Terms; Jury Instructions; and Maxims provide information usually available only in separate publications.

A 64-page alphabetical table of Nevada Digest Titles (with see references) is contained in Volume I immediately following the Preface. A scope note is found at the beginning of each topic outline and contains an analysis of the topic and references to related topics. Proper use of the scope notes will save much time in searching for something that is not under the topic. Over 1,415 cross references from one topic to another are scattered throughout the Digest. These cross references, intended to steer the searcher from various reasonable places he may look to the place where the cases in point have been catalogued, eliminate duplication of material and increase speed and accuracy of research.

Within a topic outline, digests of opinions and other materials are arranged within a section in the following order:

Nevada Cases; Federal and Other Cases; Attorney General's Opinions; and References to various units of the Total Client Service Library of Bancroft-Whitney Company.

Digests of judicial opinions and opinions of the attorneys general are placed chronologically within a section according to the date of filing or rendition.

As with the Annotations, existing digests are supplemented by the addition of citations of more recent opinions which cite the earlier case and either follow it or distinguish it with regard to the point of law expressed in the existing digest. This system reduces the need to use a separate citator to find more recent cases involving the particular point of law, except for cases decided after the date of the current Digest supplement. In preparation of materials for inclusion in Nevada Digest every effort is made to avoid unnecessary and wasteful duplication of digests for identical points of law. When an opinion cites an earlier case for a particular principle and an adequate digest exists for the earlier case, the later case is not digested for that point. Instead, the citation for the later case is added to the digest for the earlier case in the manner described above.

4. Later Case Services.

The Later Case Services are cumulative pamphlets designed to keep the Annotations and the Digest more current between regular supplements to the basic publications. Their nature and use is more fully explained in Section VI 2(d) of this Part.

B. STATUTES OF NEVADA (SESSION LAWS)

Statutes of Nevada is a compilation of all statutes enacted and resolutions adopted at a particular session of the legislature. The statutes, as printed, are exact copies of the enrolled bills passed by the legislature and signed by the governor. They are compiled in numerical order by statute chapter number assigned by the secretary of state. Similarly, resolutions are compiled in numerical order by file number assigned by the secretary of state. The bill or resolution number, introducer and approval date are also indicated.

Both the Advance Sheets and the permanent bound volumes contain the Statutory Tables and an Index to Statutes and Resolutions. The permanent bound volumes also contain the United States and Nevada Constitutions, with a separate index for each, and a Table of Contents.

The use of the Advance Sheets as a temporary supplement to NRS is described in Section VI 1(a) of this Part.

C. PAMPHLET VERSIONS OF PORTIONS OF NEVADA REVISED STATUTES

Pamphlet versions of selected portions of Nevada Revised Statutes are produced from time to time by the Legislative Counsel Bureau primarily on behalf of agencies of the Executive Department. The pamphlets consist of photographic reproductions of current NRS pages, and hence are completely accurate with respect to the law in effect at the time of publication.

Most pamphlets are intended for use by members of the general public who are affected by the particular statutes and regulations included, although they are also a convenience to attorneys. Among those most widely distributed and used are the Criminal Law Manual (used by all law enforcement officers), the Nevada Constitution (used in all secondary schools and the University of Nevada System) and Fish and Game Laws and Regulations (used by most sportsmen). Others, such as those relating to motor vehicles and motor carriers, real estate, public utilities, industrial insurance, unemployment compensation, occupational safety and health, and labor laws are essential for use by persons engaged in various businesses and occupations.

Publication procedures for the pamphlets are discussed in Section VI 4 of this Part.

D. NEVADA REPORTS

Nevada Reports are annual compilations of opinions of the Nevada supreme court arranged in chronological order with a synopsis of the opinion and headnotes pertaining to particular portions of the opinion preceding the text of each opinion. Also included in each volume are an alphabetical table of cases, tables of constitutional and statutory provisions cited and a "Digest" consisting of an alphabetical arrangement of the headnotes by topics.

During each year, the texts only of individual opinions are published as Advance Opinions (numbered in chronological order) and distributed by the clerk of the supreme court on a subscription basis. The Advance Opinions are used in the preparation of materials for Annotations to Nevada Revised Statutes, Nevada Digest and the Later Case Services.

The Legislative Counsel Bureau has no connection with the publication of Nevada Reports except to determine the number of copies to be printed and the selling price and to provide warehousing, sales and distribution services (see NRS 2.320 et seq., 345.020 et seq.). The role of the Counsel Bureau in providing such services and its effect on the legislative fund is discussed in Section VI 6 of this Part.

V. PREVIOUS STUDIES

1950: The initial decision of the 1951 legislature to undertake publication of Nevada Revised Statutes and to abandon the previous policy of subsidizing the publication of Nevada Compiled Laws by a commercial law book publisher came about as a result of a study ordered in January 1950 by the then equivalent of the present Legislative Commission. The results of that study, which disclosed the intolerable conditions which existed after a decade of unsatisfactory performance by the commercial publisher, were published in April 1950 in Legislative Counsel Bureau Bulletin No. 9, entitled "Survey of Recodification Problems in Nevada." (Bulletin No. 9 is out of print, but a few copies are available for loan in the Counsel Bureau library.)

1964: The second Legislative Commission study of publications policy took place between October 9, 1964, and January 8, 1965, following a complaint in August 1964 by the Elko County Bar Association to the Board of Governors of the State Bar of Nevada concerning delay in initial publication of the Annotations to Nevada Revised Statutes and the Nevada Digest, and recommending that completion of the project be turned over to a commercial publisher. 1 At its meeting on September 18, 1964, the Board of Governors unanimously concluded that "* * any contemplated steps in the direction recommended by the Elko County Bar Association would not be effective or appropriate." 2

The Legislative Commission study was initiated at its October 9, 1964, meeting. The following is an extract from the minutes of that meeting: 3

With the approval of commission members, Chairman Dodge appointed Assemblyman Raymond L. Knisley as chairman of the new Subcommittee To Assess Legislative Counsel Bureau Programs, with Assemblyman Coe Swobe and Senators Wilson McGowan and Floyd R. Lamb to serve as members. Senator Dodge instructed the subcommittee to explore the possibility of contracting with a private publishing firm for the preparation of supplements to the Nevada Digest and Annotations to Nevada Revised Statutes, obtaining price estimates and information from leading publishing firms which might be interested in such work. He asked for a comparison of programs conducted by

legislative service agencies in other states, as well as their costs, and that recommendations be obtained from these agencies as to the nature and size of staff required. The subcommittee was requested to report its findings to the Legislative Commission at a meeting to be held in January 1965.

The subcommittee's report was presented to the Legislative Commission at its January 8, 1965, meeting. 4 It read as follows:

TO: CARL F. DODGE, CHAIRMAN LEGISLATIVE COMMISSION STATE OF NEVADA

Your special committee on the Legislative Counsel Bureau of the State of Nevada and its functions has met and submits its report as follows:

Members of your committee have reviewed the operations of Legislative Counsel Bureaus for the western states. This has been done by visits to state capitols, direct interviews of key personnel and of experienced legislators. We have examined the methods by which other states have revised their statutes and produced their Digests and Annotations. We have also reviewed the historical background and present status of our own system. We believe our predecessor legislators were wise in deciding to use our State Printing Office and retaining control of the activity. We are of the opinion that a much superior job has been done and that the costs are not excessive. In accord with your instructions we solicited offers to have the work carried forward by commercial publishing houses and learned that while publishers would have entertained proposals to do the work at its inception none were interested in our present suggestions. If any publishers were interested we still believe the work can be better done by our own Bureau and the Nevada State Printer, and with less expense to the State.

Perhaps we are exceeding the scope of our instructions, but we believe we would be remiss should we not comment on the services rendered by our Legislative Counsel Bureau to the legislature and the state in general, and on its relative efficiency. (We did not visit Kansas, which has the oldest Bureau nor Arkansas which

is reputedly one of the most efficient; we eliminated California's Bureau as having no basis for comparison, although it is basically quite similar.) We believe our Legislative Counsel Bureau renders a greater and more efficient service to the Nevada legislative bodies and the members thereof while in session than any other State Bureau gives to its legislative bodies and legis-The Nevada method of producing bills, the efficient manner in which bills are printed and processed is not surpassed by any other western state. We have a basic advantage in having a State Printing Office. This plus the sound conception of the Bureau as created by the legislature together with the thoroughness and foresight of Jeff Springmeyer and his aides in setting up the original office and implementing its functions have given us a sound foundation on which to build.

Certain changes were made by the last session of the legislature which are furthering the efficiency and usefulness of our agency to the state as a whole. We believe Russell McDonald has a fine conception of the duties of his office and its capabilities for rendering service. He has made excellent progress in Bureau improvement without being wasteful of State funds. Under his administration the Legislative Auditor has rendered an improved service and we expect increased aid from the Budget Analyst.

The Research Service has not been fully utilized, however, this could be the result of legislative inaction or that of the Legislative Commission, but we do not believe a weakness of the Bureau.

We are aware of the recommendations made to the Commission by Director McDonald and believe they have merit and should be given serious consideration.

DATED: This 4th day of January, 1965.

Respectfully submitted,

/s/ Raymond L. Knisley
Chairman

/s/ Wilson McGowan
Committeeman
(Floyd R. Lamb)
Committeeman
/s/ Coe Swobe

Committeeman

A thorough search of Bureau files and records has failed to uncover any further significant information concerning this study.

1970: The 1970 study arose as a result of complaints by attorneys concerning the time lapses in publication of supplements to NRS, Annotations and Digest⁵ and discussions at the January 20, 1970, meeting of the Legislative Commission.⁶

Thereafter, Mr. McDonald met with the Board of Governors of the State Bar and special committees of the State Bar and Legislative Commission were appointed.⁷

The report of the Legislative Commission committee was received and acted upon as shown in the following minutes of the April 29, 1970, meeting of the Legislative Commission:

Joint State Bar-Legislative Commission printing study--Mr. Ashworth. Mr. Ashworth reported that there had been a meeting of representatives of the Legislative Commission (Mr. Ashworth, Senator Gibson and Assemblyman Jacobsen) with representatives of the State Bar of Nevada, during which the state printing office was toured and the publishing procedures and facilities of the counsel bureau were exhibited and explained. Mr. Ashworth felt all had been given an insight into the problem of counsel bureau publications and stated he felt the personnel action of the commission during today's meeting "has 90 percent solved our problem." Conveyance of notice of the action of the commission to the state bar should materially aid in alleviating criticism of the publishing program and the reorganization of the counsel bureau staff should assist in speeding up production.

After detailed explanations of the mechanics proposed in improving staff output and production time schedules, discussion brought agreement that the Legislative Counsel should:

 Prepare a press release for statewide circulation concerning personnel reorganization of the Legislative Counsel Bureau and how it will affect counsel bureau publications, specifically directing the release from the standpoint of efficiency of publication production.

- 2. Send a letter to each individual lawyer concerning the action of the joint committee and the personnel reorganization with expected effects on availability of counsel bureau publications.
- 3. Postpone solicitation of a release from the state bar committee until after further investigation of private company printing, an aspect of the problem being pursued specifically by the bar committee.
- 4. In all these informational endeavors, convey to lawyers in the strongest possible terms that the Legislative Commission is not indifferent to the time lag between legislative adjournment and production of law publications and the commission wishes to take every reasonable step to correct the difficulty.

In accordance with the Commission's instructions, the letter attached as Exhibit V-1 was sent to all members of the State Bar of Nevada.

As noted in paragraph 3 of the Legislative Commission's directive quoted above, the matter of investigation of private company printing was pursued specifically by the State Bar committee. Bureau files do not disclose any significant information concerning this aspect of the study except the letter from The Michie Company attached as Exhibit V-2. In a recent interview, Mr. Samuel B. Francovich, who was chairman of the State Bar committee at the time, advised that he is unable to locate any files pertaining to the matter, but that he recalls that his committee met with representatives of West Publishing Company and Bancroft Whitney-Lawyers' Cooperative Publishing Company and that they did not offer any satisfactory proposals. A search of the State Bar records failed to disclose any reference to a report to the Board of Governors.

VI. PUBLICATION POLICIES AND PROCEDURES SINCE 1970

The subcommittee undertook a review of publication policies and procedures utilized since 1970 and the current status of publications produced by the Legislative Counsel Bureau.

Since 1970, significant improvements in both the quantity and timeliness of information made available by the Counsel Bureau to attorneys and others who utilize our publications have been made. These improvements will be described in this section in connection with the publications to which they pertain.

Nevada Revised Statutes and related publications:

(a) Advance Sheets as Temporary Supplement to NRS: Advance Sheets to Statutes of Nevada (session laws) have served as a "pocket part" to NRS since 1971 for use pending issuance of replacement pages in the NRS supplements. The use of the Advance Sheets as a "pocket part" to NRS was made possible by addition to the Advance Sheets of the tables of NRS titles, chapters and sections amended or repealed by the session laws, and inclusion of the subject index, neither of which had previously been available with the Advance Sheets. (Prior to 1973, the Counsel Bureau had no connection with publication of the Advance Sheets and, in 1971, the Tables and Index were published separately by the Bureau. Since 1973 the Bureau has published and distributed the complete Advance Sheets.)

Because we believe that adaptation of the Advance Sheets for use as a "pocket part" to NRS is one of the most important improvements in our publications since 1970, and because it would seem that the full significance of this improvement is not universally understood among members of the bar and others, a description of how the Advance Sheets should be used in connection with NRS and a comparison with similar services furnished in other states may be in order.

The Advance Sheets are intended primarily for use with NRS during the period between July 1 of a legislative year (the effective date of most legislation) and the receipt of replacement pages for NRS contained in the

supplement for that year; although, in the case of amendments to existing NRS sections, they are useful thereafter to determine the precise change made.

In order to determine whether or not a specific NRS section, chapter or title has been affected by legislation at the past session it is necessary only to consult the appropriate table in the Advance Sheets. Or, if one does not have a specific part of NRS in mind, the subject index may be consulted. In the case of existing NRS sections, the table lists all NRS sections amended or repealed in NRS section number order and indicates the legislative action taken (A or R) and the page or pages of the Advance Sheets where the change appears. If a particular NRS section number does not appear in the table one knows immediately that no change was made and that the existing NRS text for that section is current. If the NRS section number does appear, all one has to do is turn to the indicated Advance Sheet page to find the now current version plus the exact change made. (New material is printed in italics, deleted material is enclosed in brackets.) This is a very simple, easy-to-use process involving a maximum of 3 steps:

- (1) Initial determination of area of interest;
- (2) Consulting appropriate table; and
- (3) Turning to indicated page of Advance Sheets.

Although the current trend in other states is toward publication of their Codes in looseleaf format similar to NRS, historically most Codes of other states (particularly those produced by commercial publishers) consist of varying numbers of permanent hard-bound volumes which are supplemented after each legislative session by cumulative pocket parts inserted in the back of each volume, by separate hard-bound supplementary volumes or by a combination of the two. (The infamous 1929 Nevada Compiled Laws was an example of the latter. Theoretically, it was to be supplemented by a pocket part after each session and by supplementary volumes

every 10 years.) In the case of supplementation by cumulative pocket parts, the pocket parts grow and grow over an extended period of years until their size becomes unmanageable and it is necessary to replace the basic volume.

We believe that the service provided by the Advance Sheets is superior to that provided in other states for the following reasons:

- (1) Timeliness. The Advance Sheets are usually available by the time most new legislation becomes effective (July 1) and contain all new legislation.

 Generally, cumulative pocket parts for all new legislation are not available nearly as soon. The time frame for supplementary volumes is generally not as good as for NRS replacement pages.
- Ease of use. As pointed out above, the Advance Sheets permit a quick and accurate determination of the existence and nature of any new legislation on any particular subject. In the case of a typical cumulative pocket part the user must leaf through page after page of combined old and new material and still cannot be certain he has not overlooked something. The user of supplementary volumes must consult each volume issued since publication of the basic volume as well as the basic volume itself.
- (3) Short period of use. The Advance Sheets are required for only a relatively short period of time--currently approximately 6 months, and hopefully less in the future. As noted above, cumulative pocket parts and supplemental volumes must be used continuously over a period of several years.
- (b) NRS Supplements. At the time of the 1970 Legislative Commission-State Bar study discussed above, the 1969 NRS supplement had not yet been delivered (it became available in June, 1970). A major purpose of the 1970 study and the Legislative Commission action which followed was to decrease the time required for production of NRS supplements while maintaining the accuracy and integrity of NRS itself. We believe that significant

progress has been made toward that goal by increased staff effort and improvements in production techniques and that, within certain limitations, further progress can be made in the future.

It is axiomatic that the time required to produce any publication depends primarily on (1) when production may be commenced, (2) the size and nature of the publication, and (3) the production methods used, as well as certain other factors. Also, production of any publication involves two major interrelated phases—editorial work and printing process—each of which to some degree affects the other, and which should be carried on simultaneously whenever practicable.

In the case of NRS supplements, editorial work (as distinguished from preparation for the editorial work) cannot commence until the Statutes of Nevada page numbers become known, because of the necessity of including the statute page number in the source note to each NRS section. (The source notes constitute the legislative history of the section and are vital to the accuracy and integrity of NRS.) This date has varied from late May to late June, depending on the length of each session. Thus it is somewhat misleading to measure production time from the date of adjournment sine die.

The size of NRS supplements (and therefore the time required for both editorial and printing work) is dependent on the volume of legislation enacted at each session. The size of each supplement has varied from a low of 4,524 pages in 1969 to a high of 9,898 pages in 1973 (a complete reprint of every page). There were 5,884 pages in 1971 and 5,168 in 1975.

Prior to 1973 it was not possible to carry on editorial work and actual printing simultaneously. Commencing with the 1973 reprint, changed procedures permitted starting the presses several months earlier than previously, with a resultant substantial saving in total production time. Also, because many pages in the 1973 reprint were unaffected by 1973 legislation it was possible to start the project much earlier than with the usual supplement.

All the major publications described are produced by the letterpress method, involving use of linotypes, line-by-line hand makeup of pages and flatbed presses. This method is much more time-consuming than modern methods of photocomposition and offset printing.

Bearing in mind the foregoing, the adjournment dates and delivery dates for NRS supplements since 1969 were as follows:

<u>Year</u>	Adjournment	Delivery Date
1969	April 24, 1969	June 5, 1970
1971	April 26, 1971	March 22, 1972
1973	April 26, 1973	January 20, 1974
1975	May 21, 1975	January 15, 1976

The number of working days from receipt of Advance Sheets page proofs to delivery in each year were:

1969	262	(approx.)
1971	205	-
1973	156	
1975	143	

The 1971 supplement was delayed approximately 3 weeks by mechanical breakdowns. In 1973, the presses were shut down approximately 6 weeks for lack of paper. The 1975 supplement could have been available approximately one month sooner had 2 work shifts been utilized by the printing office during a longer period of time.

The number of working days required for completion of editorial work were approximately 140 in 1969 and 1971, 98 in 1973 and 82 in 1975.

(c) A Table of Repealed or Replaced Sections of NRS has been included with each NRS supplement since 1971. It shows the disposition of all former NRS sections by indicating the year and page number of Statutes of Nevada at which the sections were repealed and, in the case of replaced sections, the new NRS section number assigned.

- (d) Passage and Approval Lists: Lists of all legislation of a general nature which was effective on passage and approval have been distributed to all attorneys and others periodically during and immediately following each legislative session since 1971. lists made it possible for interested persons to become aware of and to obtain copies of any such legislation affecting NRS within a very short time after it took effect in case they had not previously regularly consulted the Senate and Assembly Histories. survey of State Bar membership conducted as part of this study indicates that this free service, provided primarily at the expense of the State Bar of Nevada, has not been widely utilized, and consideration is being given to its discontinuance in favor of the tables discussed in paragraph (f) below.
- (e) Bill Index: A consolidated Bill Index (instituted in 1975) enables legislators and others to obtain current information concerning the subject matter of all bills introduced in either house on a weekly basis. It also indicates which bills have been passed and approved by the Governor; and, commencing in 1977, will indicate the effective date of such bills.
- to be Amended or Repealed by Bills Introduced:
 Consideration is being given to publication, on a weekly basis, of cumulative tables, similar to those published later in the Advance Sheets, listing all NRS titles, chapters and sections proposed to be amended or repealed by bills introduced in the 1977 session, which will also indicate those bills which have been passed and approved and their effective dates. This will enable legislators and others to obtain current information concerning any portion of NRS affected by bills introduced or passed. It should also facilitate preparation of the Advance Sheets and their earlier availability.

2. Annotations to Nevada Revised Statutes; Nevada Digest:

(a) Annotations to Nevada Revised Statutes has been supplemented four times since its initial publication. The 1968 supplement covered the period from January 1965 to September 15, 1968, and was delivered January 9, 1969. The 1970 supplement covered the period from

September 1968 to December 31, 1970, and was delivered January 4, 1972. The 1973 supplement covered the calendar years 1971, 1972 and 1973 and was delivered October 30, 1974. The current (fourth) supplement covered the calendar years 1974 and 1975, and was delivered July 2, 1976, four months earlier than ever before. The basic set (without Later Case Service) is approximately 6 weeks more current than the Pacific Digest 1976 pocket part.

- The Nevada Digest has been supplemented three times (b) since its initial publication, and delivery of a fourth supplement is expected in October 1976 before submission of this report. The 1969 supplement covered the period from August 1965 to May 1, 1969. Copy was delivered to the printer in September 1969 and the supplement was received March 16, 1970. Copy for the 1971 supplement covering the period from May 1, 1969, to December 31, 1971, was delivered to the printer in July 1972. The first half of this supplement was received on February 15, 1973, the balance on March 12, 1974. Copy for the 1973 supplement covering the calendar years 1972 and 1973 was delivered to the printer in September 1974. The first half of the 1973 supplement was received on February 10, 1975, and the balance on October 16, 1975. Copy for the fourth supplement, covering the calendar years 1974 and 1975, was delivered to the printing office on May 5, 1976. Assuming delivery as promised, production time will have been reduced from more than 13 months, in the case of the 1973 supplement, to less than 6 months. Also, like the Annotations, the basic set (without Later Case Service) would be more current than the Pacific Digest 1976 pocket part.
- (c) Production of timely supplements to both publications (particularly the Digest) has been complicated by a number of factors, including the following:
 - (1) It is not possible to publish supplements during a legislative year because the capacity of the printing office is fully utilized for session printing and production of Statutes of Nevada and NRS as is the time of most of the Bureau publications staff. Thus we are forced to a minimum 2-year schedule for supplementation.

- (2) The nature of the publications is such that <u>all</u> editorial work must be completed before any copy can be delivered to the printer, and time devoted to legislative duties and production of NRS supplements inevitably delays the editorial work.
- (3) The massive size of the supplements, particularly the Digest. It is expected that implementation of a 2-year schedule and certain changes instituted with the 1973 supplements will result in a reduction in the size (and therefore printing time) of future supplements.
- (d) Later Case Services: Later Case Service to Annotations to Nevada Revised Statutes and Nevada Digest was instituted in 1970, in recognition of the need of users of the Annotations and the Digest for more current information than could be supplied by regular supplements to the basic publications. It was originally published as a single volume but has since been divided into a separate volume for each.

A full explanation of the purpose and how to use the Later Case Services has been included in the preface of each of the ten editions published to date. Basically, the Later Case Service paperback volumes are designed for use in conjunction with (but not as a substitute for) the current editions of the basic publications and contain citations to recent cases and opinions which will result in inclusion of a new annotation or digest item in the next supplement to the basic publication. (Cases or opinions which merely mention an NRS section but do not construe or apply it, or which merely cite a previous case or opinion for which an annotation or digest item already appears in the basic publication are not included.) Since each edition is cumulative from the date of the last supplement to the basic publication, cases and opinions which already appear in the basic publication are not included in the Later Case Services. Therefore, it is essential to consult the basic publications first before attempting to use the Later Case Services.

A new Later Case Service Digests of Advance Opinions is proposed for first publication in November 1976 for use with the forthcoming eleventh editions of the existing services. Digests of advance opinions selected for later inclusion in the basic publications will appear in advance opinion number order and the present LCS volumes may be used as indexes to find the appropriate advance opinion digest if the user does not choose to go directly to the cited opinion.

It is Counsel Bureau policy to keep the Later Case Services as current as the volume of new Annotations and Digest items requires and the economics of the situation and production capabilities permit. The tenth editions contained citations to cases decided between January 1, 1976, and April 30, 1976, in the Annotations volume (11 pages) and between January 1, 1974, and April 30, 1976, in the cumulative Digest volume (140 pages). They were mailed to users on July 9 and July 20, respectively. This service is now 5 1/2 months more current than the Pacific Digest 1976 pocket part.

It is general policy to publish a minimum of three or four editions per year (Pacific Digest supplies two-an annual pocket part and a midyear supplement) but it must be borne in mind that it is not economical to republish a large cumulative volume in order to add citations to a relatively small number of recent cases. For example, the ninth cumulative editions added citations for cases decided between April 1, 1975, and December 31, 1975. During this entire period, the Nevada Supreme Court decided 192 cases of which 93 resulted in new annotations or digest items--61 from the period April 1 to September 30, and 32 from the final quarter of 1975. Additionally, the publications staff endeavors, whenever other demands on their time permit, to keep the digesting work current with the flow of opinions from the Supreme Court and can, under ideal conditions, provide information concerning a case before the opinion is published in the Pacific Reporter Advance Sheets (approximately 6 weeks after the opinion is filed) or even before appearance of the printed Advance Opinions.

Since inception, the Later Case Services have been distributed free of charge to all subscribers to our basic publications and to all members of the State Bar (whether subscribers or not) as a good will gesture and with the ulterior motive of stimulating sales of the Annotations and the Digest. An obligation exists to provide the service to subscribers to the Annotations and the Digest, and the additional costs involved in the wider distribution are not particularly significant. However, if it develops that nonsubscribers are not utilizing the publications it may be desirable to discontinue the policy of free distribution to them.

Sales Office

In 1973 a full-time sales office was established which provides greatly improved service to subscribers and other customers and accounting for receipts from sales of all publications. The office answers most inquiries concerning publications, maintains and publishes current price lists, keeps necessary subscriber records, sends out notices of availability of various publications and receives and fills customer orders, usually on a same-day basis.

4. NRS Pamphlets

Since 1967 pamphlet versions of selected portions of NRS have been produced by the Bureau primarily on behalf of agencies of the Executive Department who use them as required for their operations. The pamphlets have varied widely in form, content (size) and number of copies produced in accordance with the desires and needs of the various agencies. Specific pamphlets are not discussed in this part of the report because the subject of executive agency publications is treated in Part I. However, the survey of State Bar membership conducted as a part of this phase of the study shows that 44% of the attorneys who responded to the question concerning use of the pamphlets utilize them.

Prior to 1971 the pamphlets were produced by the same printing process used to publish NRS and were produced before NRS. In 1967 this procedure was of considerable

financial benefit to the Bureau because a new edition of NRS was being published which required all new type and the cost of producing the type used in the pamphlets was paid for entirely by the executive agencies but the type was "inherited" by the Bureau at no cost to it and used to print NRS. Also, because of the nature of the 1967 NRS project, there was no significant delay in its completion. However, following the 1969 session, the situation was reversed. Not only did the pamphlet operation seriously delay production of the 1969 NRS supplement, but it was also determined that the extra wear and tear on NRS standing type more than outweighed the benefit of the relatively small amount of new "free" type acquired. At that point it was decided to discontinue pamphlet operations.

The decision to discontinue the pamphlet service was reconsidered in 1971 when it was determined that by utilizing printing equipment not used in the production of NRS the pamphlets could be produced contemporaneously with the printing of new NRS pages. As a result, sideline business was developed which has:

- (1) Contributed significant additional net revenues to the legislative fund with a minimal expenditure of staff time;
- (2) Not delayed publication of NRS supplements or other publications in any way; and
- (3) Provided a better service to a larger number of executive agencies at a reduced cost to them and the general fund.

5. Statutes of Nevada (Session Laws)

The Advance Sheets to the Statutes of Nevada have been discussed previously in this report.

Before 1973 Statutes of Nevada were published, warehoused and distributed by the Secretary of State and the State Printer, although the Bureau provided material for the table of contents, index and the Constitution. It is our understanding that production costs were charged to the

legislative fund but that such revenues as were derived from sales (a majority of the volumes were required to be distributed without charge) were credited to the general fund.

In 1973 the legislature placed the entire responsibility for Statutes of Nevada on the Counsel Bureau, which was required to take custody of a very large number of unsold volumes dating back to statehood and which are likely to remain unsold for many years. Since then, the number of volumes required by law to be produced has been decreased from 800 to 500 and the number distributed without charge has been reduced somewhat. Therefore the problem of unsold current volumes is not so severe. However, because of the very large proportion required to be distributed without charge, revenue to the legislative fund from sales is relatively slight and the current selling price is substantially below the allocated unit cost of production.

6. Nevada Reports

Nevada Reports (Supreme Court opinions) are published by the Clerk of the Supreme Court. Costs of production are paid from general fund appropriations to the Supreme Court and proceeds of sales are credited to the general fund. In 1973 responsibility for warehousing, distribution and sales of Nevada Reports was transferred from the Secretary of State to the Counsel Bureau and associated costs have been borne by the legislative fund. Revenues derived have not been sufficient to offset the costs borne by the legislative fund. Prior to July 1, 1975, the sales price of individual volumes was set by the Supreme Court and the Bureau collected an additional service charge from purchasers to cover costs of postage and handling. problems of the number to be printed, free distributions and the inventory of unsold prior volumes are similar to those involved with Statutes of Nevada, although some earlier volumes are out of print and the 1975 legislature appropriated funds to reprint them.

7. Problems with State Printing Office

Problems encountered with the State Printing Office concerning delays in delivery of Bureau publications up to November 1973 were well summarized in the letter dated November 12, 1973, from the Chairman of the Legislative Commission to Governor O'Callaghan, a copy of which is attached as Exhibit VI.

The 1975 legislature enacted NRS 344.053, which requires that priority be accorded to printing of Bureau publications. Although some improvement in service has been noted, we are dissatisfied with the time taken to produce the 1975 NRS supplement and the 1975 NRS Index and believe that both could have been delivered sooner than they were. Perhaps part of the problem stems from the fact that while NRS 344.053 provides for priority, there is no direct means of assuring that priority is actually given to our work, and by the time an apparent failure to accord full priority is discovered the damage has been done.

VII. FINANCIAL ASPECTS

One of the important issues examined by the subcommittee was the extent, if any, that law related publications of the Legislative Counsel Bureau are supported at taxpayer expense.

The financial accounts of the Legislative Counsel Bureau demonstrate that, at least since July 1, 1974, if not earlier, overall Counsel Bureau publications have been and now are self-supporting. They are no longer publicly funded.

The Counsel Bureau has established and maintained accounting records for all legislative operations and activities in accordance with the statutes requiring such accountability.

During the 1973 session, chapter 635, Statutes of Nevada 1973, was approved which provided for a reorganization of the legislature's financial accountability. The financial accountability reorganization was inaugurated on July 1, 1973.

The legislative operations are now completely accounted for within the legislative fund. The legislative fund is an independent accounting entity with a self-balancing set of accounts which record cash and other assets together with the liabilities, reserves and equities necessary to accurately reflect the financial condition and operations of the fund as provided by the Statutes of Nevada and the policies of the Legislative Commission.

Beginning July 1, 1973, a formal publication inventory and sales accounting system was established for the legislative fund. On June 30, 1974, the publications inventories on hand were established, both by unit count and values. The June 30, 1974, publications inventory totaled \$892,049; the June 30, 1975, publications inventory totaled \$716,666; and the June 30, 1976, publications inventory totaled \$929,241.

The sales and cost of sales examined on a "going concern" basis indicates that sales are now fully supporting all of the costs of producing and selling these publications. The following comparative schedule sets this out. The amounts indicated below are the actual sales revenues earned and the representative cost values assigned to individual publications sold.

	1974	1975	1976
Sales	\$295,897	\$143,646	\$275,750
Value of Publications Sales (1)	222,319	139,638	220,150
Gross Profit (Loss) on Sales Value of Publications	\$ 73,578	\$ 4,008	55,600
Distributed Without Charge Adjusted Gross Profit (Loss)	(1)	26,884	38,930
on Sales	\$ 73,578	\$(22,876)	\$ 16,670

To the extent that members of the Nevada Bar are our customers for these publications it can be said that they, just as other purchasers do, are supporting all of the publications financially.

NOTE:

(1) During the first year of the publications inventory and sales accounting system there was no separate record maintained on publications distributed without charge. Such publications consist primarily of Statutes of Nevada, NRS supplements to legislators and Later Case Services to Annotations to NRS and Nevada Digest.

VIII. CONTACTS WITH COMMERCIAL PUBLISHERS

The subcommittee and the special State Bar committee jointly invited eight major law book publishers to submit any suggestions or proposals they might care to make concerning possibilities for improving the timeliness and utility of our major law-related publications. (See Exhibit VIII-1).

Responses were received from West Publishing Company, The Michie Company and Bancroft-Whitney Company (by telephone call to subcommittee counsel from their Director of Sales). Copies of the correspondence appear as Exhibits VIII-2 and 3. Also, subcommittee counsel talked at some length with the Editor-in-Chief of West Publishing Company by telephone on two occasions; and members of the subcommittee, the State Bar committee and Counsel Bureau staff met with the President and other representatives of The Michie Company in Carson City on September 15, 1976.

The Editor-in-Chief of West Publishing Company also set to rest a long-standing false rumor to the effect that West has been and is willing to publish NRS in annotated form at no cost to the state for the opportunity to sell its books.

From our contacts with the three commercial publishers we conclude that:

- 1. None of them could produce our publications at less cost.
- Participation by any of them in any phase of production of our publications would entail use of computerized photocomposition methods rather than the hot type and letterpress method presently used.
- 3. The cost to the State of Nevada (excluding costs to purchasers) to replace NRS and the Annotations with an annotated code produced by a commercial publisher would be very substantial. Although no real cost estimates were provided, it was indicated that the minimum cost would be at least \$700,000, for which the state would receive a computer-readable data base which would require additional expensive equipment to utilize. (For a discussion of computer applications see Section IX of this Part).

IX. COMPUTERIZED PUBLICATION METHODS

The subject of application of computer techniques to the production of law-related publications was considered to be beyond the scope of the subcommittee's study because the matter of applying computer technology to the entire legislative process—of which production of law-related publications is only one facet—is under consideration by the Legislative Commission.

However, our contacts with commercial law book publishers made it clear that none of them could undertake to print or publish Nevada law-related publications without the use of computerassisted photocomposition equipment and printing methods. They also expressed the opinion that eventually (in perhaps 6 to 8 years) Nevada will be forced to adopt these methods if we are to continue producing our own publications for the reason that the printing equipment presently in use is obsolescent and cannot be replaced because it is no longer manufactured.

Computer-assisted photocomposition involves the use of highly sophisticated techniques and equipment (both "hardware" and "software") which provides a useable data base, permits its manipulation to achieve a desired result and produces electronic impulses which cause the photocomposer to produce pages ready for printing by photo-offset presses.

The advantages of computer-assisted publication methods are myriad. Significant time savings would result immediately and very substantial cost reductions would be apparent ultimately after the very large initial "start-up" costs had been amortized. It was estimated that it might cost as much as \$1.25 million to make the complete changeover in this state, which would include the data base and its benefits for the bill drafting and production process as well as the printing of bills for the use of the legislature.

X. OPINION SURVEY OF STATE BAR MEMBERSHIP

The subcommittee and the special State Bar committee believed that a survey of the opinions of the general membership of the State Bar of Nevada with respect to the various law-related publications to determine the problems the Bar may be experiencing in utilizing them would be helpful in making future policy decisions.

Accordingly, the questionnaire and covering letter attached as Exhibit X-1 were devised by the State Bar committee and subcommittee staff, and distributed on July 9, 1976, to all active and five inactive members of the Bar as shown by information then available. (Subsequent information indicates a total active membership of only 1,090--see Exhibit X-2.)

A total of 414 responses were received and delivered to the Central Data Processing Division for computer processing and a 224-page computer printout was received on September 16, 1976. A copy of the printout is on file in the library of the Legislative Counsel Bureau. A statistical analysis of the response as shown by the printout is attached as Exhibit X-3.

The following tables show the composition of the State Bar of Nevada active membership by districts and years members have been admitted to practice in Nevada and analyze the responses by districts and years of practice:

Table 1. Active Membership by Districts and Years
Admitted to Practice (August 20, 1976)

Districts*								
	Non-							
Years	#1	#2	#3	#4	res.	Total	8	
2 years or less	99	8	18	65	16	206	18.9	
3-5 years	90	16	20	71	17	214	19.63	
6-10 years	106	13	13	70	16	218	20	
11-15 years	67	6	15	52	10	150	13.76	
16 years or more	122	<u>26</u>	14	116	24	302	27.71	
Totals per District Percent of total	484	69	80	374	83	1,090		
membership	44.4	6.3	7.3	34.3	7.6		•	

*District #1 comprises Clark and Lincoln counties; #3, Carson City; #4, Washoe County; #2, balance of state.

Table 2. Analysis of Response by State Bar Districts
(Percentages based on 1,090 members)

District	Total Membership of District	Percent of Total Bar Membership	Number of Responses	Percent of Group	Percent of Total Responses
*1 and 3	564	51.74	213	37.77	51.45
2	69	6.33	24	34.78	5.8
4	374	34.31	176	47.1	42.5
non-res.	83	7.61	1	1.2	0.2

*It was not possible completely to segregate responses from Districts 1 and 3, so combined totals are shown.

Table 3. Analysis of Response by Years of Practice (Percentages based on 1,090 members)

Years	Total Members	Percent of Total Bar Membership	Number of Responses	Percent of Group	Percent of Total Responses
2 or less	206	18.9	80	38.83	19.32
3 - 5	214	19.63	116	54.21	28.02
6 - 10	218	20.	82	37.61	19.81
11 - 15	150	13.76	47	31.33	11.35
16 & over	302	27.71	87	28.81	21.01

Although the overall return of approximately 37.2% is considered good for a mail questionnaire, the foregoing tables and the statistical analysis reflect that the respondents did not represent a true cross section of the Nevada Bar on either a geographic or experience basis of measurement. Washoe County opinion was significantly overrepresented, and attorneys who have been admitted to practice in Nevada for 5 years or less were heavily overrepresented.

Nevertheless, the opinions expressed with respect to the major law-related publications were generally favorable. Substantial majorities rated NRS, the Advance Sheets, the Annotations, the Nevada Digest and Nevada Reports "good" or "very good" for utility and accuracy.

The ratings with respect to timeliness were less favorable. In the case of NRS, it is probable that much of the negative response was a result of confusion among NRS, the Advance Sheets and NRS Supplements (due in part to the structure of the questionnaire) and a lack of familiarity with the use of the Advance Sheets as a temporary supplement to NRS as described in Section VI 1(a) of this Part. A majority rated the Advance Sheets "good" or "very good" in timeliness. Also a majority of those responding felt the Advance Sheets were equal to or superior to pocket parts, but only about one-fourth of the respondents had an opinion. As was the case with other negative responses, the negative ratings for timeliness were significantly associated with the group who have practiced 5 years or less and the more experienced attorneys were least negative--perhaps because they are more aware of the improvements in timeliness made since 1969. (See Section VI of this Part.)

The negative timeliness ratings for the Annotations and Nevada Digest can be accounted for only by a failure to take the Later Case Services into consideration in making the assessment because, as pointed out in Section VI 2, these publications are at least as current as the major comparable publication. This conclusion is further reinforced by the excellent ratings given Nevada Reports and Advance Opinions and the high usage indicated for the Advance Opinions. (The bound volumes of Nevada Reports are seldom available until approximately 8 months after the end of the year to which they pertain.)

Results of the survey respecting other law-related publications are summarized in the statistical analysis (Exhibit X-3).

One of the purposes of the survey was to attempt to determine the problems which the Bar may have been experiencing in utilizing the major law-related publications and the reasons therefor, and to assist the State Bar of Nevada in assessing the need for a continuing education program relating to the purposes and use of the publications.

Because the information desired required a subjective review of reasons given by respondents for their opinions and ratings it could not be obtained from the computer and a manual review of certain questionnaires was undertaken by subcommittee counsel. Since it was otherwise necessary to review all questionnaires which answered questions Bld, B2d, B7d and B8d (see

Exhibit X-1) because of inherent ambiguities in the questions, those questionnaires which rated one or more of our publications inferior to some other publication were further examined and coded to indicate the apparent reason or reasons for the negative assessment. The reasons fell into four main categories or combinations of categories:

- (1) An expressed strong preference for annotated codes employing pocket parts and the West Publishing Co. digest system;
- (2) Dissatisfaction with indexing;
- (3) An apparent unfamiliarity with the nature, purposes and usage of the various Nevada publications; and
- (4) Dissatisfaction with timeliness.

A total of 186 such questionnaires were examined and coded. The relative frequencies of the reasons assigned were:

Reason	(1)	121
	(2)	68
	(3)	122
	(4)	49

(Total is greater than 186 because of multiple reasons assigned.)

The 186 questionnaires were also catalogued by years of practice groups and the extremely heavy overrepresentation of the 5 year and under group was found to be even more pronounced than with the survey as a whole. This group accounted for over 57.5% of the total reviewed as against 47.32% for the survey. The 16 years and over group, who constituted 21% of the survey as a whole represented less than 1% of this response.

Although the subcommittee does not wish to draw any conclusions from the foregoing analysis it does recommend that the Legislative Counsel Bureau cooperate to the fullest extent possible in any program which may be instituted to provide more information to the Bar concerning the services provided by and the efficient usage of publications produced by the Bureau.

EXHIBITS AND FOOTNOTES

V-1	MEMORANDUM TO ALL MEMBERS OF THE STATE BAR OF NEVADA
V-2	LETTER FROM THE MICHIE COMPANY (1970)
VI	LETTER TO GOVERNOR O'CALLAGHAN FROM CHAIRMAN, LEGISLATIVE COMMISSION
VIII-1	JOINT LETTER TO COMMERCIAL PUBLISHERS
VIII-2	CORRESPONDENCE FROM WEST PUBLISHING COMPANY
VIII-3	CORRESPONDENCE WITH THE MICHIE COMPANY (1976)
X-1	QUESTIONNAIRE AND COVERING LETTER TO MEMBERS OF STATE BAR OF NEVADA
X-2	MEMORANDUM RE MEMBERSHIP OF THE STATE BAR OF NEVADA
X-3	ANALYSIS OF STATE BAR QUESTIONNAIRE ON LEGAL PUBLICATIONS
	FOOTNOTES

RUSSELL W. McDONALD Director

ANN ROLLINS
Deputy Director
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STATE OF NEVADA

LEGISLATIVE COUNSEL BUREAU

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ARTHUR J. PALMER, Jr.
Research Director

September 22, 1970

TO ALL MEMBERS OF THE STATE BAR OF NEVADA:

The Legislative Commission has requested me to inform all members of the bar concerning the recent personnel reorganization of the Legislative Counsel Bureau and its anticipated effects on availability of counsel bureau publications, and to assure each of you that neither the Legislative Commission nor the Legislative Counsel Bureau is indifferent to the time lags which have existed in production of law publications and that we wish to take every reasonable step to correct the difficulty.

Following a meeting between representatives of the Legislative Commission and the State Bar of Nevada, during which the state printing office was toured and the publishing procedures and facilities of the counsel bureau were exhibited and explained, the Legislative Commission adopted a plan of reorganization of the counsel bureau, effective June 1, 1970, to create the positions of Statute Reviser and Law Indexer. The Statute Reviser is responsible for the content of all counsel bureau law publications, namely, Nevada Revised Statutes, Annotations to Nevada Revised Statutes and Nevada Digest. The bureau does not publish Nevada Reports or Statutes of Nevada, but does provide the index to the latter. The Law Indexer, under supervision of the Statute Reviser, prepares the indexes for NRS, Statutes of Nevada, and the legislative histories and journals.

Richard C. Bennett, Reno attorney, was appointed Statute Reviser. Mr. Bennett is a 1947 graduate of Stanford University and Stanford Law School, is a member of the Nevada and California bars and has had extensive previous experience qualifying him for the position.

We anticipate that the reorganization will result in substantial improvement in delivery schedules for all publications, but it must be borne in mind that certain time lags are inevitable in the very nature of the publications involved. For example, the process of integrating newly enacted statutes into NRS, which is

All Members of the State Bar of Nevada September 22, 1970 Page 2

a very time-consuming and exacting task, cannot be commenced until legislative adjournment. However, since one individual will now be able to devote his full time and effort to the task, which was not the case in the past, the job will be completed much sooner than before.

At present, the Statute Reviser has completed digesting the backlog of Nevada cases and opinions of the Attorney General which existed, and expects to maintain a current status in the future. Thus, the latest information on any point of law in the Digest or Annotations will always be available in his office.

Subscribers to the Nevada Digest have already received a portion of the 1969 supplement and the balance should be ready for delivery on or about December 1, 1970. We expect to publish a supplement to Annotations to Nevada Revised Statutes, current to date, immediately following the issuance of the Digest supplement.

Because it is financially impracticable to publish frequent supplements to the Digest and Annotations, we have devised what we hope will bridge the information gap which exists between formal supplements. This is a new service, to be known as Later Case Service to Annotations to Nevada Revised Statutes and Nevada Digest. The Later Case Service will be published quarterly in pamphlet form in one volume for both the Annotations and Digest and will contain citations to all Nevada cases and Attorney General's opinions decided after the date of the then-current formal supplement. It will be organized in the same manner as the Annotations and Digest, thus enabling the user to look for citations to later cases under the same NRS number or Digest outline section number as appears in the basic works. If the particular section number does not appear in Later Case Service the user will know that, in the opinion of the Statute Reviser, there is no more recent case on that point than appears in the Annotations and Digest. The service will be cumulative in nature--each succeeding issue will contain all citations appearing in previous issues as well as new citations, and the previous issue may be discarded. We expect that the first edition of Later Case Service will be available within a short time, and it will be distributed free of charge to all members of the Nevada Bar as a gesture of good will on our part and in the hope of stimulating sales of the Digest and Annotations.

All Members of the State Bar of Nevada September 22, 1970 Page 3

In conclusion, I wish to reiterate that the Legislative Commission and the Legislative Counsel Bureau desire to take every reasonable step to improve our service to you, our customers. The bureau in general, and the Statute Reviser in particular, will welcome constructive criticism and suggestions from informed members of the bar, and will be available for consultation in solving mutual problems.

Sincerely yours,

Phone to Michanicas

Russell W. McDonald Director

RWM: ab

President: P.O. Box 57: Charlottesville, Virginia 22902: Phone (703) 295-9891

October 13, 1970

LEGISLATIVE CONSTRUCTION

007 19 1970

Russell W. McDonald, Esq. Director Legislative Counsel Bureau Carson City, Nevada 89701

FOUTE AUDITORIANS

FOR THE PARTY OF THE PART

Dear Mr. McDonald:

It was kind of you and Mrs. Rollins to take the time last week to explain the supplement situation in Nevada to us.

As I told you, I believe your office is in the best position to provide economical service to the Bar of Nevada and I hope that the advance service idea will be well received.

While I do not believe we can be of assistance to you at this time, be assured of our continuing interest. Jesse Worley can be reached in our Los Angeles office for immediate consultation if this is needed.

It was good to see you again after several years and I hope that we can get together before too long again.

Cordially yours,

David W. Parrish, Jr.

DWP/h

EGISLATIVE COUNSEL BUREAU

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INTERIM FINANCE COMMITTEE FLOYD R. LAMB, Senator, Chairman

ARTHUR J. PALMER, Director



CLINTON E. WOOSTER, Legislative Counsel EARL T. OLIVER, Legislative Auditor ARTHUR J. PALMER, Research Director

November 12, 1973

Honorable Mike O'Callaghan Governor of Nevada Executive Chambers Carson City, Nevada 89701

Dear Governor Mike:

You will recall the concern of legislative leaders and also the members of the Legislative Commission during the last session in regard to printing of legislative publications and the priorities that might be given to them after adjournment.

At the last Legislative Commission meeting I was directed to inform you of our dissatisfaction with the progress of printing of legislative publications. We are gravely concerned over serious delays in publication of both the 1973 edition of Nevada Revised Statutes and unit 2 of the 1971 supplement to Nevada Digest resulting from the fact that the printing office ran out of paper on which to print the publications and, in the case of the Digest, failed to meet previously promised delivery dates. This matter is extremely serious because it not only creates great inconvenience to state agencies, attorneys, legislators, and other users of our publications but poses a threat to the continued existence of the publications program which has been developed over a period of more than 20 years.

Prior to the initial publication of NRS in 1957, Nevada statutory law was in a state of utter chaos because of inadequate service rendered by an out-of-state publisher, and it became necessary for the state to undertake publication of its laws. Nevada is one of the few states which publishes its own laws, and we can be justifiably proud of our program which is recognized as one of the best in the nation. Nevertheless, in recent years there has been increasing criticism of the time lags involved between enactment of statutes and their publication in NRS, and there has been increasing pressure to return the program to a private publisher. Should that come about, justification for the continued existence of the present state printing operations would be highly questionable.

In recognition of the problems referred to above, the Legislative

Commission, in 1970, created the position of Statute Reviser with the goal in mind of providing supplementary pages for NRS prior to the end of each legislative year. Considerable progress toward that end was made in 1971 with delivery of the 1971 supplement commencing March 22, 1972. This date was approximately 2 1/2 months earlier than the 1969 supplement delivery date although the number of pages involved was very substantially greater than in 1969. Delivery could have been made even sooner but for the fact that procedures then in use precluded starting the presses before early January 1972.

Following the 1973 Legislative Session revised procedures were worked out in cooperation with the printing office which permitted the presses to be started in mid-August, a full 5 months earlier than was the case with the 1971 supplement. Thus, we had every reason to believe that the job could be completed prior to December 31, 1973, despite the fact that, because of the necessity of a complete reprint of NRS to provide additional sets for sale, the total number of pages nearly doubled and the number of copies was increased from 1,650 to 2,525.

We are firmly convinced that the desired delivery date of the 1973 edition of NRS could have been met or closely approximated with production facilities then in use, had the printing office not run out of paper. Although information necessary to the determination of paper requirements for the 1973 NRS was available to the printing office as early as October 12, 1972, we understand that the necessary paper was not ordered until sometime in October 1973, too late to obtain delivery prior to exhaustion of the existing supply. Similar information with respect to the Digest supplement was made available under date of June 2, 1972.

With respect to the 1971 supplement to Nevada Digest, delivery of unit 1 was initially promised for not later than December 15, 1972, and unit 2 not later than July 1, 1973. On that basis sales of the supplement were made to customers and the purchase price of the entire supplement received in advance of shipment. Unit 1 of the Digest supplement was not delivered until February 15, 1973. In April 1973, the promised delivery date of unit 2 was advanced to August 1, 1973. The job has not yet been completed, and present indications are that delivery is still many months away. Customers who paid their money long ago are understandably irate at the long delay.

Presently, there are no NRS sets available for sale and there will the none until the 1973 reprint is completed. There is substantial immediate demand for new sets from public agencies, attorneys, and legislators who are seriously inconvenienced by the lack of available sets.

It is our understanding that at least 4 weeks production time has been lost to date due to the press shut down and that quite possibly additional time will be lost before production can be resumed. We believe it is imperative that the time lost in the production of NRS be made up and that this job be completed at the earliest possible date. To that end it is respectfully requested that the Superintendent of the State Printing and Records Division be instructed to take all necessary action, including the use of additional personnel and equipment, to increase the rate of production of the NRS reprint to make up for the time lost while the press was shut down. Further, we request that he be instructed to increase the production rate of unit 2 of the Digest to the maximum extent possible consistent with speedy completion of the NRS reprint.

Sincerely,

Donald R. Mello, Chairman Legislative Commission

DEM:lr

cc: Legislative Commission Members:

Assemblyman Joseph E. Dini, Jr., Vice Chairman

Senator Carl F. Dodge

Senator James I. Gibson

Senator Warren L. Monroe

Senator William J. Raggio

Senator C. Coe Swobe

Senator Lee E. Walker

Assemblyman Keith Ashworth

Assemblyman Lawrence E. Jacobsen

Assemblyman Zelvin D. Lowman

Assemblyman Roy L. Torvinen

STATE OF NEVAD
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, Director (702) 885-5627



LE(ATIVE COMMISSION (702) 885-5627

JAMES I. GIBSON, Senator, Chairman
Arthur J. Palmer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640
DONALD R. MELLO, Assemblyman, Chairman
Ronald W. Sparks, Senate Fiscal Analyst
John F. Dolan, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 885-5627 EARL T. OLIVER, Legislative Auditor (702) 885-5620 ANDREW P. GROSE, Research Director (702) 885-5637

The Nevada legislature, in conjunction with the State Bar of Nevada, is in the process of reevaluating its publishing program to see whether materials are being produced at maximum efficiency and minimum cost.

The principal law-related publications under study are Nevada Revised Statutes, Annotations to Nevada Revised Statutes, Nevada Digest, Statutes of Nevada (Session Laws) and Nevada Reports (Supreme Court opinions). All are printed by the Printing Division of our Department of General Services, utilizing hot type and letterpress methods, and are distributed by the Legislative Counsel Bureau. Editorial content of all except Nevada Reports is provided by the Counsel Bureau. Nevada Reports is published annually, all others on a biannual basis following each legislative session. N.R.S., the Annotations and the Digest exist in looseleaf format and are supplemented by replacement pages. Paperback volumes of Advance Sheets to Statutes of Nevada are utilized with N.R.S. pending production of replacement pages, and a Later Case Service provides citations to recent cases between formal supplements to the Annotations and the Digest.

We would very much appreciate any suggestions or proposals your company might care to make concerning possibilities for improving the timeliness and utility of our publications while maintaining current standards of accuracy and without increased costs to our subscribers. We wish to emphasize that no change in Nevada's system is imminent, and that the information desired is for study purposes.

Very/

Any help you can give us will be greatly appreciated.

Fred V. Scarpello, Chairman State Bar of Nevada Committee

Richard C. Bennett

truly yours

Richard C. Bennett Statute Reviser On June 16, 1976 the form letter to commercial publishers was mailed to:

Bancroft-Whitney Co. 301 Brannan Street San Francisco, California 94107

Bradford-Robinson Printing Co. 1824 Stout Street Denver, Colorado 80202

Lawyers Co-Operative Publishing Co. Aqueduct Building Rochester, New York 14603

The Michie Co.
Law Publishers
P. O. Box 7587
Charlottesville, Virginia 22906

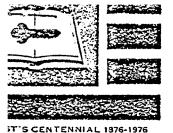
Vernon Law B ook Co. Kansas City, Missouri

West Publishing Co. 50 W. Kellogg Boulevard St. Paul, Minnesota 55102

On July 1, 1976, the form letter to commercial publishers was mailed to:

Banks-Baldwin Law Publishing Co. 1904 Ansel Road Cleveland, Ohio 44106

The Bobbs-Merrill Co., Inc. Four West 58th Street New York, New York 10019



WEST PUBLISHING COMPANY

50 WEST KELLOGG BOULEVARD. ST. PAUL. MINNESOTA 55102. TEL. 612/228-2500

July 28, 1976

RED V. ALLIEGRO

RECEIVED
LEGISLATIVE COUNSEL BUREAU

AUG 2 1976

ROUTE: AUDIT DIVISION LEGAL DIVISION RESEARCH DIVISION

(); ();

Mr. Richard C. Bennett
Statute Reviser
Legislative Counsel Bureau
Legislative Building
Capitol Complex
Carson City, Nevada 89710

Dear Mr. Bennett:

In accordance with the thoughts expressed in our telephone conversation and in our previous correspondence, I would like to outline the position of West Publishing Company with respect to the state publications of Nevada itemized in your letter of June 15th.

While West Publishing Company has not aggressively sought to take over the publication of state legal publications, it always has been and is very much interested in doing whatever it can to improve the legal publications of a state when it is requested to do so. This surely holds true for Nevada.

It would seem from our conversation and from my understanding of the way you publish Nevada Revised Statutes, the Annotations to the Statutes, the Digest and the Case Reports, that there would be little likelihood that West Publishing Company could produce any or all of these publications at smaller cost. We do feel that our statute publications are the finest available, and in this light believe that we could produce a superior set for the State. As to whether the State and the lawyers of Nevada feel that a switch to West edited publications would warrant additional cost is a matter on which we have little basis for opinion.

There is no doubt that a certain minimum amount of sets of annotated statutes would have to be purchased by the State in order to make it economically feasible for West to produce a modern set of annotated statutes for Nevada. Although I have not made a detailed study of the situation, I would estimate that the number of sets required would be in the range of 2,000.

I hope we can resume our discussions at a future date.

Cordially yours,
WEST PUBLISHING COMPANY

Editor-in-Chief

122.

AVA: cmj

S CENTENNIAL 1876-1976

WEST PUBLISHING COMPANY

50 WEST KELLOGG BOULEVARD, ST. PAUL, MINNESOTA 55102, TEL. 612/228-2500

June 25, 1976

RED V. ALLIEGRO

RECEIVED
LEGISLATIVE COUNSEL BUREAU

JUL 2 1976

Mr. Richard C. Bennett
Statute Reviser
Legislative Counsel Bureau
Legislative Building
Capitol Complex
Carson City, Nevada 89710

ROUTE: AUDIT DIVISION ()
LEGAL DIVISION ()
REGEARCH DIVISION ()

Dear Mr. Bennett:

We have your recent letter with respect to a reassessment of the publications of the State of Nevada in the area of statute and case law.

It is difficult to assess your needs without knowing more about your situation in Nevada and what your future plans may be.

May I suggest that you visit us at our plant at your convenience where we can discuss some of these matters further.

If that is difficult or impossible, perhaps we can enter a preliminary discussion by phone. Please feel free to call me collect at 612/228-2576:

Cordially yours,
WEST PUBLISHING COMPANY

Editor-in-Chief

AVA: cmj



Office of the President P.O. Box 7587 Charlottesville, Virginia. 22908 Phone: (804) 295-6171

October 6, 1976

Mr. Richard C. Bennett Statute Reviser Legislative Counsel Bureau Legislative Building Capitol Complex Carson City, Nevada 89710

RECEIVED

LEGISLATIVE COUNSEL BUREAU

OCT 12 1976

Dear Mr. Bennett:

ROUTE: AUDIT DIVISION LEGAL DIVISION RESEARCH DIVISION

()

Summarizing our recent meeting, I think it is inevitable that the State will have to convert from hot metal typesetting and letterpress printing to computerized photocomposition and offset printing at some point in the future. A decision will have to be made as to whether the State Printing Office makes the capital expenditures necessary to modernize or whether you want outside printers to do this work. Certainly as long as your present equipment holds up, the change need not be immediate.

As long as your staff can keep up with the editorial work in the excellent manner in which you are now operating, there would be no reason to change to a private publisher. Should the burden of this responsibility prove too great or become too expensive, I believe a private publisher could do the work as economically as the State is now doing it. One advantage in having a private publisher such as us publish a new code is that a by-product would be a data base of all the statutes which you could use for computer searches or bill drafting.

Be assured that we are always ready to assist you in any way that we can. We would like very much to attempt to sell all of your publications out of state. We will do this for a 33 1/3 percent discount from your established prices. If you would like to pursue this matter with us, please contact Paul Cook to work out the details.

If there is any specific information which you may need, please give me a call.

Cordially yours,

David W. Parrish, Jr.

124.

DWP: w

Law Publishers Since 1897



Office of the President P.O. Box 7587 Charlottesville, Virginia 22906 Phone (804) 295-6171

September 24, 1976

Mr. Richard C. Bennett Statute Reviser Legislative Counsel Bureau Legislative Building Capitol Complex Carson City, Nevada 89710

Dear Mr. Bennett:

It was certainly good to meet you and your associates in Carson City last week. I hope that you felt that our meeting was of some benefit to you since we always learn a lot in our visits to Carson City.

Within the next few days I will send you a detailed summary of our meeting with whatever recommendations we feel are in order. You should certainly have my summary well before your report is due.

We are particularly interested in the out-of-state sales of your publications and we will make a proposal to you in this regard.

We appreciate your finding pleasant accommodations for us to stay and I regret that we had to rush off as we did.

Cordially yours,

David W. Parrish, Jr.

DWP:w

STATE OF NEVAL

LEGISLATIVE BUILDING CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, Director (702) 885-5627



LE _ATIVE COMMISSION (702) 885-5627

JAMES I. GIBSON, Senator, Chairman
Arthur J. Palmer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640
DONALD R. MELLO, Assemblyman, Chairman
Ronald W. Sparks, Senate Fiscal Analyst
John F. Dolan, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 885-5627 EARL T. OLIVER, Legislative Auditor (702) 885-5620 ANDREW P. GROSE, Research Director (702) 885-5637

August 24, 1976

Mr. David W. Parrish, Jr.
The Michie Company
P. O. Box 7587
Charlottesville, Virginia 22906

Dear Mr. Parrish:

Thank you for your letter of August 18, 1976.

I will be very happy to meet with you here on the morning of September 15, and hope that schedules can be arranged so that you can talk with Mr. Daykin, the legislative counsel, and the members of the legislative and state bar committees. Timing may pose a problem because the Nevada Legislative Commission is also meeting here that day commencing at 10:30 a.m.

I am looking forward to making your acquaintance.

Cordially yours,

Richard C. Bennett Statute Reviser

RCB:mjf

Law Publishers Since 1897



Office of the President P.O. Box 7587 Charlottesville, Virginia 22906 Phone (804) 295-6171

August 18, 1976

Mr. Richard C. Bennett Statute Reviser Legislative Counsel Bureau Legislative Building Capitol Complex Carson City, Nevada 89710

Dear Mr. Bennett:

You will recall that we corresponded in June and I indicated that we would plan to meet with you in Carson City in the near future. I am planning a western trip during the week of September 13.

Would it be possible for you to meet with me on Wednesday, September 15? If so, I can be in your office in Carson City during the morning on that date.

Cordially yours,

David W. Parrish, Jr.

DWP:w

Office of the President P.O. Box 7587 Charlottesville, Virginia 22906 Phone (804) 295-6171

June 21, 1976

Mr. Richard C. Bennett Statute Reviser Legislative Counsel Bureau Legislative Building Capitol Complex Carson City, Nevada 89710

Dear Mr. Bennett:

Thank you for your letter of June 15. I do indeed recall my visit to Carson City and review of the statute situation there with Mr. McDonald and Mrs. Rollins.

I am particularly pleased to see that my suggestion about an advance service to the Statutes was inaugurated.

I note from your form letter that the Printing Division still utilizes hot type and letterpress printing. This technique is obsolescent and eventually you must turn to computerized photocomposition which has many advantages including retrieval capability. The problem is the expense.

Within the next few weeks I will have a representative of The Michie Company visit with you in Carson City to reevaluate your entire setup. I would like very much to be able to make the trip myself and will do so if other commitments do not prevent me from coming. In the meantime, don't hesitate to give me a call if you feel that it would be helpful.

Cordially yours,

David W. Parrish, Jr.

DWP: W

June 15, 1976

Mr. David W. Parrish, Jr.
The Michie Company
Law Publishers
P. O. Box 7587
Charlottesville, Virginia 22906

Dear Mr. Parrish:

You may recall that in 1970 you were of considerable assistance to us in connection with a legislative reevaluation of our publishing program. As you will see from the enclosed form letter which is being sent to a number of commercial publishers, we are once again in the process of reevaluation and we would greatly appreciate your further assistance at this time.

Cordially yours,

Richard C. Bennett Statute Reviser

RCB:mjf encl

July 8, 1976

TO: NEVADA STATE BAR MEMBERS

Re: Legislative Subcommittee Study of Publications Policy of State Agencies and S.C.R. 25

Dear Bar Members:

Senate Concurrent Resolution No. 25 of the 1975 session of the Nevada Legislature (Statutes of Nevada 1975, p. 1965) directed the Legislative Commission to conduct a study of all publications of state agencies with special emphasis on those used and depended upon by the legal profession, and to involve the State Bar of Nevada in the study.

In furtherance of the Resolution, the Board of Governors appointed a special committee to advise and assist the Nevada Legislature with respect to its publications policies. In an effort to determine the problems the Bar may be experiencing in utilizing publications produced under state auspices we ask that you complete the enclosed questionnaire in order to assist our study and to hopefully bring about improvements in the publications.

PLEASE COMPLETE AND RETURN THE QUESTIONNAIRE AS SOON AS POSSIBLE IN THE ENCLOSED POSTAGE PAID ENVELOPE.

Yours truly,

Fred V. Scarpello Chairman, State Bar Committee

Richard C. Bennett Legislative Subcommittee Counsel

NEVADA BAR ASSOCIATION - LEGISLATIVE SUBCOMMITTEE PUBLICATIONS QUESTIONNAIRE

PLEASE CHECK OR FILL IN APPROPRIATE BLANKS

CENI	ERAL	BACK	GROUND	QUES'	rions	<u>s</u>				
1.	How	many	years	have	you	practi	ced in	Nevada?		
	a.		2	year	s or	less	đ.		_ 11-15	years
	b.		3	- 5	year:	3	e.		_ 16 or	more year
	c.		6	- 10	year:	5				
2.	Do 3	you p	ractic	e:						
	a.	Alone	e							
	b.	With	assoc	iates		N	umber			
	c.	With	law f	irm _		Tota	al num	ber in f	irm	
	Your (3)	sta Emplo	tus wi oyee _	th fi	cm:	(l) Me	mber _	(2) Associ	iate
	đ.	As o	fficer judic	or en	nploy	yee of	govern	mental a	gency of	ther .
	e.	In j	udicia	l bra	nch _		···			
	f.	As o	fficer	or e	mplog	yee of 1	ousine	ss organ	ization	
	g.	Othe:	r	1	Pleas	se state	e natu	re.		
3.	Are	you a	admitt	ed to	prac	ctice i	n any	other ju	risdict:	ions?
	Yes		N	o		_ Speci	fy:			
		so, steach.	tate y	ear a	imit	ted and	lengt	h of act	ive pra	ctice
										
4.	List	t any	speci	al ar	eas 1	to whic	h you	limit yo	ur prac	tice.

_			•
В.	GENERAL.	HSACE	QUESTIONS
		~~~~~	ZOTOT TONO

With respect to each of the publications listed in this section please indicate whether or not you use it in your practice; and, if so, provide the additional information requested. If you do not use the publication, so indicate and skip to the next listed.

	rada Revised Statute			
	Use: Yes	·	<del></del>	
Ιf	yes, check frequenc	y of use:		
	(1) Frequently	_ (2) Occa	sionally	(3) Seldom
b.	Do you: (1) Own public library	(2) Sh	are use	(3) Use in
c.	Give your personal the following cate	assessmengories:	t of this pul	blication for
	(1 Very	) (2) <u>Good Good</u>		(5) Very Poor
(1)	Utility			
(2)	Accuracy			
(3)	Timeliness	-		
	not take annotation	is into co		
			NRS is	· •
	Name of Code	(1)	NRS is	(3)
		(1) Superio	NRS is	(3)
	Name of Code	(1) Superio	NRS is	(3)
	Name of Code	(1) Superio	NRS is	(3)
	Name of Code (1) (2)	(1) Superio	NRS is	(3)
	Name of Code (1) (2) (3)	(1) Superio	NRS is	(3)
	Name of Code (1) (2) (3) (4)	(1) Superio	NRS is	(3)
	Name of Code (1) (2) (3) (4)	(1) Superio	NRS is	(3)
<b>3.</b>	Name of Code (1) (2) (3) (4)	(1) Superio	NRS is	same Inferior
<b>3</b> •∙	Name of Code  (1)  (2)  (3)  (4)  (5) Reasons:	(1) Superio	NRS is	same Inferior
à	Name of Code  (1)  (2)  (3)  (4)  (5) Reasons:	(1) Superio	NRS is	same Inferior

a.	Use: Yes						
If	yes, check freque	ency of	use:			,	
	(1) Frequently	(2)	Occas	ionally	<i>-</i>	(3) Seldom	
b.	Do you: (1) Own public library	n (	2) Sha	re use		(3) Use in	
c.	Give your person the following ca			of th	is pub	lication for	r
	<u>Ver</u>	(1) Ty Good	(2) Good	(3) <u>Fair</u>	Poor	(5) Very Poor	
(1)	Utility					<del></del>	
(2)	Accuracy			.——			
(3)	Timeliness						
	comparison to po codes with which factors listed in into considerati	n you ar In c. ab	e fami ove (d	liar or	n the l take an	casis of the nnotations	e
	•						
			(1)		(2)	(3)	
	Name of Code			About	(2) the s	(3) ame Inferi	.or
	Name of Code	Sur	erior	About			.or
		Sur	erior	About			or.
	(1)	Sur	erior	About			or.
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	(1)	Sur	perior ———————————————————————————————————		the s	ame Inferi	or -
	(1)	Sur	perior ———————————————————————————————————		the s	ame Inferi	<u>.or</u>
e.	(1)	Sur	ific s		the s	ame Inferi	- -
e.	(1)	Sur	ific s		the s	ame Inferi	- -
e.	(1)	Sur	ific s		the s	ame Inferi	- -

2.

3.	NRS Pamphlet Versions (supplied by executive agencies)
	a. Use: Yes No
	If yes, please list and check frequency of use:
	(1) (2) (3) Name Frequently Occasionally Seldom
	(1)
	(2)
	(3)
	b. Would you like to have additional pamphlets made available? Yes No If yes, specify nature.
	(1)
	c. Are you willing to pay for such publications?
	Yes No
•	grands (normanont yealings)
4.	Statutes of Nevada (permanent volumes)
	a. Use: Yes No
	If yes, check frequency of use:
	(1) Frequently (2) Occasionally (3) Seldom
	b. Do you: (1) Own (2) Share use (3) Use in public library
5.	NRS Passage and Approval Lists
	Do you use? Yes No
	If yes, would you be willing to pay for this service?
	Yes No
6.	Legislative Bill Index (published weekly)
	Do you use? Yes No
	If yes, would you be willing to pay for this service?
	YesNo
7.	Annotations to NRS and Later Case Service
	a. Use: Yes No

•	yes, eneck frequency or use:
	(1) Frequently (2) Occasionally (3) Seldom
b.	Do you: (1) Own (2) Share use (3) Use in public library
c.	Give your personal assessment of this publication for the following categories:
	(1) (2) (3) (4) (5) Very Good Good Fair Poor Very Poor
	Very Good Good Fair Poor Very Poor
(1)	Utility
(2)	Accuracy
(3)	Timeliness
đ.	Give your personal assessment of this publication in comparison to annotations supplied for other codes with which you are familiar on the basis of the factors listed in c. above:
	Annotations is:
	(1) (2) (3)
	Name of Code Superior About the same Inferior
	(1)
	(2)
	(3)
	(5) Reasons:
	•
e.	Please furnish any specific suggestions you may have for improvements to this publication.
Neva	da Digest and Later Case Service
a.	Use: Yes No
	res, check frequency of use:
-	(1) Frequently (2) Occasionally (3) Seldom
b.	Do you: (1) Own (2) Share use (3) Use in public library

8.

	c.	Give your pe			of th	is publ	ication fo	or
			(1) Very Good	(2) <u>Good</u>	(3) Fair		(5) Very Poor	
	(1)	Utility					***	
	(2)	Accuracy					<del></del>	
	(3)	Timeliness			*************			
	d.	Give your pe comparison t you are fami in c. above:	o other dig liar on the	gest of	Nevad	a cases	with which	i th
					Dige	st is:		
		Name of Dige		(1) perior	About	(2) the sa	(3) me <u>Inferi</u>	<u>or</u>
		(1)						
		(2)						
		(3)		<del></del> ,				
	٠.	(4)		<del></del>				
	e.	Please furni for improvem	sh any spec ents to thi	ific s	uggest:	ions yo	u may have	
9.	Neva	ada Reports a	nd Advance	Opinio	ns			
	a.	Do you utili	ze Nevada F	-			Opinions? No	
	If y	yes, check fr	equency of					
	_	(1) Frequent	-		ionally	7	(3) Seldom	
,	b.	Do you: (1) public libra:	Own (		•			
	c.	Do you subsc	ribe to the	Advanc	ce Opin	nions se	ervice?	
				Ye	es	1	o	_

	đ.	Give your pers	onal asse categorie	essment es:	of th	is pub	lication	for		
		<u>v</u>	(1) ery Good	(2) <u>Good</u>		(4) Poor	(5) Very Poo	or		
	(1)	Utility			**********	************				
	(2)	Timeliness								
	(3)	Cost				*******	***************			
	(4)	Accuracy of headnotes				······································	***********			
	e.	Do you utilize Reports? Yes	Pacific	Report No	er in	prefere	ence to N	evada		
	(1)	If yes, pleas	e state w	hy						
	f.	If a cumulative Reports (Volume chase it?	e alphabe es 1-92)	tical ( was pul	Table olishe	of Case	s for Ne d you pu	vada r-		
				Ye	es		No			
	If y	If your answer is yes:								
	(1)	(1) Would you purchase periodic supplements?								
				Ye	es		No			
	(2)	If the Table case in Annota ber and Digest ing to bear th	ations to topic s	NRS arection	nd Neva	ada Dig	est (NRS d vou be	num- will		
				Ύe	es	<del>,</del>	No			
10.	Othe	r Publications								
	in y	h, if any, of to our practice? ween similar wor	Please i	wing pundicate	blicat your	ions d prefer	o you ut: ence as	ilize		
						(1) Use	(2) Prefe			
	(1)	Sheppard's Nev	ada Cita	tions						
	(2)	CalJur								
	(3)	AmJur					<del></del>			
	(4)	ALR								
	(5)	Corpus Juris								
	(6)	AmJur Pleading	& Practi	ice For	ms					
	(7)	AmJur Legal Fo	rms				-			

		(1) Use	(2) <u>Prefer</u>
(8)	Nichols Cyclopedia of Legal Forms		
(9)	Words and Phrases		
Plea:	se list any other publications you above.	prefer to	any of
(10)			
		•	

Brais Mai Mi Menara

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Maurice J. Sullivan, Executive Secretary Post Office Box 2125 Reno, Nevada 89505 (702) 323-0338

BOARD OF BAR EXAMINERS Samuel S. Lionel, Chairman Thomas D. Beatty Byron L. Bilyes Frank J. Fabrenkopf, Jr. David Warner Hagen Thomas E. Lea Howard D. McKibben

August 20, 1976

TO:

ALL MEMBERS OF THE BOARD OF GOVERNORS AND

RICHARD C. BENNETT, ESQ.

SUBJECT:

Membership of the State Bar of Nevada.

The following is a compilation of the number of members, resident and non-resident active, according to Districts and years of practice and the total number of inaactive members of the State Bar of Nevada.

YEARS	#1	#2	#3	#4	Non-res.	Total
2 years or less	99	8	18	65	.16	206
3-5 years	90	16	20	71	17	214
6-10 years	106	13	13	70	16	218
11-15 years	67	6	15	52	10	150
16 years or more	122	26	14	116	24	302
Totals per District	484	69	80	374	83	1,090
Inactive (Total Number	er)					81
TOTAL MEMBERSHIP		•				1,171

With best regards,

Sincerely,

Madrice J. Sullivan Executive Secretary

MJS/mo

# ANALYSIS OF STATE BAR QUESTIONNAIRE ON LEGAL PUBLICATIONS

- I. Overall Return Based on 1,113 questionnaires, 37.2 percent. Anything over 20 percent is considered a good return on a mail questionnaire.
- II. <u>Validity of Response</u> This is a measure of how well the respondents resemble the total population, in this case the Nevada Bar.

Geographic Measurement - The bar uses four districts. The questionnaire collapses two of those districts into one. The result is that total bar membership by district can be measured against response by district. The method to measure this relationship is one of several "goodness of fit" statistics. The chi-square (X²) statistic is used. A comparison by geographic area produces a X² of 8.29. This means, in simple language, that the chances are less than 5 in 100 that such a geographic distribution would be produced by chance. In short, the response is not representative on a geographic basis. This confirms the extent of statistical significance in the overrepresentation of Washoe County.

Years of Practice Measurement - The same X² test was used to compare the years of practice of respondents to years of practice in the overall bar membership. The result was an even higher X² of 23.26. Translated to simple language, this means that the chances are less than 1 in 1,000 that such a response by years of practice would have been produced by chance alone. Clearly the newer attorneys are heavily overrepresented in the response.

III. Specific Observation by Publication - Respondents were asked to rate publications along several dimensions in one of two ways. The first way was to rate them "Very Good," "Good," "Fair," "Poor" or "Very Poor." The second way was to compare Nevada publications with others and rate them "Superior," "About the Same" or "Inferior." The latter

rating is self-explanatory and is referred to in this analysis as it appears in the questionnaire. The other rating running from Very Good to Very Poor has been handled slightly differently. The "Fair" rating is neither positive nor negative and affords very little explanation. For that reason, this analysis in the narrative portion combines the two positive responses and the two negative responses for percentage comparisons and drops the Fair response.

A. NRS - <u>Utility</u> - Good or Very Good account for 74.7 percent.

Poor or Very Poor account for 9 percent.

Accuracy: Good or Very Good account for 86 percent. Poor or Very Poor account for 3 percent.

Timeliness: Good or Very Good account for 31.8 percent.
Poor or Very Poor account for 41.6 percent.

This last figure is probably a result of confusion among NRS, the Advance Sheets and the NRS Supplement. If a note had been provided reminding respondents that the Advance Sheets come out right after the session keyed to NRS so as to be equivalent to a pocket part, the timeliness response would have probably been more positive.

1. Wherever possible, responses are cross tabulated with years of practice in an attempt to determine if years of practice helps to explain overall response. In most cases, there is a distinct difference in the type of response from younger attorneys.

Years of practice was first compared with the very good and very poor assessments of the utility of NRS.

a. Comparison of Years of Practice and Assessment of NRS as Good or Very Good.
 Utility - X²=4.21 or in simple language, the probability of the observed distribution of responses

occurring by chance is about 38 in 100. This means that the distribution is off but not egregiously so. In short, young attorneys were somewhat disproportionately unlikely to say the utility of NRS was very good.

- b. Comparison of Years of Practice and Assessment of NRS as Poor or Very Poor. Utility - X²=10.37 or in simple language, the probability of the observed distribution of responses occurring by chance is less than 1 in 1,000. The conclusion is that the negative responses on the utility of NRS are significantly associated with the 0-2 and 3-5 years of practice groups.
- 2. The number judging the accuracy of NRS poor or very poor was too small for statistical analysis.
- 3. Timeliness of NRS compared to years of practice. The chart below, which is similar to those used to do all of the X² tests, shows that the older attorneys are the least negative about the time it takes for the NRS supplements to come out.

### Years of Practice

	0-2	3-5	6-10	11-15	16+
Observed	28	45	40	26	30
Expected	31.9	33.2	33.8	23.2	46.8

The chart shows the comparison between the number of attorneys in each year group that felt NRS timeliness was poor or very poor and the number that would be expected by chance alone. The  $X^2=12.15$  which means that the likelihood of this response by chance alone is less than 2 in 100. Those attorneys who have been practicing long enough to recall the situation before NRS or who recall the length of time it took to get the NRS supplement in the early years apparently take a more positive view than those attorneys without this perspective.

B. Advance Sheets - The good or very good response for utility was 73.7 percent. The poor or very poor response was only 11.6 percent. There seems to be strong support here.

The accuracy assessment of the Advance Sheets is a curious response in that they cannot be inaccurate. In any event, 85.4 percent support for good or very good is certainly strong especially as contrasted with 3.1 percent who felt accuracy was poor or very poor.

The timeliness assessment is weaker but still 53 percent felt the timeliness of the Advance Sheets was good or very good compared to only 23 percent who felt it was poor or very poor.

- 1. A majority, 50.9 percent of those responding, felt the Advance Sheets were equal to or superior to pocket parts. A significant figure here is that only about one-fourth of the respondents had an opinion. This may reflect a lack of familiarity with the regular use of pocket part supplements by about three-fourths of the bar or a lack of familiarity with the use of Advance Sheets as a temporary supplement to NRS.
- 2. The questionnaire responses for the Advance Sheets were not cross tabulated with years of practice.
- C. NRS Pamphlets The most notable fact on this item is that only 30 percent of respondents answered any questions about the pamphlets. As expected, not too many lawyers use pamphlets. The pamphlets are designed for those who need only a part of the NRS and probably do not have the full 32 volumes. This minority of attorneys who responded apparently use the pamphlets quite a lot since 64 percent said they would be willing to pay for more of them. Almost 45 percent of respondents said they used the pamphlets frequently or occasionally.
- D. Statutes of Nevada The questionnaire sought to measure use and ownership of the Statutes. The ownership question was aimed at determining how many attorneys pay the additional cost for the Statutes when the Advance Sheets are substantially identical.

- 1. <u>Use</u> A very strong 79.5 percent of respondents say they use them. This is less than the 95.8 percent who use the Advance Sheets. Those who say they use the Statutes frequently or occasionally are 74.9 percent compared to 96.1 percent saying the same thing about the Advance Sheets.
- 2. Ownership The fact that the Statutes are an expensive permanent version of the Advanced Sheets is reflected in the ownership figures. There are 56 percent of the respondents who said they owned the Statutes compared to 76.2 percent who owned the Advance Sheets.
- E. NRS Passage and Approval Lists A minority of 43.8 percent say they use these lists. That is 170 of the respondents. There were 165 respondents answering the question about willingness to pay. Logically, they are the same people. Of the 165 responding, 120 or 72.7 percent say they would pay for this. Apparently, the Passage and Approval List is important to those who use it.
- F. Legislative Bill Index Again, only a minority use this publication, 38.1 percent. That is 150 respondents and 150 also answered the question about willingness to pay. Of that 150, 71.3 percent said they would pay which, again, shows that the bill index is considered important by those who use it.
- G. Annotations The good or very good response on utility is 57.4 percent compared to only 17.5 percent who felt the utility was poor or very poor.

The assessment of accuracy of the Annotations is about the same. There were  $\overline{56.5}$  percent who felt it was good or very good while only 17.2 percent felt it was poor or very poor.

There is a problem on <u>timeliness</u> of the Annotations. Only 31.6 percent rated this good or very good compared to 41.5 percent rating it poor or very poor.

- 1. It would appear that the responses on timeliness of the Annotations suffered from not asking specific questions about the Later Case Service. The clear distinction drawn between the Nevada Reports and the Advance Opinions forced respondents to view them together in assessing timeliness. The Later Case Service to the Annotations is mentioned only in the title to the question and it seems likely that the timeliness response was based on the supplement to the Annotations without considering the Later Case Service. This conclusion is reinforced by reasons given for the superiority of other annotations which related to the better timeliness of supplements in other publications.
- 2. There is difficulty in assessing the Annotations compared to other similar publications. Only 27.3 percent found ours equal to or superior to others. Only 33 percent of the respondents, however, answered this question so it is a minority who could make a comparison. The comparison question on the Annotations also suffers from the fact that very few annotations are done like ours so that the comparison responses are of the "apples and oranges" variety. The comments indicate that comparisons are being made with annotated codes, not just annotations.
- Annotations to other publications and years of practice in Nevada. The chart below shows the responses giving reasons rating the Annotations as inferior with the years of practice in Nevada. The first line shows the number of responses for each years category and the second line shows the number that would be expected based on the overall response to the questionnaire.

### Years of Practice

	0-2	3-5	6-10	11-15	16+
Observed	32	32	23	9	3
Expected	20.8	21.6	22	15	30.6

There were 110 respondents giving reasons who rated the Annotations on a comparative basis. A cursory glance

confirms that attorneys with 5 or fewer years practice were far more likely to consider the Annotations inferior than were the more experienced attorneys. The X² produced is 38.38 which means that the result depicted would have happened by chance fewer than 1 in a 1,000 times.

- 4. Another general observation, not based on statistical analysis but common sense, is that the way the comparison questions were asked on the Annotations made a negative result almost inevitable. The question asks respondents to compare the Annotations with any comparable publication anywhere and, presumably, at any time. It would be surprising if most attorneys could not come up with some publication somewhere that they felt superior to ours. To get positive responses on this question, our publication would have to be the best in the country or our attorneys would have to be largely ignorant of similar publications in other states. Neither possibility is likely.
- H. <u>Digest</u> The figures on use are excellent with 95.9 percent saying they use the <u>Digest</u>. A majority of 56.6 percent use it frequently.

The <u>utility</u> assessment is positive although not strong. Those rating utility as good or very good were 46.4 percent compared to 22.4 percent who felt it was poor or very poor.

The accuracy assessment is almost the same with 46.6 percent rating it good or very good and 21.9 percent rating it poor or very poor. Unlike the NRS or Advance Sheets, accuracy is meaningful for the <u>Digest</u> and those with a positive appraisal outnumbered those with a negative appraisal by better than 2 to 1.

Timeliness is a problem with the <u>Digest</u>. Only 29.3 percent rated this good or very good while 46.7 rated it poor or very poor.

- 1. The same comments about timeliness made for the Annotations can also be made for the Digest. It seems doubtful that very many respondents took into consideration the Later Case Service to the Digest. Again, the distinction is not drawn by any of the specific questions and the comments received reflect a failure to consider the Later Case Service.
- 2. It is possible to assess the overall comparison of the Digest to other publications and years of practice in Nevada. The chart below shows the responses with reasons rating the Digest as inferior with the years of practice in Nevada. The first line shows the number of responses with reasons for each years category and the second line shows the number that would be expected based on the overall response to the questionnaire.

### Years of Practice

	0-2	3-5	6-10	11-15	16+
Observed	32	32	23	9	3
Expected	18.7	19.4	20	13.6	27.3

There were 99 respondents who rated the <u>Digest</u> on a comparative basis. Only a glance is required to see that attorneys with 5 or fewer years practice were far more likely to rate the <u>Digest</u> inferior compared to some other case digest. The X² produced is 41.36 which means that the chance that this result would have occurred by chance alone is considerably less than 1 in 1,000.

- Although the question comparing the <u>Digest</u> asked that respondents compare it only with other digests of Hevada cases, it is clear from the comments that many attorneys compared the <u>Digest</u> with a number of other case digests around the country. As a result, the warning about the comparison question for the <u>Annotations</u> is appropriate for the <u>Digest</u> also.
- 4. Finally, it should be noted that in the cases of both the Annotations and the Digest, only a third of the

respondents even attempted the comparison and less than a quarter provided any reasons for their response. It would seem that most Nevada attorneys do not regularly compare their Nevada publications with others, either favorably or unfavorably, but take them for granted.

I. Nevada Reports and Advance Opinions - Usage is overwhelming at 98 percent and 85.7 percent using them frequently. This is further reflected in the 90.7 percent rate of subscription to advance opinions.

<u>Utility</u> is rated as good or very good by 89.3 percent and as poor or very poor by only 3.2 percent.

The Reports also rate well on timeliness with 74.4 percent rating this good or very good and only 9.8 percent thinking it was poor or very poor.

The reaction on <u>cost</u> is similar. There are 84.3 percent who rate the cost as good or very good and only 1.9 percent rating it poor or very poor.

The assessment of the <u>accuracy</u> of the headnotes resulted in 81.7 percent rating it good or very good while only 8.2 percent rated it poor or very poor.

Only 39.7 percent indicated that they preferred <u>Pacific</u>
Reporter to <u>Nevada Reports</u>. The support for <u>Nevada Reports</u>
is further strengthened by the willingness of 58.8 percent
to pay additional money to purchase a table of cases keyed
to the <u>Annotations</u> and the Digest.

Analysis prepared by: Office of Research October 1976

### FOOTNOTES

- Letter dated August 18, 1964, from Robert O. Vaughan, President, Elko County Bar Association, to Board of Governors, State Bar of Nevada, and letter of transmittal of foregoing dated August 19, 1964, from Executive Secretary, State Bar of Nevada, to Russell W. McDonald, Director, Legislative Counsel Bureau. (Preliminary Staff Report, Exhibits A-1 and A-2)
- 2 Letter dated October 5, 1964, from Executive Secretary, State Bar of Nevada, to President, Elko County Bar Association, and letter dated September 16, 1964, from Russell W. McDonald, Legislative Counsel, to Board of Governors, State Bar of Nevada. (Ibid., Exhibits A-4 and A-3)
- 3 Minutes of October 9, 1964, meeting of the Legislative Commission, Agenda Item 10. (Ibid., Exhibit B-1)
- 4 Minutes of January 8, 1965, meeting of the Legislative Commission, Agenda Item 2(a).
  (Ibid., Exhibit B-2)
- 5 Letter dated January 12, 1970, from Thomas A. Cooke, President, State Bar of Nevada, to Russell W. McDonald. (Ibid., Exhibit C-1)
- 6 Minutes of January 20, 1970, meeting of the Legislative Commission, Agenda Items 11 and 12. (Ibid., Exhibit C-2)
- Letter dated January 28, 1970, from Russell W. McDonald, Legislative Counsel, to Thomas A. Cooke, Esq.; letter dated March 3, 1970, from Legislative Counsel to Senator Gibson and Assemblymen Ashworth and Jacobsen and memorandum dated February 25, 1970, from Executive Secretary, State Bar of Nevada, to Messrs. Samuel B. Francovich, George L. Vargas and Loyal Robert Hibbs. (Ibid., Exhibits C-3, C-4, C-5)
- 8 Letter dated April 1, 1976, from Executive Secretary, State Bar of Nevada, to Samuel B. Francovich, Esq. (Ibid., Exhibit C-8)