# BLUE RIBBON COMMISSION ON

# LEGISLATIVE PROCESS

*Bulletin No. 89-7*

LEGISLATIVE COMMISSION
OF THE
LEGISLATIVE COUNSEL BUREAU
STATE OF NEVADA

SEPTEMBER 1988

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STATE OF NEVADA

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## TABLE OF CONTENTS

Page

Page

# SUMMARY

During the past two decades, there has been a continuing interest in the modernization of the Nevada legislature. Three formal studies have been conducted by the legislature, and an outside study was performed by a group called The Citizens Conference on State Legislatures.

The 1987 legislature recognized the continued need to evaluate the legislature and its processes as the state moved into the 21st century. It, therefore, enacted Assembly Bill 678 (chapter 811, Statutes of Nevada, 1987), which calls for the creation of the Nevada legislature's blue ribbon commission on the legislative process. That commission was composed of 11 citizens and former legislators from different geographic areas of the state to study the legislature and make recommendations to the 65th session of the Nevada legislature.

This summary presents the major conclusions reached by the commission. These conclusions are based upon suggestions which came from public hearings, correspondence to the committee, and questionnaire surveys conducted by the commission itself, the University of Nevada System and the legislative commission. They also are based on a comprehensive review of relevant literature, visits to the state legislatures of Colorado and Utah, and the extensive expertise of the members themselves.

The commission was required by A.B. 678 to study several topics affecting the legislature or the state generally.

This summary is meant as a brief overview of the commission's recommendations. Persons interested in additional details are encouraged to read the report in its entirety or to review those pertinent sections of the appendices which pertain to their areas of interest.

A portion of the report contains the bill draft requests (BDR's) which will be considered by the 1989 session of the Nevada legislature. Several of the BDR's call for constitutional amendments, especially those dealing with meeting dates for sessions and lengths of sessions.

The blue ribbon commission emphasizes that its recommendations are interrelated and not mutually exclusive. The proposals to increase legislative compensation should be contingent upon the enactment of the recommendations to limit the length of legislative sessions. The commission believes that the total package of recommendations will provide the basis for an efficient and effective legislature which will attract and retain quality legislators who can meet the needs of Nevada for years to come.

## RECOMMENDATIONS

The Nevada legislature's blue ribbon commission recommends that the members of the 1989 Nevada legislature:

1. Provide the environment that is conducive to retaining a citizen legislature.

2. Retain biennial legislative sessions and propose to amend the Nevada constitution to limit the length of the session to 100 calendar days. The constitutional amendment should include the provision that any legislation enacted after the 100th day shall be null and void. (BDR C-356)

3. Propose to amend the Nevada constitution to convene biennial sessions on the first Monday in March of odd-numbered years. (Note: This amendment should be combined with the constitutional amendment to limit the length of biennial sessions.) (BDR C-356)

4. Modify the budget review procedure by involving additional legislators and expediting the process by:

   a. Requiring the governor to present the executive budget to the legislative counsel bureau 30 days before the convening of the session;

   b. Establishing an executive appropriation committee to oversee and reconcile the budget;

   c. Establishing six joint appropriations subcommittees consisting of nine members each (three senators and six assemblymen) to review the budgets and make appropriation recommendations in the following areas:

      (1) Commerce, labor and transportation;

      (2) Government affairs;

      (3) Human resources;

      (4) Judiciary;

      (5) Natural resources; and

      (6) Public and higher education.

   d. Authorizing the majority leader of the senate and the speaker of the assembly to appoint cochairmen of the appropriations subcommittees;

e. Providing that the cochairmen of the executive appropriation committee and the appropriations subcommittees alternate as chairmen on successive days;

f. Limiting the cochairmanship of the appropriation subcommittees to no more than two consecutive terms (4 years); and

g. Providing additional staff, in an amount not to exceed $200,000 per year, for the fiscal analysis division of the legislative counsel bureau. (BDR 17-451 and BDR R-452)

5. Establish parallel standing committees and meeting times in the senate and assembly. (BDR's R-448, R-449, R-450 and R-455)

6. Provide, by statute and joint rules, as appropriate, for the financial remuneration of legislators as follows:

a. A salary in the amount of $12,000 for the biennial session;

b. An expense allowance of $350 per month to reimburse legislators for expenses associated with representational duties; and

c. A vouchered system for expenses such as travel, per diem and telephone up to the statutory limits during the session. (BDR 17-357)

The blue ribbon commission further recommends that the salary increase be contingent upon the passage of the constitutional amendment to limit the length of biennial legislative sessions. In addition, the monthly expense allowance for representational duties as well as the reimbursement for travel expenses for rural legislators and the additional services for legislators in southern and northwest Nevada (see Recommendation No. 9) should be contingent upon the adoption of joint rules in the 1989 session to implement parallel committees (Recommendation No. 5), modified budget review procedures (Recommendation No. 4) and the system of deadlines for action on bills (Recommendation No. 14).

7. Establish a compensation commission to recommend salaries and expense allowances for legislators and compensation for other elected state and local government officers whose salaries are set by the legislature.

The blue ribbon commission further recommends that the compensation commission:

a. Be composed of seven members with diverse interests and from different geographical areas of the state;

b. Consist of no more than four members from the same political party; and

c. Use staff provided by the legislative counsel bureau. (BDR 23-358)

8. Propose to amend the Nevada constitution to delete the provisions for the $60 limit on the legislative postage allowance and for the additional allowance of $2 dollars per diem for the presiding officers. (BDR C-359)

9. Establish the following services for legislators under legislative counsel bureau guidelines for noncampaign purposes and in an amount not to exceed $300,000 per year:

   a. An office of the legislative counsel bureau in southern Nevada;

   b. Increased clerical support between legislative sessions for legislators for services for constituents in northwest Nevada; and

   c. A system to reimburse legislators from districts with large geographic areas for travel expenses within their districts associated with representational duties between legislative sessions. (BDR 17-357)

10. Propose to amend the Nevada constitution to remove the lieutenant governor from the position as president of the senate. (BDR C-360)

11. Require agency and local government bills that are drafted to be delivered to leadership and introduced during the first week of the legislative session. (BDR R-361)

12. Authorize individual legislators to make unlimited requests for bills for introduction before the beginning of the session, but impose a limit of five bill requests per legislator from the start of the session until the 20-day deadline for individual bill requests. (BDR R-362)

13. Enable earlier drafting of bills by changing the deadline for agencies to submit proposed regulations from November 1 to August 1 in even-numbered years. (BDR 18-363)

14. Establish a system of deadlines for action on bills to include:

    a. A requirement that bills cannot be passed from the house of origin later than 60 days after introduction; and

    b. A requirement that all bills passed from the house of origin must be heard and voted on by committee in the other house. (BDR R-453)

15. Change the effective date of bills following the session from July 1 to October 1, unless otherwise specified in the legislation. (BDR 17-364)

16. Require proper noticing of meetings of conference committees and the preparation of written minutes and reports on these meetings. (BDR R-454)

17. Amend Assembly Rule No. 40 to provide for the referral of bills in the assembly by titles and chapters of Nevada Revised Statutes. (BDR R-448)

18. Encourage the appropriate standing committees to monitor business and population trends through orientation briefings early in each session.

# LETTER OF TRANSMITTAL TO THE LEGISLATIVE COMMISSION

In accordance with Assembly Bill 678 (chapter 811, Statutes of Nevada, 1987), the following report by the Nevada legislature's blue ribbon commission on the legislative process is submitted to the legislative commission for review and action by the 65th session of the Nevada legislature. The report includes our findings and recommendations on the legislative process to assist the Nevada legislature in the continuation of the efficient and effective government of this state into the 21st century.

We are honored and pleased to have had the opportunity to serve on the blue ribbon commission. We pledge our support and stand ready to provide any assistance to the Nevada legislature in its deliberations on legislation and other actions necessary to carry out the recommendations contained in this report.

Respectfully submitted,

| | |
|---|---|
| Keith Ashworth<br>Chairman | Ann A. Zorn<br>Vice Chairman |
| Norman D. Glaser | Alan H. Glover |
| Kenny C. Guinn | Karen W. Hayes |
| Luther Mack | Robert C. Maxson |
| Philip G. Satre | Don Schlesinger |
| Robert L. Weise | |

REPORT OF THE LEGISLATIVE COMMISSION

TO THE MEMBERS OF THE 65TH SESSION OF THE NEVADA LEGISLATURE:

This report is submitted in compliance with Assembly Bill 678 (chapter 811, Statutes of Nevada, 1987) to the 65th session of the Nevada legislature. This bill created the blue ribbon commission on the legislative process consisting of 11 members appointed by consensus of the majority and minority leaders of the senate and the speaker and minority leader of the assembly. Members appointed to the blue ribbon commission were:

Senator Keith Ashworth, Chairman
Mrs. Ann A. Zorn, Vice Chairman
Senator Norman D. Glaser
Senator Alan H. Glover
Dr. Kenny C. Guinn
Commissioner Karen W. Hayes
Mr. Luther Mack
Dr. Robert C. Maxson
Philip G. Satre, Esq.
Don Schlesinger, Esq.
Assemblyman Robert L. Weise

Legislative counsel bureau (LCB) staff services for the blue ribbon commission were provided by Donald A. Rhodes (director), Scott Seymour (administrative division), Brian L. Davie (research division), Kimberly A. Morgan (legal division), and Lauren Arends (research division secretary).

Assembly Bill 678 requires the blue ribbon commission to consider the desirability of annual sessions, population and business trends, financial remuneration of legislators, maintenance of a citizen legislature, convening dates and recesses for the legislative session, the use of joint committee hearings, the operation of standing committees and the appropriations process, and other issues relating to the legislative process.

In this report, the blue ribbon commission has attempted to present its findings and recommendations in a concise form. Only that information which bears directly upon the scope of the study and the blue ribbon commission's recommendations is included. All supporting documents and minutes of meetings are on file with the research library of the legislative counsel bureau.

This report is transmitted to the members of the 1989 legislature for their consideration and appropriate action.

Respectfully submitted,

Legislative Commission
Legislative Counsel Bureau
State of Nevada

Carson City, Nevada
September 1988

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LEGISLATIVE COMMISSION

Senator Lawrence E. Jacobsen, Chairman
Senator Sue Wagner, Vice Chairman

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|---|---|
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| Senator Nicholas J. Horn | Assemblyman Joseph E. Dini, Jr. |
| Senator Ann O'Connell | Assemblyman John B. DuBois |
| Senator John M. Vergiels | Assemblyman Robert M. Sader |
| | Assemblyman James W. Schofield |
| | Assemblyman Danny L. Thompson |

REPORT TO THE 65TH SESSION OF THE NEVADA LEGISLATURE
BY THE NEVADA LEGISLATURE'S BLUE RIBBON
COMMISSION ON THE LEGISLATIVE PROCESS

## I. INTRODUCTION

The Nevada legislature has had a strong and continuing interest in revising and modernizing its operations and procedures. For example, from 1967 to 1975, three major legislative studies and an analysis by The Citizens Conference on State Legislatures were undertaken on the Nevada legislature.* More recently, the legislature, through its committees or small working groups, has carried out internal reviews of its operations. Based on the studies and reviews, the legislature has made several changes to improve its efficiency, structure and overall procedures.

The 1987 legislature, however, recognized the need for another formal study of its operations. It had been 12 years since the last major review. During that time the state had nearly doubled its population (610,570 to 1,053,230), the economy of the state had grown dramatically and the social, revenue, budget and other issues had become more complex. All this has had a major effect upon the legislature and the persons who serve in it. The legislature, therefore, enacted Assembly Bill 678 which created the Nevada legislature's blue ribbon commission on the legislative process, composed of 11 citizens and former legislators from different geographic areas of the state, to study the legislative process and make recommendations to the 1989 session of the Nevada legislature. A copy of A.B. 678 appears as Appendix B.

## II. SUMMARY OF STUDY AND OVERVIEW OF THE LEGISLATIVE PROCESS IN NEVADA

To provide a point of reference to the findings and recommendations, this section of the report provides a summary of the study conducted by the blue ribbon commission and furnishes an overview of the legislative process in Nevada.

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*These studies, which are summarized in Appendix A, contained 147 recommendations. As of November 1987, 59.9 percent of the recommendations had been carried out, and 12.2 percent had been partially put into effect. A number of the recommendations made over the years have been mutually exclusive.

## A. SUMMARY OF STUDY

Assembly Bill 678 gives the blue ribbon commission on the legislative process a broad mandate to examine and analyze the structure, functions and procedures associated with the legislative branch of government in Nevada. The blue ribbon commission was specifically required, by A.B. 678, to consider the following topics:

- The desirability of annual sessions;
- Population trends;
- Business trends;
- Financial remuneration of legislators;
- The maintenance of a "citizen legislature";
- Convening dates for the legislative session;
- Recesses during the legislative session;
- The use of joint committee hearings;
- The operation of standing committees and the appropriations process; and
- Other issues relating to the legislative process.

To carry out its task, the blue ribbon commission was required to hold public hearings at least three times in Clark County, Nevada; twice in Washoe County, Nevada; and once in a rural county. An organizational meeting was held in Carson City, Nevada, on October 29, 1987. Public hearings were conducted in Las Vegas, Nevada (November 23, 1987); Reno, Nevada (January 26 and March 28, 1988); North Las Vegas, Nevada (February 23, 1988); Elko, Nevada (May 5, 1988); and Henderson, Nevada (May 25, 1988). A work session to consider and adopt recommendations was held in Carson City on June 6, 1988. A final work session to review bill draft requests (BDR's) and the draft report was held in Las Vegas on August 16, 1988.

The blue ribbon commission actively sought and obtained suggestions and recommendations from current and former legislators, representatives of interest groups and other organizations, and the public. Section V, "Credits," provides a list of the persons who made presentations to the blue ribbon commission. Correspondence and other materials and information submitted to the blue ribbon commission are listed in Section IV, "Bibliography."

During the course of the study, the blue ribbon commission accepted an offer from the University of Nevada System to include questions relating to the legislative process in the annual University of Nevada Poll. This public opinion survey was a joint effort between the Senator Alan Bible center for applied research, University of Nevada-Reno (UNR), and the center for survey research, University of Nevada-Las Vegas (UNLV). The survey contained five questions on the legislative process relating to annual sessions, convening dates of the legislature and recesses, the citizen legislature and legislative pay. The results of the University of Nevada poll on the legislative process, dated and presented to the blue ribbon commission in January 1988, are contained in Appendix C.

The blue ribbon commission conducted its own survey of current and former members of the Nevada legislature to obtain their views on two of the major issues in the study, sessions and compensation for legislators. The results of this survey and a copy of the questionnaire are included in Appendix D.

Expert testimony and formal reports on business and population trends and on budgeting techniques in other states were received by the blue ribbon commission. These reports included:

- "Population Trends In Nevada" presented by John B. Walker, chief of planning and intergovernmental affairs, in Nevada's office of community services;

- "Economic Projections and Forecasts For Nevada And Its Sub-State Economies To The Year 2010" presented by R. Keith Schwer, director, center for business and economic research, University of Nevada-Las Vegas; and

- "The Nevada Legislative Budget Process: Comparisons And Analysis Of Selected Issues" presented by Tony Hutchison, senior staff associate, Fiscal Affairs Program, National Conference of State Legislatures (NCSL).

The reports are included, respectively, in Appendices E, F and G.

In the course of testimony and discussion during the initial public hearings, several persons made recommendations and suggestions based on legislative techniques and budgeting procedures used in other state legislatures, most notably Colorado and Utah. The blue ribbon commission, therefore, sent subcommittees in early February 1988 to visit and gain first-hand knowledge about the operations and functions of the legislatures and their budget committees in Colorado and Utah. The staff reports presented to the blue ribbon commission concerning these subcommittee visits are included in Appendices H and I.

## B. OVERVIEW OF THE LEGISLATIVE PROCESS IN NEVADA

Nevada has a bicameral legislature consisting of a senate and an assembly. The two houses jointly are designated by the state constitution as "The Legislature of the State of Nevada."

The Nevada legislature currently is composed of 21 senators and 42 assemblymen, for a total membership of 63. The size of the legislature is specified by statute, but the constitution sets a maximum limit of 75 legislators from the combined total of the two houses. In addition, the constitution states "* * * the number of senators shall not be less than one-third nor more than one-half of that of the members of the assembly." The membership in both houses is geographically apportioned throughout the state on the basis of population.

Regular sessions of the Nevada legislature are held biennially in odd-numbered years. They convene on the third Monday in January next ensuing the election of members of the assembly, unless the governor convenes a session at an earlier date by proclamation. Special sessions of the legislature may only be convened on the call of the governor.

Each house of the Nevada legislature has its own standing committees, the members of which are appointed by the presiding officer in accordance with current standing rules. The number of members is determined by these rules. The names and memberships of senate and assembly standing committees during the 1987 legislative session are listed in Appendix J.

Most professional staff support for the legislature is provided by the legislative counsel bureau (LCB). The LCB consists of the legislative commission, an interim finance committee, a director, an administrative division, an audit division, a fiscal analysis division, a legal division and a research division. Appendix K, "Overview of Nevada Legislature and Legislative Counsel Bureau Functions," includes charts and lists which outline the structure and responsibilities of the LCB.

In addition to the staff of the LCB, the legislature employs a secretary of the senate and a chief clerk of the assembly who hire various support staff to assist the legislature during sessions. These staff include secretaries, sergeants of arms, pages and persons to carry out activities in the respective chambers.

## III. FINDINGS AND RECOMMENDATIONS

The blue ribbon commission received, reviewed and evaluated more than 70 suggestions and recommendations relating to the legislative process. These suggestions were made by legislators, former legislators, representatives of various groups and organizations, members of the public and members of the blue ribbon commission themselves.

The following sections of this report present the blue ribbon commission's recommendations and legislative proposals relating to those changes that it believes are necessary to improve and enhance the efficiency and effectiveness of the legislative process and the legislative branch of government in Nevada.

### A. CITIZEN LEGISLATURE

Nevada has a strong history of a so-called "citizen legislature." The prevailing thought has been that a citizen legislature can bring diversity and practical knowledge to bear upon the issues facing the state. Citizen legislators make laws and then have the direct experience of returning home and living with them. The view has been that every other year the legislator takes time away from his or her job or business to deal with the business of the state. This philosophy has been especially well suited for Nevada with its sparse, relatively homogeneous population.

Recently, however, population growth and other factors have contributed toward pressure for a more "professional" legislature. For example, issues are becoming more complex, interest groups are exerting more pressure and the financing of state government is requiring greater attention and expertise. The result is more work and longer sessions. The length of the sessions has grown dramatically. Since 1975, regular sessions have run between 113 and 151 days.

Length of session, compensation and occupation help to define whether members are so-called "professional legislators." The legislatures of California, Illinois, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania and Wisconsin have lengthy sessions, relatively high legislator salaries and many members whose primary occupation is listed as "legislator." (7:23)* None of these states have constitutionally imposed session limits, although California and Wisconsin adopt a systematic schedule of committee and floor activity, as well as recess periods at the beginning of each biennium. Many of the legislatures which have longer sessions meet only 2 or 3 days per week, while in other states with more restricted sessions, 5- and 6-day work weeks are common. Such is definitely the case in Nevada where 16-hour days are not uncommon. This occurs even after the legislators' salary runs out after the 60-day constitutional limit for pay.

An article from the July 1986 issue of State Legislatures entitled "Is the Citizen Legislator Becoming Extinct?" articulates the position expressed by many persons who testified before the blue ribbon commission. The article questions whether better laws are being passed in state legislatures where full-time, professional politicians are replacing citizen lawmakers. It points out that citizen legislators have been viewed as "* * * a reservoir of political common sense" who "* * * possess the ability to adopt only those laws that are necessary--to govern from a clear, everyday understanding of what it means to be governed." (7:22)

The article further highlights the argument that citizen legislators are more responsive to and in touch with their constituents. In contrast, career legislators are perceived to be more influenced by lobbyists, subject to the power of special-interest groups and their political action committee money, and the need to get reelected. (7:23 and 7:24)

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*The numbers in parentheses at the end of sentences refer to items in the bibliography section of this report. The first number refers to the publication entry, and the number(s) after the colon refer to the page number(s) of the publication. For example, a citation of (1:1) would refer to page 1 of the first entry in the bibliography.

Nevada's legislature is definitely a "citizen legislature." Its composition during the 1987 session included the following occupations:

- Attorney
- Bus driver
- Carpenter
- Casino owner
- Certified public accountant
- Civil engineer
- College instructor
- College staff
- Conductor
- Craftsman
- Dairyman
- Development officer
- Electrician
- Health consultant
- Hotel manager
- Homemaker
- Insurance investor broker
- Marketing consultant
- Motel owner
- Optometrist
- Personnel officer
- Petroleum distributor
- Police officer
- President - computer firm
- Public relations
- Publisher
- Rancher
- Real estate developer
- Shopping center director
- Teacher
- Writer

In Nevada, the people feel strongly that legislators should still be citizen legislators. Almost every person who testified before the blue ribbon commission spoke in favor of retaining the citizen legislature in this state. No one advocated shifting to a full-time, professional legislature.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature provide the environment that is conducive to retaining the citizen legislature.**

Many of the following recommendations on the legislative process are intended by the blue ribbon commission to contribute toward the characteristics which will maintain the concept of a citizen legislature in Nevada.

## B. LEGISLATIVE SESSIONS

One of the most important questions which led to the creation of the blue ribbon commission relates to the issue of annual legislative sessions. This issue provided a focal point for much of the presentations and deliberation by the blue ribbon commission.*

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*Appendix L furnishes an overview of the issue of legislative sessions in Nevada. It provides information on (1) provisions in the Nevada constitution related to legislative sessions, (2) states with biennial sessions, (3) legislative sessions in Nevada and (4) limitations on legislative sessions.

The blue ribbon commission recognizes that the Nevada legislature may need to reconsider the issue of annual sessions as the state continues to grow in business and population activity. Consideration of the need for annual sessions may also prove necessary if the use of the Nevada legislature's interim finance committee (see Appendix L) were to become unworkable because of an unfavorable court decision or other restrictions. The commission believes, however, that the state is not at the point to justify a change to annual legislative sessions.

Based on public testimony and its review of information provided by staff, the commission concluded that biennial sessions of the legislature in Nevada should be retained.

The blue ribbon commission is concerned about the length of Nevada's biennial legislative sessions. The increasing length of sessions is viewed as a major deterrent to maintaining the citizen nature of the legislature. Many qualified persons likely will be discouraged from leaving their businesses or employment and serving in the legislature if recent trends toward longer sessions continue.

It is generally acknowledged that the length of legislative sessions is caused primarily by the budget review process. The blue ribbon commission believes that this process can be conducted more expeditiously and efficiently by establishing joint appropriations subcommittees and involving more legislators in the budget review process. (See Section III.E of this report.) This and other recommendations by the blue ribbon commission are designed to improve the efficiency of the legislative process so that an effective limit may be placed on the length of sessions, thus ensuring the continuation of the citizen legislature.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature retain biennial legislative sessions and propose to amend the Nevada constitution to limit the length of the session to 100 calendar days. The constitutional amendment should include the provision that any legislation enacted after the 100th day shall be null and void. (BDR C-356)**

## C. CONVENING DATE

Most state legislatures convene their sessions in January or by early February of the year in which they meet. Nevada's state constitution requires biennial legislative sessions to commence on the third Monday of January in odd-numbered years.

The blue ribbon commission received numerous suggestions and convincing rationale for convening the legislative session at a later date. Advantages cited for a later starting date include:

- More time for the legal division of the LCB to draft bills so that the legislature can immediately operate at its full potential;
- More time for a thorough analysis of the budget prior to the session;
- An opportunity for a new governor to develop his own budget proposals;
- Current revenue reports to provide more accurate projections; and
- Additional time to orient new members to the legislative process.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature propose to amend the Nevada constitution to convene biennial sessions on the first Monday in March of odd-numbered years. (BDR C-356)**

The blue ribbon commission believes that this amendment should be combined with a constitutional amendment to limit the length of biennial sessions. A later starting date would be feasible only if an effective 100 calendar day limit on the length of the session was put into effect to ensure that appropriations and other legislative business would be concluded by the middle of June before the beginning of the new fiscal year on July 1.

## D. RECESS

The blue ribbon commission was required by Assembly Bill 678 to consider the issue of "a short recess of the legislative session at midpoint to provide 'citizen legislators' time to consult with their constituents and address personal and business matters."

The blue ribbon commission considered this issue and determined it to be unnecessary because of the recommendations to convene at a later date and to limit the length of sessions. The later convening date would allow more time for legislators to consult with constituents prior to the session. The limit on the length of the session would allow legislators to plan for business and personal matters since they would know that the session would end by a certain date.

The blue ribbon commission, therefore, makes no recommendation concerning the issue of a recess since it would not be consistent with the other recommendations relating to the legislative session.

## E. BUDGET REVIEW PROCESS

Most state legislatures have appropriations committees composed of comparatively few legislators. These committees compile the state's budgets themselves or review the budgets submitted by the governor. Participation by the rest of the legislature is usually limited to attending appropriations committee meetings on an informal or ex officio basis, occasionally testifying and in voting on the final appropriations bill or bills.

The members of the blue ribbon commission were told that session length, as well as much of the operations of the legislature, depend upon the time taken and method used for the budget review process. Central in improving the operation of the legislature is the creation of an efficient, effective and thorough budget making and review operation for the legislature in Nevada.

### 1. Budget Review Process in Nevada

The existing budget review process in Nevada is similar to that in many states. It starts in the late summer and fall prior to the session. State agencies put together their proposed budgets for the coming biennium. These proposed budgets are then reviewed by the budget division of the department of administration and modified based on that agency's review. The staff of the legislature's fiscal analysis division observe the budget division's hearing review process but are precluded by law from divulging information until the governor submits his "executive budget" to the legislature.*

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*The governor is required by Nevada Revised Statutes (NRS) 353.230 to submit the executive budget to the legislature for review not later than the 10th day of the regular legislative session. The various "budget acts" include the general appropriations act and the authorized expenditures act. The general appropriations act provides money from the general fund and the highway fund for the operations of state government departments and agencies. The authorized expenditures act provides for the use of funds from other sources to include federal grants, interagency fees, fines, licenses and other miscellaneous services. The appropriations committees also (continued at the bottom of page 11)

The senate committee on finance and the assembly committee on ways and means meet independently during the session to review the executive budget by line item, conduct hearings for agency officials, and approve or modify each component of the budget submitted by the governor. The committees are assisted by staff of the fiscal analysis division.

Near the end of the session, the two money committees meet jointly to negotiate any differences between their respective actions on the budget. When all differences are resolved, the budget act is drafted and sent to the floor for adoption by the entire legislature.

2. Proposed "Every-Member" Appropriations Concept

The "every-member" concept is derived, in part, from the unique budget procedure used in Iowa and adopted in 1970 by the Utah Legislature. According to the Joint Rules of the Utah Legislature, the Joint Appropriations Committee consists of all members of the legislature. The members of the Joint Appropriations Committee are divided into nine subcommittees. (48)

Every member of the legislature sits on one of these subcommittees which include members of both houses. The subcommittee assignments are in addition to any standing committee assignments. The subcommittees hold budget hearings at least three times a week, and generally complete their hearings during the first 4 weeks of the session. At that point, each subcommittee reports its budget recommendations to the Executive Appropriations Committee. (48)

The appropriations chairman of each house receives the reports of the subcommittees and forwards them to the Executive Appropriations Committee. The Executive Committee reviews the subcommittee reports and refers the reports back to the subcommittee with any guidelines considered necessary to produce a balanced budget. The Executive Appropriations Committee can make any further adjustments necessary to balance the budget, and it produces an omnibus appropriations bill. (48)

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review all measures which may have a fiscal effect on the state. These measures include supplemental appropriations, the capital improvements bill, special or "one-shot" general fund appropriations, and other bills that require the expenditure of state funds.

An advantage of this system, described by the Utah Office of the Legislative Fiscal Analyst, is:

> Participation in the subcommittee budget hearings process enables legislators to become thoroughly familiar with a functional area of state government, and also tends to foster trust in the total appropriations process because the legislators are aware that all aspects of the budget are examined by their peers in the same way that they examine the budgets they are assigned to hear. That is not to say that all legislators approve of the recommendations of the subcommittees--it does ensure, however, a more complete understanding of the various elements of the budget. (48)

3. Modified Budget Process for Nevada

The blue ribbon commission believes that the budget review process could be expedited, and sessions consequently could be shortened significantly, by involving all legislators in the appropriations process.

Under the new system, a joint executive appropriation committee would be created and consist of the current senate committee on finance and the assembly committee on ways and means. The respective chairmen of these committees would serve as cochairmen of the executive appropriation committee and would alternate as chairman of the joint committee on successive days. Action by the joint executive appropriation committee would require a majority vote of both the senate and assembly members of the committee.

The areas of responsibility of the executive appropriation committee would include:

- Reconciliation of the subcommittee budgets (discussed later) and drafting the final appropriations bills;
- Review of the capital building budget and public works;
- Review of unclassified salaries;
- Approval of block grants and gifts;
- Hearing of appropriation bills over $1,000; and
- Consideration of retirement legislation.

In addition, six joint appropriations subcommittees, each consisting of three senators and six assemblymen, would be established in the following areas:

- Commerce, labor and transportation appropriations;
- Government affairs appropriations;
- Human resources appropriations;
- Judiciary appropriations;
- Natural resources appropriations; and
- Public and higher education appropriations.

All of the subcommittees would have nine members composed of three senators and six assemblymen. One senator and one assemblyman would cochair on alternate days. Actions by each appropriations subcommittee would require a majority vote of both the senate and assembly members.

The majority leader of the senate would appoint six cochairmen for the appropriations subcommittees. The speaker of the assembly similarly would appoint six cochairmen for the appropriations subcommittees.

The advantages of the new budget review system would be that it:

a. Reduces time and travel for those testifying before the appropriations committees;

b. Allows both houses to hear the same testimony;

c. Reduces adversarial "power play" politics. Differences are reconciled between houses in committee on an ongoing basis;

d. Provides for better use of members. At present, some members work 12 or more hours a day, while other legislators are underutilized;

e. Allows for line item, budgetary review, or program evaluation depending on the need determined by a subcommittee; and

f. Greatly reduces the time needed to review the executive budget.

Under the new system, the governor would prepare the executive budget and would submit it to the legislative counsel bureau 30 days prior to the convening of the legislature. The fiscal division of the LCB would, in turn, analyze and reduce the budget into six components of like interest for consideration by the six appropriation subcommittees described earlier. The fiscal analysis division would be permitted to make any appropriate comments, recommendations or suggestions to the appropriations subcommittees relative to expenditures.

The commission further believes that a new budget cycle should be established, concommitant with the new committee structure, to accommodate the new structure and to facilitate a more detailed review of the executive budget. That cycle is shown in Appendix M.

The blue ribbon commission understands that the fiscal analysis division will require additional staff to support the appropriations subcommittees. However, the cost of additional staff would be offset by the reduced length of the session.

The blue ribbon commission also feels that the terms of the cochairmen of the appropriations subcommittees should be limited to share authority among the members and to prevent individual legislators from gaining excessive power over an area of appropriations.

The blue ribbon commission, therefore, recommends:

**That the Nevada legislature modify the budget review procedure by involving additional legislators and expediting the process by:**

**a. Requiring the governor to present the executive budget to the legislative counsel bureau 30 days before the convening of the session;**

**b. Establishing an executive appropriation committee to oversee and reconcile the budget;**

**c. Establishing six joint appropriations subcommittees consisting of nine members each (three senators and six assemblymen) to review the budgets and make appropriation recommendations in the following areas:**

**(1) Commerce, labor and transportation;**

**(2) Government affairs;**

(3) Human resources;

(4) Judiciary;

(5) Natural resources; and

(6) Public and higher education.

d. Authorizing the majority leader of the senate and the speaker of the assembly to appoint cochairmen of the appropriation subcommittees;

e. Providing that the cochairmen of the executive appropriation committee and the appropriations subcommittees alternate as chairmen on successive days;

f. Limiting the cochairmanship of the appropriation subcommittees to no more than two consecutive terms (4 years); and

g. Providing additional staff, in an amount not to exceed $200,000 per year, for the fiscal analysis division of the legislative counsel bureau. (BDR 17-451 and BDR R-452)

## F. PARALLEL COMMITTEES AND JOINT COMMITTEE HEARINGS

The concept of joint committee hearings emanates from a National Conference of State Legislatures' publication entitled A Chairman's Guide to Effective Committee Management. That publication, produced in 1981, was based principally on two seminars held for new committee chairmen in that year. The concept was further developed in the NCSL publication entitled Strengthening The Legislative Process: An Agenda For Improvement.

Concerning the recommendation, the "Chairman's Guide" says:

> **Coordination with Parallel Committees in The Other House.**
>
> Most committee chairmen also must be concerned with the work of parallel or corresponding committees in the other house. The work of one body ultimately will pass through the committee of the other house. Knowing what bills are in progress, a chairman can set appropriate priorities.
>
> Coordination can be improved between house and senate chairmen through regular meetings to establish legislative priorities on related bills, to discuss mutual

> concerns or related committee work, and to apprise one another of bills moving out of committee and key committee decisions. By working with the corresponding committee in the opposite chamber, chairmen can synchronize or coordinate hearings on companion bills--similar house and senate versions. * * *
>
> Coordination between house and senate committees not only serves the management interests of the process but also facilitates the public's involvement and perceptions. For example, joint hearings enable committees considering similar legislation to hear the same testimony and arguments. Joint hearings also cut down on the travel required by citizens to testify. (26:28)

One method used to facilitate the use of joint hearings would be the establishment of parallel committees between each house of the legislature. Over the years, definite inroads have been made in Nevada in that direction. In 1955, the senate had 20 standing committees, and the assembly had 27. There were 17 senators and 47 assemblymen. The committees were smaller, meeting times were irregular and members were often scheduled for two or more meetings at the same time. By 1987, the number of standing committees had been reduced to nine in the senate and 13 in the assembly.

Parallel committees would reduce the overall complexity of the legislative process and facilitate the flow of legislation from one house to the other. Parallel committees would also facilitate the coordination of activities and workload between houses and make easier the combining of standing committees for joint hearings.

Certain states, such as Alaska, Arkansas, Colorado, North Dakota, South Dakota, Utah and Wyoming have parallel committees in each house of the legislature. Other states, such as Connecticut, use joint committees exclusively. Maine, Massachusetts and Rhode Island have certain parallel committees and other joint committees. Utah and Wyoming have joint appropriations committees. Colorado has a joint budget committee.

The proposed schedule in Table I (see page 17) illustrates an example for structuring seven parallel committees in the Nevada legislature which would facilitate joint hearings. Also shown in the table are the six appropriations subcommittees discussed earlier in this report.

## TABLE I

## PROPOSED SCHEDULE OF MEETINGS TO PROVIDE FOR OPTIMUM USE OF JOINT HEARINGS AND COORDINATION BETWEEN THE SENATE AND ASSEMBLY

| Senate Standing Committees | Proposed Meeting Times | Assembly Standing Committees |
|---|---|---|
| Finance | APPROPRIATIONS COMMITTEES | Ways and Means |
| Six Appropriations Subcommittees (see p. 15) | Meeting Jointly 8 a.m. (M-F) | Six Appropriations Subcommittees (see p. 15) |
| | General Sessions 10:30 a.m.-12 noon | |
| | PARALLEL STANDING COMMITTEES | |
| | (May meet jointly by arrangement of chairmen) | |
| Judiciary | 1:30 p.m. (M,W,F) | Judiciary |
| Government Affairs, Legislative Affairs and Operations | 1:30 p.m. (M,W,F) | Govt. Affairs, Elections, Economic Development and Tourism, Legislative Functions |
| Human Resources and Facilities | 1:30 p.m. (M,W,F) | Health and Welfare, Education |
| Natural Resources | 1:30 p.m. (M,W,F) | Natural Resources, Agriculture and Mining |
| Commerce and Labor | 1:30 p.m. (Tu & Th) | Commerce and Labor |
| Transportation | 1:30 p.m. (Tu & Th) | Transportation |
| Taxation | 1:30 p.m. (Tu & Th) | Taxation |

The blue ribbon commission believes that parallel standing committees and meeting times would help simplify the legislative process and increase opportunities for joint committee hearings, as necessary. This reform also would contribute toward reducing the length of sessions.

The blue ribbon commission understands that the Nevada legislature, and particularly the assembly, has resisted the idea of parallel committees in the past because of political considerations. However, the criteria for establishing legislative committees should not depend on the practice of creating additional chairmanships to enhance the political position of leadership. The commission believes that political expediency should be sacrificed to establish a parallel committee system that better serves the public.

In fact, the majority leader of the senate and the speaker of the assembly will have the authority to appoint more chairmen under the recommendations proposed by the blue ribbon commission. Although the number of standing committees would be reduced to eight in each house, the leadership also would be empowered to appoint the six cochairmen of the appropriations subcommittees. Therefore, the leaders of each house would have the authority to designate 14 chairmen in contrast to nine currently in the senate and 13 in the assembly.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature establish parallel standing committees and meeting times in the senate and assembly. (BDR's R-448, R-449, R-450 and R-455)**

The blue ribbon commission emphasizes that it is not taking a position and makes no recommendation concerning the number of members to be appointed to these parallel standing committees. The suggested legislation (BDR's R-448, R-449 and R-455 in Appendix O) for this recommendation includes numbers of members for each standing committee. However, these numbers are included only to satisfy bill drafting requirements and to provide a starting point for discussion. The blue ribbon commission believes that the leadership of each house should determine the appropriate number of members for the standing committees.

## G. FINANCIAL REMUNERATION OF LEGISLATORS

The issue of pay for legislators always has been difficult and controversial. This section of the report reviews legislative compensation in Nevada, suggests improvement in that compensation, describes the use of a compensation commission which would recommend compensation for elected officials and suggests removal of outdated provisions in the Nevada constitution relating to the postage allowance and additional allowances for presiding officers.

1. Compensation of Legislators in Nevada

Under existing law, most of Nevada's legislators receive a salary of $130 per day for 60 days of a regular session. The only exception is for senators elected before November 4, 1986, who currently receive a salary of $104 per day. The reason that those senators receive less payment is because of the requirement that no sitting legislator may increase his own salary. The last salary increase was approved by the 1985 legislature.

Beyond the 60th day, salaries cease by requirement of the Nevada constitution (article 4, section 33). During special sessions, salaries may be paid for up to 20 days. Thus, at a regular session, the maximum salary a legislator may receive is $7,800 while a legislator could receive up to $2,600 for services rendered during a special session.

In addition to salary, legislators are entitled to be reimbursed for the financial demands placed upon them as a result of their legislative duties. For example, they receive the greater of $44 or the federal per diem rate in effect for Carson City to cover expenses when the state legislature is in session. The most recent federal rate was $57 per day. They are paid per diem and travel expenses in coming to and returning from a legislative session or a presession orientation program.

Legislators also have a travel allowance of up to $5,000, increasing to $6,800 for the 1989 session which they may use during regular sessions, and $1,000 which is allocated during special sessions. They are reimbursed at the rate of 27 cents per mile for travel from the allowance.

Lawmakers also are entitled by the Nevada constitution to receive $60 for postage and are permitted by statute to receive allotments of stationery, envelopes and business cards from the state printing and micrographics division of the department of general services.

Legislators also receive, by statute, a maximum telephone allowance of $1,800, increasing to $2,800 for the 1989 legislative session, for use during a regular session and $300 during a special session.

Because of their added duties, chairmen of standing committees and certain leadership positions receive additional allowances for postage, telephone calls and other communication charges. The statute specifies that amount as $500, increasing to $900 for the 1989 session, for each regular session and $64 for each special session.

The lieutenant governor, who also serves as president of the senate, and the speaker of the assembly receive, pursuant to the Nevada constitution, an additional $2 per day during the time of their actual attendance as presiding officers.

When the legislature is not in session, legislators are entitled to receive regular daily salaries for meetings and the per diem allowance and travel expenses provided by law for state employees. The state per diem is currently set at $47.50. Out-of-state per diem is a maximum of $21 per day for meals in addition to a reasonable room rate.

Because of the conservative fiscal nature of the state, legislators have been very wary of providing increases for themselves. Adjustments to salary and benefits, however, have been approved in recent legislative sessions (1977, 1979, 1981, 1985 and 1987). Attempts to increase the allowable number of days that legislators may be compensated, however, have not been successful. For example, Assembly Joint Resolution No. 26 (File No. 76) of the 57th legislative session (which appeared on the November 1976 ballot as Question No. 3) proposed to amend the Nevada constitution to permit payment of legislators for 100 days of session. That question was defeated by the voters by a margin of 125,096 to 54,602 votes. Assembly Joint Resolution No. 32 of the 1987 legislative session, which proposed an amendment to the Nevada constitution to authorize payment of legislators for each day the legislature is in session, died in the assembly committee on legislative functions.

After reviewing all the testimony and considering the financial burdens placed on legislators to serve in the legislature, the blue ribbon commission believes that legislators in Nevada are not adequately compensated both during and between sessions to satisfactorily maintain the citizen legislature. The commission believes that an appropriate salary is necessary to attract and retain well-qualified citizens so that service in the legislature does not become financially prohibitive. The commission strongly believes that the legislature should not be the province of the wealthy or retired.

At the present time, legislators receive no salary or stipend during the interim period between legislative sessions even though they still must continue to provide services to their constituents. According to responses by legislators to a questionnaire survey conducted by the legislative commission in March 1988, concerning representational duties between sessions, each month the average legislator writes 23 letters, meets eight times with constituents and makes 73 telephone calls, many of which are long distance. The blue ribbon commission believes that legislators should receive a stipend during the interim period to compensate them for their representational responsibilities.

While adequate compensation is an important factor in the maintenance of a citizen legislature, an equally significant factor is the implementation of measures to limit the length of legislative sessions. The blue ribbon commission strongly believes that its recommendations relating to increased legislative compensation should not be adopted unless and until its recommendations to speed up and limit the length of sessions also are implemented.

The blue ribbon commission, therefore, recommends:

**That the Nevada legislature provide, by statute and joint rules, as appropriate, for the financial remuneration of legislators as follows:**

**a. A salary in the amount of $12,000 for the biennial session;**

**b. An expense allowance of $350 per month to reimburse legislators for expenses associated with representational duties; and**

**c. A vouchered system for expenses such as travel, per diem and telephone up to the statutory limits during the session. (BDR 17-357)**

**The blue ribbon commission further recommends that the salary increase be contingent upon the passage of the constitutional amendment to limit the length of biennial legislative sessions. In addition, the monthly expense allowance for representational duties should be contingent upon the adoption of joint rules in the 1989 session to implement parallel committees (see page 18), modified budget review procedures (see page 14) and the system of deadlines for action on bills (see page 30).**

## 2. Compensation Commissions for Elected Officials

The blue ribbon commission discovered that the determination of adequate salary for legislators and other elected officials is a difficult and controversial task. In their deliberations, members of the commission gained an appreciation for the amount of time and debate that ensues when this issue is considered by legislators during a session.

The blue ribbon commission believes that salary recommendations for legislators and elected officers should be derived in an objective manner through a compensation commission. This mechanism would save time during a legislative session and make salary and expense allowance adjustments more palatable to the public since recommendations would be provided through a public study process.

According to the National Conference of State Legislatures and a staff review of state statutes, at least 21 states* have some form of compensation commission or advisory group to make recommendations on legislative compensation. (8:17) These states are:

| | | |
|---|---|---|
| Alaska | Idaho | Minnesota |
| Arizona | Illinois | North Dakota |
| Colorado | Iowa | Oklahoma |
| Connecticut | Maine | South Dakota |
| Florida | Maryland | Utah |
| Georgia | Massachusetts | Washington |
| Hawaii | Michigan | West Virginia |

The compensation commissions in 15 of these states generally provide recommendations concerning the salaries and allowances for legislators, judges, and elective state officials.

However, the commissions in six states--Hawaii, Idaho, Maryland, North Dakota, Oklahoma and West Virginia--only consider legislative compensation.

In 14 of the 21 states, the compensation commission primarily acts in an advisory capacity to provide recommendations which must be enacted by the legislature. The commission in Arizona sets legislative compensation subject to approval by a vote of the people. The commissions in Oklahoma and Washington apparently have sole authority to set or change legislative compensation.

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*Appendix N is a summary of the legal provisions which provide for the composition and responsibilities of the compensation commissions in the 21 states.

In four states--Hawaii, Idaho, Maryland and Michigan--the recommendations of the compensation commission become effective unless they are specificaly rejected by the legislature. The rejection in Michigan must be accompanied by a two-thirds vote of the members in both houses of the legislature.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature establish a compensation commission to recommend salaries and expense allowances for legislators and compensation for other elected state and local government officers whose salaries are set by the legislature.**
>
> **The blue ribbon commission further recommends that the compensation commission:**
>
> **a. Be composed of seven members with diverse interests and from different geographical areas of the state;**
>
> **b. Consist of no more than four members from the same political party; and**
>
> **c. Use staff provided by the legislative counsel bureau.** (BDR 23-358)

3. <u>Postage and Leadership Allowances</u>

Article 4, section 33, of the <u>Nevada Constitution</u> places a limit of $60 per session for each legislator for actual expenses "* * * for postage, express charges, newspapers and stationery * * *." Despite rising postal costs, this limitation on the postage allowance for legislators has remained unchanged since the state constitution was adopted in 1864.

Also unchanged since 1864 is another constitutional provision in the same section (article 4, section 33) which provides an additional allowance of $2 per diem for the presiding officers of the senate and the assembly.

The blue ribbon commission finds these provisions of the constitution to be archaic and outdated. The postage allowance for legislators and the additional allowance for presiding officers should be removed from the constitution and set by law as are other provisions for legislative compensation and expenses.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature propose to amend the Nevada constitution to delete the provisions for the $60 limit on the legislative postage allowance and for the additional allowance of $2 per diem for the presiding officers. (BDR C-359)**

H. OTHER ISSUES

1. Support Services Needed by Legislature for Representational Duties

A concern of several persons making presentations to the blue ribbon commission was the need for additional assistance for legislators to carry out their representational duties between legislative sessions. The suggestions for the assistance took many different forms, including the creation of a branch office of the legislative counsel bureau in southern Nevada. The needs of legislators in northern and rural Nevada also were discussed and suggestions for additional clerical support and stipends for postage, telephones and travel were suggested.

Based on the recommendations made to the blue ribbon commission, the legislative commission of the LCB appointed a subcommittee to look into the matter. The subcommittee felt that all legislators should be polled to determine types of workload they face and the additional assistance or support they may need to carry out these tasks. A questionnaire was designed for that purpose. The responses were compiled by the staff, and a report was made to the legislative commission on May 18, 1988.

The majority of the respondents to the questionnaire (29 out of 41 responses, or 71 percent) believe that the current level of service or financial support between legislative sessions is not adequate for legislators to carry out their representational duties.

The top three choices which respondents believe are necessary to carry out the duties include:

- Clerical support for correspondence, meeting scheduling, telephone messages, and other clerical services;

- Reimbursable expense allowances for travel costs between legislative sessions to carry out representational duties; and

- Additional reimbursement for postage expenses between legislative sessions.

Fifty-five percent of the respondents from the south (or 11 out of 20 respondents) elected clerical assistance as a main concern. Eleven percent of the respondents from rural areas (one out of nine) indicated that is a first priority. Fifty-two percent of the respondents from the north (five out of 12) elected clerical as a first priority.

Southern legislators rank office space in the local community with secretarial and professional assistance as the highest priority (65 percent, or 13 out of 20 of the respondents to the questionnaire). Northern Nevada legislators responding to the questionnaire also seemed to favor adequate office space.

In summary, therefore, the first choice of legislators in southern Nevada is office space with professional and clerical support. The first choice of legislators in rural Nevada is an additional stipend for postage, telephone and travel expenses. The first choice of legislators in the north is clerical support on a limited basis.

The concept for additional support for legislators between legislative sessions is not new. The concept was first suggested in Legislative Counsel Bureau Bulletin No. 75, "Legislative Techniques," in 1969. One recommendation says:

> Logistics of the state, with several hundred miles separating the state capitol and the largest metropolitan area centering on Las Vegas, suggests that at some time in the future thought might be given to establishing a branch office of the legislative counsel bureau at Las Vegas. This suggestion may have added impetus given to it in the next decade, when probably over half of the state's legislators will come from Clark County. (14:48)

Obviously, the prophecy of the population growth has come to fruition. The responsibilities and duties of all legislators, including those in Clark County, have grown dramatically.

There is now a strong, convincing case that the time has come to provide more support services for Clark County legislators and legislators in other portions of the state to assist them in effectively representing their constituents. These recommendations again must be tied to the enactment of measures to limit the length of legislative sessions so that the characteristics of the citizen legislature will be preserved.

The blue ribbon commission, therefore, recommends:

**That the Nevada legislature establish the following services for legislators under legislative counsel bureau guidelines for noncampaign purposes and in an amount not to exceed $300,000 per year;**

**a. An office of the legislative counsel bureau in southern Nevada;**

**b. Increased clerical support between legislative sessions for legislators for services for constituents in northwest Nevada; and**

**c. A system to reimburse legislators from districts with large geographic areas for travel expenses within their districts associated with representational duties between legislative sessions. (BDR 17-357)**

**The blue ribbon commission further recommends that the reimbursement for travel expenses for rural legislators and the additional services for legislators in southern and northwest Nevada be contingent upon the adoption of joint rules in the 1989 session to implement parallel committees (see page 18), modified budget review procedures (see page 14) and the system of deadlines for action on bills (see page 30).**

2. Lieutenant Governor

Article 5, section 17, of the Nevada constitution requires the lieutenant governor to act as president of the senate. The blue ribbon commission received testimony that this provision is outdated.

According to The Council of State Governments' The Book of the States (1988-89 edition), 42 of the 50 states have lieutenant governors. The lieutenant governor presides over the senate in 28 of the 42 states. (4:28 and 4:66) However, the recent trend in states has been to shift the role of the lieutenant governor from a legislative to an executive model. Fourteen states have given their lieutenant governors a purely executive role, and almost all of these states (except Massachusetts) have made this change since 1960.

The lieutenant governor is a member of the executive branch of state government. The Nevada legislature, in 1983, enhanced the executive role of the lieutenant governor by designating him as chairman of the commission on economic development and the commission on tourism (NRS 231.040, "Members: Appointment; qualifications," and NRS 231.170, "Members: Appointment; qualifications.")

The blue ribbon commission believes that allowing the lieutenant governor to serve as president of the senate denigrates the separation of powers concept which is an integral component of our governmental system. In 1986, a Mississippi state court struck down the practice of the lieutenant governor acting as legislative leader. The decision was based on the separation of powers. (4:28) The blue ribbon commission believes that the senate president should be elected in a manner similar to the speaker who presides over the assembly.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature propose to amend the Nevada constitution to remove the lieutenant governor from the position as president of the senate. (BDR C-360)**

3. Bill Drafting and Introductions

The blue ribbon commission reviewed a number of recommendations relating to the processing of legislation during legislative sessions. These recommendations dealt with mechanisms to speed the legislative process through the early introduction of bills requested by the agencies of the executive branch of government and local governments, limits on bill draft requests by legislators and deadlines in the bill review process.

a. Early Review of Executive Bills

A deadline of September 1 preceding the convening of the session is specified in NRS 218.245, "Limitations on drafting of bills by legislative counsel and legal division of legislative counsel bureau," for agencies and offices of the executive branch of state government and for local governments to transmit bill draft requests to the LCB. Because of this deadline, several hundred executive branch and local government bills are available for introduction early in each session and could be considered by the legislature. There is usually a delay, however, while legislative sponsors are being found. Sponsors also tend to delay, for various political or practical reasons, the introduction of the measures. If bills of the executive branch and local governments were to be introduced earlier in the session, the early, less busy part of the session could be put to more efficient use which would promote a corresponding reduction in the length of the session.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature require agency and local government bills that are drafted to be delivered to leadership and introduced during the first week of the legislative session. (BDR R-361)**

b. Bill Draft Limits

The blue ribbon commission studied the issue of limits on bill draft requests by individual legislators and found a workable compromise. In order to encourage pre-filing of bills and early consideration of legislative measures during the legislative session, certain states such as Colorado, Montana and North Dakota place limits on individual bill requests after a session convenes.

The blue ribbon commission believes that the earlier requesting of bills and the limitation on bills requested during a session would shorten the length of the legislative session. It, therefore, recommends:

> **That the Nevada legislature authorize individual legislators to make unlimited requests for bills for introduction before the beginning of the session, but impose a limit of five bill requests per legislator from the start of the session until the 20-day deadline for individual bill requests. (BDR R-362)**

c. Earlier Deadline for Review of Agency Regulations

The blue ribbon commission also found that the existing deadline of November 1 for the submission of proposed executive regulations to the LCB for review reduces the ability of the legal division to devote full attention to the preparation of BDR's prior to the session. Nevada Revised Statutes 233B.063, "Submission of proposed, amended or repealed regulation to legislative counsel; examination and revision of text; return to agency; adoption of temporary regulation," authorizes the adoption of temporary regulations during the period prior to and during the legislative session when staff of the LCB is not available to review regulations.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature enable earlier drafting of bills by changing the deadline for agencies to submit proposed regulations from November 1 to August 1 in even-numbered years. (BDR 18-363)**

4. Deadlines

The current deadline on bill action in the Nevada legislature pertains to the 20 calendar day limit for individual bill draft requests. Joint Rule No. 14 of the 1987 legislative session specifies that BDR's after the first 20 calendar days of the session must be approved by a two-thirds vote of a standing committee or of the members present in the house where it is to be introduced.

Many states establish deadlines for action on bills to encourage the early processing of bills by legislative committees and to prevent chairmen from not processing bills to negotiate the passage of other measures. Deadlines range from those that affect one aspect of the process, such as Nevada's bill request deadline, to Michigan's complete set of deadlines for almost all aspects of the legislative process. The points to which deadlines may be applied include:

- Bill requests;
- Bill introductions;
- Report of bills by committee in house of origin;
- Passage of bills in house of origin;
- Report of bills by committee in other house; and
- Passage of bills originating in other house.

According to The Council of State Governments' The Book of the States (1988-89 edition):

> The effective use of time during legislative sessions is a continuing preoccupation of legislatures. A majority of the legislatures have experimented with committee and floor scheduling systems and the use of deadlines. There is increasing interest in deadline systems which establish specific dates for the introduction of bills, periods for committee consideration in each house and cutoff dates for floor consideration in the chambers. Such systems provide a more even flow of work during a legislative

session and can avoid the end-of-session logjam. The logjam is not entirely eliminated, but instead is spread over several deadline periods during a session. Another effect of such deadlines is to kill bills at various stages of the legislative process--often providing a convenient excuse for inaction, rather than having all of the bills that have been introduced remain alive throughout a session. Most legislatures using deadlines have found them to be effective in managing sessions. (4:78 and 4:79)

The blue ribbon commission believes that a modified system of deadlines for action on bills in the Nevada legislature should be installed to expedite the processing of legislation during a session. The commission believes that a deadline on the passage of bills from the house of origin and a requirement for action in the other house on bills passed by one house would encourage the early processing of bills, help to limit the length of legislative sessions, and discourage chairmen from holding bills pending action on other unrelated measures.

The blue ribbon commission, therefore, recommends:

**That the Nevada legislature establish a system of deadlines for action on bills to include:**

**a. A requirement that bills cannot be passed from the house of origin later than 60 days after introduction; and**

**b. A requirement that all bills passed from the house of origin must be heard and voted on by committee in the other house. (BDR R-453)**

5. Effective Date of Bills

Under NRS 218.530, "Effective dates of laws and joint resolutions," laws passed by the legislature take effect on July 1 following passage, unless otherwise specified in the act.

The blue ribbon commission learned that it would be beneficial for laws to become effective later after a session to allow for adequate notice and publication of changes.

The blue ribbon commission, therefore, recommends:

**That the Nevada legislature change the effective date of bills following the session from July 1 to October 1, unless otherwise specified in the legislation. (BDR 17-364)**

6. Conference Committees

Conference committees are the vehicle used by the legislature to resolve differences between senate and assembly versions of bills. It was pointed out to the blue ribbon commission that the existing system does not fully permit the public to observe the process. Moreover, the lack of written records maintained by the conference committees during the last few hectic days of legislative sessions sometimes leaves a scant legislative record concerning legislative intent of the committees.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature require proper noticing of meetings of conference committees and the preparation of written minutes and reports on these meetings. (BDR R-454)**

7. Bill Referrals

Senate Standing Rule No. 40 of the 1987 legislative session provides for the referral of bills and resolutions to the appropriate standing committees by title and chapter of NRS. By custom, bills in the assembly are assigned to standing committees by the speaker generally based upon the subject matter of the legislation.

The blue ribbon commission determined that a system of bill referrals to committees by title and chapter of NRS provides a logical, consistent and nonpolitical approach for the consideration of legislation.

The blue ribbon commission, therefore, recommends:

> **That the Nevada legislature amend Assembly Rule No. 40 to provide for the referral of bills in the assembly by titles and chapters of Nevada Revised Statutes. (BDR R-448)**

## I. POPULATION AND BUSINESS TRENDS

The blue ribbon commission was required to examine trends in population and business-related enterprises within the state and their relationship regarding the delivery of state governmental services. This section of the report provides information concerning these trends.

1. Population Trends

In the years from 1970 to 1980, Nevada's population increased from 488,000 to 800,508. During the decade, the state had the fastest rate of growth in the Nation at 63.8 percent.

According to the United States Bureau of the Census, the state's strong rate of population growth has continued into the 1980's showing a 20.3 percent growth rate between 1980 and 1986. Nevada currently ranks third in the Nation in growth rate behind Alaska and Arizona.

Provisional estimates by the U.S. Bureau of the Census, as of July 1, 1986, place the state's population at 963,000. However, the latest official state estimate as of July 1, 1987--prepared for Nevada's office of community services by the bureau of business and economic research at the University of Nevada-Reno--sets Nevada's population at 1,053,230.

Predictions for future population growth in Nevada also vary considerably. The National Planning Association predicts that the state will have 1.262 million residents by the end of the century with a growth rate of 34.8 percent between 1985 and 2000. The bureau of business and economic research estimates the population to be 1.422 million in the year 2000. The U.S. Bureau of the Census has the most optimistic prediction of growth to 1.919 million residents by the year 2000 with a population growth rate of 140 percent between 1980 and 2000.

Clark County contains almost 60 percent of the state's population. Washoe County accounts for approximately 23 percent of the state's population. Rural Nevada has a smaller population base. Several counties, however, show significant growth with Douglas, Elko, Humboldt, Lyon and Nye counties, Nevada, reflecting increases in estimated population at or above 25 percent between 1980 and 1986.

The anticipated increase in population in Nevada clearly will have an impact on state government by increasing the level of and demands for state governmental services. The mix of services and the concomitant increase in demand will be determined in great part by the type of population increase the state experiences.

As noted in Section II.A., Appendix E includes a report entitled "Population Trends In Nevada" which was presented to the blue ribbon commission and prepared by John B. Walker, chief of planning and intergovernmental affairs, in Nevada's office of community services.

## 2. Business Trends

As is well known, the gaming/recreational/tourism sector is the dominant industry in Nevada. However, particularly during the 1980's, the state has increased its efforts toward economic diversification. The following are excerpts from an article by Kimberly S. Harris entitled "Manufacturing Employment Growth in Nevada" in the winter 1986-1987 issue of the Nevada Review of Business & Economics which briefly describes these efforts:

> During the 1970s and 1980s Nevada has been one of the fastest growing states in the nation. Concurrent with this rise in population, total industrial employment in Nevada increased 94 percent between 1970 and 1985 (Nevada Employment Security Department). Although the services industry has provided many new jobs during this period, steps are being taken to diversify the state's economy beyond the hotels-gaming-recreation sector because diversification is viewed as a guard against cyclical instability. Two reasons for the diversification effort in Nevada are: the 1981-1982 recession, which caused gaming employment growth to actually decline for the first time ever; and increased competition from legalized gaming in Atlantic City, New Jersey.
>
> Government, industry, and education officials are working together to broaden the state's economic base. High technology manufacturing firms are targeted for diversification efforts, due to that industry's recent growth and potential for high wage employment. Light manufacturing firms and firms which would not deplete the state's limited natural resources are also being encouraged to locate in Nevada.
>
> * * *
>
> The employment growth witnessed during the 1970s and early 1980s indicates that the state does have the potential for economic growth and diversification.
>
> With the recent creation of several economic development authorities, the state is targeting the types of firms compatible with Nevada's resources and workforce. As a result of these efforts, perhaps significant trends in new firm job dispersion will be observed in the future. (5:1 and 5:6)

Since the recession in the early 1980's, Nevada's economy generally has shown steady growth. The following is an excerpt from the latest available issue of Economic Update published by Nevada's employment security department which highlights the status of the state's economy as of the first quarter of 1988:

> The Nevada economy continued to show improvement throughout the first quarter of 1988. In January, the seasonally adjusted unemployment rate was 6.4 percent before falling to 5.9 percent in February and ending the quarter at 5.8 percent. The March jobless rate was eight-tenths of a percentage point lower than one year ago. Nevada's unemployment rate finished the quarter just two-tenths higher than the national rate. The U.S. jobless rate measure started the new year at 5.8 percent, dropped to 5.7 percent in February, then ended the period at 5.6 percent. California's jobless rate was unsteady during the first part of the year as it opened the quarter at 5.1 percent, increased to 5.4 percent in February before moving down to 5.0 percent in March.
>
> Nevada began the new year on a positive note as the state led the nation with a rapid over-the-year industrial employment growth of 7.4 percent. This gain accounted for an increase of 34,900 jobs since January 1987. February and March also reported over-the-year employment increases of 6.9 and 6.6 percent, respectively. At the end of the first quarter of 1988, 31,700 more positions existed in the Silver State than in March 1987. Leading all other industries in employment growth was the service industries which created 13,800 jobs over-the-year. Accounting for 8,500 of these new positions was the hotels, gaming, and recreation (HGR) sector. The trade industry also showed strong growth with an over-the-year increase of 6,400 new positions of which 4,900 occurred in the retail sector. Government (+3,000), mining (+2,500), and construction (+2,400) also recorded healthy gains. The mining industry in the Balance of State (BOS) economy remains vibrant as "gold fever" is still present in several of the rural counties. Finance, insurance, and real estate (FIRE) ended the quarter with a healthy increase of 1,500 jobs over-the-year, while transportation, communications, and public utilities (TCPU) added another 900 positions to the economy.

In the following months, Nevada's economy is expected to continue with solid job growth. Unemployment levels should remain about the same or possibly dropping slightly. These and other economic indicators point to continued economic prosperity for the Silver State. (20:1 and 20:2)

As noted in Section II.A., Appendix F contains a report entitled "Economic Projections And Forecasts For Nevada And Its Sub-State Economies To The Year 2010" which was presented to the blue ribbon commission and prepared by R. Keith Schwer, director, center for business and economic research, University of Nevada-Las Vegas.

The blue ribbon commission believes that population and business trends should continue to be monitored by the Nevada legislature to permit the introduction of legislation or other appropriate response as a need arises.

The blue ribbon commission, therefore, recommends:

**That the Nevada legislature encourage the appropriate standing committees to monitor business and population trends through orientation briefings early in each session.**

## J. CONCLUSION

The blue ribbon commission has devoted considerable time, effort and thought in addressing its broad mandate to examine and analyze the structure, functions and procedures associated with the legislative branch of government in Nevada. The commission believes that it has developed a total package of recommendations that will provide the basis for an efficient and effective legislature which will attract and retain quality legislators who can meet the needs of Nevada for years to come.

A central theme of the commission's recommendations is the preservation of the citizen legislature in this state. Through its study, the blue ribbon commission has learned that certain factors are essential for the maintenance of a citizen legislature. These factors include fair and adequate compensation, limits on the length of legislative sessions, and mechanisms to ensure the efficient functioning of the legislative process.

The blue ribbon commission presents its recommendations with these factors and principles in mind to be viewed as interrelated and not mutually exclusive. Piecemeal implementation--choosing certain recommendations and ignoring others--would defeat the purpose of the commission's work. For example, the commission would not support enactment of its recommendations to increase legislative compensation unless accompanied by the passage of its recommendations to limit the length of sessions and to implement the mechanisms necessary to speed up the legislative process.

The blue ribbon commission strongly encourages the Nevada legislature to carefully review the results of its study and to consider its recommendations as a total package of reforms to enhance the legislative process in our state.

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34. Letter dated December 30, 1987, from Former Senator Proctor R. Hug, Sr., Reno, Nevada, to Senator Keith Ashworth, Chairman, Nevada Legislature's Blue Ribbon Commission on the Legislative Process, Carson City, Nevada, expressing opinions regarding improvements on the legislative process.

35. Letter dated January 2, 1988, from Former Senator Jack McCloskey, Hawthorne, Nevada, to The Honorable Keith Ashworth, Chairman, Nevada Legislature's Blue Ribbon Commission on the Legislative Process, Carson City, Nevada, commenting on his insights into necessary changes to the legislative process.

36. Letter dated January 14, 1988, from Terry Sullivan, Director, Department of General Services, Carson City, Nevada, to Don Rhodes, Director, Legislative Counsel Bureau, Carson City, Nevada, regarding the study of telecommunications for the State of Nevada required by Assembly Concurrent Resolution No. 68.

37. Letter dated January 14, 1988, from The Honorable Roy L. Torvinen, District Judge and Former Assemblyman, Reno, Nevada, to the Blue Ribbon Commission on the Legislative Process, Carson City, Nevada, concerning changes to the legislative process.

38. Letter dated January 19, 1988, from Former Assemblyman Harold J. Jacobsen, Carson City, Nevada, to Senator Keith Ashworth, Chairman, Blue Ribbon Commission on the Legislative Process, regarding a presentation before the commission related to changes in the legislative process.

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46. Letter dated June 6, 1988, from Robert L. Weise, Member, Blue Ribbon Commission on the Legislative Process, Carson City, Nevada, to Mr. Keith Ashworth, Chairman, Carson City, Nevada, regarding his recommended changes to the legislative process.

47. Memorandum dated November 23, 1987, from Brian L. Davie, Principal Research Analyst, Legislative Counsel Bureau, Carson City, Nevada, to Chairman and Members, Nevada Legislature's Blue Ribbon Commission on the Legislative Process, regarding "Unicameral Legislature."

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to Current and Former Members of the Nevada Legislature for the Blue Ribbon Commission on the Legislative Process."

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# VI. APPENDICES

# APPENDIX A

# OVERVIEW OF PREVIOUS STUDIES

## APPENDIX A

### OVERVIEW OF PREVIOUS STUDIES

This report furnishes a brief summary of each of the previous studies conducted in Nevada relating to the legislative process.

1. "Legislative Techniques," Legislative Counsel Bureau Bulletin No. 75 (January 1969)

The 1967 session of the Nevada legislature adopted Senate Concurrent Resolution No. 11 (File No. 103) which directed the legislative commission to study possible means of revising and updating legislative techniques. The study was assigned to the staff of the legislative counsel bureau by the legislative commission.

During the course of this study, a large number of published reports on this subject were reviewed. These reports collectively identified over 200 items that legislatures should consider.

The final report of this study on legislative techniques--dated January 1969--includes 129 items grouped under 14 headings to identify certain possibilities, suggestions, observations and recommendations for consideration by the 1969 and subsequent sessions of the Nevada legislature. At least 104 of these items may be classified as recommendations.

2. "Final Report Of The Subcommittee For Legislative Rules Study," Legislative Counsel Bureau Bulletin No. 112 (December 1972)

The 1971 session of the Nevada legislature adopted Assembly Concurrent Resolution No. 25 (File No. 97) which directed the legislative commission to make a study of the standing rules of the senate and the assembly and the joint rules of the legislature. The legislative commission appointed a seven-member subcommittee composed of four senators and three assemblymen to conduct the study.

The subcommittee heard testimony and reviewed proposals from members of the legislature, legislative staff, and the general public, including lobbyists.

The final report of the subcommittee--dated December 1972--includes 13 recommendations in the following subject areas: bills, committee structure, ethics, legislative process, parallel rules, per diem and session meetings.

3. "Counsel Bureau Organization And Legislative Procedures," Legislative Counsel Bureau Bulletin No. 114 (1974)

The 1973 session of the Nevada legislature adopted Senate Concurrent Resolution No. 23 (File No. 123) which directed the legislative commission to study the organization, procedures and operation of the legislature and the legislative counsel bureau of the State of Nevada. The legislative commission appointed a seven-member subcommittee composed of two senators and five assemblymen to conduct the study.

The subcommittee sent an extensive questionnaire to each legislator (to which 70 percent responded), provided for an independent analysis of the Nevada legislature (conducted by the Citizens Conference of State Legislatures [CCSL]) and held hearings to obtain testimony.

The final report contains 41 recommendations in several broad areas including increased accessibility of the legislature to citizens, increased capacity of legislators to be informed, improved utilization of the biennium and increased participation of all legislators in the budget process.

4. "Prospect For Greatness" by The Citizens Conference on State Legislatures (January 1974)

As part of the study mandated by S.C.R. 23 in 1973 (noted above), the legislative commission funded an independent analysis of the Nevada legislature by The Citizens Conference on State Legislatures. The study was performed under contract in conjunction with the study of the "Counsel Bureau Organization and Legislative Procedures." The CCSL was a nonpartisan, not-for-profit organization, based in Kansas City, Missouri, which worked with legislators and other groups concerned with legislative improvements.

Staff of the CCSL interviewed legislators, legislative staff, media representatives, lobbyists, and other interested citizens; gathered data and information; and used the results of the attitude survey of legislators in Nevada used for Legislative Counsel Bureau Bulletin No. 114. The final report--entitled "Prospect For Greatness" (January 1974) includes 38 recommendations for the Nevada legislature to improve its capacity and effectiveness as a policymaking body.

# APPENDIX B

## ASSEMBLY BILL 678 (CHAPTER 811, STATUTES OF NEVADA, 1987)

APPENDIX B

ASSEMBLY BILL 678 (CHAPTER 811, STATUTES OF NEVADA, 1987)

Assembly Bill No. 678--Assemblymen McGaughey, Schofield, Bergevin, Dini, Jeffrey, Price, DuBois, Getto, Spinello, Wendell Williams, Porter, Triggs, May, Banner, Marvel, Thompson, Kerns, Humke, Freeman, Adler, Spriggs, Lambert, Garner, Kissam, Brookman, Myrna Williams, Nevin, Callister, Nicholas, Gaston, Haller, Swain, Carpenter, Tebbs, Wisdom, Sader, Sedway, Arberry, Fay, Evans and Craddock

CHAPTER..811.

AN ACT relating to governmental affairs; creating a blue ribbon commission on the legislative process; providing for its organization and duties; and providing other matters properly relating thereto.

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

**Section 1.** The legislature declares that:

1. Since 1950, Nevada has had the highest percentage of growth among the 50 states.

2. Because Nevada is a rapidly growing state it requires the assistance of the legislature to serve the needs of a growing population of over 1,000,000 and to ensure the timely development of an adequate economic framework for the requirements of business.

3. The philosophy and practice of the "citizen-legislator" provides a unique and valuable contribution to the creation and application of new laws.

4. Our state must have a progressive state government to promote and assist economic growth so that Nevada can develop its potential to become a strong, versatile force in the international marketplace.

**Sec. 2.** As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, "commission" means the blue ribbon commission on the legislative process.

**Sec. 3.** 1. The blue ribbon commission on the legislative process, consisting of 11 members appointed by consensus of the speaker and minority leader of the assembly and the majority and minority leaders of the senate, is hereby created. Two members of the commission must be former or present members of the senate and two members must be former or present members of the assembly. The remainder of the members must be representatives of the general public.

2. Each member of the commission must be a resident of the state.

3. The membership must be composed of representatives from various geographical locations in the state.

**Sec. 4.** Each member of the commission is entitled to receive the per diem allowance and travel expenses established for state officers and employees generally for each day he is actually engaged in the business of the commission, but is not entitled to receive a salary.

**Sec. 5.** 1. The commission shall elect a chairman and a vice chairman at the first meeting.

2. The commission shall hold public hearings at least three times in Clark County, twice in Washoe County and once in a rural county. The chairman may hold additional meetings if he deems it necessary to accomplish the objectives of the commission.

**Sec. 6.** The legislative counsel bureau shall provide all staff necessary to support the operations of the commission.

**Sec. 7.** The commission shall consider:

1. The desirability of annual sessions of the legislature, including:

(a) The limitation of an annual session not to exceed 60 days as compared to one biennial session of unlimited days.

(b) The ability of a limited annual session to address all legislative concerns.

(c) The inability of a biennial legislature to address in a timely manner the rapid changes in the needs of the residents and businesses of our state.

2. Trends in population as projected for 1993 to 2000 and beyond, including:

(a) An analysis of the effects and needs of the anticipated increase in population.

(b) The identification of the means to address the advantages and disadvantages that this increase will create regarding delivery of state governmental services.

3. Trends in business-related enterprises, including the identification of the advantages and disadvantages of rapid growth in business-related enterprises within the state.

4. Financial remuneration of legislators, including:

(a) Recognition of the value of a "citizen-legislator" who can bring a layman's approach to government as opposed to professional politicians or persons from select segments of society.

(b) The need to compensate more fully the "citizen-legislator" to offset his living expenses while attending the session and to compensate him for the days he serves in session.

(c) The amount of compensation paid to the legislators and its effect on the caliber of person attracted to public service.

(d) The possibility that only two types of persons will be able to serve in future years in the legislature, the retired and the financially independent, if legislators are not compensated adequately.

5. The desirability of retaining the nonprofessional, "citizen legislature" so as to encourage diversity in the legislative process by drawing upon all socioeconomic walks of life for solving problems and planning for the 21st century.

6. The convening of the session at a later date to provide more time between the election and the beginning of the session for the legal division of the legislative counsel bureau to draft bills in order that the legislature can immediately operate at its full potential.

7. A short recess of the legislative session at midpoint to provide "citizen-legislators" time to consult with their constituents and address personal and business matters.

8. The use of more joint legislative committee hearings to:

(a) Reduce the time spent processing a bill.

(b) Reduce the occurrences of repetitious testimony.

(c) Reduce the time and expense of those testifying.

9. The operation of standing committees and appropriations, including a study of the desirability for all standing committees to make decisions about appropriations in their related areas and the creation of a budget committee composed of members of each standing committee to tie the budget together.

10. Any other activities and programs which may assist legislators in the continuation of the efficient and effective government of this state into the 21st century.

**Sec. 8.** The commission shall submit its findings and recommendations to the legislative commission by September 1, 1988, for review and action by the 65th session of the Nevada Legislature.

**Sec. 9.** 1. There is hereby appropriated $9,000 for the support of the blue ribbon commission on the legislative process.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after December 1, 1988, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 10.** This act expires by limitation on December 1, 1988.

19 87

# APPENDIX C

## "THE UNIVERSITY OF NEVADA POLL--LEGISLATIVE PROCESS", DATED JANUARY 1988

APPENDIX C

# The University of Nevada Poll

## Legislative Process

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January, 1988

## PURPOSE

The purpose of this booklet is to illustrate the outcome of 1200 telephone interviews completed as part of The University of Nevada Poll which is a joint venture effort between the University of Nevada-Reno (Senator Alan Bible Center for Applied Research) and the University of Nevada, Las Vegas (Center for Survey Research).

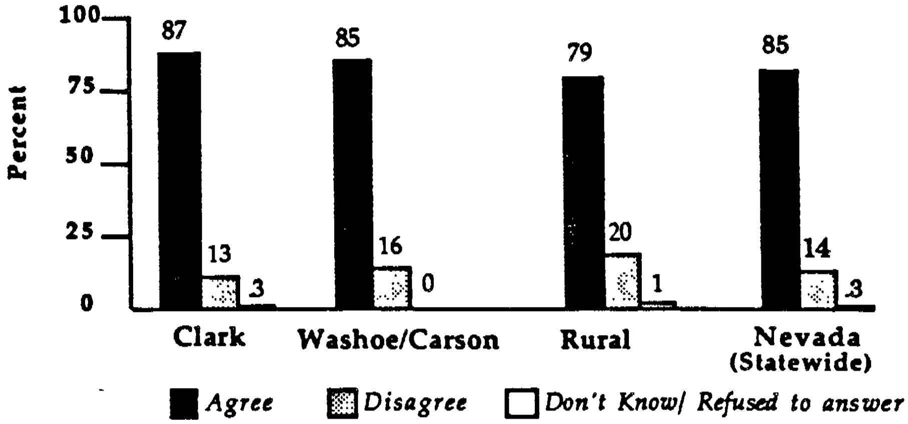
This summary of survey results provides insights into public opinion of citizens in the State. The distribution of population in Nevada is 59.5 percent in Clark County, 26.5 percent in Washoe County/Carson City, and 14 percent in rural counties.

The questions in this summary are presented with bar graphs* illustrating the responses for Clark County, Washoe County/Carson City, and rural counties. A fourth bar graph presents the statewide percentages for Nevada, created by weighting the responses according to the percent of representation in the state's total population. At the 95 percent confidence level, the error factor is ± 4 percent for statewide findings.

*Bar graphs are for illustration purposes only. Actual findings are represented numerically.

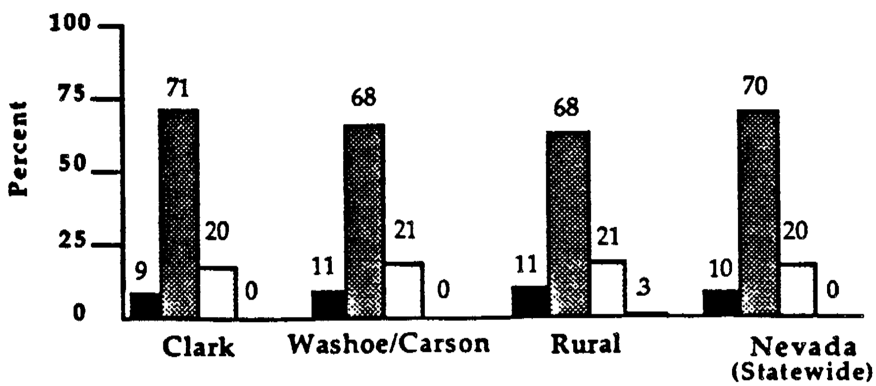
## Legislative Process

1. Some people have proposed that because of the increased workload, the Nevada legislature should begin to meet each year instead of every other year. Do you agree or disagree with this idea?

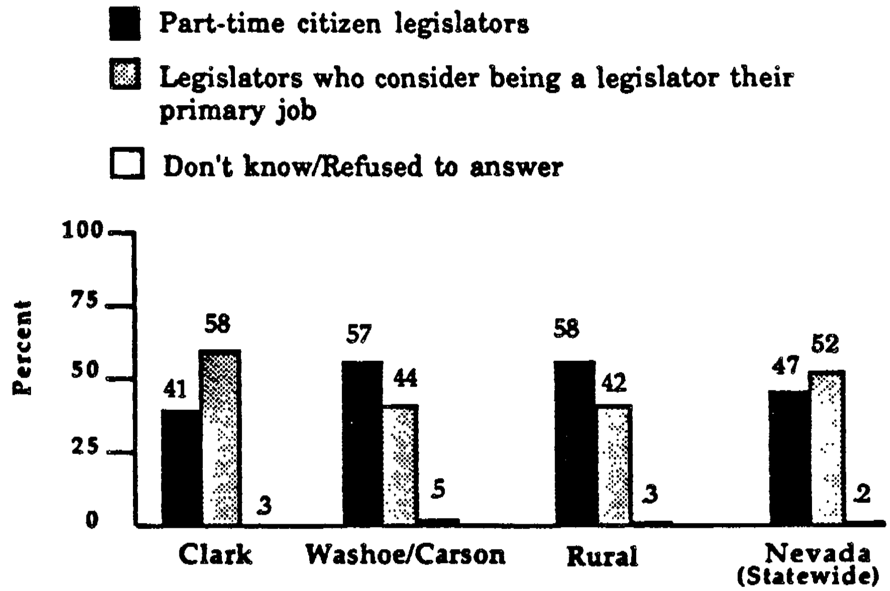



2. Currently legislative sessions begin in late January, about six weeks after the elections. Some people have suggested that six weeks doesn't allow enough time to draft bills and review the budget. Which of the following three options do you prefer?

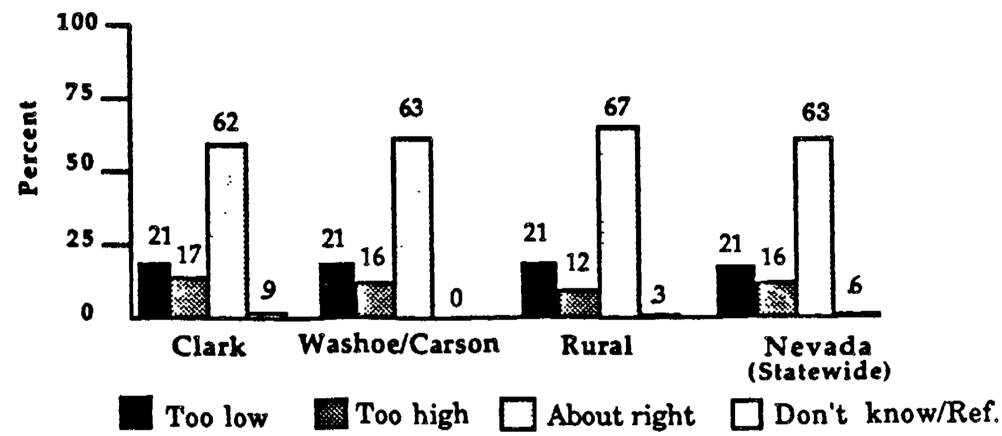
- Continue the present system
- Meet for a short organizational session in late January and then recess for a month or two while the staff drafts bills and the budget is reviewed.
- Begin the session later in the spring.
- Don't know/Refused to answer



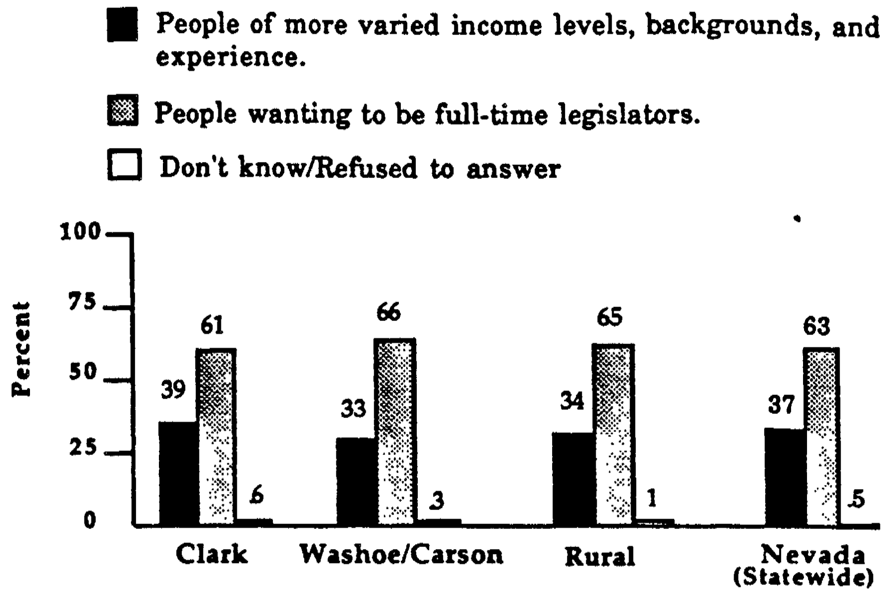
3. The Nevada legislature is sometimes called a "citizen legislature" because most of the members hold other fulltime jobs. In some other states, however, the legislators consider being a legislator their main job. Do you prefer Nevada to have part-time citizen legislators, or legislators who consider being a legislator their main job?




4. The 1987 session of the legislature ran 150 calendar days. Nevada legislators receive $7,800 for the first 60 days of the session, which is about $130 per day, plus living expenses of about $57 per day for the entire session. However, most lose income from their regular jobs, since they have to take time off work to serve in the legislature, and most must move to Carson City for the session. Do you think their legislative pay is too low, too high, or about right??



5. Some people think that higher pay for legislators would encourage people of more varied income levels, backgrounds and experience to serve in the legislature, while others disagree and say higher pay would attract people wanting to be full-time legislators. Which do you think higher pay would attract?



# Descriptive Information

| | Washoe County<br>Carson City | Clark County | Rural Counties |
|---|---|---|---|
| **Telephone Interviews:** | 400 | 400 | 400 |
| **Timeframe:** | December 1987 | December 1987 | December 1987 |
| **Gender:** | 53% Female<br>47% Male | 52% Female<br>48% Male | 53% Female<br>47% Male |
| **Party Affiliation:** | 33% Democratic<br>45% Republican<br>22% Independent/ nonpartisan/other | 43% Democratic<br>32% Republican<br>25% Independent/ nonpartisan/other | 42% Democratic<br>42% Republican<br>16% Independent/ nonpartisan/ot |
| **Political Orientation:** | 3% Very conservative<br>26% Conservative<br>46% Moderate/middle of the road<br>24% Liberal<br>2% Very liberal | 4% Very conservative<br>23% Conservative<br>48% Moderate/middle of the road<br>21% Liberal<br>4% Very liberal | 5% Very conservat<br>26% Conservative<br>44% Moderate/mid of the road<br>23% Liberal<br>3% Very liberal |
| **Error Factor:** | ±5% at the 95% confidence level | ±5% at the 95% confidence level | ±5% at the 95% confidence level |

*The purpose of The University of Nevada Poll is to provide data which measures public opinion on issues of statewide concern.*

*Using scientifically designed sampling methods, professionally trained persons conduct telephone interviews under ethical standards of confidentiality.*

*The results of this research are disseminated as widely as possible.*

*This service of the University of Nevada (Reno and Las Vegas campuses) intends to increase public understanding of issues facing the State.*

# APPENDIX D

## RESULTS OF THE SURVEY QUESTIONNAIRE TO CURRENT AND FORMER MEMBERS OF THE NEVADA LEGISLATURE FOR THE BLUE RIBBON COMMISSION ON THE LEGISLATIVE PROCESS

(NOTE: Due to its length, Attachment B of this memorandum--a detailed compilation of responses and list of comments for each question--is not included. This attachment is available for review in the research library of the legislative counsel bureau.)

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU
LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

DONALD A. RHODES, Director
(702) 885-5668

APPENDIX D

LEGISLATIVE COMMISSION (702) 885-5627
LAWRENCE E. JACOBSEN, Senator, Chairman
Donald A. Rhodes, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640
MARVIN M. SEDWAY, Assemblyman, Chairman
Daniel G. Miles, Fiscal Analyst
Mark W. Stevens, Fiscal Analyst

JOHN R. CROSSLEY, Legislative Auditor (702) 885-5622
ROBERT E. ERICKSON, Research Director (702) 885-5637
LORNE J. MALKIEWICH, Legislative Counsel (702) 885-5627

May 5, 1988

# MEMORANDUM

TO: Chairman and Members, Nevada Legislature's Blue Ribbon Commission on the Legislative Process (Assembly Bill 678)

FROM: Brian L. Davie, Principal Research Analyst

SUBJECT: Results of the Survey Questionnaire to Current and Former Members of the Nevada Legislature for the Blue Ribbon Commission on the Legislative Process

This paper presents the results of the survey questionnaire sent to current and former legislators in Nevada by the blue ribbon commission.

## RESPONSE RATE

A total of 129 survey questionnaires were sent to the 63 current members and 66 former members of the Nevada legislature. The questionnaires were color coded to distinguish between current and former legislators.

The overall response rate was 66 percent with 85 out of 129 questionnaires returned. Among current legislators, 46 of 63, or 73 percent, responded. The response rate for former legislators was 59 percent with 39 of 66 surveys returned.

## SUMMARY OF SURVEY AND THE RESULTS

The survey questionnaire contained 10 questions--five questions on legislative sessions to include annual versus biennial sessions and limits on them; and five questions relating to compensation for legislators. A copy of the questionnaire is included as Attachment A. Attachment B provides a detailed compilation of the responses and a list of the comments received for each question.

## Sessions

In reference to legislative sessions, the majority of respondents (58 percent) favored retaining the existing system of biennial sessions and opposed, by a margin of 54 percent to 38 percent, allowing the legislature to meet in annual sessions. Placing a limit on the length of biennial legislative sessions was favored by a plurality of all respondents--45 percent to 38 percent. However, if the legislature would meet in annual sessions, a large majority (72 percent) of the respondents favored limits on the length of those sessions, and a smaller majority (56 percent) agreed that a limit also should be placed on the scope of annual sessions.

Current and former legislators differed significantly on the issue of biennial and annual sessions. Former legislators strongly favored biennial sessions and opposed annual sessions, while current legislators who responded approved the idea of annual sessions by a small margin (48 percent to 41 percent).

## Compensation

On the issue of legislative compensation, most respondents (62 percent) indicated that the current level of pay is not appropriate, and most (61 percent) believed that legislators should be paid for each day in session. The issues relating to annual salaries and establishing a compensation commission received a plurality of support (44 percent and 39 percent, respectively).

A majority of the respondents (58 percent) agreed that additional staff services or financial assistance should be provided during the interim. However, current and former legislators disagreed significantly with current legislators strongly in favor (74 percent), and former legislators opposed (by a margin of 46 percent to 38 percent) to this idea.

## Table of Results

The following table provides a summary of the responses for each question on the survey.

## SUMMARY OF RESPONSES TO SURVEY QUESTIONNAIRE FOR THE BLUE RIBBON COMMISSION ON THE LEGISLATIVE PROCESS

| Questions and Respondents | Total Agree[1] | Total Disagree[1] | No Opinion/ No Response[1] |
|---|---|---|---|
| **Sessions** | | | |
| No. 1 (Retain existing biennial system) | | | |
| Total Respondents | 49 (58%) | 28 (33%) | 8 ( 9%) |
| Current Legislators | 23 (50%) | 16 (35%) | 7 (15%) |
| Former Legislators | 26 (67%) | 12 (31%) | 1 ( 3%) |
| No. 2 (Continue biennial with limit on length) | | | |
| Total Respondents | 38 (45%) | 32 (38%) | 15 (18%) |
| Current Legislators | 18 (39%) | 17 (37%) | 11 (24%) |
| Former Legislators | 20 (51%) | 15 (38%) | 4 (10%) |
| No. 3 (Allow annual sessions) | | | |
| Total Respondents | 32 (38%) | 46 (54%) | 7 ( 8%) |
| Current Legislators | 22 (48%) | 19 (41%) | 5 (11%) |
| Former Legislators | 10 (26%) | 27 (69%) | 2 ( 5%) |
| No. 4 (Limits on length of annual sessions) | | | |
| Total Respondents | 61 (72%) | 11 (13%) | 13 (15%) |
| Current Legislators | 36 (78%) | 4 ( 9%) | 6 (13%) |
| Former Legislators | 25 (64%) | 7 (18%) | 7 (18%) |
| No. 5 (Limit on scope of annual sessions) | | | |
| Total Respondents | 48 (56%) | 25 (29%) | 12 (14%) |
| Current Legislators | 26 (57%) | 13 (28%) | 7 (15%) |
| Former Legislators | 22 (56%) | 12 (31%) | 5 (13%) |
| **Compensation** | | | |
| No. 6 (Current compensation is appropriate) | | | |
| Total Respondents | 23 (27%) | 53 (62%) | 9 (11%) |
| Current Legislators | 11 (24%) | 29 (63%) | 6 (13%) |
| Former Legislators | 12 (31%) | 24 (62%) | 3 ( 8%) |
| No. 7 (Increase compensation to allow pay for each day in session) | | | |
| Total Respondents | 52 (61%) | 24 (28%) | 9 (11%) |
| Current Legislators | 33 (72%) | 9 (20%) | 4 ( 9%) |
| Former Legislators | 19 (49%) | 15 (38%) | 5 (13%) |

| Questions and Respondents | Total Agree[1] | Total Disagree[1] | No Opinion/ No Response[1] |
|---|---|---|---|
| No. 8 (Restructure compensation to provide annual salary) | | | |
| Total Respondents | 37 (44%) | 28 (33%) | 20 (24%) |
| Current Legislators | 21 (46%) | 13 (28%) | 12 (26%) |
| Former Legislators | 16 (41%) | 15 (38%) | 8 (21%) |
| No. 9 (Establish compensation commission) | | | |
| Total Respondents | 33 (39%) | 28 (33%) | 24 (28%) |
| Current Legislators | 21 (46%) | 10 (22%) | 15 (33%) |
| Former Legislators | 12 (31%) | 18 (46%) | 9 (23%) |
| No. 10 (Provide additional staff services or compensation during interim) | | | |
| Total Respondents | 49 (58%) | 26 (31%) | 10 (12%) |
| Current Legislators | 34 (74%) | 8 (17%) | 4 ( 9%) |
| Former Legislators | 15 (38%) | 18 (46%) | 6 (15%) |

[1] Percentages may not add up to 100 percent due to rounding.

## OVERVIEW OF RESPONSES AND COMMENTS

This section provides a more detailed analysis of the responses and comments received for each question on the survey.

### 1. Biennial Sessions

A majority of all respondents (58 percent) agreed that the existing system of biennial legislative sessions in Nevada should be retained, while one-third (33 percent) disagreed. Half (50 percent) of the current legislators who responded agreed with this idea, whereas two-thirds (67 percent) of former legislators expressed agreement.

The detailed responses (see Attachment B) indicate that former legislators were more emphatic in their support of biennial sessions since 21 of the 26 agreement responses were in the "strongly agree" category. Among current legislators, 10 strongly agreed and 13 marked the agree category.

Two comments from current legislators were received on this question. One comment advocated more oversight committees on key issues, and the other recommended February 1 as the convening date for the session.

2. Limit on Length of Biennial Sessions

A plurality of all respondents (45 percent) agreed that an effective limit should be placed on the length of biennial sessions, but 38 percent disagreed and 18 percent provided no response or no opinion.

A larger percentage of former legislators (51 percent versus 39 percent for current legislators) agreed with the idea of limits on biennial sessions. A relatively large percentage (24 percent) of current legislators did not respond or indicated no opinion on this issue.

A total of 38 comments were received on this question--18 from legislators and 20 from former legislators. Recommendations on a time limit for biennial sessions were included in 36 of the comments.

The recommendations varied from 60 days to 6 months and no time limit on biennial sessions. The most popular limits were 120 days (recommended by 12 respondents) and 90 days (recommended by eight respondents). The following is a compilation of time limits for biennial sessions from the comments:

| Time Limit | Current Legislators | Former Legislators | Total |
|---|---|---|---|
| 60 days | 2 | 1 | 3 |
| 90 days | 4 | 4 | 8 |
| 100 days | 1 | 2 | 3 |
| 120 days | 5 | 7 | 12 |
| 130 days | 0 | 1 | 1 |
| 140 days | 3 | 1 | 4 |
| 150 days | 1 | 2 | 3 |
| 6 months | 1 | 0 | 1 |
| No time limit | 0 | 1 | 1 |

3. Annual Sessions

A majority of the respondents (54 percent) disagreed with the statement to allow the Nevada legislature to meet in annual sessions. Current legislators who responded favored the idea of annual sessions by a slight margin of 48 percent to 41 percent. However, former legislators overwhelmingly disagreed with annual sessions by 69 percent to 26 percent.

The detailed responses (see Attachment B) show that former legislators expressed stronger disagreement toward the idea of annual legislative sessions.

No comments were received on this question.

4. Limit on Length of Annual Sessions

If the legislature would meet in annual sessions, almost three-fourths (72 percent) of all respondents agreed that limits should be placed on the length of the sessions. This concept received the strongest support from both groups of legislators--78 percent among current legislators and 64 percent among former legislators. In addition, the majority of respondents who agreed with limits on annual sessions expressed strong agreement (see Attachment B).

A total of 55 comments were received on this question--30 from legislators and 25 from former legislators. Most of the comments recommended limits ranging from 20 to 120 days and various combinations of different limits over a 2-year period of annual sessions.

The most popular time limits for annual sessions were 60 days (recommended by 21 respondents) and 90 days (recommended by 10 respondents). The following is a compilation of time limits from the comments:

| Time Limit | Current Legislators | Former Legislators | Total |
|---|---|---|---|
| 20 days | 0 | 1 | 1 |
| 30 days | 0 | 1 | 1 |
| 45 days | 1 | 0 | 1 |
| 60 days | 12 | 9 | 21 |
| 75 legislative days | 0 | 1 | 1 |
| 80 days | 1 | 0 | 1 |
| 90 days | 5 | 5 | 10 |
| 110 days | 1 | 0 | 1 |
| 120 days | 1 | 3 | 4 |
| No time limit | 0 | 1 | 1 |
| 45 to 60 days | 1 | 0 | 1 |
| 60 to 90 days | 2 | 0 | 2 |
| 90 to 120 days | 0 | 1 | 1 |
| 60/30 days | 1 | 0 | 1 |
| 90/30 days | 0 | 1 | 1 |
| 90/60 days | 2 | 0 | 2 |
| 100/40 days | 0 | 1 | 1 |
| 120/60 days | 3 | 0 | 3 |

5. Limit on Scope of Annual Sessions

A majority of all respondents (56 percent) also agreed that limits should be placed on the scope of annual sessions if the legislature would meet annually. The responses were fairly consistent between both groups of legislators.

A total of 31 comments were received on this question--15 from current legislators and 16 from former legislators. Most of the comments indicated that the annual session in the off year should be limited to budgetary matters and some also included emergency legislation. Three comments reflected the view that a budget limitation was not practical. Other comments listed time limits similar to those provided in question no. 4.

6. Appropriateness of Current Compensation

A significant majority of the respondents (62 percent) disagreed that the current level and method of compensation in Nevada is appropriate. The percentage of disagreement with the appropriateness of current compensation was consistent between legislators (63 percent) and former legislators (62 percent).

Three comments were received from current legislators on this question. One comment indicated that the compensation was appropriate, except for postage.

7. Compensation for each Day in Session

A significant majority of all respondents (61 percent) agreed that compensation for Nevada's legislators should be increased by allowing them to be paid for each day the legislature actually is in session. A larger percentage of current legislators (72 percent) agreed with this idea, while 49 percent of former legislators agreed.

Three comments from former legislators were received on this question. Two of the comments specified that pay for legislators for each day in session should be provided only if limits, or an effective limit, are placed on the length of sessions.

8. Annual Salary

A plurality of the respondents (44 percent) agreed that compensation for Nevada's legislators should be restructured by providing for an annual salary or other means, but 33 percent disagreed and 24 percent provided no response or no opinion.

A total of 40 comments were received on this issue--19 from legislators and 21 from former legislators. The comments expressed a wide variety of views on legislative pay and no consistent trend.

Twelve of the comments--primarily from current legislators--emphasized support for the concept of annual salaries. A few comments included specific recommendations for an annual salary such as $12,000; $18,500; and $20,000 to $25,000 per year. Other comments dealt with more pay for specific purposes, paying for certain numbers of days, and no increases or the adequacy of existing pay rates.

9. Compensation Commission

A plurality of all respondents (39 percent) agreed that a compensation commission should be established in Nevada, while 33 percent disagreed and 28 percent did not respond. However, current and former legislators were divided on this isssue with 46 percent of current legislators in favor and 46 percent of former legislators opposed to this idea.

Three comments were received on this question. Two of the comments emphasized that there was no need for a compensation commission or a standing commission.

10. Interim Services or Financial Assistance

A majority of respondents (58 percent) agreed that additional staff services or financial assistance for representational duties should be provided to legislators during the interim period. Current and former legislators were sharply divided on this issue with almost three-fourths (74 percent) of current legislators in favor and 46 percent of former legislators opposed to this concept. Most of the current legislators who agreed with this idea expressed strong agreement (see Attachment B).

A total of 36 comments were received on this question--24 from current legislators and 12 from former legislators. Twenty of the comments (16 from current legislators) related to the need for secretarial services, local staff support and/or branch offices of the legislative counsel bureau in Southern Nevada or other areas of the state. Six comments dealt with financial assistance for rural legislators. Other comments cited the adequacy of current staff support, proposed decreases in interim support and recommended increases in certain staff.

Other Comments

A total of 26 additional comments were included on the questionnaires--12 from legislators and 14 from former legislators. These other comments covered the gamut of issues on the legislative process including the budget process, the citizen legislature, compensation, deadlines for bills, joint committees, orientations, sessions and staffing. The comments are listed in Attachment B.

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Attachments

ATTACHMENT A

# SURVEY QUESTIONNAIRE FOR THE BLUE RIBBON COMMISSION ON THE LEGISLATIVE PROCESS (ASSEMBLY BILL 678)

Please respond to the following statements by using one of the numbers from the scale:

| 1. Strongly Agree | 2. Agree | 3. No Opinion | 4. Disagree | 5. Strongly Disagree |
|---|---|---|---|---|

## Sessions

As provided for by Article 4, Section 2 of the Nevada Constitution, legislative sessions are held biennially, in odd-numbered years commencing on the third Monday in January. Although compensation is limited to 60 days, since 1975 regular sessions have run between 113 and 151 calendar days.

_____ 1. The existing system of biennial legislative sessions should be retained.

_____ 2. The Nevada legislature should continue to meet in biennial sessions, but an effective limit should be placed on the length of the session.

Please indicate the limit on length that you would prefer for biennial sessions:

_______________________________________________

_____ 3. The Nevada legislature should be allowed to meet in annual sessions.

_____ 4. If the legislature is to meet in annual sessions, limits should be placed on the length of the sessions.

Please indicate the limit on length that you would suggest for annual sessions:

_______________________________________________

_____ 5. If the legislature is to meet in annual sessions, limits should be placed on the scope of annual sessions (for example, limit the session in even-numbered years primarily to budgetary matters).

Please indicate any limit on the scope of annual sessions that you would prefer:

_______________________________________________

Compensation

Legislators receive $130 a day for the first 60 calendar days of a legislative session. They also receive a per diem ($57 during 1987) for the entire session in addition to allowances for travel (up to $6,800), communications ($2,800) and postage ($60).

_____ 6. The current level and method of compensation for legislators in Nevada is appropriate.

_____ 7. Compensation for Nevada's legislators should be increased by allowing them to be paid for each day the legislature actually is in session.

_____ 8. Compensation for Nevada's legislators should be restructured by providing for an annual salary or other means.

Please indicate any suggestions you may have for increasing legislator compensation:

_____________________________________________

_____________________________________________

_____ 9. Some states have created compensation commissions to regularly study and recommend levels of pay for legislators and certain other state officials. A compensation commission should be established in Nevada.

_____ 10. Additional staff services or financial assistance for representational duties should be provided to legislators during the interim period.

Please indicate any suggestions you may have for increasing staff services or compensation for legislators during the interim:

_____________________________________________

_____________________________________________

Other comments or sugestions on the legislative process:

NAME (Optional):______________________________

Please return this questionnaire no later than April 15, 1988, in the enclosed envelope or mail to:

Legislative Counsel Bureau
Attn: Research Division
Capitol Complex
Carson City, NV 89710

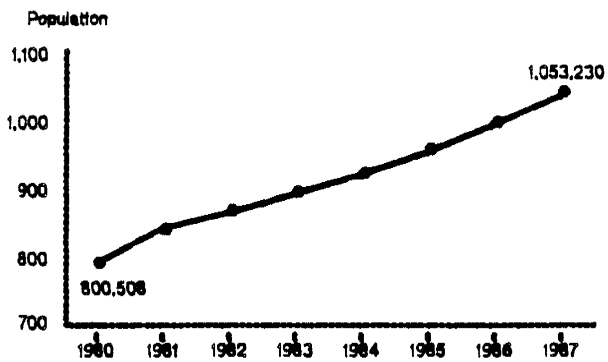


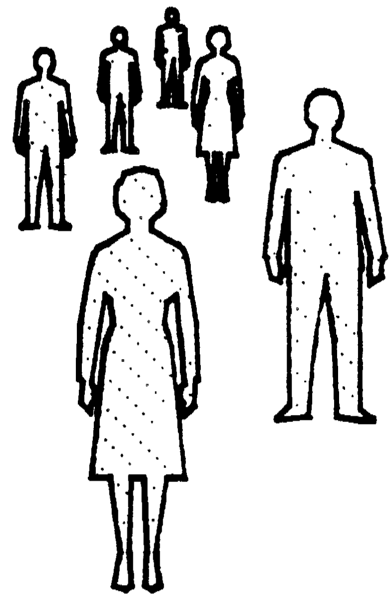
BLD/1a
BRC2:BRC7-7.2

# APPENDIX E

# REPORT ON "POPULATION TRENDS IN NEVADA"

# POPULATION TRENDS IN NEVADA



HISTORICAL TRENDS

POPULATION OF COUNTIES IN NEVADA

POPULATION OF CITIES AND PLACES

POPULATION BY AGE AND RACE

POPULATION BY HOUSEHOLD RELATIONSHIP

OFFICIAL STATE ESTIMATES

NEVADA POPULATION FORECASTS

# POPULATION TRENDS IN NEVADA

1988 Nevada Statistical Abstract
Draft Supplement

Prepared by:

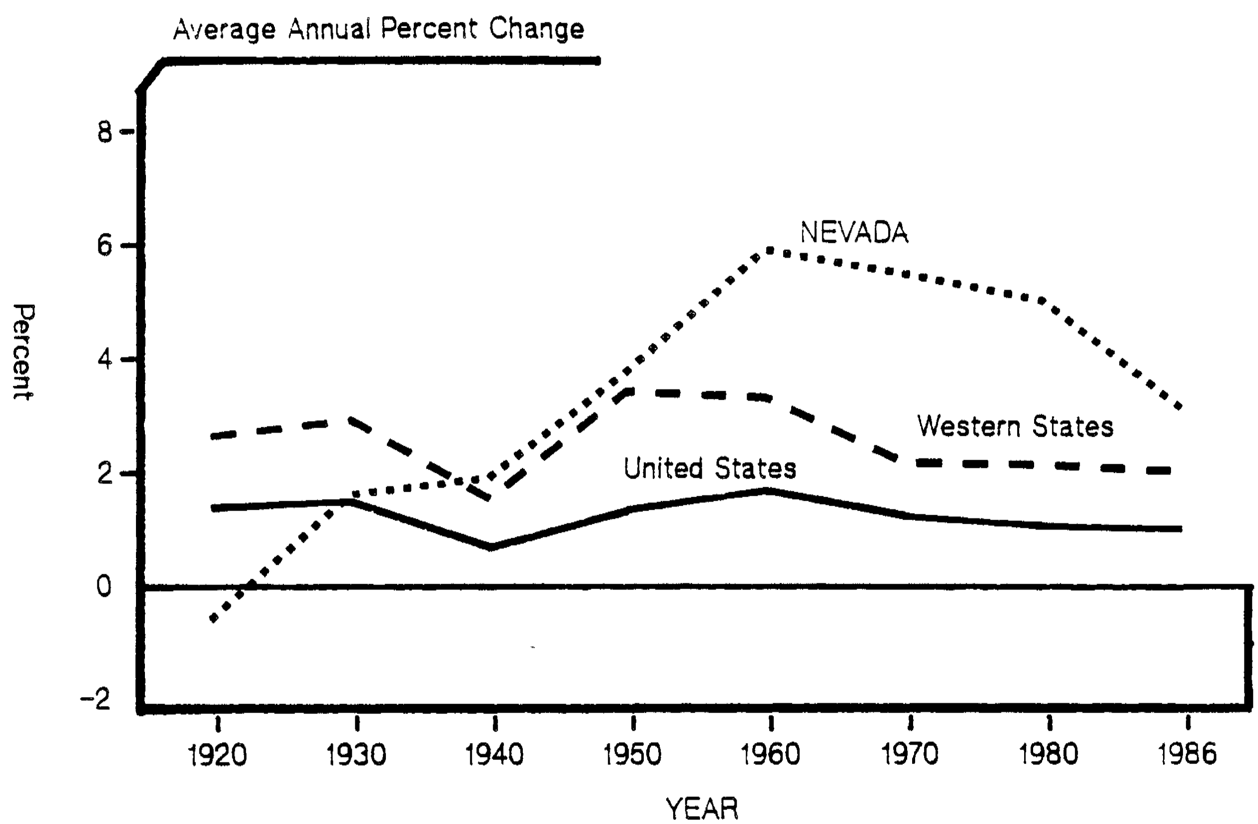
John B. Walker
Planning and Intergovernmental Affairs
Nevada Office of Community Services

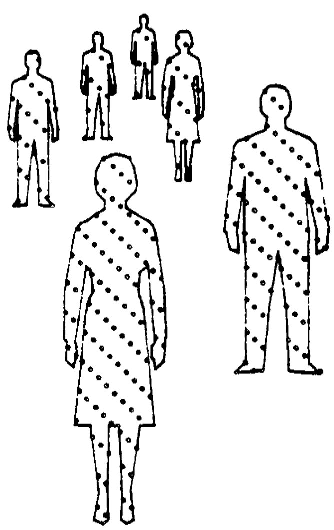
for the

Nevada Legislature's Blue Ribbon
Commission on the Legislative Process

February 1988

# POPULATION GROWTH TRENDS, THE UNITED STATES, WESTERN STATES AND NEVADA -- 1920 to 1986



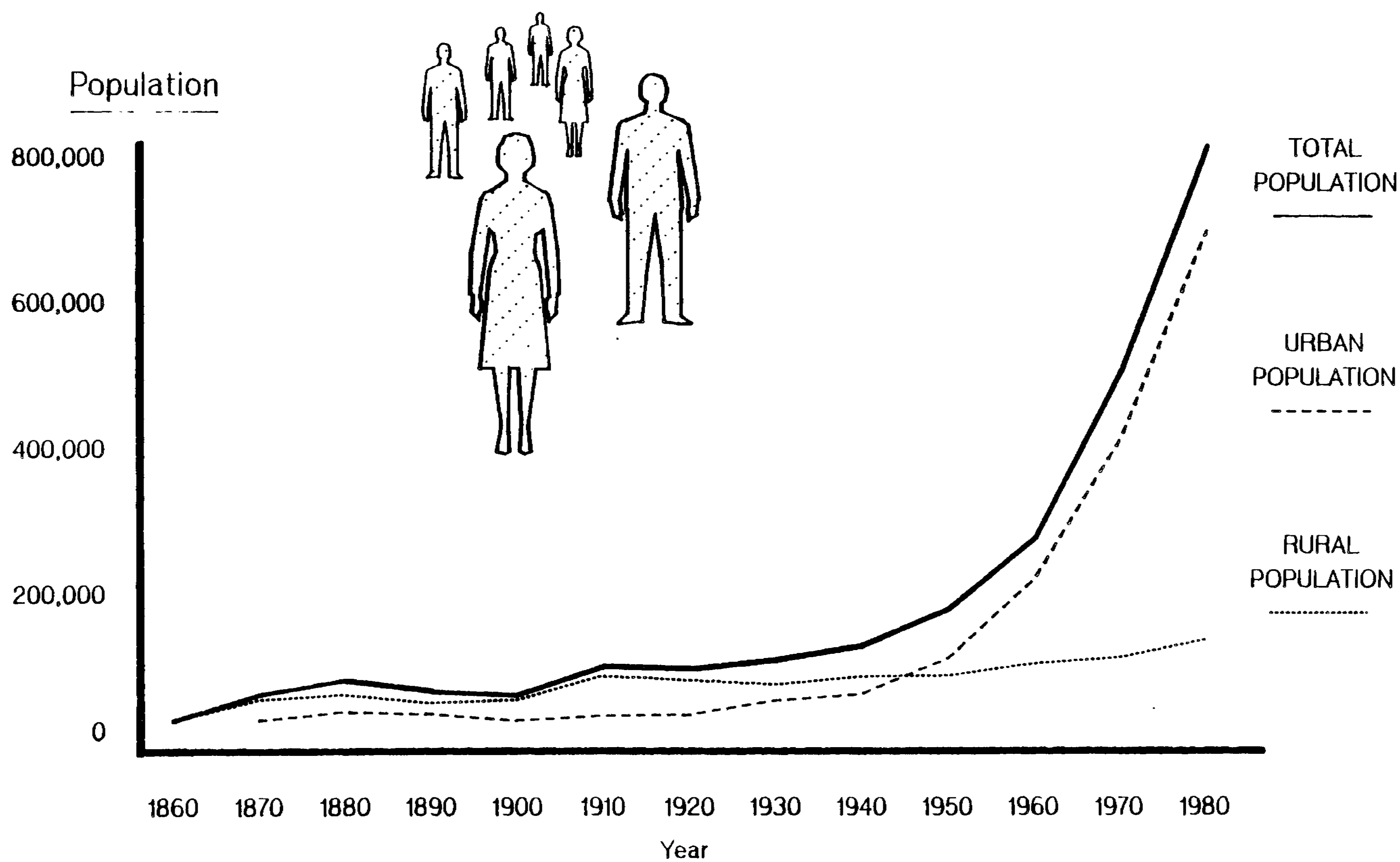



Average Annual Percent Change

| Years | United States | Western States | Nevada |
|---|---|---|---|
| 1920 | 1.40 | 2.67 | -0.56 |
| 1930 | 1.15 | 2.95 | 1.64 |
| 1940 | .70 | 1.55 | 1.93 |
| 1950 | 1.36 | 3.45 | 3.80 |
| 1960 | 1.17 | 3.34 | 5.95 |
| 1970 | 1.26 | 2.19 | 5.53 |
| 1980 | 1.09 | 2.17 | 5.06 |
| 1986 | 1.04 | 2.05 | 3.15 |

SOURCE: U.S. Department of Commerce, Bureau of the Census, Number of Inhabitants, United States Summary and Current Population Reports, Series P-25.

## NEVADA URBAN AND RURAL POPULATION GROWTH
## 1860 to 1980




SOURCE: U.S. Department of Commerce, Bureau of the Census, Number of Inhabitants, 1980

Nevada Urban and Rural Population
1860 to 1980

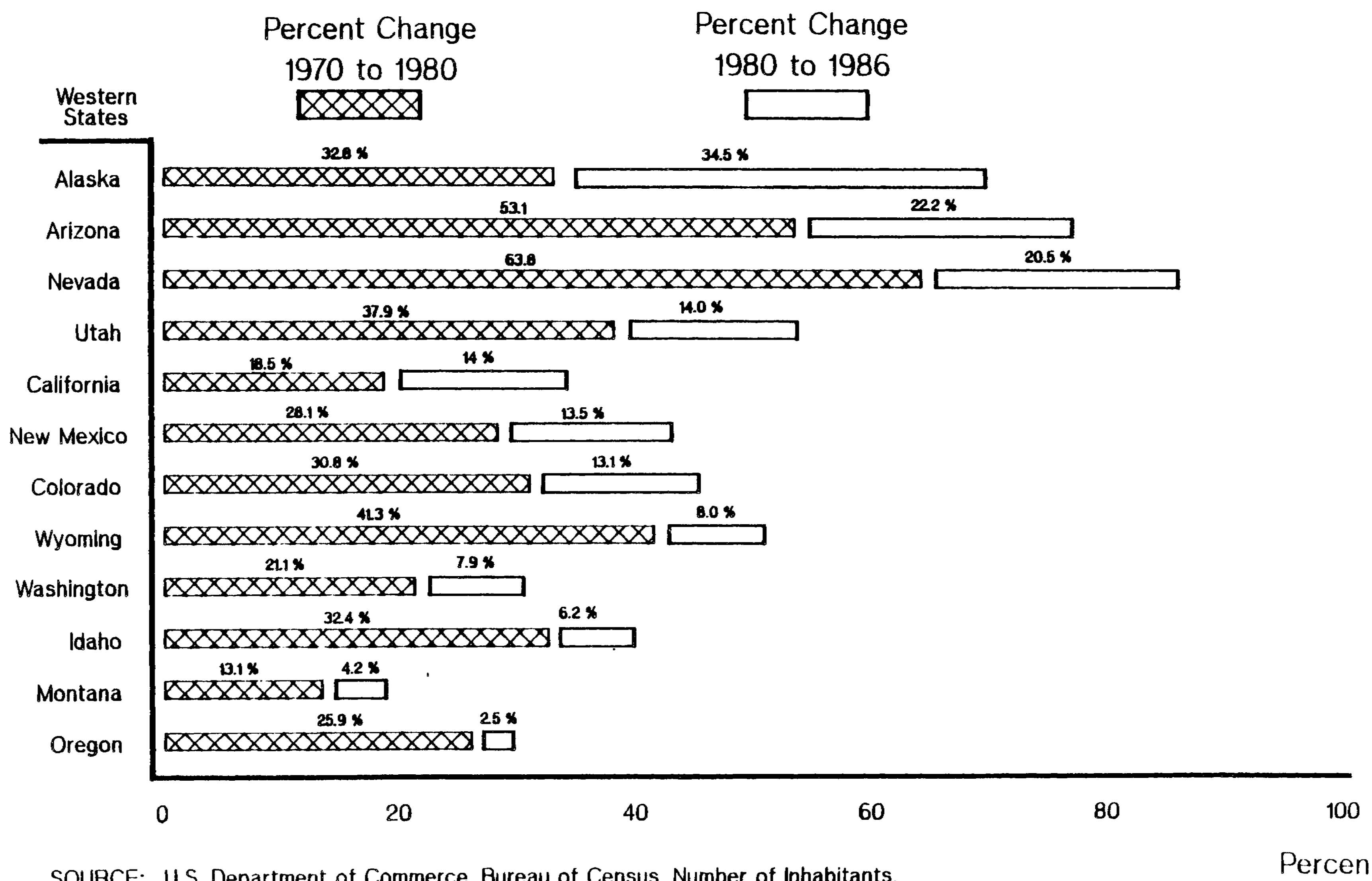
| Year | Total Resident Population | Urban | | Rural | |
|---|---|---|---|---|---|
| | | # of Inhabitants | Percent of Total | # of Inhabitants | Percent of Total |
| 1860 | 6,857 | N/A | N/A | 6,857 | 100.0 % |
| 1870 | 42,491 | 7,048 | 16.6 % | 35,443 | 83.4 |
| 1880 | 62,266 | 19,353 | 31.1 | 42,913 | 68.9 |
| 1890 | 47,355 | 16,024 | 33.8 | 31,331 | 66.2 |
| 1900 | 42,335 | 7,195 | 17.0 | 35,140 | 83.0 |
| 1910 | 81,875 | 13,367 | 16.3 | 68,508 | 83.7 |
| 1920 | 77,407 | 15,254 | 19.7 | 62,153 | 80.3 |
| 1930 | 91,058 | 34,464 | 37.8 | 56,564 | 62.2 |
| 1940 | 110,247 | 43,291 | 39.3 | 66,956 | 60.7 |
| 1950 | 160,083 | 91,625 | 57.2 | 68,458 | 42.8 |
| 1960 | 285,278 | 200,704 | 70.4 | 84,574 | 29.6 |
| 1970 | 488,738 | 395,336 | 80.9 | 93,402 | 19.1 |
| 1980 | 800,508 | 682,833 | 85.3 | 117,675 | 14.7 |

NOTE: The 1860 population is that of the area taken to form Nevada in 1861. Also, the number of urban and rural inhabitants for 1860-1940 are adjusted to present a consistent series based on the rural/urban definition used from 1950 on.

SOURCE: U.S. Department of Commerce, Bureau of the Census, Number of Inhabitants-Nevada, 1980.

# POPULATION GROWTH IN THE WESTERN STATES

( Percent Change, 1970 to 1980 and 1980 to 1986 )




SOURCE: U.S. Department of Commerce, Bureau of Census, Number of Inhabitants, United States Summary, and Current Population Reports Series P-25, No. 1010

Population Growth in the Western States

(In Thousands)

| Western States a) | Decennial Census 1970 | Decennial Census 1980 | Estimates 1986 b) | Percent Change 1970-80 | Percent Change 1980-86 |
|---|---|---|---|---|---|
| Alaska | 303 | 402 | 509 | 32.8 % | 34.5 % |
| Arizona | 1,755 | 2,718 | 3,292 | 53.1 | 22.2 |
| Nevada | 489 | 800 | 953 | 63.8 | 20.5 |
| Utah | 1,059 | 1,461 | 1,659 | 37.9 | 14.0 |
| California | 19,971 | 23,668 | 26,675 | 18.5 | 14.0 |
| New Mexico | 1,017 | 1,303 | 1,462 | 28.1 | 13.5 |
| Colorado | 2,210 | 2,890 | 3,223 | 30.8 | 13.1 |
| Wyoming | 332 | 470 | 503 | 41.3 | 8.0 |
| Washington | 3,413 | 4,132 | 4,406 | 21.1 | 7.9 |
| Idaho | 713 | 944 | 996 | 32.4 | 6.2 |
| Montana | 694 | 787 | 815 | 13.1 | 4.2 |
| Oregon | 2,092 | 2,633 | 2,696 | 25.9 | 2.5 |

a) States are ranked by the percent of population growth between 1980 and 1986.

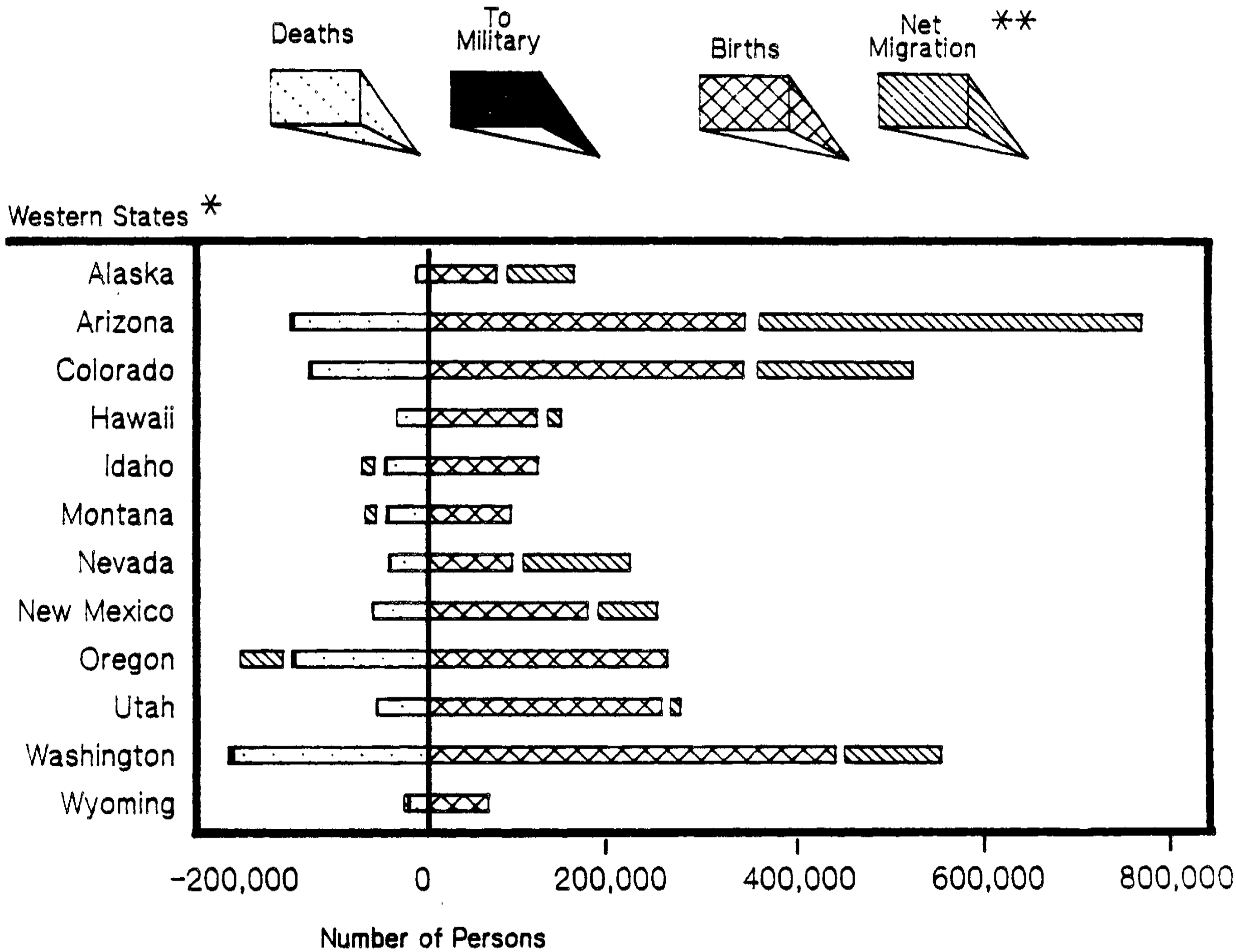
b) Represent estimates of the Civilian Population of States, (i.e. excludes armed forces residing in each state).

NOTE: Population figures have been rounded.

SOURCE: U.S. Department of Commerce, Bureau of the Census, _Number of Inhabitants, United States Summary and Current Population Reports_, Series P-25, No. 1010.

# ESTIMATES OF THE CIVILIAN POPULATION OF WESTERN STATES AND COMPONENTS OF CHANGE

## 1980 to 1986




* Because of scale dimentions, California is omitted from the list of western states.

** Net migration is the difference between births minus deaths plus new persons added through inmigration, i.e. new residences.

SOURCE: U.S. Department of Commerce, Bureau of the Census, Current Population Reports, Series P-25.

Estimate of the Civilian Population of Western States
1980 to 1986 and Components of Change

(In Thousands)

| State | April 1, 1980 a) | July 1, 1986 | Components of Change: Civilian Movement | | | | | Total Change 1980-86 | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Net Migration c) | | | |
| | | | Births | Deaths | Military b) | Number | Percent | Number | Percent |
| Alaska | 379 | 509 | 73 | 12 | 1 | 71 | 18.7 | 131 | 34.5 |
| Arizona | 2,693 | 3,292 | 338 | 143 | 4 | 407 | 15.1 | 599 | 22.2 |
| California | 23,405 | 26,675 | 2,739 | 1,203 | -1 | 1,732 | 7.4 | 3,270 | 14.0 |
| Colorado | 2,850 | 3,223 | 336 | 124 | 3 | 164 | 5.8 | 373 | 13.1 |
| Hawaii | 908 | 1,004 | 116 | 33 | -- | 14 | 1.6 | 97 | 10.6 |
| Idaho | 938 | 996 | 117 | 44 | 2 | -13 | -1.4 | 58 | 6.2 |
| Montana | 782 | 815 | 88 | 42 | 2 | -11 | -1.4 | 33 | 4.2 |
| Nevada | 791 | 953 | 90 | 40 | 2 | 114 | 14.4 | 162 | 20.5 |
| New Mexico | 1,287 | 1,462 | 170 | 58 | 1 | 63 | 4.9 | 174 | 13.5 |
| Oregon | 2,631 | 2,696 | 255 | 141 | 4 | -45 | -1.7 | 65 | 2.5 |
| Utah | 1,455 | 1,659 | 248 | 54 | 1 | 11 | 0.7 | 204 | 14.0 |
| Washington | 4,083 | 4,406 | 433 | 207 | 6 | 102 | 2.5 | 322 | 7.9 |
| Wyoming | 466 | 503 | 64 | 20 | 1 | -5 | -1.1 | 37 | 8.0 |
| Western States | 42,668 | 48,193 | 5,067 | 2,121 | 26 | 2,604 | 6.1 | 5,525 | 12.9 |
| United States | 224,968 | 239,357 | 22,922 | 12,623 | 151 | 4,241 | 1.9 | 14,389 | 6.4 |

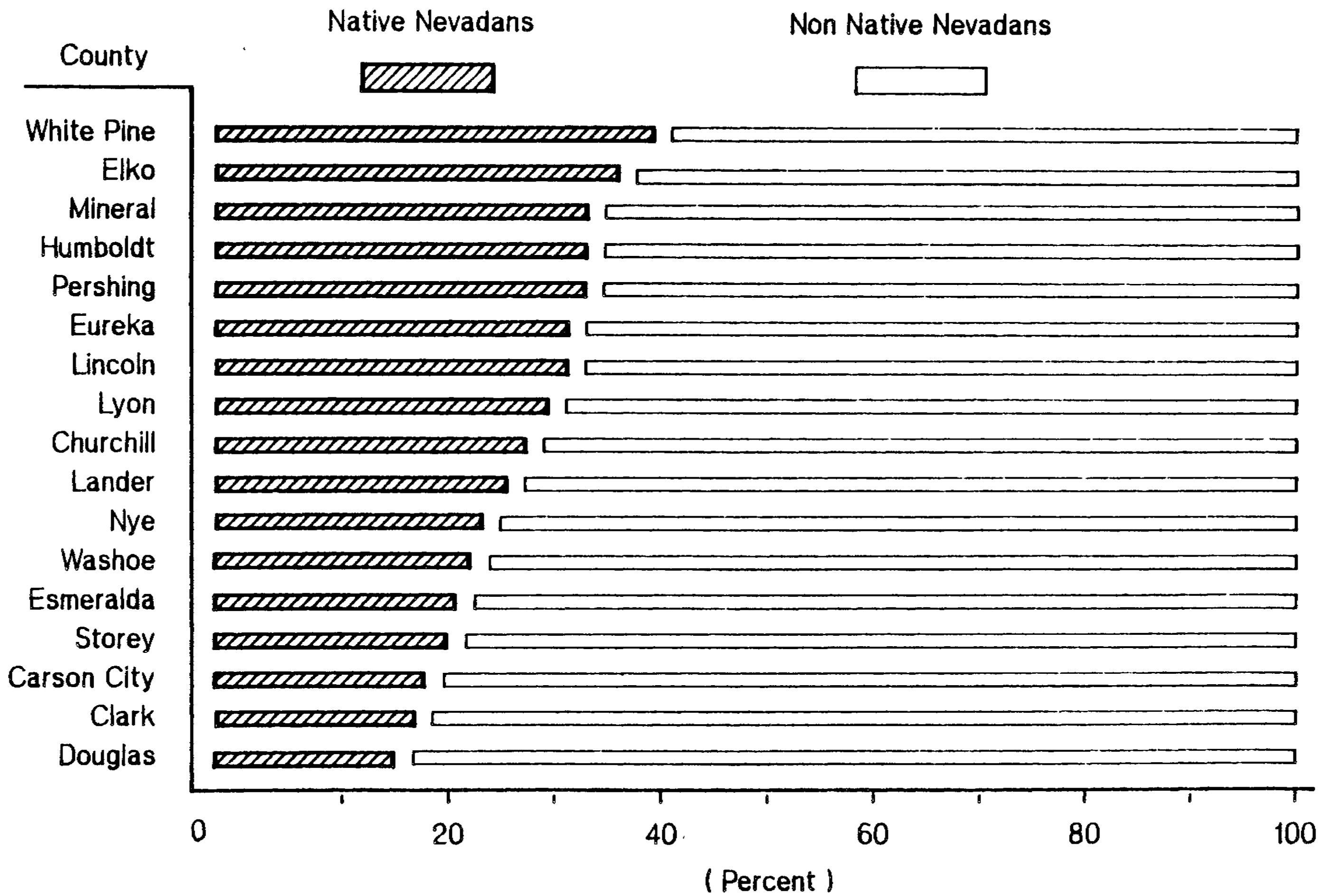
a) Data from the 1980 Decennial Census (excludes Armed Forces residing in each state).

b) Represents net movement into Armed Forces.

c) Percentages represent change over the 1980 base population count.

SOURCE: U.S. Department of Commerce, Bureau of the Census, <u>Current Population Reports</u>, Series P-25, No. 1010.

# NUMBER OF NATIVE NEVADANS LIVING IN NEVADA BY COUNTY — 1980




SOURCE: U.S. Department of Commerce, Bureau of the Census, <u>General Social and Economic Characteristics-Nevada</u>, 1980.

Number of Native Nevadans
Living in Nevada
by County
1980

| County | Total Persons | Persons Born in Nevada | |
|---|---|---|---|
| | | Number | Percent of Total |
| Carson City | 32,022 | 6,276 | 19.6 % |
| Churchill | 13,917 | 4,029 | 29.0 |
| Clark | 463,087 | 85,761 | 18.5 |
| Douglas | 19,421 | 3,245 | 16.7 |
| Elko | 17,269 | 6,518 | 37.7 |
| Esmeralda | 777 | 175 | 22.5 |
| Eureka | 1,198 | 395 | 33.0 |
| Humboldt | 9,434 | 3,273 | 34.7 |
| Lander | 4,076 | 1,107 | 27.2 |
| Lincoln | 3,732 | 1,228 | 32.9 |
| Lyon | 13,594 | 4,227 | 31.1 |
| Mineral | 6,217 | 2,165 | 34.8 |
| Nye | 9,048 | 2,257 | 24.9 |
| Pershing | 3,408 | 1,179 | 34.6 |
| Storey | 1,503 | 326 | 21.7 |
| Washoe | 193,623 | 46,185 | 23.9 |
| White Pine | 8,167 | 3,346 | 41.0 |
| Statewide | 800,493 | 171,692 | 21.4 |

SOURCE: U.S. Department of Commerce, Bureau of the Census, <u>General Social and Economic Characteristics-Nevada</u>, 1980.

Population of Counties in Nevada
1960 to 1980

| County | Number of Inhabitants 1960 | 1970 | 1980 | Average Annual Percent Change 1960-70 | 1970-80 |
|---|---|---|---|---|---|
| Carson City | 8,063 | 15,468 | 32,022 | 6.7 % | 7.5 % |
| Churchill | 8,452 | 10,513 | 13,917 | 2.2 | 2.8 |
| Clark | 127,016 | 273,288 | 463,087 | 8.0 | 5.4 |
| Douglas | 3,481 | 6,882 | 19,421 | 7.0 | 10.9 |
| Elko | 12,011 | 13,958 | 17,269 | 1.5 | 2.1 |
| Esmeralda | 619 | 629 | 777 | 0.2 | 2.1 |
| Eureka | 767 | 948 | 1,198 | 2.1 | 2.4 |
| Humboldt | 5,708 | 6,375 | 9,449 | 1.1 | 4.0 |
| Lander | 1,566 | 2,666 | 4,076 | 5.5 | 4.3 |
| Lincoln | 2,431 | 2,557 | 3,732 | 0.5 | 3.8 |
| Lyon | 6,143 | 8,221 | 13,594 | 3.0 | 5.2 |
| Mineral | 6,329 | 7,051 | 6,217 | 1.1 | -1.2 |
| Nye | 4,374 | 5,599 | 9,048 | 2.5 | 4.9 |
| Pershing | 3,199 | 2,670 | 3,408 | -1.8 | 2.5 |
| Storey | 568 | 695 | 1,503 | 2.0 | 8.0 |
| Washoe | 84,743 | 121,068 | 193,623 | 3.6 | 4.8 |
| White Pine | 9,808 | 10,150 | 8,167 | 0.3 | -2.1 |
| Statewide | 285,278 | 488,738 | 800,508 | 5.5 | 5.1 |

a) In 1969, Carson City and Ormsby County became one municipal government. Carson City is now considered an independent city.

SOURCE: U.S. Department of Commerce, Bureau of the Census, Number of Inhabitants-Nevada, 1980.

Population of Cities
and Places in Nevada
1970 to 1980

| Incorporated Cities and Census Designated Places | County Location | Number of Inhabitants 1970 | 1980 | Net Change | Average Annual Percent Change |
|---|---|---|---|---|---|
| Las Vegas City | Clark | 125,787 | 164,674 | 38,887 | 2.7 % |
| Reno City | Washoe | 72,863 | 100,756 | 27,893 | 3.3 |
| Paradise (CDP) | Clark | 24,477 | 84,818 | 60,341 | 13.2 |
| Sunrise Manor | Clark | 10,886 | 44,155 | 33.269 | 15.0 |
| North Las Vegas City | Clark | 46,067 | 42,739 | -3,238 | -0.7 |
| Sparks City | Washoe | 24,187 | 40,780 | 16,593 | 5.4 |
| Carson City | (N/A) | 15,468 | 32,022 | 16,534 | 7.5 |
| Henderson City | Clark | 16,395 | 24,363 | 7,968 | 4.0 |
| Winchester (CDP) | Clark | 13,981 | 19,728 | 5,747 | 3.5 |
| Boulder City | Clark | 5,223 | 9,590 | 4,367 | 6.3 |
| Sun Valley (CDP) | Washoe | 2,414 | 8,822 | 6,408 | 13.8 |
| Elko City | Elko | 7,621 | 8,758 | 1,137 | 1.4 |
| East Las Vegas (CDP) | Clark | 6,501 | 6,449 | 52 | -0.1 |
| Nellis AFB (CDP) | Clark | 6,449 | 7,476 | 1,027 | 1.5 |
| Incline Village-Crystal Bay (CDP) | Washoe | - | 6,225 | - | - |
| Ely City | White Pine | 4,176 | 4,882 | 706 | 1.6 |
| Fallon City | Churchill | 2,959 | 4,262 | 1,303 | 3.7 |
| Winnemucca City | Humboldt | 3,587 | 4,140 | 553 | 1.4 |
| Hawthorne (CDP) | Mineral | 3,539 | 3,741 | 202 | 0.6 |
| Gardnerville Ranchos (CDP) | Douglas | - | 3,542 | - | - |
| Battle Mountain (CDP) | Lander | 1,856 | 2,749 | 893 | 4.0 |
| Gardnerville, Minden (CDP) | Douglas | 1,320 | 2,638 | 1,318 | 7.2 |
| Kingsbury (CDP) | Douglas | - | 2,695 | - | - |
| New Washoe City (CDP) | Washoe | - | 2,543 | - | - |
| Yerington City | Lyon | 2,010 | 2,021 | 11 | 0.1 |
| Tonopah (CDP) | Nye | 1,716 | 1,952 | 236 | 1.3 |
| Lovelock City | Pershing | 1,571 | 1,680 | 109 | 0.7 |
| McGill (CDP) | White Pine | 2,164 | 1,419 | -745 | -4.1 |
| Zephyr Cove (CDP) | Douglas | - | 1,316 | - | - |
| Fallon Station (CDP) | Churchill | 1,045 | 1,256 | 211 | 1.9 |

Population of Cities
and Places in Nevada
1970 to 1980

(Continued)

| Incorporated Cities and Census Designated Places | County Location | Number of Inhabitants 1970 | 1980 | Net Change | Average Annual Percent Change |
|---|---|---|---|---|---|
| Carlin City | Elko | 1,313 | 1,232 | -81 | -0.6 |
| Wells City | Elko | 1,081 | 1,218 | 137 | 1.2 |
| Overton (CDP) | Clark | - | 1,111 | - | - |
| Caliente City | Lincoln | 916 | 982 | 66 | 0.7 |
| Gabbs City | Nye | 874 | 811 | -63 | -0.7 |

a) For a definition of a "Census Designated Place" see the Technical Notes.

b) In 1970 Census publications, the population of North Las Vegas was listed at 36,216. The 1980 Census documents show the North Las Vegas population to be 46,067 for 1970. The apparent discrepancy is related to boundary adjustments made in North Las Vegas between 1970 and 1980.

c) In 1969, Carson City and Ormsby County became Carson City, an independent city.

d) New Washoe City is not an incorporated city.

SOURCE: U.S. Department of Commerce, Bureau of the Census, Number of Inhabitants-Nevada, 1980.

Nevada's Population
by Selected Age Grouping

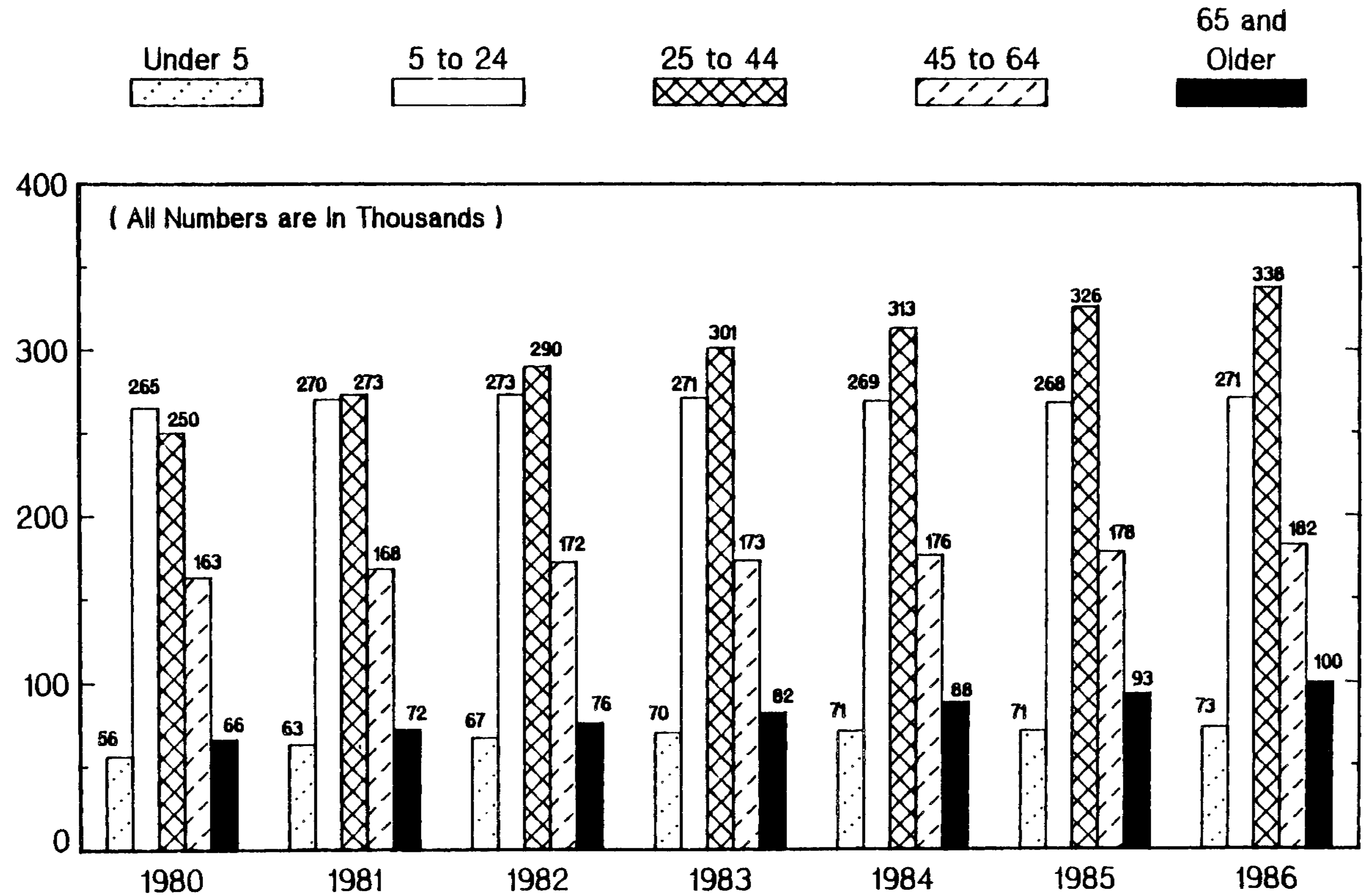
1980

| County | Selected Age Groupings | | | | | |
|---|---|---|---|---|---|---|
| | Under 1 Year | 1 - 14 Years | 15 - 64 Years | 65 Years & Over | 75 Years & Over | Total |
| Carson | 431 | 5,912 | 22,366 | 3,313 | 983 | 32,022 |
| Churchill | 239 | 3,031 | 8,920 | 1,727 | 643 | 13,917 |
| Clark | 7,612 | 96,333 | 324,030 | 35,112 | 9,926 | 463,087 |
| Douglas | 317 | 3,706 | 13,848 | 1,550 | 427 | 19,421 |
| Elko | 284 | 3,989 | 11,453 | 1,543 | 518 | 17,269 |
| Esmeralda | 10 | 149 | 532 | 86 | 27 | 777 |
| Eureka | 31 | 260 | 827 | 80 | 35 | 1,198 |
| Humboldt | 172 | 2,130 | 6,449 | 698 | 223 | 9,449 |
| Lander | 99 | 994 | 2,766 | 217 | 54 | 4,076 |
| Lincoln | 87 | 962 | 2,205 | 478 | 137 | 3,732 |
| Lyon | 234 | 3,004 | 8,797 | 1,559 | 476 | 13,594 |
| Mineral | 110 | 1,423 | 4,015 | 669 | 216 | 6,217 |
| Nye | 143 | 1,923 | 6,164 | 818 | 217 | 9,048 |
| Pershing | 64 | 713 | 2,241 | 390 | 130 | 3,408 |
| Storey | 26 | 274 | 1,072 | 131 | 22 | 1,503 |
| Washoe | 2,782 | 34,118 | 140,321 | 16,402 | 5,358 | 193,623 |
| White Pine | 121 | 1,885 | 5,177 | 984 | 366 | 8,167 |
| Statewide | 12,762 | 160,806 | 561,183 | 65,757 | 19,758 | 800,508 |

SOURCE: U.S. Department of Commerce, Bureau of the Census, <u>General Population Characteristics, 1980</u>.

# NEVADA POPULATION ESTIMATES BY AGE

( April 1, 1980 to July 1, 1986 )




SOURCE: U.S. Department of Commerce, Bureau of the Census, Current Population Reports, Series P-25, No. 1010

Nevada Population Estimates by Age
April 1, 1980 to July 1, 1986

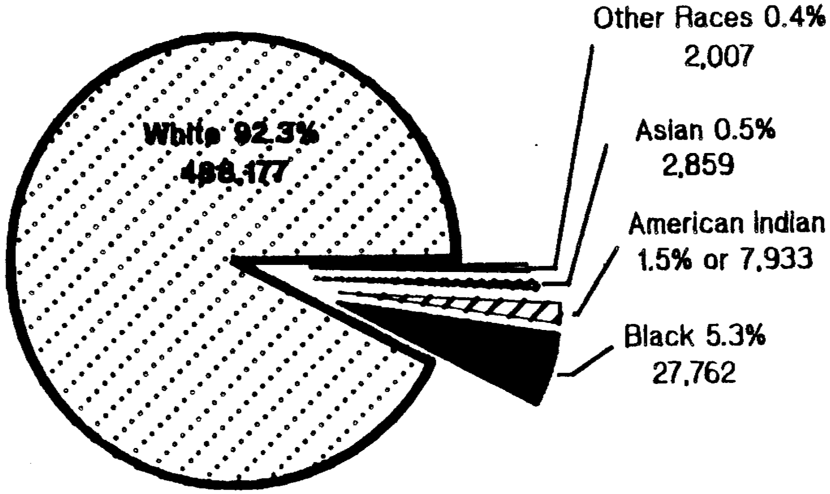
(In Thousands)

| Age Group | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | Change | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Net | % |
| Total All Ages | 800 | 846 | 878 | 897 | 917 | 937 | 963 | 163 | 20.4 |
| Under 5 Years | 56 | 63 | 67 | 70 | 71 | 71 | 73 | 17 | 30.4 |
| 5 to 24 Years | 265 | 270 | 273 | 271 | 269 | 268 | 271 | 6 | 2.3 |
| 25 to 44 Years | 250 | 273 | 290 | 301 | 313 | 326 | 338 | 88 | 35.2 |
| 45 to 64 Years | 163 | 168 | 172 | 173 | 176 | 178 | 182 | 19 | 11.7 |
| 65 and Older | 66 | 72 | 76 | 82 | 88 | 93 | 100 | 34 | 51.5 |
| Median Age | 30.2 | 30.4 | 30.5 | 30.8 | 31.2 | 31.6 | 31.9 | -- | -- |

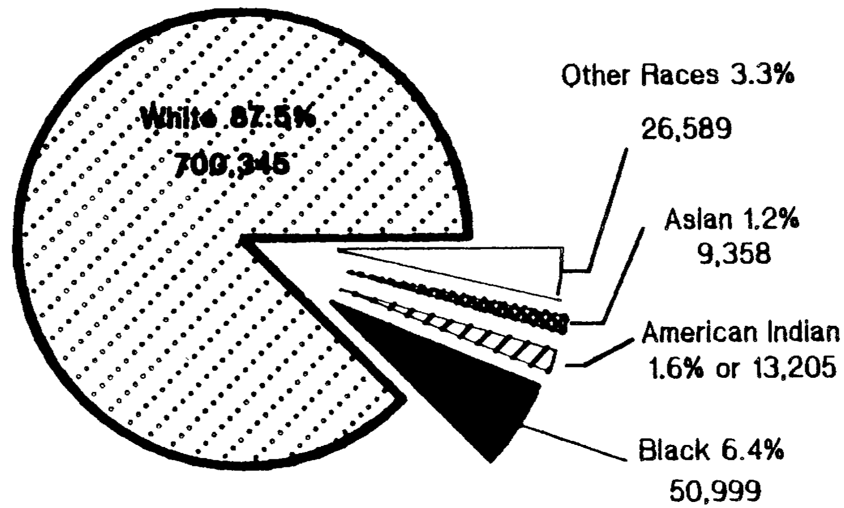
SOURCE: U.S. Department of Commerce, Bureau of the Census, Current Population Reports, Series P-25, No. 1010.

# POPULATION IN NEVADA BY RACE
# 1970 AND 1980

Distribution In 1970




Distribution In 1980




| Population | 1970 | 1980 | % Change |
|---|---|---|---|
| Total | 488,738 | 800,493 | 63.8 |
| White | 488,177 | 700,345 | 51.6 |
| Black | 27,762 | 50,999 | 83.7 |
| American Indian | 7,933 | 13,205 | 66.5 |
| Asian | 2,859 | 9,358 | 227.3 |
| Other Races | 2,007 | 26,586 | *** |

SOURCE: U.S. Department of Commerce, Bureau of the Census, General Population Characteristics, various years.

NOTE: In 1980, the Census Bureau reported that Nevada had 53,879 persons classified as Hispanic. Because persons of Hispanic origin may be of any race, they are tabulated in the racial categories above.

*** Data is not comparable between Census years.

Population in Nevada by Race
1900 to 1980

| Year | All Races | White | Black | American Indian | Asian and Pacific Islanders | Other Races |
|---|---|---|---|---|---|---|
| 1900 | 42,335 | 35,405 | 134 | 5,216 | 1,580 | -- |
| 1910 | 81,875 | 74,276 | 513 | 5,240 | 1,791 | 55 |
| 1920 | 77,407 | 70,699 | 346 | 4,907 | 1,443 | 12 |
| 1930 | 91,058 | 84,515 | 516 | 4,871 | 1,138 | 18 |
| 1940 | 110,247 | 104,030 | 664 | 4,747 | 756 | 50 |
| 1950 | 160,083 | 149,908 | 4,302 | 5,052 | 663 | 185 |
| 1960 | 285,278 | 263,443 | 13,484 | 6,681 | 1,402 | 268 |
| 1970 | 488,738 | 448,177 | 27,762 | 7,933 | 2,859 | 2,007 |
| 1980 | 800,493 | 700,345 | 50,999 | 13,205 | 9,358 | 26,586 |

NOTE: Persons of Spanish origin may be of any race and are tabulated in the racial categories. In 1980, there were 53,879 persons of Spanish origin. In 1970, there were 27,142 identified as "Persons of Spanish languages."

SOURCE: U.S. Department of Commerce, Bureau of the Census, General Population Characteristics, various years.

Nevada Population by Race and Hispanic Origin
by County
1980

| County | All Races | White | Black | American Indian | Asian and Pacific Islanders | Other | Hispanic Origin |
|---|---|---|---|---|---|---|---|
| Carson City | 32,022 | 29,375 | 437 | 1,481 | 288 | 441 | 1,275 |
| Churchill | 13,917 | 12,654 | 95 | 666 | 304 | 198 | 606 |
| Clark | 463,087 | 390,959 | 46,268 | 3,041 | 9,207 | 13,612 | 35,086 |
| Douglas | 19,421 | 18,737 | 34 | 349 | 121 | 180 | 694 |
| Elko | 17,269 | 14,747 | 81 | 1,468 | 106 | 867 | 1,842 |
| Esmeralda | 777 | 728 | 3 | 20 | 5 | 21 | 30 |
| Eureka | 1,198 | 1,113 | - | 37 | 7 | 41 | 68 |
| Humboldt | 9,434 | 7,796 | 36 | 660 | 23 | 919 | 1,362 |
| Lander | 4,076 | 3,711 | 4 | 132 | 13 | 216 | 412 |
| Lincoln | 3,732 | 3,517 | 13 | 65 | 24 | 113 | 281 |
| Lyon | 13,594 | 12,746 | 17 | 526 | 70 | 235 | 668 |
| Mineral | 6,217 | 4,928 | 384 | 645 | 57 | 203 | 503 |
| Nye | 9,046 | 8,414 | 55 | 354 | 57 | 168 | 508 |
| Pershing | 3,408 | 3,072 | 3 | 190 | 14 | 129 | 385 |
| Storey | 1,503 | 1,438 | 5 | 36 | 16 | 7 | 43 |
| Washoe | 193,623 | 178,793 | 3,552 | 3,410 | 3,803 | 4,065 | 9,352 |
| White Pine | 8,167 | 7,617 | 12 | 227 | 49 | 262 | 764 |
| Statewide | 800,493 | 700,345 | 50,999 | 13,308 | 14,164 | 21,677 | 53,879 |

NOTE: Persons of Hispanic origin may be of any race and are tabulated in the racial categories.

SOURCE: U.S. Department of Commerce, Bureau of the Census, General Population Characteristics, 1980.

Families in Nevada by Presence of Own Children 1970 to 1980

| Selected Groupings | 1970 | 1980 | Net Change | Average Annual Percent Change |
|---|---|---|---|---|
| Total Families | 123,891 | 207,424 | 83,533 | 5.3 % |
| With Own Children | 69,717 | 103,892 | 34,175 | 4.1 |
| All Under 6 Yrs. | 17,538 | 26,126 | 8,588 | 4.1 |
| All 6-17 Yrs. | 35,185 | 59,691 | 24,506 | 5.4 |
| Under 6 and 6-17 Yrs. | 16,994 | 18,075 | 1,081 | 0.6 |
| With No Children | 54,174 | 103,535 | 49,361 | 6.7 |
| Married Couple Families | 109,003 | 169,632 | 60,629 | 4.5 |
| With Own Children | 60,101 | 80,475 | 20,374 | 3.0 |
| All Under 6 Yrs. | 15,861 | 21,798 | 5,937 | 3.2 |
| All 6-17 Yrs. | 29,140 | 43,309 | 14,169 | 4.0 |
| Under 6 and 6-17 Yrs. | 15,100 | 15,368 | 268 | 0.2 |
| With No Children | 48,902 | 89,157 | 40,255 | 6.2 |
| Female Heads of Families (no husband present) | 11,494 | 28,039 | 16,545 | 9.3 |
| With Own Children | 8,093 | 18,907 | 10,814 | 8.9 |
| All Under 6 Yrs. | 1,452 | 3,336 | 1,884 | 8.7 |
| All 6-17 Yrs. | 4,960 | 13,237 | 8,277 | 10.3 |
| Under 6 and 6-17 Yrs. | 1,681 | 2,334 | 653 | 3.3 |
| With No Children | 3,401 | 9,132 | 5,731 | 10.4 |
| Male Heads of Families (no wife present) | 3,394 | 9,753 | 6,359 | 11.1 |
| With Own Children | 1,523 | 4,510 | 2,987 | 11.5 |
| All Under 6 Yrs. | 225 | 992 | 767 | 16.0 |
| All 6-17 Yrs. | 1,085 | 3,145 | 2,060 | 11.2 |
| Under 6 and 6-17 Yrs. | 213 | 373 | 160 | 5.8 |
| With No Children | 1,871 | 5,246 | 3,375 | 10.7 |

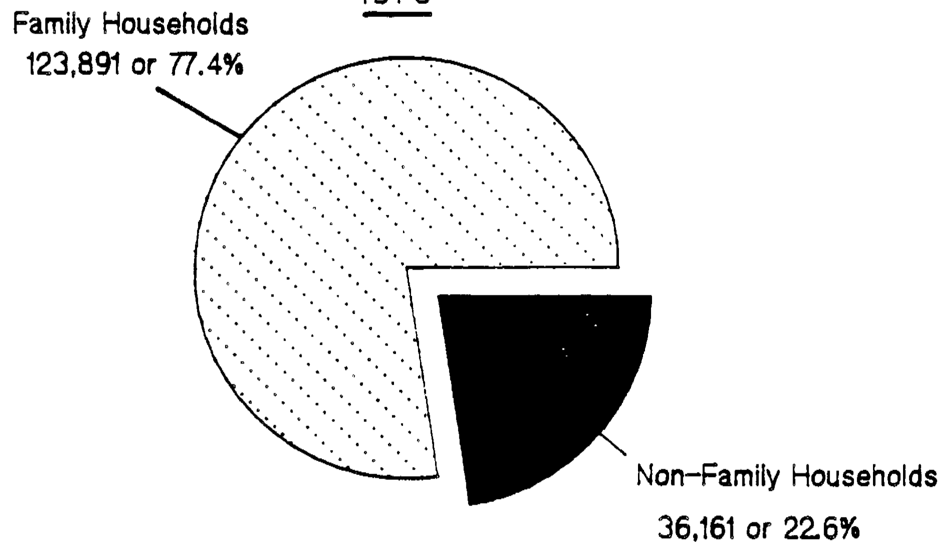
NOTE: The headings "All Under Six Yrs." and "All 6-17 Yrs." refers to families having children in those age groups only. The heading "Under 6 and 6-17 Yrs." refers to families with children in both age groupings.

SOURCE: U.S. Department of Commerce, Bureau of the Census, General Population Characteristics-Nevada, 1970 and 1980.

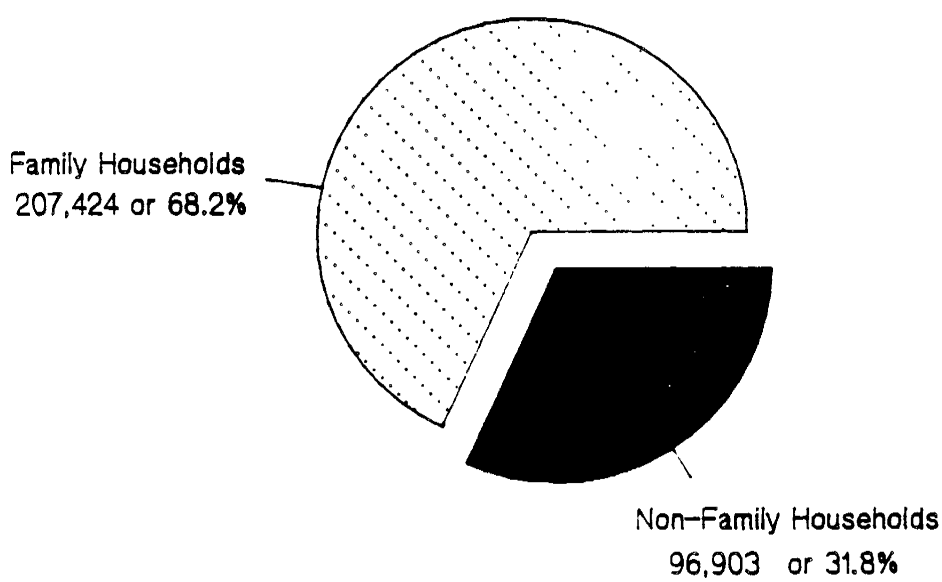
# HEADS OF HOUSEHOLDS IN NEVADA BY RELATIONSHIP AND SEX

1970 to 1980

1970




1980




SOURCE: U.S. Department of Commerce, Bureau of the Census, General Population Characteristics, 1970 and 1980.

Heads of Households in Nevada
by Relationship and Sex
1970 to 1980

| Selected Groupings | 1970 | 1980 | Net Change | Average Annual Percent Change |
|---|---|---|---|---|
| Total Persons | 488,738 | 800,493 | 311,755 | 5.1 % |
| Persons in Households | 478,539 | 788,317 | 309,778 | 5.1 |
| Total Households | 160,052 | 304,327 | 144,275 | 6.6 |
| Male Headed | 133,169 | 228,370 | 95,201 | 5.5 |
| Female Headed | 26,883 | 75,957 | 49,074 | 10.7 |
| Family Households | 123,891 | 207,424 | 83,533 | 5.3 |
| Male Headed | 112,397 | 172,824 | 60,427 | 4.4 |
| Female Headed | 11,494 | 34,600 | 23,106 | 11.2 |
| Non-Family Households | 36,161 | 96,903 | 60,742 | 10.3 |
| Male Headed | 20,772 | 55,546 | 34,774 | 10.3 |
| Female Headed | 15,389 | 41,357 | 25,968 | 10.3 |
| Persons Per Household | 2.98 | 2.59 | x | x |

SOURCE: U.S. Department of Commerce, Bureau of the Census, General Population Characteristics, 1970 and 1980.

# POPULATION OF NEVADA'S COUNTIES
# AND INCORPORATED CITIES
# 1980 ACTUALS
# 1981 THROUGH 1987 OFFICIAL STATE ESTIMATES

| | Final July 1, 1987 | Revised July 1, 1986 | Revised July 1, 1985 | Revised July 1, 1984 | Revised July 1, 1983 | Revised July 1, 1982 | Revised July 1, 1981 | April 1,* 1980 |
|---|---|---|---|---|---|---|---|---|
| Carson City | 36,650 | 36,040 | 35,400 | 34,750 | 34,430 | 33,930 | 33,200 | 32,022 |
| Churchill County | 17,460 | 15,800 | 15,450 | 15,050 | 14,800 | 14,630 | 14,520 | 13,917 |
| Fallon | 5,340 | 5,040 | 4,950 | 4,810 | 4,740 | 4,620 | 4,620 | 4,262 |
| Clark County | 631,920 | 600,160 | 572,140 | 546,580 | 531,210 | 511,930 | 494,460 | 463,087 |
| Boulder City | 11,860 | 11,360 | 11,300 | 11,020 | 10,920 | 10,800 | 10,120 | 9,590 |
| Henderson | 54,590 | 42,180 | 38,750 | 35,500 | 32,500 | 29,270 | 27,230 | 24,363 |
| Las Vegas | 217,360 | 201,500 | 190,930 | 184,330 | 180,160 | 177,140 | 173,730 | 164,674 |
| North Las Vegas | 51,020 | 47,250 | 46,150 | 45,320 | 44,590 | 44,310 | 43,950 | 42,739 |
| Mesquite | 1,740 | 1,340 | 1,270 | 1,110 | 1,100 | -- | -- | 914 |
| Douglas | 25,200 | 24,250 | 23,200 | 22,250 | 21,500 | 20,920 | 20,180 | 19,421 |
| Elko County | 25,000 | 23,920 | 22,850 | 21,830 | 20,770 | 19,760 | 18,790 | 17,269 |
| Carlin | 1,650 | 1,410 | 1,390 | 1,380 | 1,400 | 1,380 | 1,340 | 1,232 |
| Elko | 12,265 | 10,980 | 10,800 | 10,610 | 10,590 | 10,060 | 9,570 | 8,758 |
| Wells | 1,470 | 1,320 | 1,310 | 1,300 | 1,340 | 1,380 | 1,310 | 1,218 |
| Esmeralda County | 1,380 | 1,380 | 1,380 | 1,490 | 1,330 | 1,200 | 1,100 | 777 |
| Eureka County | 1,950 | 1,530 | 1,450 | 1,350 | 1,270 | 1,250 | 1,250 | 1,198 |
| Humboldt County | 12,180 | 11,820 | 11,880 | 11,790 | 11,480 | 11,430 | 10,700 | 9,449 |
| Winnemucca | 6,010 | 5,000 | 5,040 | 5,040 | 5,000 | 4,990 | 4,700 | 4,140 |
| Lander County | 4,580 | 4,490 | 4,500 | 4,570 | 4,700 | 4,970 | 4,980 | 4,076 |
| Lincoln County | 4,250 | 4,200 | 4,200 | 4,110 | 4,060 | 4,130 | 4,000 | 3,732 |
| Caliente | 1,200 | 1,160 | 1,160 | 1,170 | 1,170 | 1,120 | 1,050 | 982 |
| Lyon County | 19,750 | 17,950 | 17,050 | 16,200 | 15,450 | 14,850 | 14,300 | 13,594 |
| Yerington | 2,670 | 2,590 | 2,570 | 2.430 | 2,380 | [illegible] | [illegible] | [illegible] |

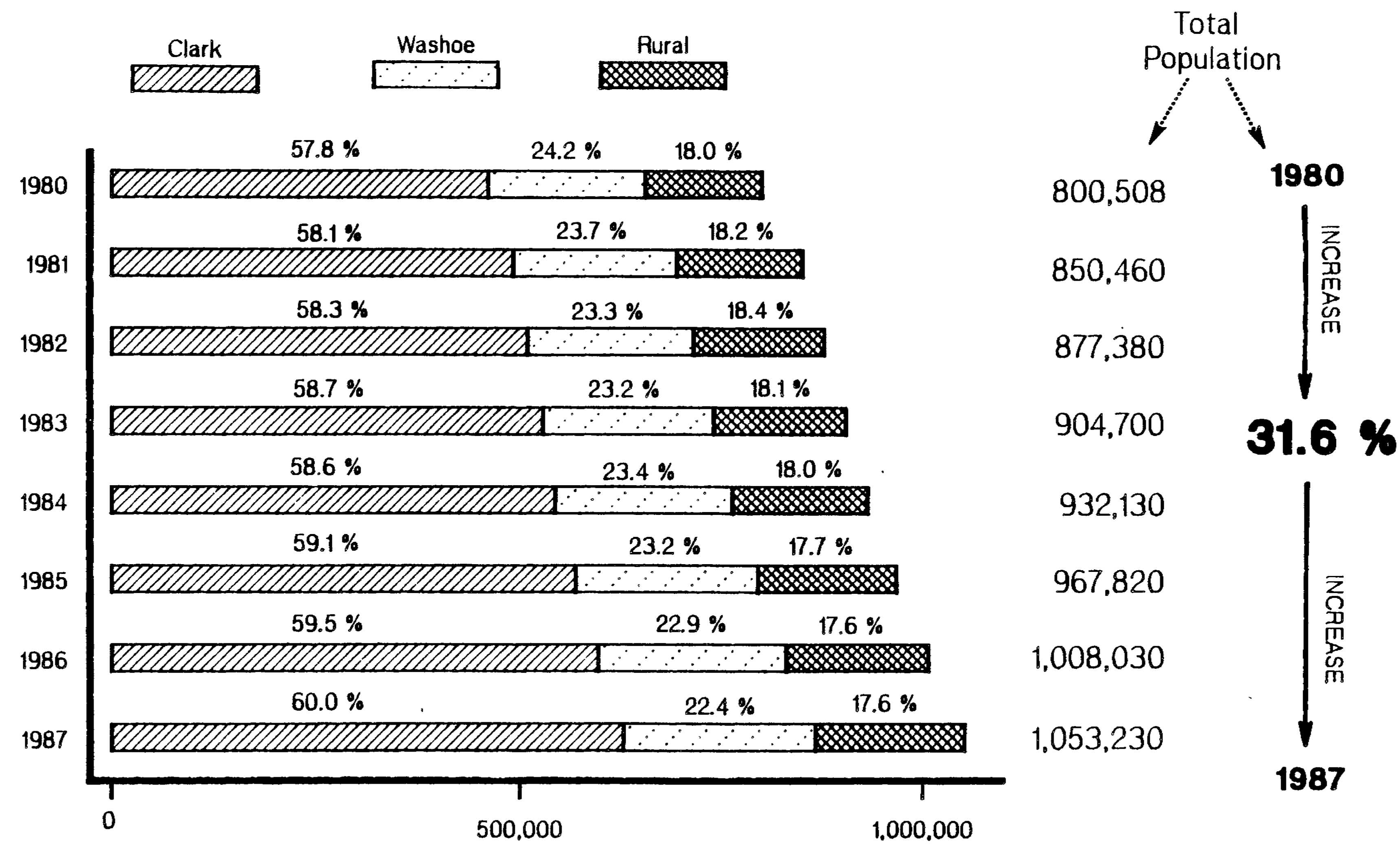
| | Final July 1, 1987 | Revised July 1, 1986 | Revised July 1, 1985 | Revised July 1, 1984 | Revised July 1, 1983 | Revised July 1, 1982 | Revised July 1, 1981 | April 1,* 1980 |
|---|---|---|---|---|---|---|---|---|
| Mineral County | 6,470 | 6,130 | 6,030 | 6,030 | 6,150 | 6,250 | 6,300 | 6,217 |
| Nye County | 15,520 | 14,970 | 14,850 | 14,850 | 13,700 | 13,240 | 11,100 | 9,048 |
| Gabbs | 950 | 860 | 830 | 640 | 830 | 860 | 850 | 811 |
| Pershing County | 4,360 | 3,850 | 3,610 | 3,650 | 3,710 | 3,720 | 3,610 | 3,408 |
| Lovelock | 2,210 | 1,820 | 1,710 | 1,730 | 1,800 | 1,820 | 1,760 | 1,680 |
| Storey County | 2,130 | 1,960 | 1,850 | 1,780 | 1,730 | 1,690 | 1,590 | 1,503 |
| Washoe County | 236,480 | 231,780 | 224,420 | 218,190 | 210,590 | 204,800 | 201,620 | 193,623 |
| Reno | 120,770 | 115,210 | 111,550 | 109,220 | 106,540 | 104,510 | 103,730 | 100,756 |
| Sparks | 55,080 | 50,400 | 48,950 | 46,480 | 44,400 | 43,040 | 42,300 | 40,780 |
| White Pine | 7,950 | 7,800 | 7,560 | 7,660 | 7,820 | 8,680 | 8,760 | 8,167 |
| Ely | 4,760 | 4,650 | 4,520 | 4,580 | 4,670 | 5,180 | 5,240 | 4,882 |
| STATE | 1,053,230 | 1,008,030 | 967,820 | 932,130 | 904,700 | 877,380 | 850,460 | 800,508 |

* Department of Commerce, U.S. Bureau of the Census, 1980 Census.

SOURCE: Nevada Department of Taxation, Bureau of Business and Economic Research, College of Business Administration, University of Nevada, Reno and the Nevada Office of Community Services -- December 1987.

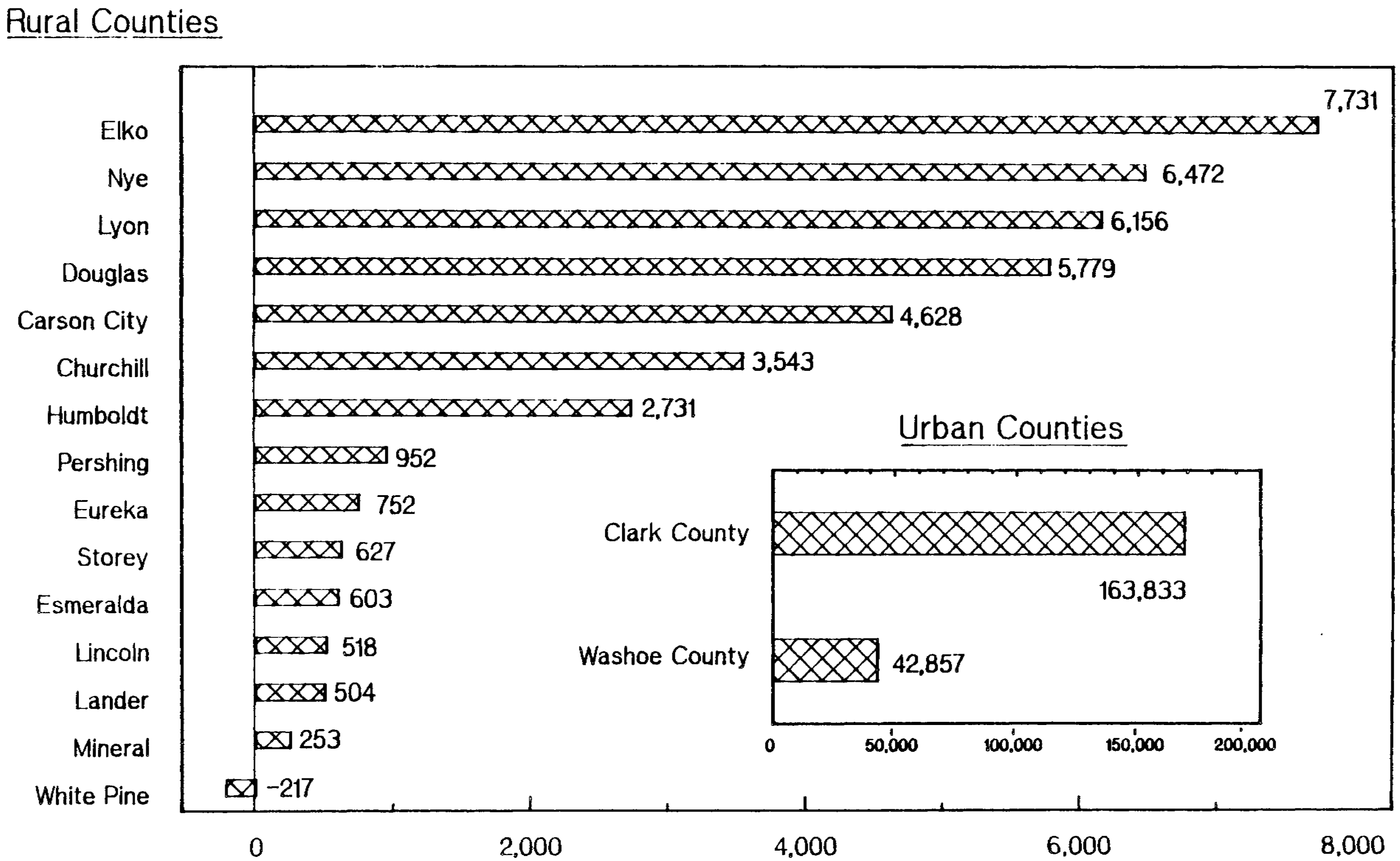
# STATE POPULATION ESTIMATES FOR NEVADA

( 1980 Census and 1981 Through 1987 Official State Estimates )




SOURCE: Nevada Department of Taxation and the University of Nevada-Reno, College of Business Adminstration, Bureau of Business and Economic Research.

## POPULATION OF NEVADA COUNTIES, RANKED BY AMOUNT OF POPULATION CHANGE, 1980 TO 1987




SOURCE: Nevada Department of Taxation and the University of Nevada-Reno, College of Business Adminstration, Bureau of Business and Economic Research, Official State Population Estimates -- December 1987.

Preliminary Nevada Population Forecasts
By County
1980 through 2010

| County | 1980 a) | 1985 b) | 1990 | 1995 | 2000 | 2005 | 2010 |
|---|---|---|---|---|---|---|---|
| Carson City | 32,022 | 35,400 | 39,962 | 45,514 | 51,123 | 56,940 | 63,031 |
| Churchill | 13,917 | 15,450 | 17,095 | 18,477 | 20,624 | 22,864 | 25,215 |
| Clark | 463,087 | 572,140 | 715,377 | 879,878 | 1,069,430 | 1,290,330 | 1,548,770 |
| Douglas | 19,421 | 23,200 | 30,071 | 37,096 | 45,277 | 54,858 | 66,140 |
| Elko | 17,269 | 22,850 | 26,290 | 29,323 | 33,293 | 37,522 | 42,052 |
| Esmeralda | 777 | 1,380 | 1,410 | 1,425 | 1,472 | 1,515 | 1,555 |
| Eureka | 1,198 | 1,450 | 1,780 | 1,972 | 2,420 | 2,936 | 3,541 |
| Humboldt | 9,449 | 11,880 | 14,038 | 14,876 | 15,750 | 16,609 | 17,451 |
| Lander | 4,076 | 4,500 | 4,981 | 5,230 | 5,469 | 5,704 | 5,929 |
| Lincoln | 3,732 | 4,200 | 4,031 | 4,179 | 4,312 | 4,438 | 4,557 |
| Lyon | 13,594 | 17,050 | 19,636 | 21,863 | 24,723 | 27,768 | 31,027 |
| Mineral | 6,217 | 6,030 | 5,443 | 4,856 | 4,499 | 4,216 | 4,000 |
| Nye | 9,048 | 14,850 | 17,519 | 23,186 | 28,439 | 34,623 | 41,944 |
| Pershing | 3,408 | 3,610 | 3,968 | 4,023 | 4,053 | 4,082 | 4,107 |
| Storey | 1,503 | 1,780 | 2,052 | 2,376 | 2,723 | 3,097 | 3,502 |
| Washoe | 193,623 | 224,420 | 264,398 | 311,227 | 364,171 | 423,009 | 488,567 |
| White Pine | 8,167 | 7,560 | 8,727 | 8,733 | 8,709 | 8,687 | 8,668 |
| Statewide | 800,508 | 967,750 | 1,176,778 | 1,414,234 | 1,686,487 | 1,999,198 | 2,360,056 |

a) Department of Commerce, U.S. Bureau of the Census, April 1, 1980.
b) 1985 numbers represent the State of Nevada's revised population estimates for July 1985.

SOURCE: University of Nevada-Reno, Bureau of Business and Economic Research in cooperation with the Governor's Office of Community Services.

Preliminary Nevada Population Forecasts By County
Average Annual Percent Change
In Five Year Increments
1980 Through 2010

| County | 1980 to 1985 | 1985 to 1990 | 1990 to 1995 | 1995 to 2000 | 2000 to 2005 | 2005 to 2010 |
|---|---|---|---|---|---|---|
| Carson City | 2.03 | 2.45 | 2.64 | 2.35 | 2.18 | 2.05 |
| Churchill | 2.11 | 2.04 | 1.57 | 2.22 | 2.08 | 1.98 |
| Clark | 4.32 | 4.57 | 4.23 | 3.98 | 3.83 | 3.72 |
| Douglas | 3.62 | 5.29 | 4.33 | 4.07 | 3.91 | 3.81 |
| Elko | 5.76 | 2.84 | 2.21 | 2.57 | 2.42 | 2.31 |
| Esmeralda | 12.17 | .43 | .21 | .65 | .58 | .52 |
| Eureka | 3.89 | 4.19 | 2.07 | 4.18 | 3.94 | 3.82 |
| Humboldt | 5.69 | 3.39 | 1.17 | 1.15 | 1.07 | .99 |
| Lander | 2.00 | 2.05 | .98 | .90 | .84 | .78 |
| Lincoln | 2.39 | -0.82 | .72 | .63 | .58 | .53 |
| Lyon | 4.63 | 2.87 | 2.17 | 2.50 | 2.35 | 2.24 |
| Mineral | -0.61 | -0.51 | -3.75 | -1.52 | -1.29 | -1.05 |
| Nye | 10.42 | 3.36 | 5.77 | 4.17 | 4.01 | 3.91 |
| Pershing | 1.16 | 1.91 | .28 | .15 | .14 | .12 |
| Storey | 3.44 | 2.89 | 2.98 | 2.77 | 2.61 | 2.49 |
| Washoe | 3.00 | 3.33 | 3.32 | 3.19 | 3.04 | 2.92 |
| White Pine | -1.53 | 2.91 | .01 | .06 | .05 | .05 |
| Statewide | 3.87 | 3.98 | 3.74 | 3.59 | 3.47 | 3.37 |

SOURCE: University of Nevada-Reno, Bureau of Business and Economic Research in cooperation with the Governor's Office of Community Services.

# APPENDIX F

## REPORT ON "ECONOMIC PROJECTIONS AND FORECASTS FOR NEVADA AND ITS SUB-STATE ECONOMIES TO THE YEAR 2010"

# ECONOMIC PROJECTIONS AND FORECASTS FOR NEVADA AND ITS SUB-STATE ECONOMIES TO THE YEAR 2010

A PRESENTATION to NEVADA'S BLUE
RIBBON COMMISSION ON THE
LEGISLATIVE PROCESS

R.KEITH SCHWER,DIRECTOR
CENTER for BUSINESS and ECONOMIC RESEARCH
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(702)739-3191

February 23, 1988

# Nevada's Economic Outlook

Improving economic conditions in Nevada is the business of all Nevadans. But history records that previous efforts to promote economic growth, stability, and diversification have not always been successful. In the past, repeating cycles of boom and bust, primarily driven by the fortunes of mining have occupied the attention of Nevada leaders. History records our previous leaders formulated numerous plans to diversify the state's economy. Although most plans met with little success, post-World War II efforts to develop a tourist industry have generated a period of sustained prosperity and rapid growth. But the maturation of Nevada's gaming and mining economy has already signalled the search for further diversification. The need to formulate policies to ensure the timely development of our future economic framework occupies our attention.

Using economic projections and forecasts for Nevada and the regional economies within the states, my comments this afternoon necessarily broad in scope and non-technical, reflect our efforts to understand better our future outlook. My objective is to supplement your deliberation about the legislative process by presenting a likely scenario of an evolving economy in the year 2010, an outlook of about 20 years.

The Center for Business and Economic Research at UNLV has established a forecasting and simulation modeling capability for Nevada and its sub-state regional economies. These models enable us to simulate proposed initiatives such as the establishment of the Nuclear Waste Repository and the deactivation of the 474th at Nellis, to predict the effects on Nevada of changes in the national economy, and to forecast long-term economic developments.

Our models are unique for two reasons. First, the models are generated with an overriding emphasis on internal consistency and robust statistical estimation. Second, the models use extensive amounts of data and known economic relationships. Each model has more than 1,000 equations which are solved simultaneously, Thus sub-state economies are linked together.

Using export employment, for Nevada this is primarily tourism and mining, historical relationships are established and key internal checks are made using known input-output relationships, national and local business trends, and industrial forecasts. Detailed ocupation and labor-market segmentation data checks are included. The exports of state and local economies feed though the models and generate demands for factors and products. In this way the model tracks the economy.

We have organized a forecast of the Nevada economy to the year 2010, a long-term outlook of over twenty years. We have divided the state into three subsectors – Las Vegas (the southern urban area), Reno and Carson City (the northern urban area), and the "cow" counties (the rural areas of the state). In addition, we also present forecasts for the state. We present for each sector the baseline forecasts. These forecasts include only the key aggregate economic indicators.

# LAS VEGAS

> *As Las Vegas grows and passes the threshold levels for the establishment of new businesses, greater opportunities for non-gaming business will arise.*

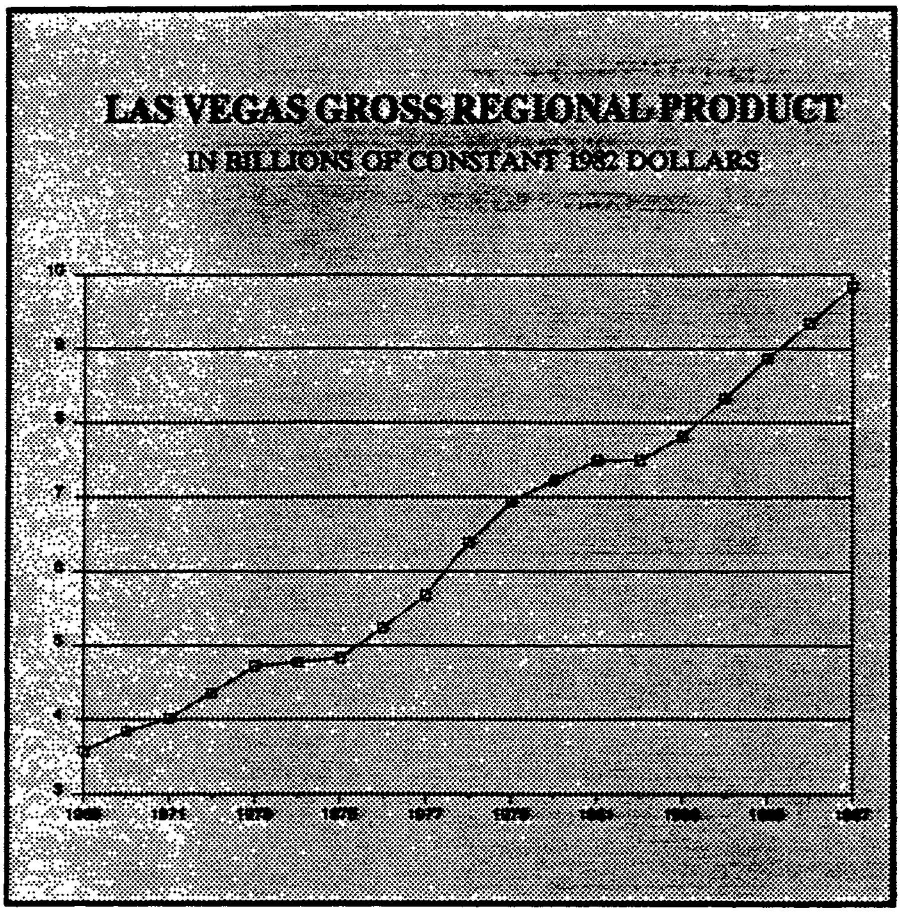
Projected growth in the Las Vegas Metropolitan area, defined as Clark County, shows that the export sector, primarily tourism and gaming, will continue to be the largest segment of the economy. This sector will grow at a slightly lower rate than in the recent past. As Las Vegas grows and passes the threshold levels for the establishment of new businesses, greater opportunities for non-gaming business will arise. Currently, the export sector comprises about 50 percent of total expenditures. These expenditures will decline to about 40 percent in 2010. However, increased expenditures for local consumption and for intermediate goods will make up for this decline in the composition of expenditures.

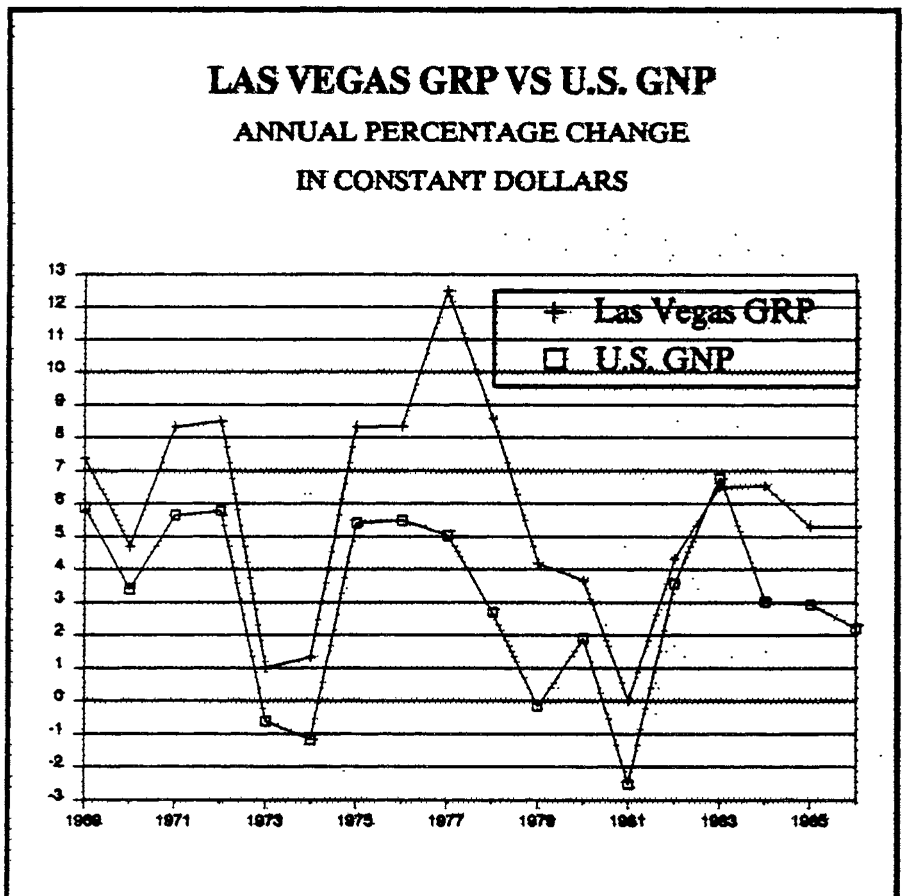
The gross regional product, a measure of an economy's overall economic activity, is expected to increase at a 10.8 percent nominal growth rate. The nominal rate includes the impact of inflation. The economy will reach the 157.5 billion level in 2010. Expenditures net of inflation, as measured in 1982 dollars, will increase from a level of 6.1 billion dollars in 1985 to 28.3 billion dollars in 2010.

Employment, measured by the number on non-agricultural wage and salary workers, will reach 671.8 thousand in the year 2010. The civilian labor force will grow at a 3.7 percent rate per year over the forecast period, and employment in finance and trade will have the fastest rates of growth.

A caveat to our 2010 forecast must be pointed out. Our expenditure, employment, and income projections do not reflect the non-economy generated population shifts of seniors that are currently taking shape. The full magnitude of the announced senior communities on the Husite area of Northwest Las Vegas have not been included since these projects are in their infancy. Our forecast also excludes an explicit accounting for the high speed rail facilities now being discussed. In addition, we have assumed no adverse economic impacts associated with the possible location of the Nuclear Waste Repository in Southern Nevada.

In a recent study by the Center we surveyed the major residential and commercial projects currently under planning or development. There are already plans to build about one-half of the needed residences for a forecasted population of slightly less than one million by the year 2000. Hotel, commercial, and residential construction both planned and underway will also contribute to a higher rate of expansion in the next few years.




# LAS VEGAS LONG-TERM 2010 FORECAST

Output of the Las Vegas economy will reach

**$157.5 BILLION**

in current dollars or

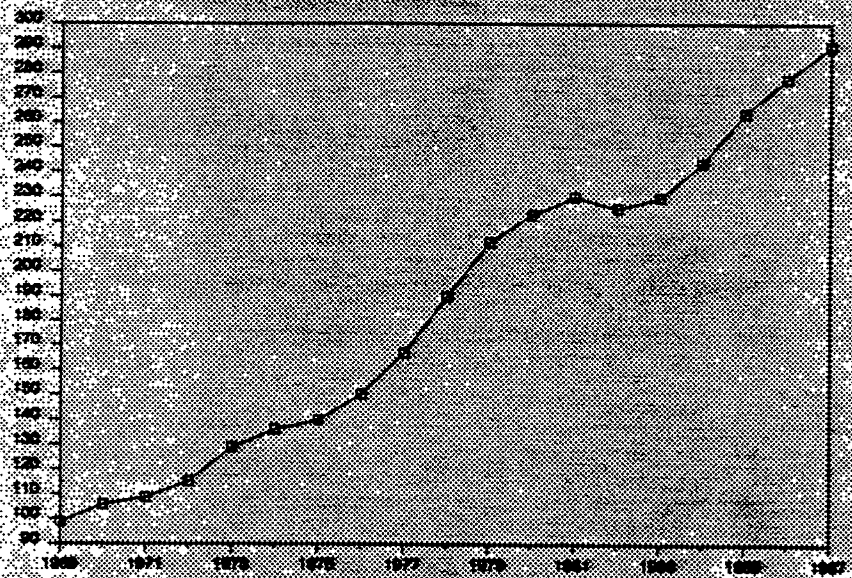
**$28.3 BILLION**

in constant 1982 dollars

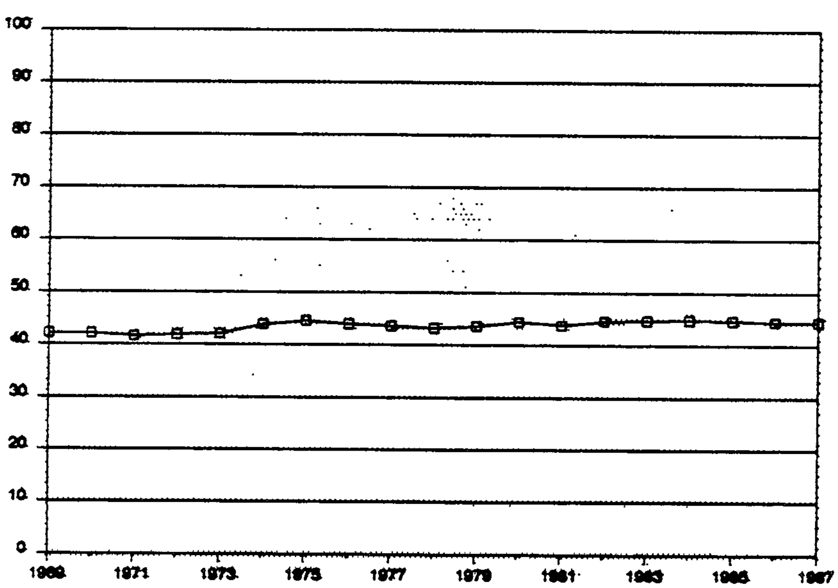
| | Grow Rat |
|---|---|
| **Gross Regional Product** | 10.8 |
| Industrial Components | |
| Agriculture | 11.7 |
| Mining | 10.0 |
| Contract Construction | 10.4 |
| Manufacturing | |
| Durables | 9.7 |
| Nondurables | 9.7 |
| Wholesale and Retail Trade | 10.4 |
| Finance, Insurance and Real Estate | 12.4 |
| Transportation, Communications, and Public Utilities | 10.9 |
| Services | 9.3 |
| Government | 8.1 |

## LAS VEGAS TOTAL NONAGRICULTURAL WAGE AND SALARY EMPLOYMENT

IN THOUSANDS OF WORKERS




## LAS VEGAS SERVICE EMPLOYMENT AS A PERCENT OF TOTAL EMPLOYMENT



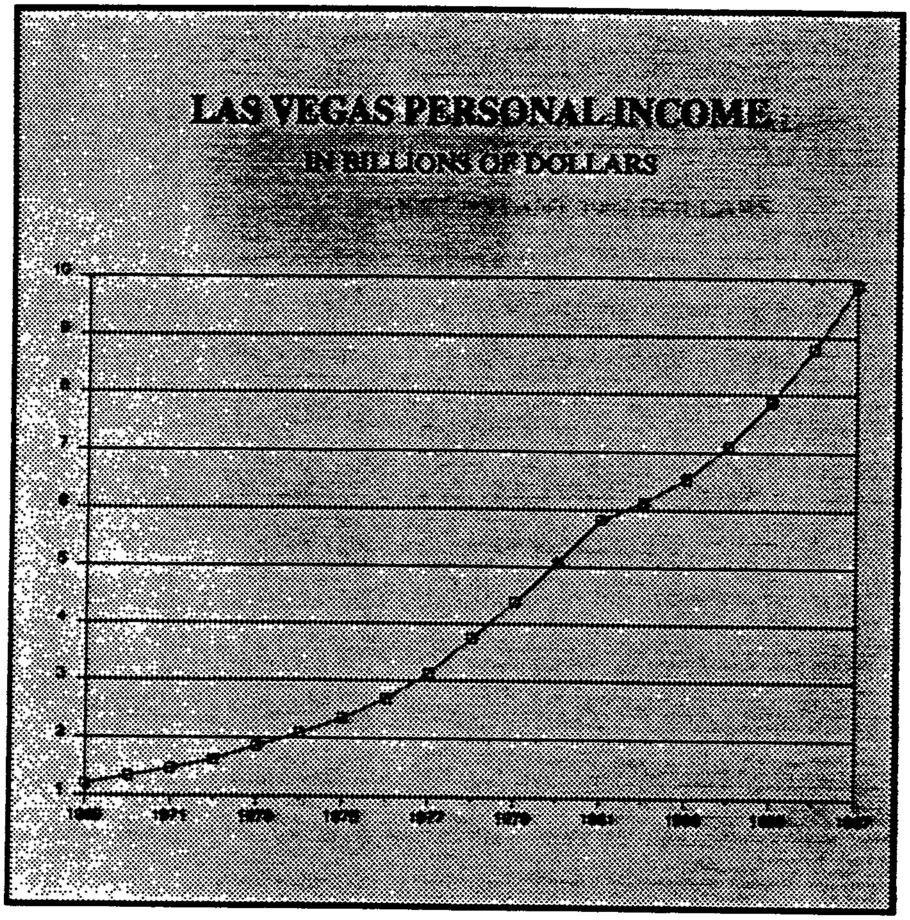

# LAS VEGAS LONG-TERM 2010 FORECAST

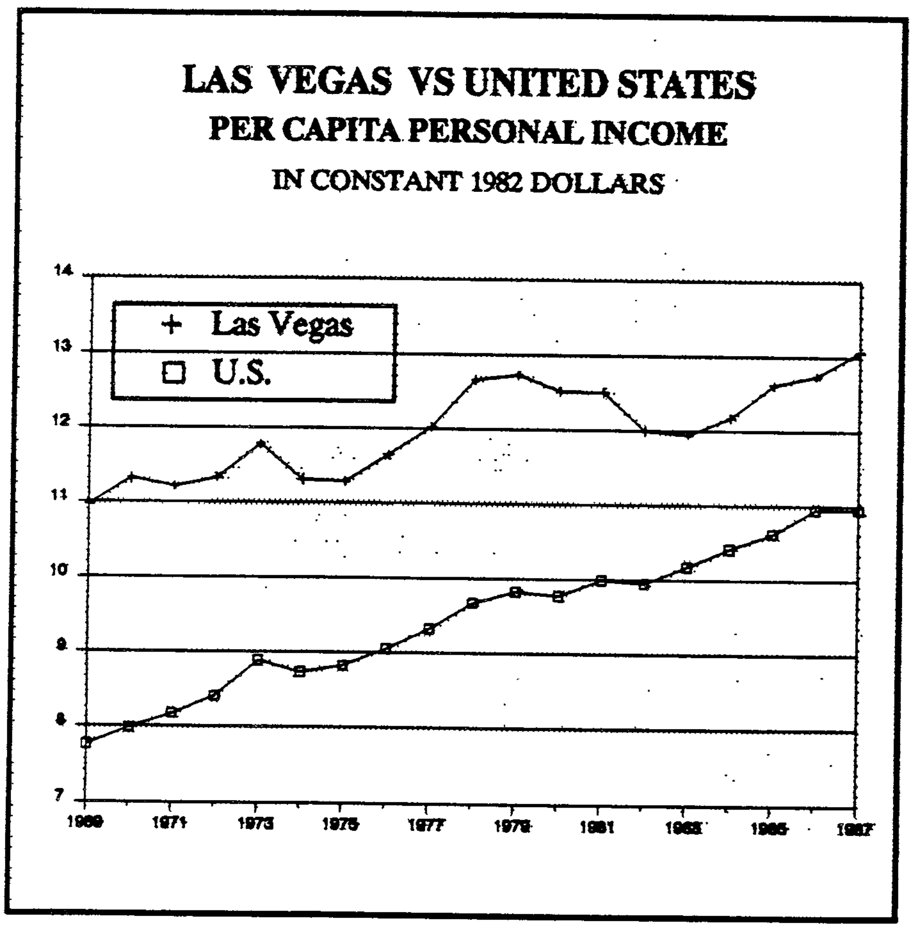
Nonagricultural wage and salary employment will reach

**671.8 THOUSAND**

workers

| | Thousands of Workers | Growth Rate |
|---|---|---|
| **Civilian Labor Force** | **677.5** | **3.7%** |
| **Nonagricultural Wage and Salary Employment** | **671.8** | **3.7** |
| Industrial Components | | |
| Mining | .8 | 2.6 |
| Contract Construction | 42.0 | 3.5 |
| Manufacturing | | |
| Durables | 6.7 | 1.5 |
| Nondurables | 7.1 | 2.7 |
| Wholesale and Retail Trade | 167.5 | 4.2 |
| Finance, Insurance and Real Estate | 71.4 | 4.5 |
| Transportation, Communications, and Public Utilities | 30.6 | 2.6 |
| Services | 345.7 | 3.5 |




# LAS VEGAS LONG-TERM 201 FORECAST

Total personal income will exceed

## $105.0 BILLION

| | Millions of Dollars | Gro Ra |
|---|---|---|
| **Personal Income** (Current Dollars) | **$105,040** | 10.9 |
| Components of Personal Income | | |
| Wages and Salaries | 75,820 | 11.2 |
| Other Labor and Proprietors' Income | 11,151 | 11.3 |
| Dividends, Interest, and Rent | 13,054 | 10.3 |
| Transfer Payments | 10,542 | 9.8 |
| Other | (5,527) | |

# RENO

Reno, defined to include Washoe and Carson City counties, comprises urban Western Nevada. Reno, like Las Vegas, is a major exporter of tourist services. Northern Californians comprise the largest percentage of the Reno tourist market, and Reno in turn imports most of its goods and services from Northern California.

*The economy of Western Nevada has experienced solid economic expansion since 1969.*

The economy of Western Nevada has experienced solid economic expansion since 1969. The gaming economy has generated sizeable export sales. A wholesaling industry servicing Northern California has been developed. The wholesaling activities of Reno are about equal to those of Las Vegas, a city with more than twice Reno's population base. Manufacturing in Reno has also experienced growth. Manufacturing employment in Reno, also, exceeds manufacturing employment in Las Vegas. As a result, the Reno economy tends to be a more diversified economy. Also, the location of state government in Carson City further diversifies the economy.

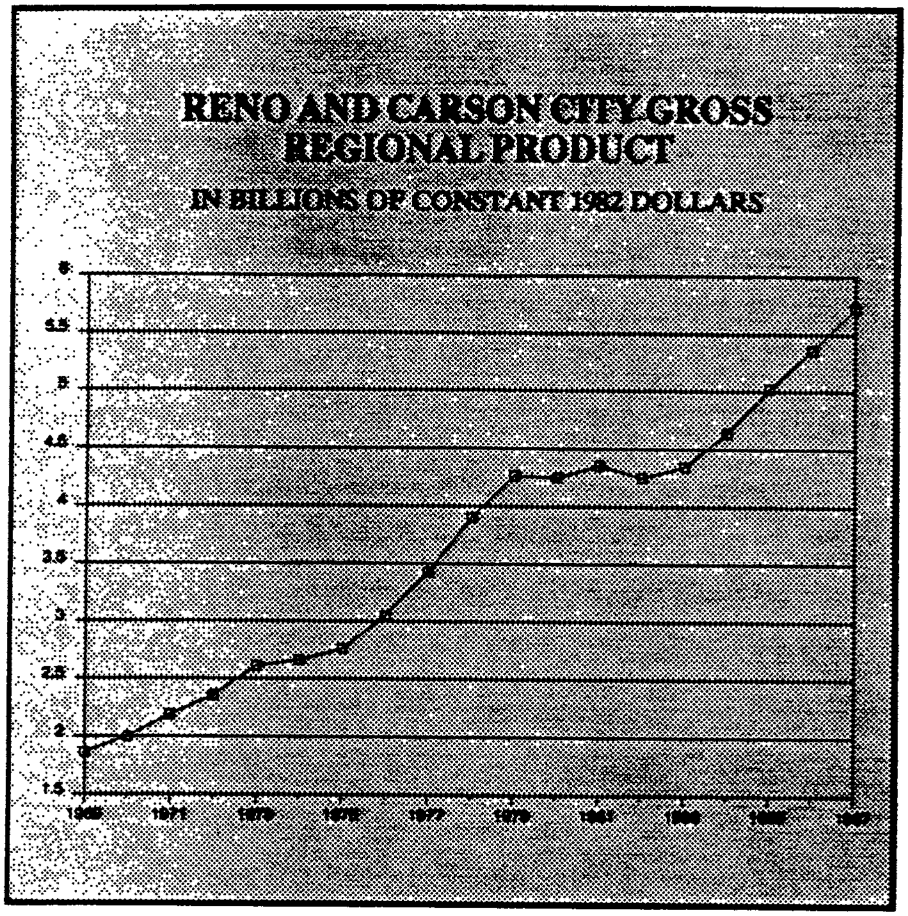
Narrower swings in economic activity over the business cycle are usually associated with more diversified economies. Reno has, however, experienced greater variability in gross regional product than Las Vegas because of the greater variability of Reno's manufacturing sector. Manufacturing sectors tend to have greater swings in activity than the service sectors. While diversification reduces the risk of the Reno economy to a possible gaming downturn, it has tended to generate greater economic variability over the shorter-term business cycle.

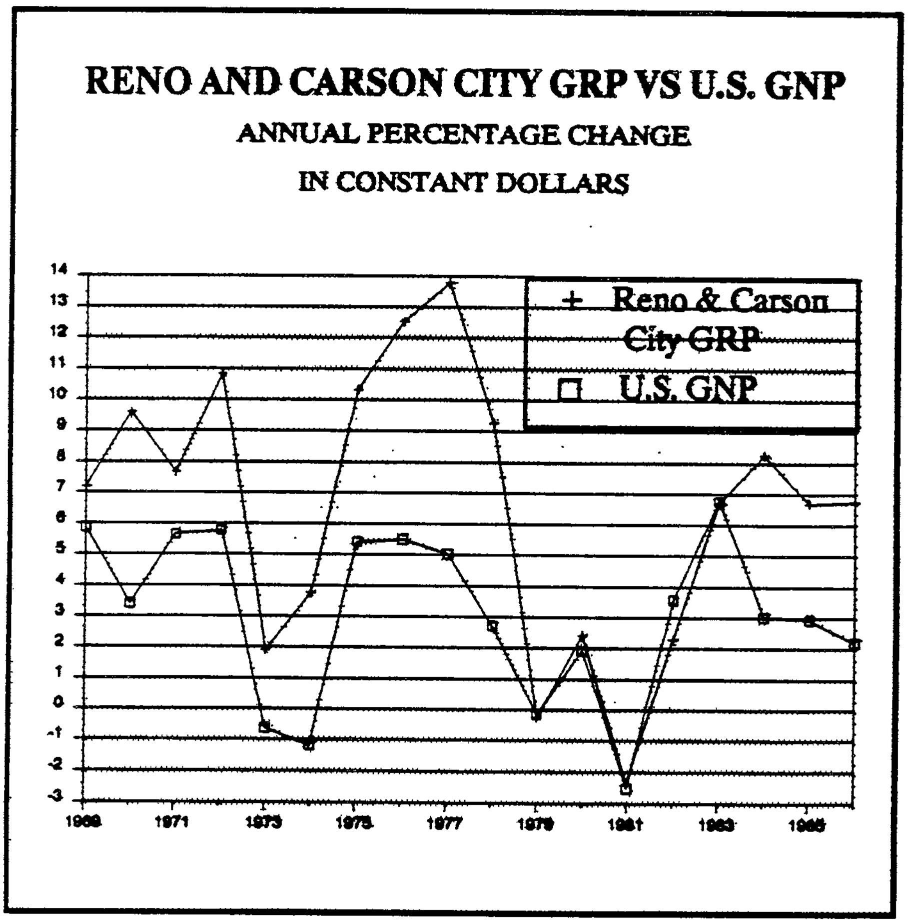
The forecast for the year 2010 is for gross regional product to grow at a 8.4 percent rate in nominal terms. Durable manufacturing should be the industrial sector with the highest rate of growth. The government and services sectors should grow at the slowest rates.

Employment will reach 272.8 thousand workers by the year 2010. Employment will grow at a rate of 2.3 percent per year. Employment in the service sector will remain the largest industrial sector. Our model forecasts a slight decline in nondurable manufacturing employment. Personal income in current dollars will continue to grow. We anticipate a 8.9 percent growth rate in nominal terms. This income growth will be sufficient to keep per capita incomes above the national level.

Our model forecasts wage rates and other labor costs for the Reno economy to be favorable for further expansion in manufacturing. On the other hand, other production costs, for example, fuel, capital, and transportation costs tend to be higher than the national average. These cost differences tend to balance out; therefore, business expansion for manufacturing will tend to occur only with incubation and support.

We forecast that Reno's gaming economy will grow, but at a slower rate, and will remain the dominant sector of the economy.




# RENO AND CARSON CITY LONG-TERM 2010 FORECAST

Output of the Reno and Carson City economies will reach

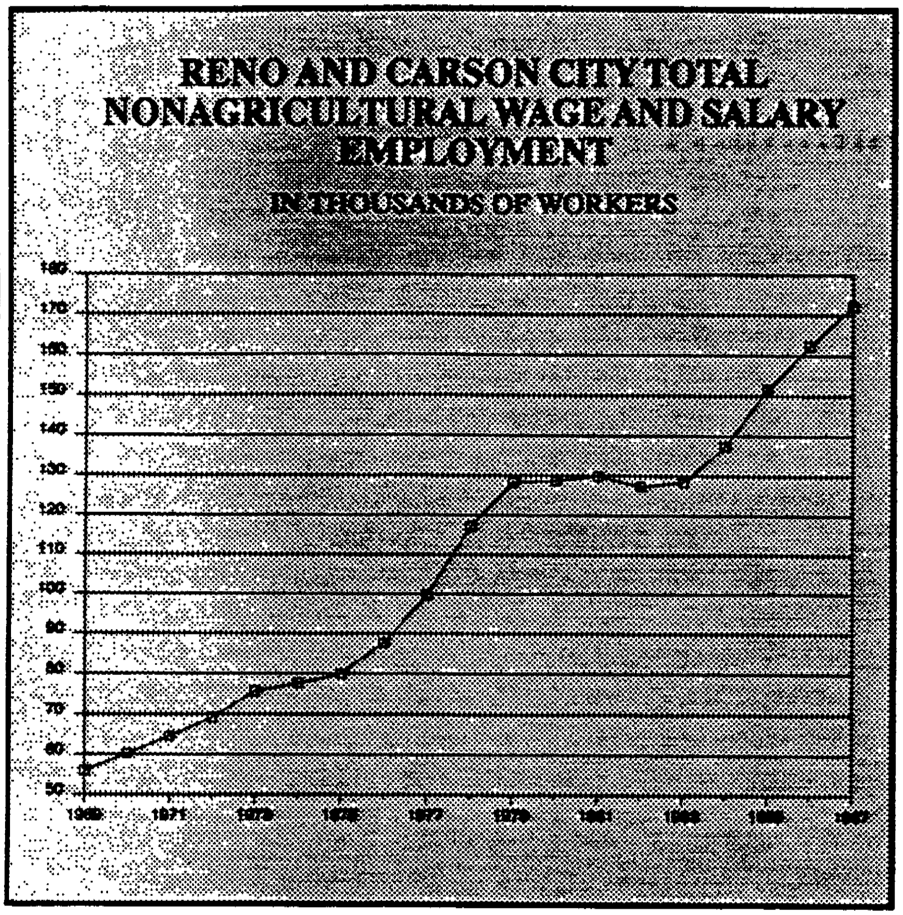
**$47.4 BILLION**

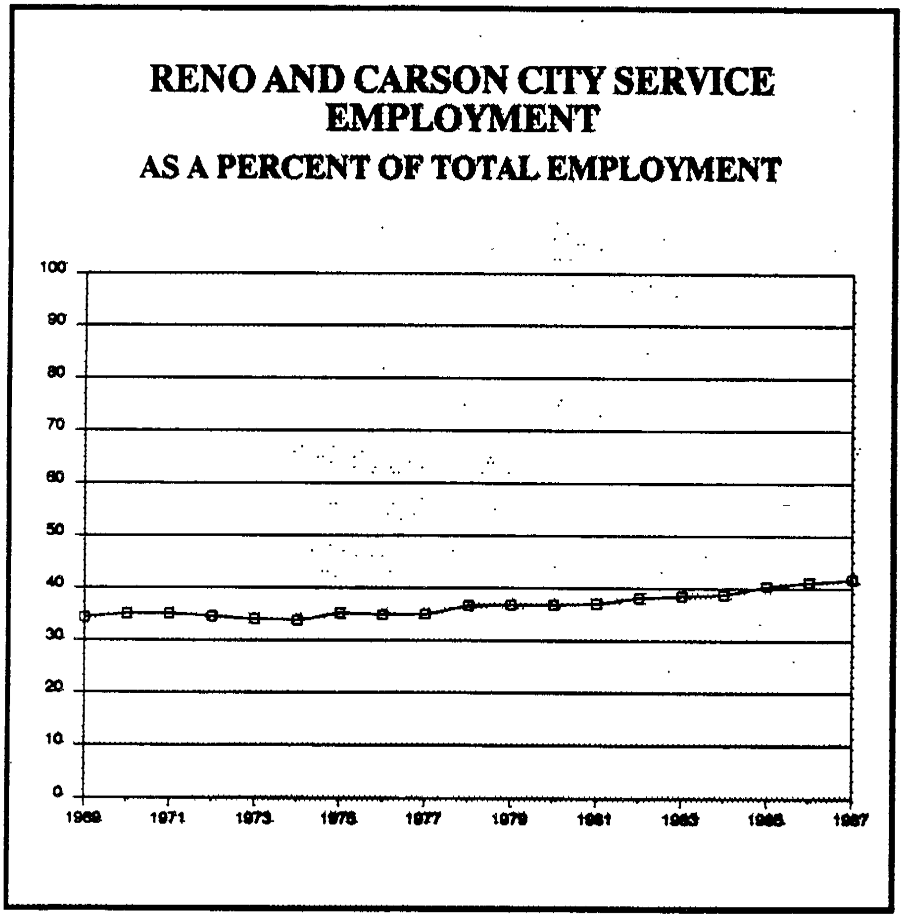
in current dollars or

**$9.31 BILLION**

in constant 1982 dollars

| | Growth Rate |
|---|---|
| **Gross Regional Product** | 8.4% |
| Industrial Components | |
| Agriculture | 10.0 |
| Mining | 9.6 |
| Contract Construction | 7.9 |
| Manufacturing | |
| Durables | 10.7 |
| Nondurables | 7.9 |
| Wholesale and Retail Trade | 8.9 |
| Finance, Insurance and Real Estate | 8.7 |
| Transportation, Communications, and Public Utilities | 9.2 |
| Services | 7.7 |
| Government | 6.9 |




# RENO AND CARSON CITY LONG-TERM 2010 FORECAST

Nonagricultural wage and salary employment will reach

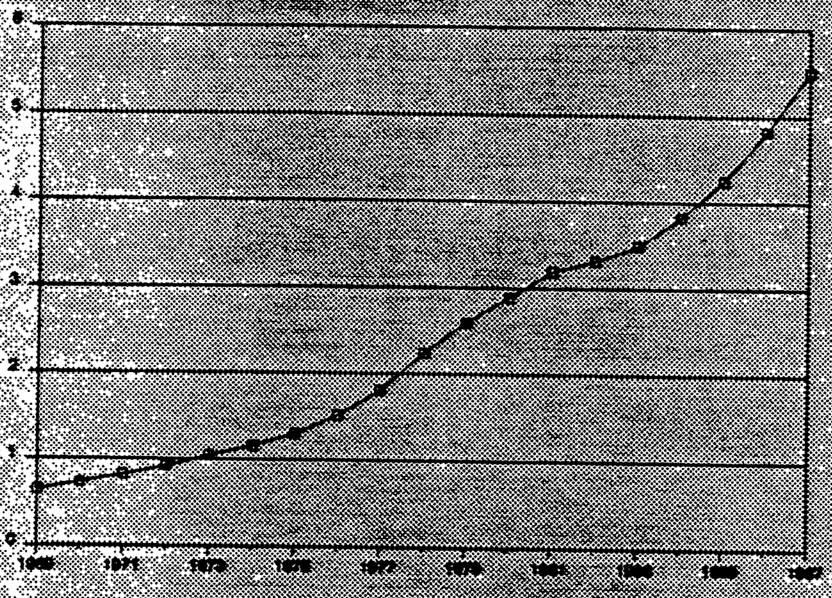
**272.8 THOUSAND**

workers

| | Thousands of Workers | Growth Rate |
|---|---|---|
| **Civilian Labor Force** | 276.3 | 2.3% |
| **Nonagricultural Wage and Salary Employment** | 272.8 | 2.3 |
| Industrial Components | | |
| Mining | 1.8 | 2.6 |
| Contract Construction | 12.3 | 1.4 |
| Manufacturing | | |
| Durables | 15.1 | 2.3 |
| Nondurables | 2.9 | -0.3 |
| Wholesale and Retail Trade | 73.9 | 3.0 |
| Finance, Insurance and Real Estate | 26.9 | 2.7 |
| Transportation, Communications, and Public Utilities | 15.1 | 1.9 |
| Services | 124.8 | 2.2 |

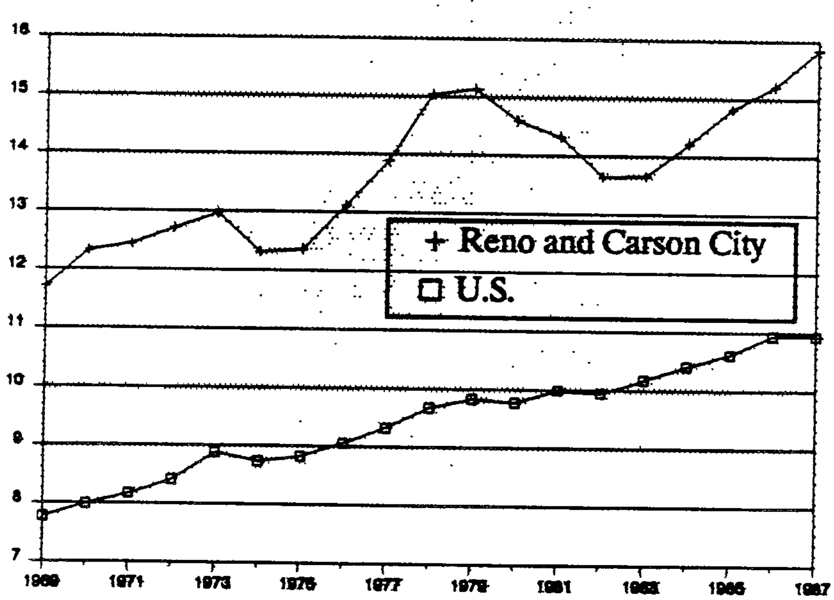
## RENO AND CARSON CITY PERSONAL INCOME

IN BILLIONS OF DOLLARS



## RENO AND CARSON CITY VS UNITED STATES PER CAPITA PERSONAL INCOME

IN CONSTANT 1982 DOLLARS




# RENO AND CARSON CITY LONG-TERM 2010 FORECAST

Total personal income will exceed

**$39.5 BILLION**

| | Millions of Dollars | Growth Rate |
|---|---|---|
| **Personal Income** (Current Dollars) | $39,540 | 8.9% |
| Components of Personal Income | | |
| Wages and Salaries | 24,317 | 8.6 |
| Other Labor and Proprietors' Income | 4,820 | 9.4 |
| Dividends, Interest, and Rent | 8,019 | 9.2 |
| Transfer Payments | 5,403 | 9.7 |
| Other | (-3,019) | |

# RURAL NEVADA

Rural Nevada, defined as all of the counties except Clark, Washoe, and Carson City, are identified by Nevadan's as the "cow" counties. Nevada's rural counties are among the nation's least densely populated areas. These economies have tended to be resource based and dependent on other economies for food, clothing, and manufactured goods. These rural economies have experienced some of our state's most spectacular booms and busts. Today, economic activity in the rural areas tend to be dependent on a single industry and act as small centers for rural commerce.

*History foretells no economic revolution for transforming small Nevada towns into diversified centers of commerce.*

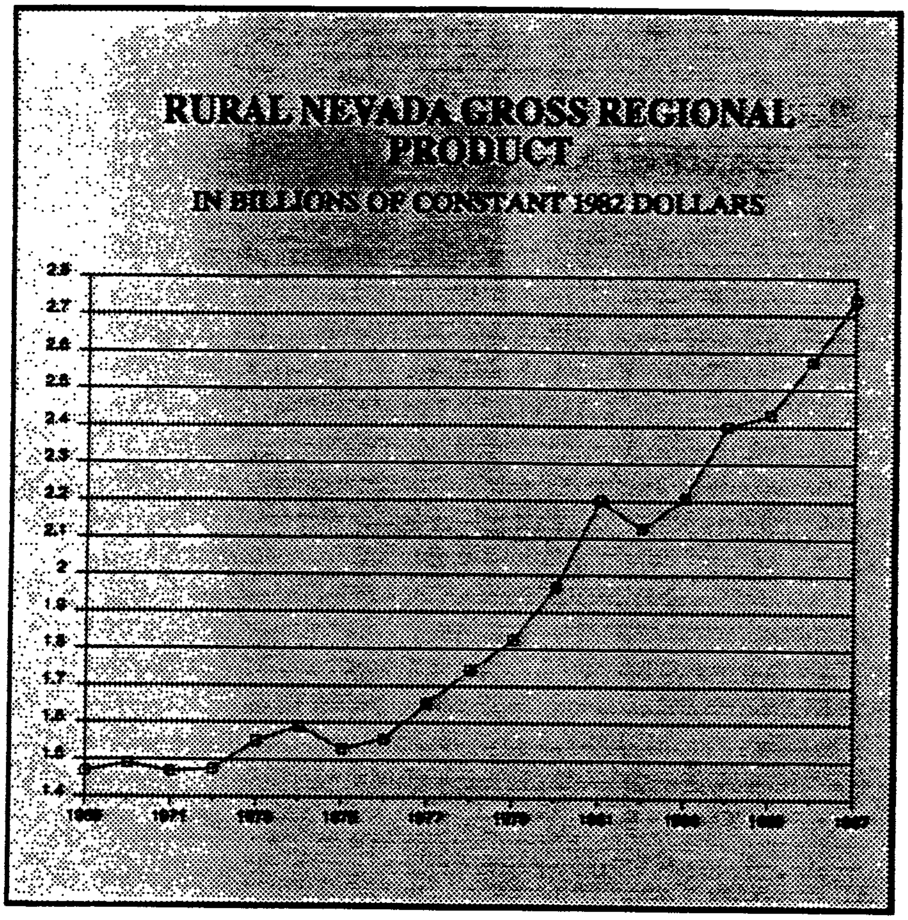
History foretells no economic revolution for transforming small Nevada towns into diversified centers of commerce. Attracting new export generating business activity requires more than subjective wishful thinking and community pride. While rural communities may be some of the best places to rear a family, an objective assessment of a particular business's profit potential explains why many firms shy away from locating in small rural towns far removed from major markets.

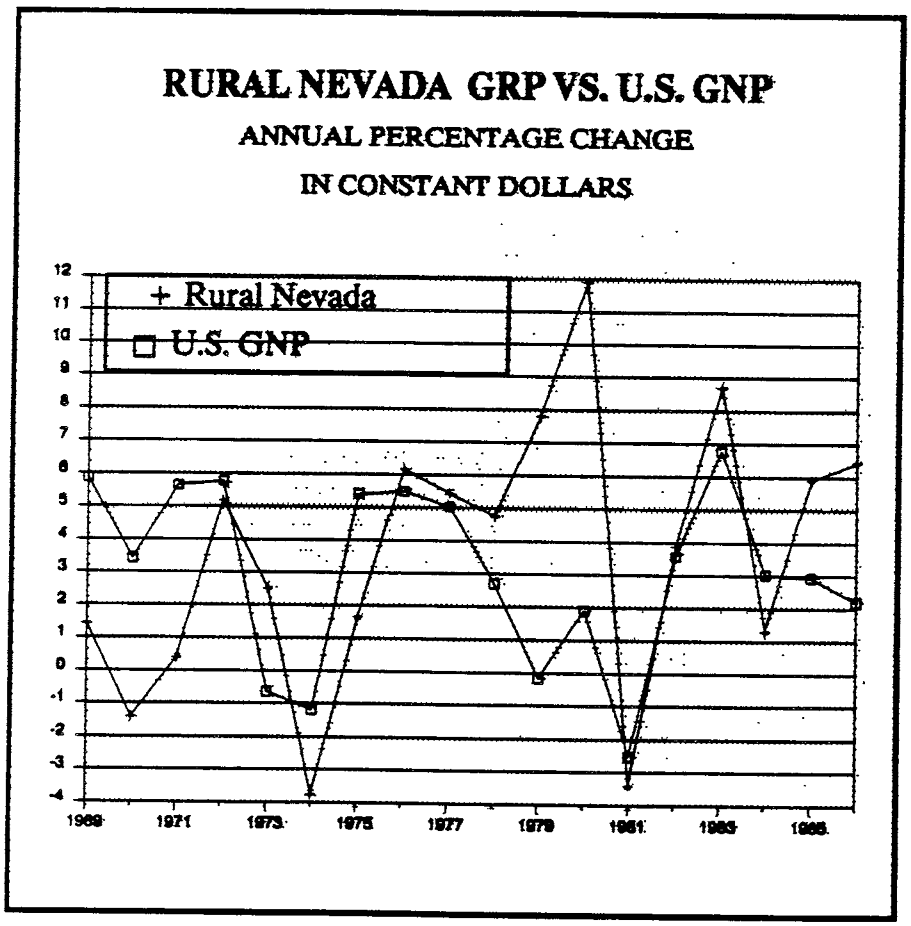
Forecasts for small rural areas are among the most difficult to make. The loss of a key industry may generate severe economic collapse, or a resource discovery may create a boom town. Economic change may generate the widest range of possible outcomes.

With our misgivings about forecasting for small areas aside, the rural counties face an optomistic future. Gross regional product is expected to grow at a 9.5 percent nominal rate. Unlike the urban areas, Las Vegas and Reno, we project the financial and service sectors will grow the most rapidly. The agriculture and government sectors will grow the least.

Aggregate employment will grow 2.6 percent per year. The largest employment growth will be in the finance and service sectors. Mining in employment will grow by less than 1 percent per year.

While the economic stability of rural Nevada communities remains a need, the level of economic well-being in these communities remains on average above the national level as measured by per capita personal income. We do not project changes that would reverse this relationship in the outlook to the year 2010.




# RURAL NEVADA LONG-TERM 201(
# FORECAST

Output of the Rural Nevada economies will reach

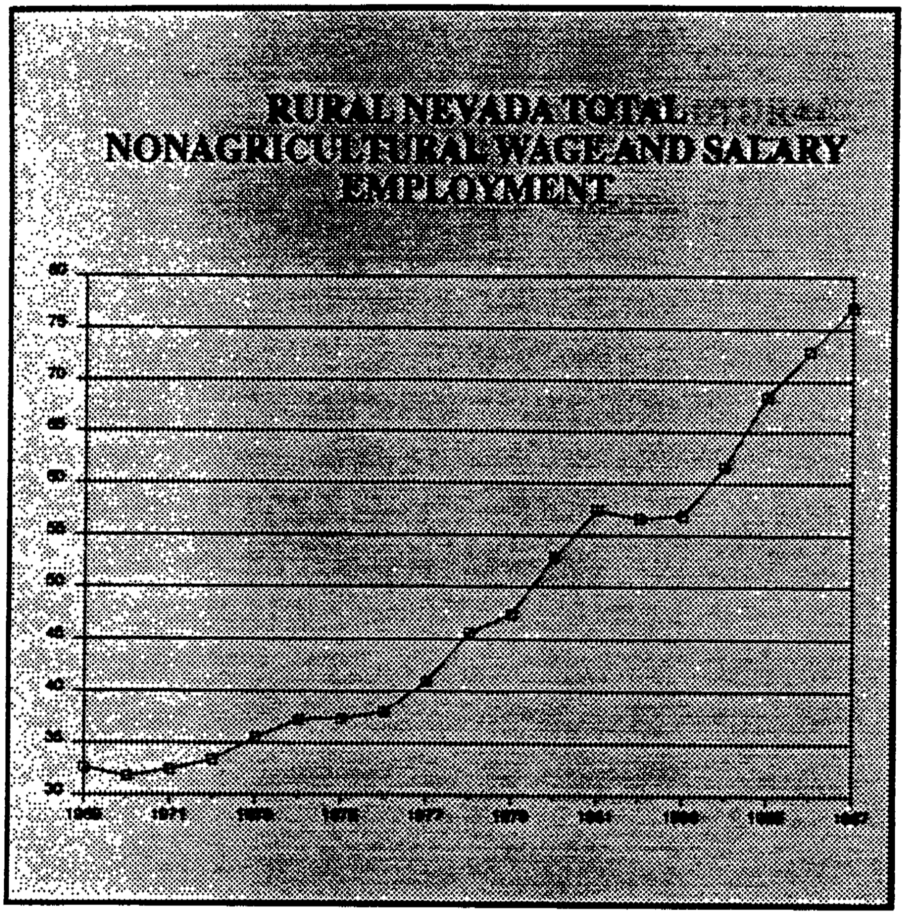
**$29.6 BILLION**

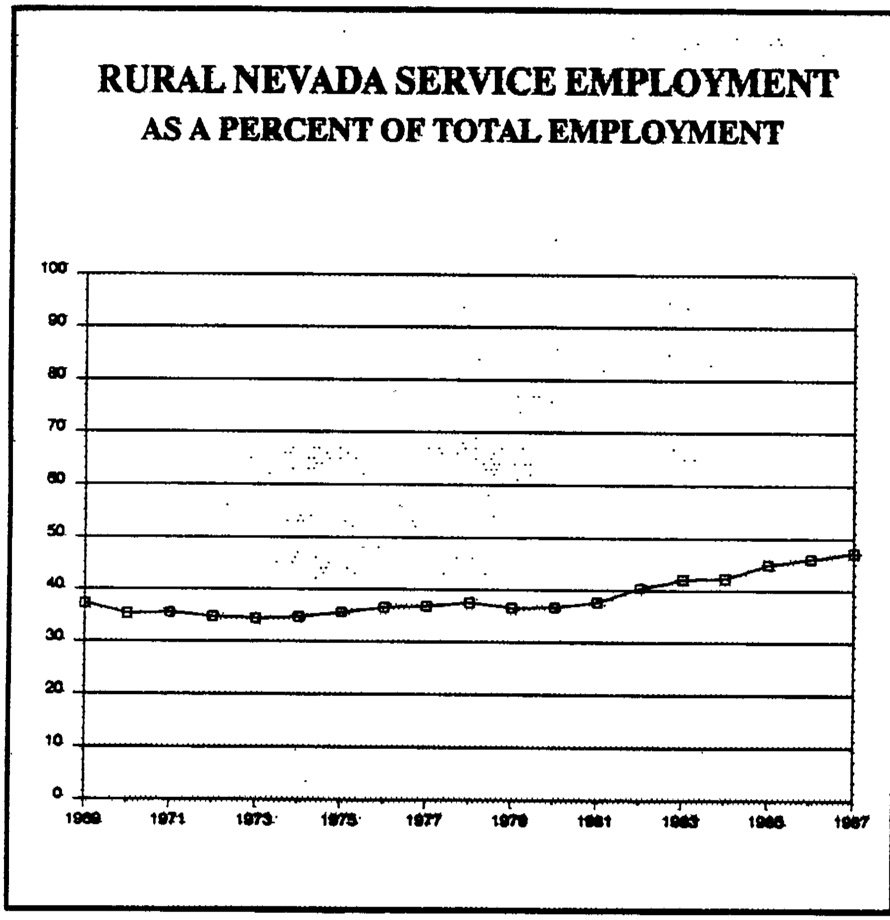
in current dollars or

**$4.13 BILLION**

in constant 1977 dollars

| | Grow Rat |
|---|---|
| **Gross Regional Product** | 9.5 |
| Industrial Components | |
| Agriculture | 6.7 |
| Mining | 8.5 |
| Contract Construction | 9.7 |
| Manufacturing | |
| Durables | 7.9 |
| Nondurables | 8.7 |
| Wholesale and Retail Trade | 7.4 |
| Finance, Insurance and Real Estate | 11.9 |
| Transportation, Communications, and Public Utilities | 8.6 |
| Services | 10.0 |
| Government | 7.1 |



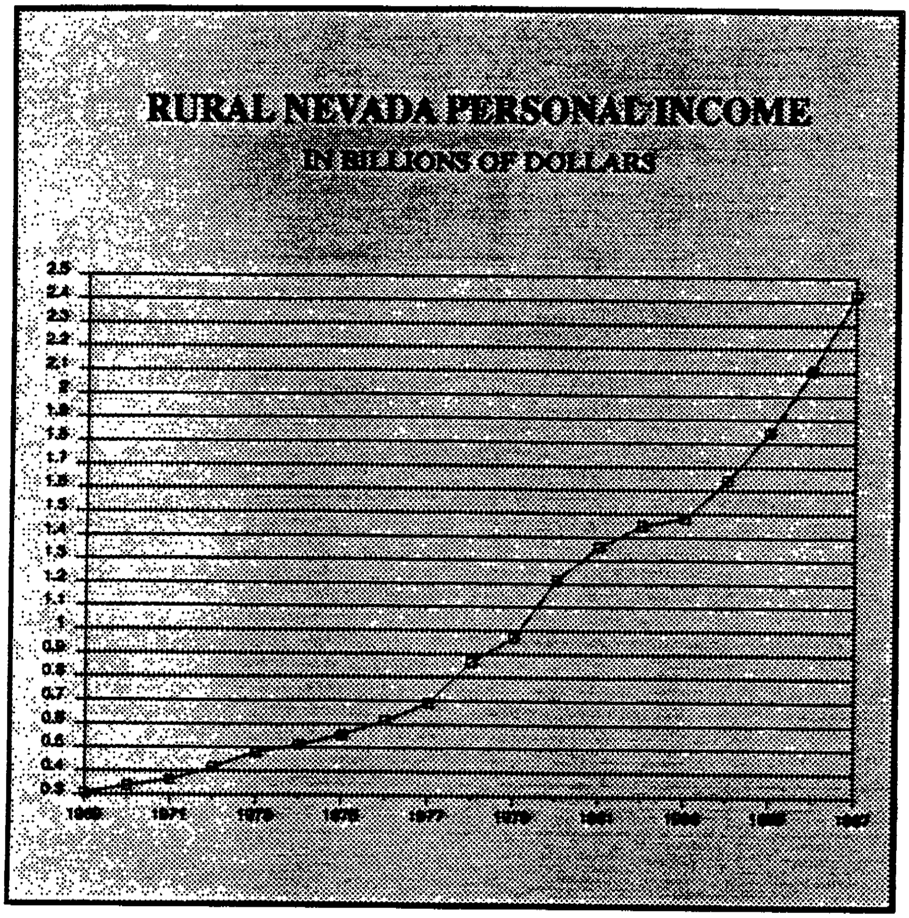

# RURAL NEVADA LONG-TERM 2010 FORECAST

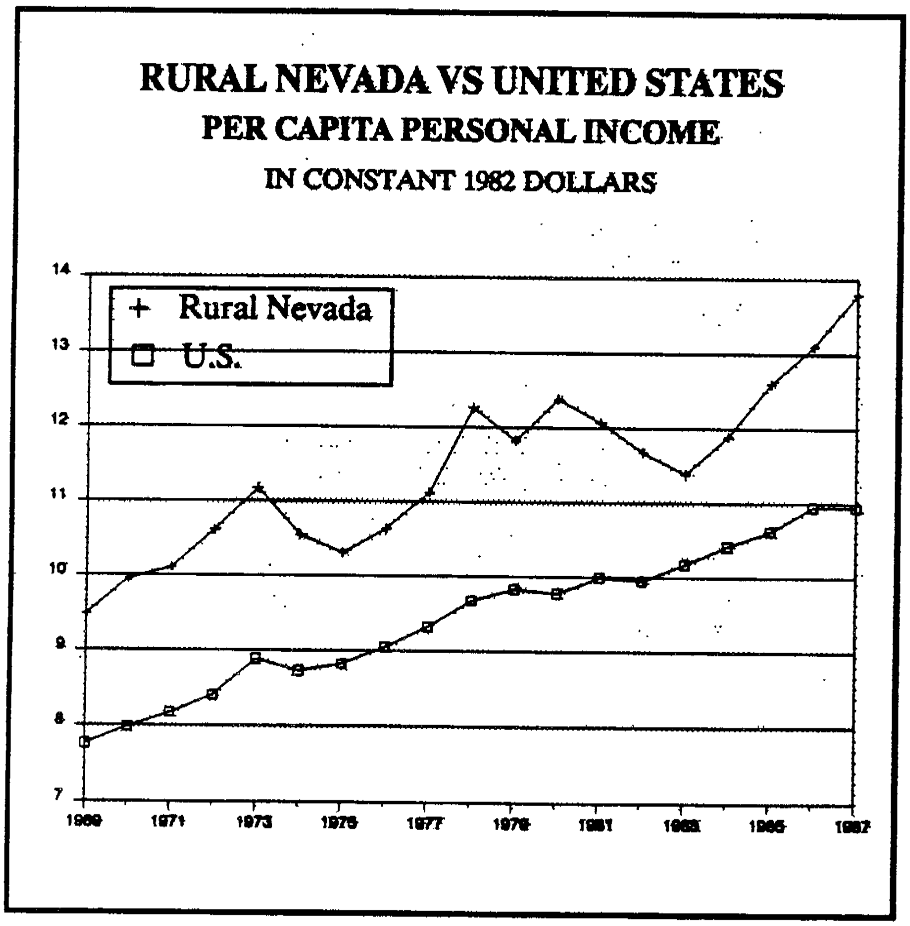
Nonagricultural wage and salary employment will reach

## 131.5 THOUSAND

workers

| | Thousands of Workers | Growth Rate |
|---|---|---|
| **Civilian Labor Force** | **136.4** | **2.4%** |
| **Nonagricultural Wage and Salary Employment** | **131.5** | **2.6** |
| Industrial Components | | |
| Mining | 7.5 | 0.9 |
| Contract Construction | 7.2 | 2.6 |
| Manufacturing | | |
| Durables | 1.8 | 0.2 |
| Nondurables | 2.0 | 1.9 |
| Wholesale and Retail Trade | 13.6 | 0.9 |
| Finance, Insurance and Real Estate | 10.9 | 3.9 |
| Transportation, Communications, and Public Utilities | 3.8 | 1.2 |
| Services | 84.7 | 3.2 |




# RURAL NEVADA LONG-TERM 2010 FORECAST

Total personal income will exceed

## $19.2 BILLION

| | Millions of Dollars | Grow Rat |
|---|---|---|
| **Personal Income** (Current Dollars) | **$19,251** | **9.4** |
| Components of Personal Income | | |
| Wages and Salaries | 16,518 | 9.8 |
| Other Labor and Proprietors' Income | 2,107 | 9.9 |
| Dividends, Interest, and Rent | 2,965 | 9.0 |
| Transfer Payments | 2,068 | 9.0 |
| Other | (4,407) | |

# NEVADA

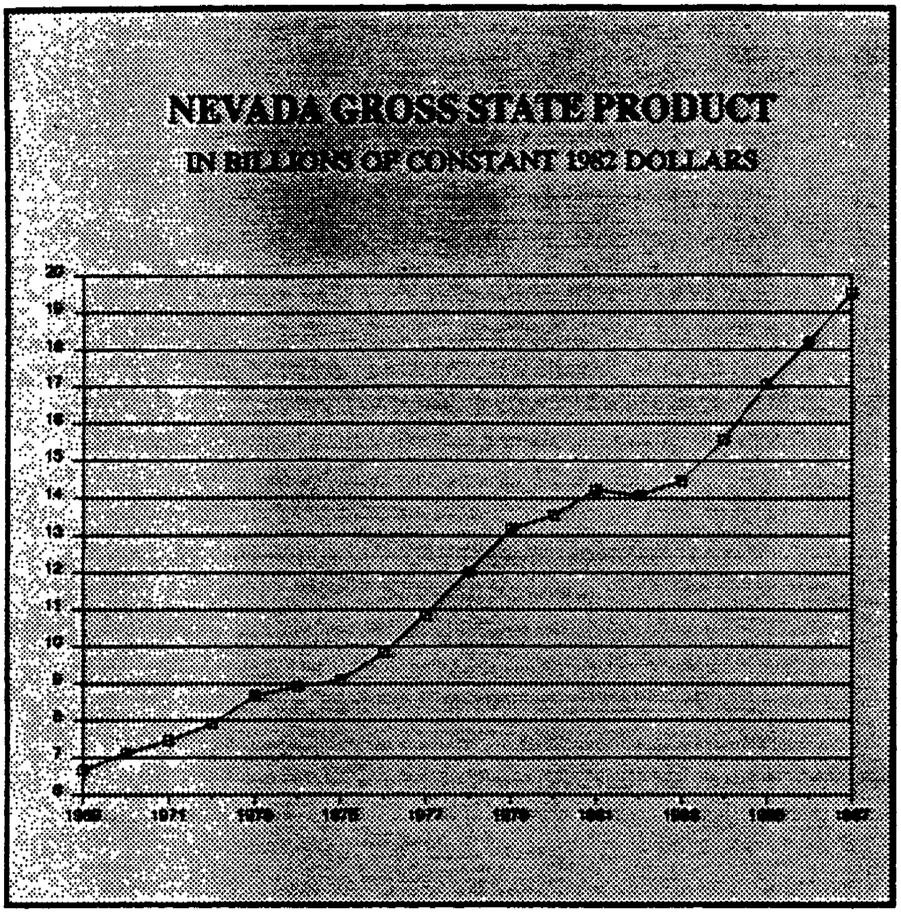
The 1980's have seen the State of Nevada once again experiencing rapid economic growth. Population grew 26 percent between 1980 and 1987, the nation's second fastest growing state. Such rapid increases in population are not new to Nevada. The story has been repeated before -- the story of the discovery of Nevada, boom and then bust. Nevada's concerns today are whether or not this economic expansion is one of live for-today engendered by a false sense of security and whether or not we shall once again fail to diversify our economic structure to insure economic stability.

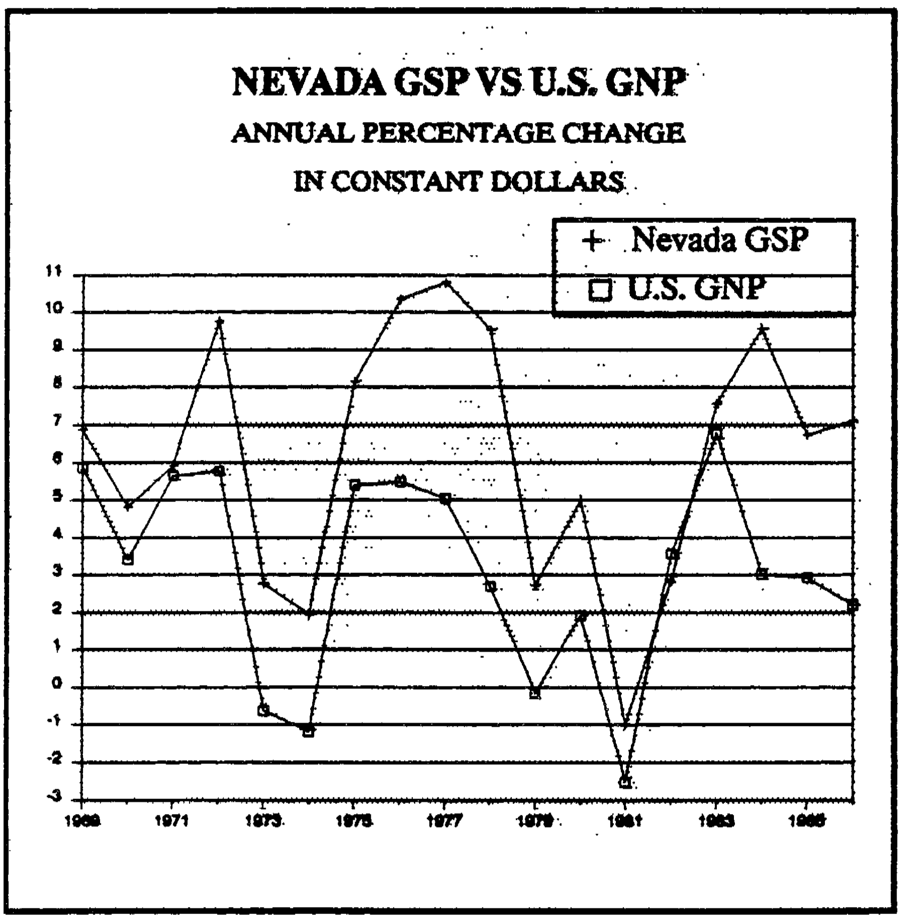
*Future Nevada leaders will face the same difficult tasks of promoting economic growth and diversification as previous Nevada ns.*

The future scenario we have generated here today is one in which the historical cycle peters out. The twenty year outlook is one of a strong economic expansion and a steady diversification. Expenditures, employment, and income move along an optimistic path of solid economic achievement. The continued growth in tourist in both Las Vegas and Reno will generate economic prosperity not unlike the state's past. However, our forecast is one in which non-tourism trade and commerce between Nevada and other economies of the United States and the rest of the world grown. Diversification comes slowly as a growing population base creates new opportunities for business expansion.

Continued economic expansion will support continued population growth in Nevada. By 2010 the population of the state will equal 1.883 million with 1.182 million living in Clark County. Washoe and Carson City will comprise 25.1 percent of the state's population and the rural areas of the state will comprise 12.1 percent.

Our future looks bright. Economic growth creates opportunities for further development and diversification. Nevertheless, taking advantage of these opportunities will at times be painful. Future Nevada leaders will face the same difficult tasks of promoting economic growth and diversification as previous Nevadans.




# NEVADA LONG-TERM 201( FORECAST

Output of the Nevada economy will reach

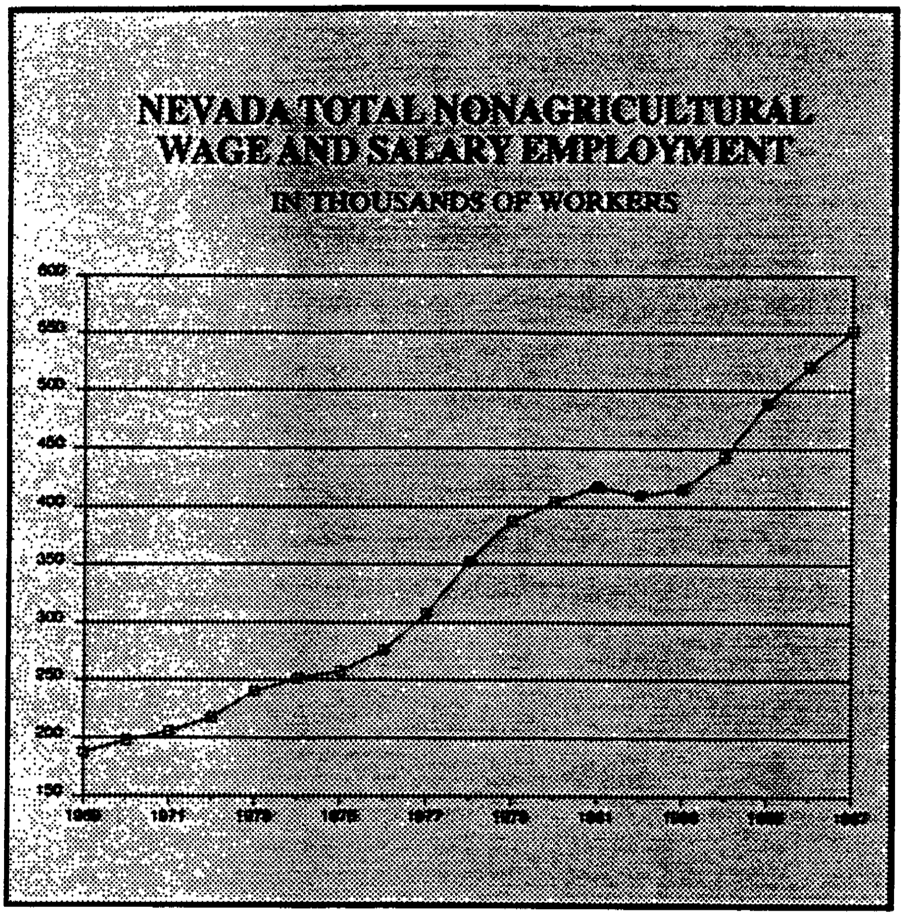
**$234.5 BILLION**

in current dollars or

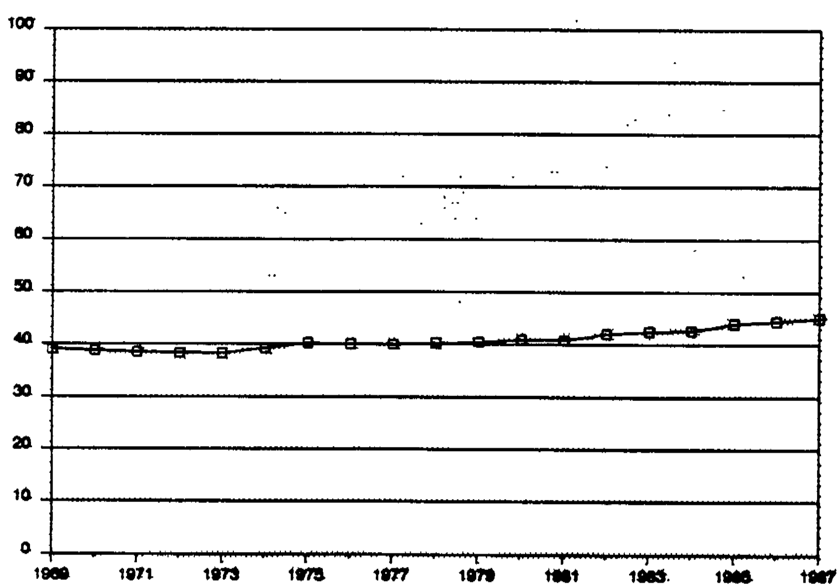
**$41.74 BILLION**

in constant 1982 dollars

| | Grov Rat |
|---|---|
| **Gross State Product** | 10.0 |
| **Industrial Components** | |
| Agriculture | 9.0 |
| Mining | 8.7 |
| Contract Construction | 9.7 |
| Manufacturing | |
| Durables | 10.2 |
| Nondurables | 9.0 |
| Wholesale and Retail Trade | 9.8 |
| Finance, Insurance and Real Estate | 11.6 |
| Transportation, Communications, and Public Utilities | 10.2 |
| Services | 9.1 |
| Government | 7.6 |




## NEVADA SERVICE EMPLOYMENT
### AS A PERCENT OF TOTAL EMPLOYMENT



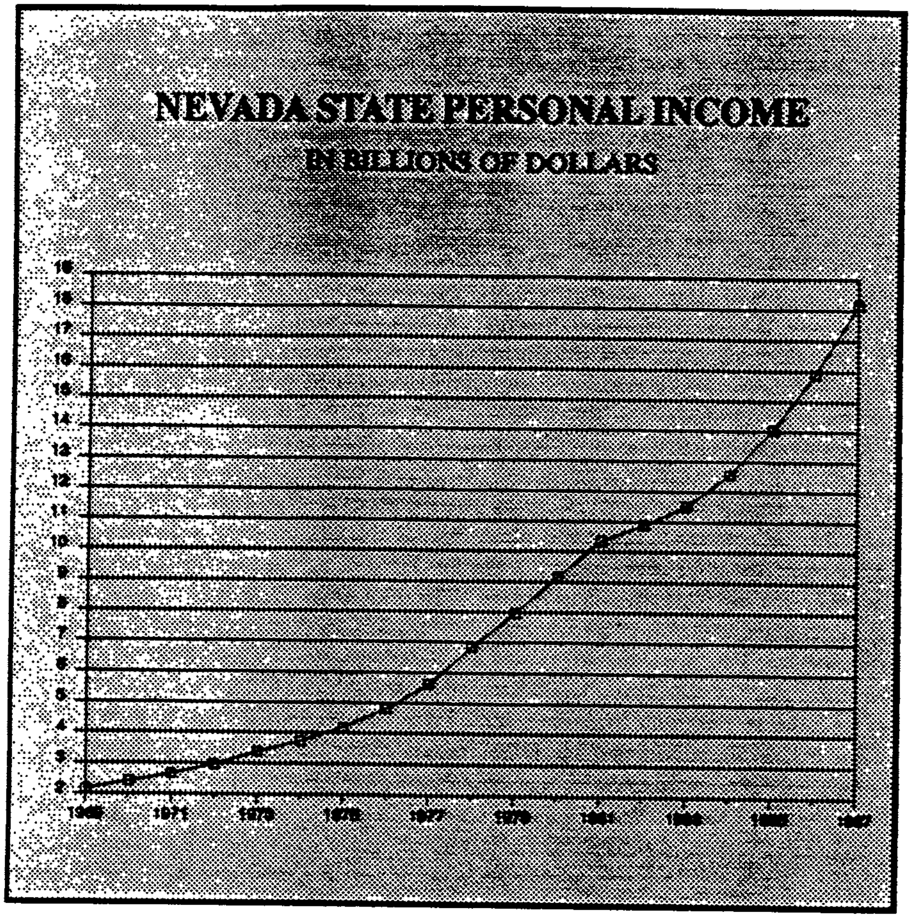

# NEVADA LONG-TERM 2010 FORECAST

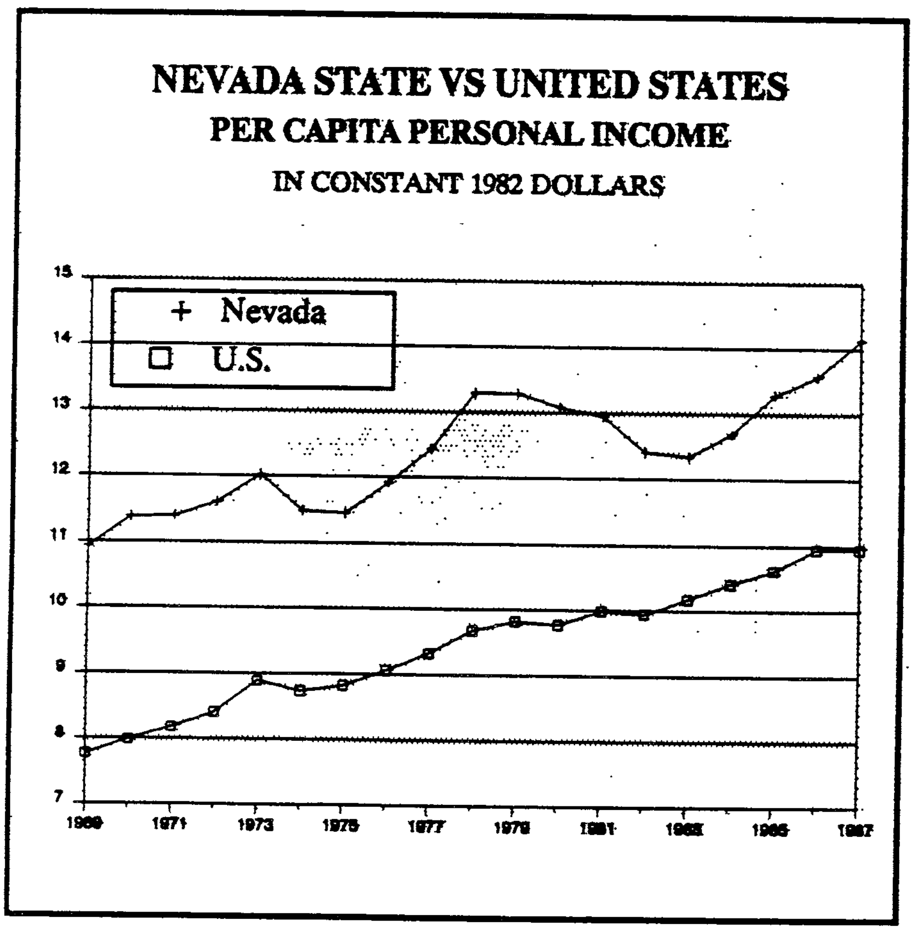
Nonagricultural wage and salary employment will reach

**1,076.0 THOUSAND**

workers

| | Thousands of Workers | Growth Rate |
|---|---|---|
| **Civilian Labor Force** | 1,090.2 | 3.1% |
| **Nonagricultural Wage and Salary Employment** | 1,076.0 | 3.2 |
| Industrial Components | | |
| Mining | 10.0 | 1.3 |
| Contract Construction | 61.5 | 2.9 |
| Manufacturing | | |
| Durables | 23.7 | 1.9 |
| Nondurables | 12.0 | 1.6 |
| Wholesale and Retail Trade | 255.0 | 3.5 |
| Finance, Insurance and Real Estate | 109.2 | 3.9 |
| Transportation, Communications, and Public Utilities | 49.5 | 2.2 |
| Services | 555.1 | 3.1 |




# NEVADA LONG-TERM 2010 FORECAST

Total personal income will exceed

## $163.8 BILLION

| | Millions of Dollars | Gro Ra |
|---|---|---|
| **Personal Income** (Current Dollars) | $163,834 | 9.8 |
| Components of Personal Income | | |
| Wages and Salaries | 116,657 | 10.0 |
| Other Labor and Proprietors' Income | 18,080 | 10.2 |
| Dividends, Interest, and Rent | 24,037 | 9.5 |
| Transfer Payments | 18,015 | 9.4 |
| Other | (12,951) | |

# APPENDIX G

## REPORT ON "THE NEVADA LEGISLATIVE BUDGET PROCESS: COMPARISONS AND ANALYSIS OF SELECTED ISSUES"

(NOTE: Due to their length, the detailed tables referenced in this report are not included. The complete report is available for review in the research library of the legislative counsel bureau.)

APPENDIX G

# THE NEVADA LEGISLATIVE BUDGET PROCESS:

# COMPARISONS AND ANALYSIS OF SELECTED ISSUES

A Report To:

The Nevada Blue Ribbon Commission on Legislative Process

Prepared by:

Tony Hutchison
Senior Staff Associate
Fiscal Affairs Program

National Conference of State Legislatures
1050 17th Street, Suite 2100
Denver, Colorado 80265
303/623-7800

February 1988

# The Nevada Legislative Budget Process: Comparisons and Analysis of Selected Issues

## A Report To The Nevada Blue Ribbon Commission On Legislative Process

Sources and Acknowledgements

This report to the Nevada Blue Ribbon Commission Legislative Process draws heavily from several sources of information. The first is NCSL's Legislative Budget Procedures in the 50 States, which was first published in 1983. That encyclopedic work was based to a large extent on a previous 1975 work published jointly by the Council of State Governments and the fledgling National Conference of State Legislatures. The 1975 work was entitled, State Legislative Appropriations Process.

Together these two documents formed the basis of the data for this report and for a forthcoming, updated 50 state study of the legislative budget process. Other sources used in this report include: Annual Versus Biennial Budgeting: The Arguments, The Evidence by Barbara Yondorf, A Comparison of Wisconsin's Budget Procedures to Other States: Selected Issues by Barbara Yondorf and Dale Nesbary, USA Statistics In Brief 1987, and The Legislative Role in Revenue and Demographic Forecasting by Tony Hutchison.

The information in this report could not have been presented without the assistance of the fiscal officers in the states who patiently filled out the voluminous survey instrument on which this report is based.

Additional thanks is due Kathy James for her typing, editing, and organization of the tables in this report.

## Introduction

This report, prepared at the request of the Nevada Blue Ribbon Commission on the Legislative Process, is designed to provide for comparisons between the Nevada legislative process and that of the other 49 states in the union. Unfortunately, at the time of the preparation of this report NCSL has received survey data from only 42 states. In spite of the absence of data from eight states this report provides a useful national overview of state legislative budget processes.

The report covers several of the issues delineated in the act which created the Nevada Blue Ribbon Commission, such as the effect of population change on state budgeting, the ability of a biennial legislature to address the needs of residents and businesses of the state and the operations of standing and appropriations committees in the budget process.

Also included in this report is information regarding a multitude of legislative process and procedures as well as information on committee structure and staff support.

The report contains an appendix with tables from the forthcoming NCSL Legislative Budget Process study. These tables include information ranging from timing of receipt of agency budget requests to the time that individual states spend considering an appropriations bill. The tables also include information on conference committees, budget bill content, revenue forecasting and a host of additional information about the legislative budget process.

This report is not intended to be a comprehensive analysis of the Nevada legislative budget process, and it does not purport to evaluate or offer recommendations for change. This report is however, useful for providing both current and historical information on a number of topics relevant to the Commission's work. This information should be useful to the Commission when it begins to contemplate recommendations to the Legislature.

If there are any additional questions about this report please contact Tony Hutchison, Senior Staff Associate, Fiscal Affairs at the NCSL Denver Office, 1050 17th Street, Suite 2100, Denver, Colorado 80265, 303/623-7800.

**Annual Versus Biennial Budgeting**

Whether a legislature appropriates on an annual or bienenal basis is one of the most basic decisions about budget process that has to be made. The type of budgeting a legislature does has a good deal of impact on the other components of the budget process. Currently 20 states have biennial budgets and 30 budget on an annual basis. Nevada has a biennial budget. (Table 2)

In 1975 when the first 50 state survey of the legislative appropriations process was undertaken 21 state legislatures budgeted on a biennial basis. However, prior to that survey, four states (Connecticut-1975, Idaho-1971, Missouri-1972 and Tennessee-1970) switched from biennial budgeting to annual budgeting. Since 1975, three states, Alabama, Georgia and Iowa have switched to annual budgeting and two states, Vermont and Florida have switched to biennial budgeting.

The common arguments, pro and con for annual budgeting include:

Pro annual budgeting

a. Gives the legislature more time to analyze the budget

b. Enhances legislative budget oversight capabilities

c. Increases the accuracy of revenue estimates

d. Reduces the need for supplemental appropriations and special sessions

e. Gives the executive branch less discretion in expenditures decisions.

f. Provides an opportunity for legislator to become more knowledgeable about the budget

Con annual budgeting

a. Annual budgeting reduces time deliberations on substantive legislation
b. Reduces time for oversight and program evaluation activities.
c. Results in higher budget preparation costs
d. Causes higher state budgets

Characteristics of Biennial and Annual Budgeting States

Some argue that more populous and urbanized states are more difficult to govern. More population leads to more demands for government services and increasing urbanization can be linked to a myriad of social problems ranging from crime, to family problems, to transportation and environmental problems. Because the budget process in the chief method for allocating resources to address a state's problems it may be that states with more complex problems would need to spend more time on budgeting.

Annual budgeting states are, on average, only slightly more populous than biennial budgeting states. Biennial budgeting states had an average population rank of 26th in 1975 and 27th in 1987. States with legislatures that budget on an annual basis had an average population rank of 25th in 1987. While the states that use annual budgeting have a slightly higher average population rank there is not a significant difference.

Level of urbanization (as measured by the percent of a state's population who live in metropolitan areas) shows a little more difference between the two categories of budgeting. In 1987 the average level of urbanization in the U.S. was 76.5%. By region the breakdown was as follows: Northeast 88.1%, Midwest 70.7%, South 69.4% and the West 83.6%.

Among states that use a biennial budget the average level of urbanization was 59%. Among states where the legislature budgets on an annual basis the average level of urbanization was 66.5%. Nevada's level of urbanization in 1987 was 83%.

It should be noted though, that while the level of urbaniztion of annual budgeting states is higher than that in biennial states, two large, urban states, Texas (81%) and Florida (91%) are biennial budgeting states. Regional political culture and legislative traditions may outweigh other factors in some cases.

Annual Budgeting States with Above Average Levels of Urbanization

| | |
|---|---|
| California | 95.7% |
| Colorado | 81.2 |
| Conn. | 92.6 |
| Illinois | 82.3 |
| Maryland | 92.9 |
| Mass. | 90.9 |
| Michigan | 80.2 |
| New Jersey | 99.9 |
| New York | 90.5 |
| Penn. | 84.6 |
| R.I. | 92.6 |
| Utah | 76.8 |

Biennial Budgeting States with Above Average Level of Urbanization

| | |
|---|---|
| Florida | 91.0% |
| Texas | 81.0 |
| Hawaii | 77.3 |
| Nevada | 83.0 |
| Washington | 81.0 |
| Ohio | 79.8 |

**Appropriations Committees: Size, Organization, and Coordination**

After the decision of how often to budget (annually or biennially) other important decisions that legislatures need to make about their budget process include: How many members to include on appropriations committees, how to organize -- jointly or by chamber-- and how to coordinate the appropriations process with the rest of the legislative process.

## Size

The sizes of the the Nevada House (13) and the Senate (7) appropriations committees are about average. House committees throughout the nation range from 6 in Delaware to 38 in Florida and Minnesota. Senate committees range from 6 in Delaware to 24 in New York. (See Table 3)

## Joint Committees

Fourteen states of the 42 responding to the NCSL budget procedures survey at the time of this report also employ joint committees in the appropriations process. In some states, such as Colorado, the joint committee is the principal deliberating body in the budget process and the House and Senate appropriations committees play a very limited role in budget decisions.

While Nevada does not use a formal joint committee structure the two committees do meet jointly to work out differences between them on the budget.

Nevada like most other states allows appropriations committee members to sit on other standing committees. (See Table 3)

## Subcommittees

Thirty-seven of the 42 legislatures responding to the survey indicated that they used subcommittees in their appropriations process. Nevada also uses the subcommittee system but indicated that the size of these subcommittees varies. In most states the size of subcommittes ranges from 3-6, but in some states, such as Missouri, they go as high as 15-18. (See Table 4)

### Committee Coordination

While 16 legislatures occasionally hold joint budget hearings during session, they are infrequent. Most joint hearings are held before the start of session. Only Montana, which always holds joint subcommittee hearings is the exception to this rule. The Nevada legislature like most other states holds joint hearings only infrequently during session. (See Table 5)

### Conference Committees

Nevada is among 12 states in the survey that reported that appropriations bills rarely or never go to conference committee (apparently differences are worked out through informal meetings of House and Senate appropriations members). Seventeen states in the survey reported that they use a "free conference" method to resolve differences between appropriations bills. Free conference means that any or all of an appropriations bill may be changed in conference.

Thirteen states reported that legislators are limited in their deliberations in conference to differences between houses on an appropriations bill. Seven states reported that they do not limit membership on conference committees to appropriations committee members. (See Table 6)

### Revenue Committees

Only three states, Connecticut, Maine and Wisconsin have joint revenue committees. Wisconsin in the only state that has a joint appropriations and revenue committee. Twelve states have Houses of Representatives with combined appropriations/revenue committees. Fifteen Senates have such an arrangement.

Six states (California, Florida, New York, Texas, Vermont and Wisconsin) have arrangements where all revenue bills are referred to appropriations. (See Tables 7 & 8)

### Caucus Procedure

The use of party caucuses has become one of the most discussed componenets of the legislative budget process in recent years. The binding caucus vote in particular has come under fire by the media and some legislators in Wisconsin and Colorado. Critics charge that binding votes and closed caucuses lead to increased logrolling and reduce open debate of important budget issues.

Survey results show that neither the closed caucus or binding vote is used in Nevada. (See Table 9)

### Agency Budget Requests

The survey data shows that Nevada agency budget requests rely heavily on a line-item format. Only 4 other legislatures in the survey identified the line-item format as a format in which they receive agency budget requests. Most receive budget requests in the form of object classification codes, organizational units and/or a program format.

Although the line-item format is useful for some types of budget analyses many scholars of budgeting have pointed out its short-comings when analyzing overall budget policy and options. (See Table 10)

### Submission of Governor's Budget

Nevada, like most states (34) in the survey, requires by statute the governor to submit a budget to the legislature by a certain deadline. Eight states have a constitutionally designated deadline.

Eight states have set the dealine of the submission of the governor's budget at a date prior to the convening of the legislative session. Nevada like 11 other states reuires the governor to submit a budget within one week of the convening of the legislative session. The rest of the states have set a date for submission ranging from two weeks to a little over one month after the start of the legislative session. Of course the earlier a legislature recieives the executive's budget the more time for deliberations it has. (See Table 11)

**Timing of Receipt of Agency Budget Requests**

Equally important to when the legislature receives the governor's budget is when (or in some cases if) the legislature receives the agency budget requests from which the governor's budget is being prepared. Only two states in the survey, California and Hawaii, reported that they only receive executive budgets, not individual agency budget requests. Colorado and Vermont reported that they receive agency budget requests only after the executive budget is prepared, but before it is submitted to the legislatures.

The North Carolina legislature receives individual agency requests only after the executive budget is submitted to the legislature.

Nevada, like most of the states, reported that legislators receive agency information before the executive budget is finalized. A recent study by the Iowa Legislative Fiscal Office indicated that a September date for legislative receipt of agency budget requests would provide that office enought time for a thorough analysis of the executive's proposals. (See Table 12)

**Preparation of "as introduced" Appropriations Bills**

In 24 of the states in the survey the executive branch prepares the "as introduced" version of the appropriations bills. Nevada is one of eight states where the House and/or the Senate staffs prepare the bills. Several other states have the bills prepared by joint legislative staff or legislative staff working with executive branch staff. (See Table 13)

### Number of Appropriations Bills

Seventeen states in the survey reported that the legislature considers only one omnibus appropriations bill per session. Twenty-five states in the survey, Nevada included, use multiple appropriations bills. The range in number of bills is great. Some states like Utah only use 2, while others like Oklahoma use 80 to 90. Arkansas reported by far the most, 350.

There has been a small trend of states switching from single to multiple appropriation bills. Since 1975, seven states switched from single to multiple bills. Between 1975 and 1983 only Montana bucked the trend and changed from multiple bills to a single bill process. (See Table 14)

### Where Appropriation Bills are Introduced

Nevada and Wisconsin were the only states responding to the survey that said the location of where appropriation bills were introduced varied depending on executive branch strategy. Fourteen states said appropriation bills were introduced in both houses simultaneously. Thirteen states said appropriation bills only began in the house. The rest of the states either alternate where bills begin or divide them between the chambers. (See Table 15)

### Amount of Time the Legislature/Committee has to Consider the Budget

One of the more important facets of the legislative budget process is the amount of time the legislature or primary budget deliberation committee of the legislature has to consider the budget after the executive branch has submitted it. Nevada reported that the appropriations bill is normally in the legislature for about 20 weeks and the appropriations committees have about 16 weeks to analyze it and make recommendations.

This is one of the longer periods of time in the nation. The low end of the spectrum is 6 weeks in Utah and the high end is 37 weeks in Michigan. (See Table 16)

**Restrictions on Floor Amendments to the Appropriations Bills**

(See Table 17)

**Gubernatorial Veto of Major Budget Bills**

(See Table 18)

Nevada is one of only 5 states in the survey where a governor does not have line item veto authority for funding bills or the authority to veto individual program funding within a bill. The Nevada governor's veto power extends only to the veto of entire bills. The other states with such a provision are: Colorado, Maine, New Hampshire, and Rhode Island. (See Table 20)

**Location of Wording Expressing Legislative Intent**

(See Table 19)

**State Requirements for a Balanced Budget**

(See Table 21)

**Legislative Involvement in Forecasting**

(See Table 22)

**Preparation and Certification of Official Revenue Forecast**

(See Table 23)

# APPENDIX H

## REPORT ON COLORADO'S JOINT BUDGET COMMITTEE

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU
LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

DONALD A. RHODES, Director
(702) 885-5668

APPENDIX H

LEGISLATIVE COMMISSION (702) 885-5627
LAWRENCE E. JACOBSEN, Senator, Chairman
Donald A. Rhodes, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640
MARVIN M. SEDWAY, Assemblyman, Chairman
Daniel G. Miles, Fiscal Analyst
Mark W. Stevens, Fiscal Analyst

JOHN R. CROSSLEY, Legislative Auditor (702) 885-5622
ROBERT E. ERICKSON, Research Director (702) 885-5637
LORNE J. MALKIEWICH, Legislative Counsel (702) 885-5627

February 23, 1988

# M E M O R A N D U M

TO: Members, Nevada Legislature's Blue Ribbon Commission on the Legislative Process (Assembly Bill 678)

FROM: Scott Seymour, Deputy Director, Administrative Division

SUBJECT: Colorado's Joint Budget Committee

On Wednesday, February 3, 1988, commission member Bob Weise and Scott Seymour, deputy director of the administrative division of the legislative counsel bureau, met with legislators and staff in Denver, Colorado, to discuss the appropriations process in that state. Interest in that system had been generated by presentations made before the commission and by the desire of the commission to study alternative methods of structuring the legislative process to be more efficient.

This paper will provide a brief overview of the Colorado legislature and discuss the structure and operations of the Joint Budget Committee (JBC) and some observations on that system.

## Organization of Colorado Legislature

The Colorado General Assembly consists of 100 elected members--35 senators and 65 representatives who meet on an annual basis.* Sessions in even-numbered years may not exceed 140 days as the result of a 1982 constitutional amendment. There is no limit on sessions in odd-numbered years with 1987 lasting 162 legislative days. The legislature has also adopted rules limiting the number of bills a member may introduce during a legislative session.**

---

* Attachment A provides a summary of legislative pay and expense allowances.

** Attachment B provides a discussion of the limitations on bills and is the Deadline Schedule for the Colorado General Assembly.

Each house of the General Assembly has 10 committees of reference which are as follows:

- Agriculture, Livestock, and Natural Resources.
- Appropriations.
- Business Affairs and Labor.
- Education.
- Finance.
- Health, Environment, Welfare, and Institutions.
- Judiciary.
- Local Government.
- State Affairs.
- Transportation and Energy.

A schedule of committee meetings is listed as Attachment C. In addition, the House has established a House Rules Committee and a House Services Committee while the Senate has established a Senate Services Committee.

Unlike Nevada, which has a centralized staff with a director who supervises five divisions and reports to the legislative commission, Colorado has established four permanent joint committees which oversee the various service agencies of the legislature:

- The Legislative Council;
- Committee on Legal Services;
- Legislative Audit Committee; and
- Joint Budget Committee.

The legislature also established a Capital Development Committee in 1985.

Legislative Council

The Legislative Council is a 14-member body comprised of six members of the Senate appointed by the President and six members of the House appointed by the Speaker subject to the approval of their respective houses. The majority leader of the Senate and the Speaker of the House serve ex officio. The Legislative Council was created in 1953 to collect relevant data, to examine constitutional and statutory provisions and possible amendments, to consider important issues of public policy and to prepare reports, bills, and other documents for presentation to the General Assembly.

The information-gathering function of the Legislative Council created a need for a continuing and permanent research staff to work for the General Assembly. To fulfill this function, the Legislative Council appoints a director of research who, with the approval of the council, may appoint such additional professional, technical, clerical, and other employees as are necessary to perform the functions assigned. Staff members, in addition to conducting research, also serve as committee coordinators, initiate necessary correspondence, arrange meetings, compile minutes, and prepare memoranda and reports on findings.

<u>Committee on Legal Services</u>

The Legislative Drafting Office is under the direction of the Committee on Legal Services, which consists of 10 members of the General Assembly. The 10 legislative members are the respective chairmen of the House and Senate committees on judiciary or their designees; four members from the House of Representatives, two from each major political party (one member from each party is to be an attorney-at-law if an attorney is available); and four members from the Senate, two from each major political party (one member from each party is to be an attorney-at-law if an attorney is available). The members of the committee are appointed by the President of the Senate and the Speaker of the House, respectively, with the approval of the majority of the members of the body.

The Committee on Legal Services appoints a director of the Legislative Drafting Office who is an attorney-at-law. The director appoints a professional staff which includes attorneys-at-law and technical and clerical personnel to assist in the operation of the office.

The Legislative Drafting Office prepares the bills, resolutions, and memorials introduced in the General Assembly. Under joint rule, no bill may be introduced in either house unless first approved as to form by the Drafting Office. In addition, many amendments and all conference committee reports are prepared by the office.

Under the law establishing the office, a bill draft request may be made only by a member of the General Assembly or the Governor. Prior to introduction, all requests received by the office are held in confidence and not discussed or released outside the office without the prior permission or instruction of the member making the request.

The Legislative Drafting Office also reviews administrative rules and regulations; maintains legislative records; coordinates litigation; performs legal research for legislators and gives assistance to legislative council committees and interim committees.

Legislative Audit Committee and State Auditor

Under the direction of the Legislative Audit Committee, the State Auditor conducts postaudits of all financial transactions and accounts of all state departments, institutions and agencies of the executive branch of state government, and the judicial and legislative branches; conducts performance audits and performance reviews of state agencies selected by the Legislative Audit Committee or the General Assembly; conducts special audits of any department, institution or agency upon the request of the Governor or the General Assembly; and performs preliminary investigations, special audits or management studies directed by the Legislative Audit Committee.

The Legislative Audit Committee consists of four members from the Senate, two from each major political party, and four members from the House, two from each major political party.

The function of the committee is to examine the qualifications of each person applying for the position of State Auditor and place the name of the most qualified person before the General Assembly; review the reports of the State Auditor relating to postaudits and submit its recommendations concerning the postaudit reports to the General Assembly; and order preliminary investigations, special audits, or management studies to be performed. Audits cannot be released or discussed by the auditor or his staff prior to their release by the committee.

Capital Development Committee

The Capital Development Committee was established in 1985 by legislative enactment. The committee consists of six members: two majority party members and one minority party member from the House of Representatives and the Senate. Committee members are chosen in accordance with the method prescribed by the rules of the respective body. The committee functions during legislative sessions and during the interim between sessions.

The committee elects a chairman and a vice-chairman, one from the Senate membership of the committee and one from the House membership of the committee. The chairman so elected serves as chairman for the first regular session of the General Assembly and as vice-chairman of the second regular session; the vice-chairman serves as chairman for the second regular session of the said General Assembly.

The committee is directed to study capital construction and controlled maintenance requests of state agencies, and hold public hearings thereon; determine the priority to be accorded the proposals; and forecast the state's capital construction requirements for the next 5 and 10 fiscal years. The committee's recommendations are submitted to the Joint Budget Committee. Highway and bridge projects are exempt from the purview of the committee. Staff assistance is provided by the legislative service agencies, the Department of Administration, and the Office of State Planning and Budgeting.

Prior to 1985, the JBC was directly responsible for the review of capital construction projects. The provision establishing the Capital Development Committee is scheduled to sunset in 1989 so its operations are presently under scrutiny by the legislature.

## JOINT BUDGET COMMITTEE

The fourth service agency is the Joint Budget Committee which is known as the JBC.

### Overview of JBC

The JBC is the permanent fiscal and budget review agency of the Colorado General Assembly. The Joint Budget Committee consists of the chairman of the House Appropriations Committee plus one majority party member and one minority party member of that committee, and the chairman of the Senate Appropriations Committee plus one majority member and one minority member of that committee.

The committee elects a chairman and a vice-chairman, one from the Senate membership of the committee and one from the House membership of the committee. The chairman so elected serves as chairman for the first regular session of the General Assembly at which the committee is to serve, and as vice-chairman for the second regular session; the vice-chairman so elected serves as chairman for the second regular session of said General Assembly.

Established by statute in 1959, the committee succeeded the former Joint Subcommittee on Appropriations. The subcommittee was established on a year-round operating basis, with permanent staff, in 1956.

The committee analyzes the programs, management, operations and fiscal needs of all state agencies. It reviews agency and executive budget requests and conducts budget hearings. The committee is also responsible for reviewing the recommendations of the Capital Development Committee concerning capital assets. In addition, the committee prepares appropriation bills for introduction in the legislature. The annual "Appropriation Report" by the committee, following the legislative session, expresses legislative intent and program guidance for state agencies.

Interim studies of the committee focus on selected management and fiscal needs.

The nonpartisan staff of the JBC consists of a director, 10 budget analysts and two support staff. Joint Budget Committee analysts also staff the appropriations committees in each house and prepare statements on the possible fiscal impact of all new measures assigned to the JBC. The annual budget cycle as followed by staff is outlined below:

Budget Cycle

| | |
|---|---|
| June | Executive budget instructions are issued by the Office of State Planning and Budgeting (OSPB). |
| Late August, September, early October | Executive department budget proposals are reviewed by OSPB. OSPB analysts make recommendations which are discussed with the Executive Director of OSPB and the departments. The Governor reviews budgets and issues limits on budget amounts to the departments. Departments then prepare budgets for submission to the JBC. |
| September | The Capital Development Committee receives capital construction requests and priorities by OSPB. |
| October and November | The Capital Development Committee holds hearings with departments on their capital construction requests. |
| November 1 | This date is the statutory deadline for budget submissions to the JBC. |
| November and December | The JBC holds staff briefings and conducts hearings with state agencies.<br><br>The various departments of state government are divided among the dozen JBC staff analysts. Analysts review the budget requests, prior year staff writeups, statutes, appropriation reports, audit reports, interim committee reports, other pertinent information, and meet with agency personnel to learn about the department and its operations. Staff members prepare a series of issues and a review of expenditures that are presented at a briefing of the JBC on the department's budget request. This briefing is aimed at stimulating discussion among committee members |

about each department's budget request, its operations and efficiency. After the briefing, committee members decide what issues they wish to discuss with the department. These may be topics presented by the staff or any topic a committee member wishes to pursue. The department is provided with a copy of topics before the hearing. Time is also allowed on the schedule for the department to discuss its priorities with the committee. All briefings and hearings are open to the public.

December

The Capital Development Committee prioritizes requests and finalizes recommendations.

January

Supplemental requests are considered by the Joint Budget Committee.

Supplemental requests approved by the Governor are forwarded to the JBC by the Office of State Planning and Budgeting. The JBC analysts review these requests for additional funding for the current year. In the past, the JBC's criteria used for considering positive supplemental requests have been:

1. An emergency or act of God;
2. A technical error in calculating the original appropriation;
3. Data which was not available when the original appropriation was made; or
4. An unknown contingency, such as significant workload change.

The analysts also look for areas in the budget where funds can be taken back.

Analysts make recommendations to the committee on both positive and negative supplementals. Committee decisions are written up in the form of supplemental appropriation bills.

Late January, February, and March

The JBC makes decisions on the Long Appropriations Bill.

The JBC analysts make and explain recommendations to the committee on FTE, funding, and footnotes for next year. The committee votes on each line item recommendation. Analysts make recalculations where applicable and draft decisions into the Long Bill format. During this period (February 15), salary survey results are received from the department of Personnel and capital construction recommendations are received from the Capital Development Committee. These are reviewed by the JBC and incorporated into the total decision. At the end of the figure setting process, committee members review their decisions and make necesary changes to bring total funding in line with the official March revenue forecast or the spending limit. After all decisions have been made, the Long Bill is finalized and a narrative is written by the staff to explain the decisions made and to provide comparative information.

| | |
|---|---|
| March, April, early May | The Long bill is introduced and passes both houses of the General Assembly. |
| | The Long Bill is considered by both houses in their party caucuses, JBC members explain decisions and respond to questions from their caucuses. All changes adopted by a caucus are drafted as amendments by the JBC staff for consideration during floor debate. The JBC members have historically acted as the conference committee to resolve any differences between the two houses. After the conference committee report is adopted, the bill is sent to the Governor. |
| April, early May | Other bills containing appropriations are considered and adopted up to the spending limit or revenues available. |
| | All bills are reviewed for possible fiscal impact. Any bill thought to have fiscal impact is referred to the proper appropriations committee. The JBC analysts prepare a fiscal note after researching the bill and reviewing the OSPB fiscal note. The JBC staff note is presented to the Appropriations Committee members when the bill is discussed. |
| May | The Governor considers vetoes of appropriation bills. |
| May, June | The legislature considers the Governor's vetoes. |

| | |
|---|---|
| June, July | The JBC analysts prepare the Appropriations Report which explains funding decisions made by the General Assembly. |

As mentioned above, the measure which contains the budget is called the Long Appropriations Bill which is accompanied by the Long Bill Narrative. The schedule for passage of the Long Bill for 1988 is below as an example of the time frame during the legislative session.

PROPOSED LEGISLATIVE SCHEDULE RELATIVE
TO PASSAGE OF THE LONG BILL

| | |
|---|---|
| March 15 | JBC completes work on voting on the Long Bill. |
| March 25 | Deadline for passage of bills originating in the other house. |
| March 28 | Long Bill introduced in the House. |
| April 4 | Long Bill introduced in the Senate. |
| April 11 | General Assembly begins 2-week break. |
| April 18 | Long Bill Conference Committee begins work. |
| April 25 | General Assembly returns and begins work on conference committee reports. |
| May 3 | Deadline for agreement on Long Bill. |
| May 6 | Deadline for Long Bill and all other bills to the Governor, and General Assembly recesses. |
| May 18 | General Assembly reconvenes for adjournment. |

One of the more interesting aspects about the JBC procedure is that the Long Bill, after first reading, is referred to caucuses for discussion and to recommend amendments. Since the Republicans control a majority in both houses, the amendments from their caucuses are those most often adopted. The conference committee to resolve differences between the House and Senate is made up of the members of the JBC.

Budget Review

While Colorado Revised Statutes 2-3-207 calls for "an ongoing review procedure fo existing programs based on zero-base budgeting," this is not exactly the case according to JBC staff. Rather, the process involves the review of performance audits which have been conducted by the state auditor, a review of each department by a JBC staff member and then a line-by-line analysis by the staff of the budget request from which recommendations are presented to the JBC in a briefing. A hearing is then scheduled with the department to answer questions and to discuss the implementation of the policy directions desired by the legislature.

Recommendations on the level of funding are subsequently incorporated into the Long Bill for introduction. Thus, the JBC has the information to review as much detail as possible and to make funding recommendations based on staff analysis, briefing and hearings. The result is the Long Appropriations Bill and the Long Bill Narrative.

## Funding of Education

While funding for education has traditionally been handled the same as other departments of the state, there are some differences that should be noted.

### Department of Education (K-12)

In 1987-1988, 40.8 percent of general funds were expended on kindergarten through 12th grade. There have, however, been complaints that the allocation of these funds has been unfair and a suit has been filed challenging the school finance act. Consequently, an interim committee was created to study school finance and to make recommendations this session on how to reallocate education funds.

All six members of the JBC are on the 12-member interim committee with a JBC member serving as chair. At this writing, the interim commitee is working on a proposal to develop, by school district, seven funding categories. This proposal will then be sent to the appropriations committees for their review and then sent to the Joint Budget Committee for inclusion in the Long Bill. This proposal merely reallocates and does not increase the funding level significantly over this year's operating budget.

If the appropriations committees cannot agree on the new proposal, then it is anticipated that the JBC will continue funding as in the past and let the court suit dictate future changes.

### Higher Education

All state higher education institutions are within the Department of Higher Education. The Colorado Commission on Higher Education serves as the central policy and coordinating board for the department.

In 1987-1988, 21.1 percent of general fund expenditures is for higher education. These funds are administered through six governing boards which oversee the state's 23 public institutions of higher education.

In 1984, House Bill 1187 created a series of standards and expectations relative to admission standards and outcomes which institutions of higher education were instructed to achieve. The tradeoff is that the governing boards have been permitted to retain cash reserves of appropriated funds and to transfer funds between line items. At the same time, the JBC has the final authority of recommended tuition increases.

Revenues and Limits on Expenditures

Since Colorado has been experiencing a difficult period economically, much of the work of the JBC has been to eliminate certain programs and activities and to reallocate where necessary. New programs are virtually nonexistent at this time. By statute, the General Assembly must certify to the controller by February 15 of each year the estimated revenue projections for the next fiscal year based on executive and legislative projections. Additionally, while reviewing requests for supplemental funding by agencies, the staff of the JBC are seeking "negative" supplementals in some areas to save funds.

An expenditure limit of a 7 percent increase over the prior year has also been established by statute. While this level could not be obtained under present circumstances anyway, there is a proposal this session to reduce the limit to 5 percent of prior year expenditures.

Observations on the Effectiveness of the JBC

Former Colorado State Senator Joe Shoemaker, in his book Budgeting is the Answer (excerpted in the Blue Ribbon Commission's packet dated January 26, 1988, Tab VIII D), discusses the following advantages of the JBC.

- The thorough analysis of budgets conducted by the JBC has saved the State of Colorado millions of dollars.

- The JBC has produced a cadre of legislators with in-depth knowledge and experience in budgetary matters.

- The budget is better used as a planning tool under the JBC.

- The creation of "adversary proceedings" which foster better questions on the budget as to purpose and priorities.

- The small number of members (six) and the mix (three from each house--two of each three from the majority and one from the minority party) proved to be an effective working group.

- The budget cycle used by the JBC starts early enough to not hold up the legislative process.

The disadvantages that were discussed during the visit to Denver included the following:

- Executive branch feels as though it does not have enough input into the final decisions.
- The membership is too small.
- The composition of the JBC does not provide enough input by the minority party.
- There is too much power vested in too few legislators.
- The JBC staff has been "arrogant" and unresponsive to the requests of legislators other than those on the JBC.

Recent proposals to change the JBC include:

- Enlarge the JBC membership (proposals have been made by Republicans and Democrats on this issue). A Republican-sponsored measure this session (S.B. 9) would have added two Republicans (majority in each house) to the JBC so as to avoid the reoccurrence of a 1986 three-to-three split when a majority member sided with the minority members on some major budget issues. This measure ws defeated 4-2 in Senate Finance and called "patently unfair" to the minority party.
- Assign committees of the General Assembly those sections of a general appropriations bill which are within their subject matter jurisdiction. This 1988 measure (S.B. 95) would charge the Governor with the task of preparing a general appropriation bill and then each standing committee would review and recommend amendments to the appropriations committees. The JBC would then serve as the conference committee between the two houses.

  This measure was indefinitely postponed in Senate Finance on February 3, 1988.

<u>Concluding Remarks</u>

While the JBC is deemed to be an effective budgeting entity by many, it has still come under "heavy fire" over the last couple of years according to various staff. It is probably fair to assume that a major reason for its effectiveness is the fact that the same party has controlled both houses almost every session since the 1960's. This also helps explain the use of the caucuses as the body which proposes amendments to the Long Bill.

The challenges to the JBC, as mentioned above, tend to focus on the degree of power and authority over the budget by a relatively few members of the legislature and the desire of executive agencies to be more involved in the process.

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## SUMMARY OF LEGISLATIVE PAY AND EXPENSE ALLOWANCES

| | Compensation for Legislators | | | Reimbursements and Expenses | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | Expenses During Session | | | |
| Effective | Amount/Year | Committee Between | Attendance Sessions | Gen. Expenses for Committee Attendance Between Sessions | One Round Trip Per Session | Weekly Travel Expense | Lodging in Denver & Daily Travel Expense | Mileage Rate |
| 1985 | $17,500/year payable at the rate of $2,187.50 for the first four months of the year, and $1,093.75 for the remaining eight months of each year. | Per Diem $75.00 1/ | Maximum $3,750.00 a year 2/<br><br>$7,500.00 a year 3/ | Actual and Necessary | Actual and Necessary | Roundtrip once a week members not residing in Denver Metro area. 4/ | Each member of General Assembly is allowed up to $35.00 for actual expenses incurred and traveling expenses to his home and back to the capitol per legislative day of actual attendance.<br><br>In lieu of the above, if a member does not reside in the Denver Metro area, he is allowed up to $70/day lodging allowance and expenses. 5/ | Not to exceed the rate authorized for the executive branch.<br><br>20¢ per mile<br>24¢ per mile for four-wheel drive vehicles. |

1/ Per diem for legislative members attending interim committee meetings, members of the JBC and Legislative Audit Commit attending meetings during the interim, and the legislative leadership handling matters concerning the General Assembly.

2/ Maximum allowance for members attending interim committees.

3/ Maximum allowance for JBC and Legislative Audit Committee members and the legislative leadership.

4/ The Denver metro area is defined to comprise ony the following counties: Adams, Arapahoe, Boulder, Clear Creek, Denver Douglas, Gilpin and Jefferson.

5/ Senate Bill 256, 1985 Session (2-2-317 (1), (2), (3), C.R.S.) The lodging and expense allowance of the General Assembly a fixed shall apply to the first 140 days of the session each year, and provides that thereafter the maximum daily allowanc shall be $20/day for Denver area members and $40/day for other members.

ATTACHMENT A

## Limitations on Bills Introduced

The General Assembly first adopted a rule in 1977 limiting the number of bills that members may introduce during a legislative session. Modified in 1983 and again in 1984, the rule now provides a different limitation for odd than for even-numbered year sessions.

During legislative sessions convening in odd-numbered years, members may introduce not more than six bills, excluding measures which make appropriations and four bills that are recommended by committees that meet between legislative sessions. With regard to the bills subject to the six bill limit, if a legislator waits until after December to ask that bills be drafted, the legislator may request only three bills. Legislators elected at the general election prior to the odd-numbered year session and who have not served in the General Assembly during the past session have until December 15 to make requests under the six bill limit.

During the even-year sessions, a member may introduce only four bills, providing his requests for bill drafts are made to the Legislative Drafting Office prior to December 1. If a legislator waits until after December 1 to file requests for bill drafts, he may introduce only two bills during the session. Bills from interim committees are subject to the same four-bill limitation that applies to interim committee bills introduced during odd-year sessions. Bills making an appropriation are excluded from the limitation.

Exemptions from the bill limitations are granted during the legislative sessions but only with the approval of special committees on delayed bills.

## The Legislative Deadline Schedule

Adopted in 1974 as a part of the joint rules of the house and senate, the deadline schedule insures an orderly flow of work during the legislative session. Deadlines occur at more frequent intervals in the even-numbered year sessions because of the state's constitutional limitation on the number of days (140) during those sessions. Legislative days are the same as calendar days; each day after the session starts and until adjournment is counted as a legislative day even though the General Assembly may not meet on a particular day during that period.

DEADLINE SCHEDULE FOR THE
COLORADO GENERAL ASSEMBLY

| First House | | |
|---|---|---|
| Odd-Year | Even-Year | Deadline |
| 20th Day | 10th Day | Requests for bill draft must be submitted to the Legislative Drafting Office.* |
| 45th day | 25th day | Deadline for the introduction of bills.* |
| 65th day | 45th day | Deadline for committees of reference to report bills originating in their own house.* |
| 80th day | 55th day | Deadline for final passage of bills in the house of introduction.* |

| Second House | | |
|---|---|---|
| Odd-Year | Even-Year | Deadline |
| 100th day | 70th day | Deadline for committees of reference to report bills originating in the other house.* |
| 115th day | 80th day | Deadline for final passage of all bills originating in the other house. |

| General Assembly | | |
|---|---|---|
| Odd-Year | Even-Year | Deadline |
| 130th day | 95th day | Deadline for Recess. |
| 147th day | 112th day | Reconvene for Adjournment Sine Die. |

* Appropriations bills are excluded from these deadlines.

DEADLINE SCHEDULE FOR 1988 LEGISLATIVE SESSION

| | |
|---|---|
| November 15, 1987 (Sunday) | Deadline for approval by the Legislative Council of bills recommended by committees operating during the interim pursuant to Joint Rule No. 24 (b) (1) (D). Members are limited to four such bills pursuant to Joint Rule No. 24 (b) (1) (B). |
| December 1, 1987 (Tuesday) | Deadline for members to request prefiled bills.* |
| January 6, 1988 (Wednesday) | General Assembly convenes. |
| January 15, 1988 (Friday) | 10th legislative day -- deadline for bill draft requests to the Legislative Drafting Office.** |
| January 30, 1988 (Saturday) | 25th legislative day -- deadline for the introduction of bills.** |
| February 19, 1988 (Friday) | 45th legislative day -- deadline to report bills out of committee in house of origin.** |
| February 29, 1988 (Monday) | 55th legislative day -- deadline for final passage of bills in the house of origin.** |
| March 15, 1988 (Tuesday) | 70th legislative day -- deadline to report bills out of committee in the second house. |
| March 25, 1988 (Friday) | 80th legislative day -- deadline for final passage of all bills originating in the other house. |
| April 9, 1988 (Saturday) | 95th legislative day -- deadline for recess to permit Governor to dispose of all bills. |
| April 26, 1988 (Tuesday) | 112th legislative day -- deadline to reconvene for adjournment sine die, unless the joint resolution for adjournment to a day certain specifies another day for reconvening. |
| May 24, 1988 (Tuesday) | 140th legislative day -- deadline for adjournment sine die. |

* Of the bills, excluding appropriations and interim bills, which are subject to the four-bill limit under Joint Rule 24 (b) (1) (B), not more than two bills may be requested after December 1.

** Appropriation bills are excluded from these deadlines.

1988 Legislative Session

MORNING SENATE COMMITTEE SCHEDULE*

| Senate Committee Room | Monday 10:00 a.m. to 12:00 noon | (Category 1) Tuesday 9:00 a.m. to 11:30 a.m. | (Category 2) Wednesday 9:00 a.m. to 11:30 a.m. | (Category 3) Thursday 9:00 a.m. to 11:30 a.m. | Friday |
|---|---|---|---|---|---|
| 354 | 10:00 a.m. -- FLOOR ACTION FOR SECOND READING | Business Affairs and Labor Chrm: Claire Traylor Staff: Amy Zook | HEWI Chrm: Jack Fenlon Staff: Jim Hill | Finance Chrm: Leslie Fowler Staff: Deb Godshall | 8:00-11:00 a.m. on the first floor of the Legislative Services Building. Committee on Legal Services will meet on 2nd and 4th Fridays, 8:00-11:00 a.m. in House Committee Room 0111, State Capitol. |
| 353 | | State Affairs Chrm: Jim Brandon Staff: Scott Nachtrieb | Local Government Chrm: Joe Winkler Staff: Cindy Baouchi | Agriculture, Natural Resources, and Energy Chrm: Tilman Bishop Staff: Marilyn Salazar | |
| 352 | | Judiciary Chrm: Ralph Cole Staff: Earl Thaxton | Education Chrm: Al Meiklejohn Staff: Clyda Stafford | Transportation Chrm: Dave Wattenberg Staff: Ed Bowditch | |
| 356 | | | | | |

* The Joint Budget Committee will meet on the third floor of the Legislative S Building from 9:30-11:30 a.m., Tuesday through Thursday.

1988 Legislative Session

AFTERNOON SENATE COMMITTEE SCHEDULE*

| Senate Committee Room | (Category 1) Monday 1:30 p.m. to 5:00 p.m. | (Category 3) Tuesday 2:00 p.m. to 5:00 p.m. | (Category 1) Wednesday 1:30 p.m. to 5:00 p.m. | (Category 2) Thursday 1:30 p.m. to 5:00 p.m. | (Category 4)** Friday |
|---|---|---|---|---|---|
| 354 | Business Affairs and Labor<br>Chrm: Claire Traylor<br>Staff: Amy Zook | Finance<br>Chrm: Leslie Fowler<br>Staff: Deb Godshall | Business Affairs and Labor<br>Chrm: Claire Traylor<br>Staff: Amy Zook | HEWI<br>Chrm: Jack Fenlon<br>Staff: Jim Hill | |
| 353 | State Affairs<br>Chrm: Jim Brandon<br>Staff: Scott Nachtrieb | Agriculture Natural Resources, and Energy<br>Chrm: Tilman Bishop<br>Staff: Marilyn Salazar | State Affairs<br>Chrm: Jim Brandon<br>Staff: Scott Nachtrieb | Local Government<br>Chrm: Joe Winkler<br>Staff: Cindy Baouchi | |
| 352 | Judiciary<br>Chrm: Ralph Cole<br>Staff: Earl Thaxton | Transportation<br>Chrm: Dave Wattenberg<br>Staff: Ed Bowditch | Judiciary<br>Chrm: Ralph Cole<br>Staff: Earl Thaxton | Education<br>Chrm: Al Meiklejohn<br>Staff: Clyda Stafford | |
| 356 | | | | | |

* The Joint Budget Committee will meet on the third floor of the Legislative Services Building from 1:30-5:00 p.m., Monday through Thursday.

** The Committee on Appropriations is considered a Category 4 committee.

1988 Legislative Session

MORNING HOUSE COMMITTEE SCHEDULE*

| House Committee Room | Monday 10:00 a.m. to 12:00 noon | (Category 1) Tuesday 9:30 a.m. to 12:00 noon | (Category 2) Wednesday 9:30 a.m. to 12:00 noon | (Category 3) Thursday 9:30 a.m. to 12:00 noon | Frida |
|---|---|---|---|---|---|
| 0107 | 10:00 a.m. -- FLOOR ACTION FOR SECOND READING | **Business Affairs and Labor** **Chrm:** Betty Neale **Staff:** Larry Thompson | **HEWI** **Chrm:** Phil Pankey **Staff:** Steve Wheelock | **Transportation and Energy** **Chrm:** "Bud" Hover **Staff:** Dan Chapman | Committee on Legal Services will meet on 2nd and 4th Fridays, 8:00-11:00 a.m. in House Committee Room 0111, State Capitol Building. |
| 0108 | | **State Affairs** **Chrm:** Bill Owens **Staff:** Bill Goosmann | **Education** **Chrm:** Jeanne Faatz **Staff:** Harriet LaMair | **Finance** **Chrm:** Paul Schauer **Staff:** Lon Engelking | |
| 0109 | | **Judiciary** **Chrm:** David Bath **Staff:** Carl Jarrett | **Local Government** **Chrm:** Mary Dambman **Staff:** Gary Oman | **Agriculture, Livestock, and Natural Resources** **Chrm:** Scott McInnis **Staff:** Kirk Mlinek | |
| 0111 | | | | | |
| 0112 | | | | | |

* The Joint Budget Committee will meet on the third floor of the Legislative Building from 9:30-11:30 a.m., Tuesday through Thursday.

1988 Legislative Session

AFTERNOON HOUSE COMMITTEE SCHEDULE*

| House Committee Room | (Category 2) Monday 1:30 p.m. to 5:00 p.m. | (Category 1) Tuesday 2:00 p.m. to 5:00 p.m. | (Category 3) Wednesday 1:30 p.m. to 5:00 p.m. | (Category 1) Thursday 1:30 p.m. to 5:00 p.m. | (Category 4)** Friday 1:30 p.m. to 5:00 p.m. |
|---|---|---|---|---|---|
| 0107 | HEWI Chrm: Phil Pankey Staff: Steve Wheelock | Business Affairs and Labor Chrm: Betty Neale Staff: Larry Thompson | Transportation and Energy Chrm: "Bud" Hover Staff: Dan Chapman | Business Affairs and Labor Chrm: Betty Neale Staff: Larry Thompson | |
| 0108 | Education Chrm: Jeanne Faatz Staff: Harriet LaMair | State Affairs Chrm: Bill Owens Staff: Bill Goosmann | Finance Chrm: Paul Schauer Staff: Lon Engelking | State Affairs Chrm: Bill Owens Staff: Bill Goosmann | |
| 0109 | Local Government Chrm: Mary Dambman Staff: Gary Oman | Judiciary Chrm: David Bath Staff: Carl Jarrett | Agriculture, Livestock, and Natural Resources Chrm: Scott McInnis Staff: Kirk Mlinek | Judiciary Chrm: David Bath Staff: Carl Jarrett | |
| 0111 | | | | | |
| 0112 | | | | | |

* The Joint Budget Committee will meet on the third floor of the Legislative Services building from 1:30-5:00 p.m., Monday through Thursday.

** The Committee on Appropriations is considered a Category 4 committee.

# APPENDIX I

## REPORT ON OVERVIEW OF SUBCOMMITTEE'S TRIP TO OBSERVE THE UTAH LEGISLATURE

(NOTE: Due to their length, the attachments indicated in this report are not included, except Attachments A and D. The other attachments (B, C, and E through L) are available for review in the research library of the legislative counsel bureau.)

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU
LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

APPENDIX I

LEGISLATIVE COMMISSION (702) 885-5627
LAWRENCE E. JACOBSEN, Senator, Chairman
Donald A. Rhodes, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640
MARVIN M. SEDWAY, Assemblyman, Chairman
Daniel G. Miles, Fiscal Analyst
Mark W. Stevens, Fiscal Analyst

DONALD A. RHODES, Director
(702) 885-5668

JOHN R. CROSSLEY, Legislative Auditor (702) 885-5622
ROBERT E. ERICKSON, Research Director (702) 885-5637
LORNE J. MALKIEWICH, Legislative Counsel (702) 885-5627

February 23, 1988

M E M O R A N D U M

TO: Chairman and Members of the Nevada Legislature's Blue Ribbon Commission on the Legislative Process (Assembly Bill 678)

FROM: Donald A. Rhodes, Director

SUBJECT: Overview of Subcommittee's Trip to Observe the Utah Legislature on Monday, February 8, 1988

Based on the direction of the full commission, a subcommittee composed of the following members visited the Utah Legislature on Monday, February 8, 1988, to observe its operations and to obtain information on sessions and the Utah legislative appropriations process. In attendance at the meeting were:

Mrs. Ann A. Zorn
Commissioner Karen W. Hayes
Former Senator Norman Glaser
Former Senator Alan Glover

In addition to the regular members of the subcommittee, the following current legislators accompanied the subcommittee on the trip:

Senator Raymond D. Rawson
Assemblyman James W. McGaughey
Assemblyman Bob Price

Assisting the subcommittee and other legislators were Lauren Arends and Don Rhodes.

Attachment A is a memorandum that had been sent to the members of the subcommittee detailing the itinerary for the visit and providing an overview of the legislative appropriations process in Utah.

<u>Meeting With Richard V. Strong, Director of the Legislative Research and General Counsel's Office, and Leo Memmott, Legislative Fiscal Analyst</u>

The first meeting of the day was held in a conference room of the research and general counsel's office. Leo Memmott was in attendance. At the beginning of the meeting the subcommittee members were present and after approximately 45 minutes, the subcommittee was joined by Senator Rawson and Assemblymen McGaughey and Price. The meeting began by Richard Strong and Leo Memmott providing an overview of the functions of their respective offices and the bill drafting, research and budgeting processes in Utah. Certain of the specific points covered during the discussion included:

- Every piece of legislation, including resolutions, requires a fiscal note. (Attachment B includes examples of fiscal notes and the form sent to state agencies for the preparation of those notes. As can be seen, the final note is prepared by the legislative fiscal analyst.) The difference between processing of fiscal notes in Nevada and Utah is that in Utah the particular staff assigned to the area of responsibility does the fiscal note. In Nevada, one staffer is assigned the responsibility for all fiscal notes.

- During the beginning of the current session, the legislature operated under the rule that no bill with a fiscal note over $1,000 could be debated on the floor. It was instead held in the rules committee which hampered efforts to get bills into the legislative process. Bills were being rewritten to reduce the fiscal effect which produced an unusually large volume of revised legislation.

- The legislative fiscal staff in Utah suggested that their session begin later so that more recent revenue projections would be available for adopting the budget.

- The main revenue source in Utah is the sales tax. The general fund budget is approximately $1.7 billion with the total appropriations being about $2.7 billion. The legislative fiscal staff makes recommendations on each item in the budget. Attachment C is a sample from the legislative fiscal analyst's report concerning recommendations on budget items. More detailed information may be obtained from staff of the legislative counsel bureau. Attachment D is a description of the budgetary process in Utah.

- Utah law currently provides that the legislative fiscal staff receive a "confidential" copy of the governor's budget 30 days prior to the beginning of the session. In recent years, delivery of the budget is without the confidential nature. (See comment in memorandum to subcommittee, Attachment A.)

- The legislature may call itself into session to consider whether to override a gubernatorial veto. Veto sessions are convened when two-thirds of each house are in favor of meeting. Veto sessions are limited to 5 days in length. As the members of the Blue Ribbon Commission may recall, veto sessions are not provided for in Nevada. Special sessions are called by the governor.

- In Utah, the governor may call special sessions of the legislature. In special sessions, the legislature may consider only items of business placed on the special session called by the governor. Special sessions may last up to 30 days. The governor may also call the senate into extraordinary session to advise and consent to his appointments.

- It was noted that Joint Rule 4-37 provides that no bill may be introduced in either house after the 30th day of the annual general session without the approving vote of a constitutional two-thirds vote in which the bill is to be introduced. (A copy of the Rules of the Utah Legislature is on file. Because of bulk, they are not being distributed but may be requested by any interested member of the commission.)

  It should be noted that in Nevada there is no limitation concerning the introduction of bills. However, Joint Rule 14 does limit the requesting of bill drafts to the first 20 calendar days of the regular legislative session. After that, the draft must be approved by two-thirds vote of the members present in the House where it is to be introduced or the bill request must be made by two-thirds of all the members of a standing committee.

- The level of review of the Utah budget depends on the fiscal status of the state in any given year. In the past, the review tended to be more of a program review. Now, however, because of declining revenues, the review tends to be more of a line item review.

- The legislative fiscal analyst provides at least one staff member for each of the appropriations committees. The larger committees, such as social services, have two staff persons. The office is comprised of the director and 11 analysts. Nevada's fiscal analysts' office consists of the Senate and Assembly fiscal analysts, four deputy analysts and a local government analyst.

- In Nevada, the fiscal analysts staff the two money committees (the Senate Committee on Finance and the Assembly Committee on Ways and Means) and provide one staff each to the two taxation committees. In Utah, the revenue committees are staffed by persons from the research office. Again, in Utah the fiscal note process is carried out by the various analysts and normally deal with the subject area of agencies involved.

- For comparative purposes, it should be noted that the office of research and general counsel in Utah is combined into one office with the director, several support staff, a library, and 19 analysts and attorneys. In Nevada, the research and legal divisions are separated with the legal division consisting of 13 attorneys and approximately 20 support staff. The research division consists of a research library, support staff and eight analysts. Attachment E is a bill draft request form used in the Utah Legislature. Attachment F is a breakdown of the number of bill draft requests received, by month, by the office of legislative research and general counsel in Utah to date for the current session. Attach ment G shows the status report for all the bills requested during the 1987 session in the Nevada Legislature. A month-to-month breakdown by request would require additional compilation by the legislative counsel's office in Nevada.

- Because the committees in Utah meet jointly, the meetings are held at the same time each day. The normal schedule is for the standing committees to meet from 8 a.m. to 10 a.m., the full sessions of the House to meet from 10 a.m. to noon, and the appropriations subcommittees to meet in the afternoon. Attachment H is an example of the Senate schedule for the third week of the legislative session. Weekly schedules for other weeks of the Senate or House may be obtained from staff. Leo Memmott made several points concerning the budget review process, including:

  - The subcommittees tend to do a thorough review of the agencies under their jurisdiction and appear to have general guidelines as to levels of appropriation available;

  - Subcommittees then appear before the full executive appropriations committees and make their reports;

  - If the full executive committee believes the subcommittees have exceeded the appropriate level of funding, the executive committee directs the subcommittee, within 24 hours, to recast the budget;

   - The factors that appear to help the system work are peer pressure from other subcommittees to hold the budget in line and the "hammer" effect of the executive budget committee over the subcommittee chairmen;
   - There appears to be some lobbying effort by agencies on the subcommittees;
   - The appropriations subcommittee that appears to be most susceptible to the lobbying is the higher education committee;
   - After the process is over, the fiscal analyst writes the appropriations bill which is then discussed on the floor by the appropriate chairmen; and
   - The entire process is open except for personnel sessions to discuss specific persons.
- As in Nevada, subcommittee chairmen are chosen by leadership.
- In Utah, the scheduling process is more centralized with the staff of the research division scheduling meetings based on direction from leadership. This process is easier than Nevada's because of parallel committees in the Senate and House and because the appropriations committees are all joint and meet at the same time. In Nevada, of course, scheduling is left up to the chairmen after consultation with leadership.
- The fiscal analyst provides a listing of current, cumulative effects of all fiscal type bills every morning during the session. (Attachment I is a copy of "Report of Fiscal Impact--Summary of Fiscal Information," which is a daily update of all bills carrying appropriations.)
- The Utah Legislature takes advantage of skeleton bills, using long titles, to expedite the process. Later, substantive bills are provided for review.
- There is an effort for legislators not to work on Saturday or Sunday, even with the short 45-day session.
- Utah legislators are paid $65 per day. Unlike Nevada, the expenses of legislators are provided for in the rules. For example, the 1987 rules specify that legislators receive $25 a day for subsistence for each calendar day of the session and specified amounts for mileage. Another interesting fact is that the rules have different amounts specified for lodging allowances for legislators who live various distances from the legislature. Attachment J is a copy of Joint Rule 15.01, et seq., which specifies various allowances.

- Unlike Nevada, Utah has a definite schedule of joint committee meetings during the interim. The agenda for the interim study is specified by a single bill. A copy of the bill from the 1987 interim (H.J.R. No. 21) is included as Attachment K. As the members of the commission may recall, study committees may be created in Nevada by concurrent resolution or bill. An attempt was made during the previous interim to provide for a system of joint interim committees. The final report on that effort, as described in the background paper given to the commission on the use of committees, says that the joint committees appeared not to work in Nevada's political climate.

- The Utah Legislature contracts out for economic projections. The analysts and the legislature, as is done in Nevada, do their own separate revenue projections.

- As in Nevada, certain bills are not heard by committees.

- Utah has a system whereby bills can become prefiled immediately after the session. This produces several bills drafted and available at the beginning of the next session. Interim committees also hear bills so that action can take place almost immediately upon the convening of new sessions.

- As noted earlier, the Utah legislature currently meets for 45 days each year. At a special session of the Utah Legislature in January, 1966, the legislature enacted House Bill 8 to provide for a study of the legislative branch of government for the purposes of strengthening and making a more effective legislative process in Utah.

- Considerations of this study included:

  - Authority for the legislature to call itself into special session;

  - Annual appropriations and revenue authorizations;

  - Legislative review of executive and administrative actions;

  - Interim research and investigations; and

  - Several other matters.

- The legislative study committee made a report to the special session of the Utah Legislature which convened in May, 1966. The proposed constitutional amendments recommended by the committee, and adopted by the legislature, included adoption of annual legislative sessions consisting of a general session in odd-numbered years of 60 days in duration and an exclusive budget session in even-numbered years of 20 days in duration. A two-thirds vote of the legislature was necessary in order to consider any other type of legislation during the budget session. The first such session occurred in 1970 and Utah's population at that time was 1,059,273. Note, for comparative purposes, that the population of Nevada on July 1, 1987, was 1,053,230. Also included in the Utah amendments were authority for legislative committees to function between sessions, authority for the legislature to convene itself by two-thirds vote of the members, and salary increases. There were also several statutory changes made at that time. (A copy of the Utah legislative study concerning changing the sessions of the legislature is available with staff.)

- The Utah Legislature went to annual 45-day sessions in 1985. The reason for this is that the budget session had become, in effect, a bill session also. Now, with the requirement for two 45-day sessions, the system appears to work well. (Attachment L is a copy of Section 16, Article VI, of the Utah Constitution. The attachment contains the language for both the budget sessions, as amended November 5, 1968, and 45-day annual sessions as provided for by amendment effective January 1, 1985.)

- There are approximately one to two special sessions each interim (lasting about 3 days each).

- The legislative fiscal analyst agreed to come to Nevada to meet with the Blue Ribbon Commission at one of its scheduled meetings.

- The rules committee recommends assignment of all bills. However, the presiding officer actually makes the assignment. The assignment can be challenged, and a floor vote can alter the assignment of the legislation. This occurs rarely and under most circumstances, the majority floor leader will dictate the outcome of where the bill will be heard.

- Interim committees meet on the third Wednesday of each month. The so-called "legislative interim day" is a fixed meeting day with half the committees of the legislature meeting in the morning hours and half in the afternoon. These hearings are generally held at the capitol building. However, on occasion, meetings are held in various areas of the state.

- It was suggested that Nevada could, through the use of special sessions and its own rules, begin to institute the Utah system without final passage of a constitutional amendment.

Observation of Sessions of Senate and House of the Utah Legislature

After meeting for approximately 2 hours, the members of the subcommittee and the accompanying legislators went to the houses of the legislature to view floor action. Those visiting the House were Assemblyman Price, Assemblyman McGaughey, Mrs. Zorn, Don Rhodes and Lauren Arends. Those visiting the Senate were Senator Rawson, Senator Glover, Senator Glaser and Commissioner Hayes.

In addition to observing the floor debate, it was noticed that legislators have telephones available at their desks and that computer screens were available to show amendments on the floor. Staff will review the costs associated with carrying out these additions in the Nevada legislature.

Luncheon With Leaders in Fiscal Analyst's Office

At approximately 12:15 p.m. the members of the Nevada delegation and several Utah legislators held an informal discussion over a box lunch provided by the Utah "third house." Those in attendance from Nevada included:

Senator Raymond D. Rawson
Assemblyman James W. McGaughey
Assemblyman Bob Price
Mrs. Ann A. Zorn
Commissioner Karen W. Hayes
Senator Norman Glaser
Senator Alan Glover
Don Rhodes
Lauren Arends

Those from Utah included:

Senator Lyle W. Hillyard
Representative Franklin W. Knowlton
Representative Glen E. Brown
Representative Jack F. Demann
Representative Nolan E. Karras
Senator Dix H. McMullin
Senator Cary G. Peterson
Representative Olene S. Walker
Richard V. Strong
Leo Memmott

During this meeting discussion was had on several matters including:

- The role and actions of the executive budget committee;

- The concept of a citizen legislature. In Utah, the people feel strongly that legislators should still be citizen legislators;

- Methods to avoid "stacking" appropriations committees with persons who will become advocates for particular state agencies.

- The turnover of leadership in the House. The situation in Utah appears to pattern Nevada with House leadership turning over every 2 years and Senate leadership remaining more stable.

- The fact that fiscal notes are printed on each bill in Utah.

- The need to limit the terms of chairmen of appropriations committees to a maximum of 3 years. After that, the chairmen become too entrenched or too familiar with the operations to be effective, according to representatives speaking on this from Utah.

- The need, as discussed earlier, to begin the session later so that revenue forecasts are more accurate.

- The Utah Legislature's disagreement with taking a break during the session. The legislators believe that if interim work is done correctly, there is no need for a break to occur during the session because the legislature and staff can keep up with the flow.

It was pointed out that the total hours of review are approximately the same for the budgets in Utah as in Nevada. The difference is that the work is distributed so that the work occurs concurrently, as opposed to sequentially. The Utah legislators felt that they had essentially completed the work on their budget after 28 days of the session.

It was also pointed out that by dividing up the budget work, additional expertise is created among all the legislators on the budget process. All members then feel as though they are part of the budget process and there is less likelihood of castigating other members for their decisions. The effect is that "we're all in the same boat."

Observation of Appropriations Committees

At approximately 2:15 p.m., the Nevada delegation observed the processes of the appropriations committees meeting.

The members indicated that the review was thorough and detailed.

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February 3, 1988

# MEMORANDUM

TO: Mrs. Ann Zorn, Commissioner Karen Hayes, Senator Norman Glaser, Senator Alan Glover and Mr. Don Schlesinger, Nevada Legislature's Blue Ribbon Commission on the Legislative Process (Assembly Bill 678)

FROM: Donald A. Rhodes, Director

SUBJECT: Additional Information on Subcommittee's Trip to Observe Utah Legislature on Monday, February 8, 1988

I trust you have been able to make satisfactory arrangements for the subcommittee's trip to Salt Lake City, Utah, to observe the legislature on Monday, February 8, 1988.

I thought it might be helpful to you to have a brief description of the appropriation's process used by the Utah Legislature and to receive more detail on our itinerary during the visit.

I spoke once again with Richard Strong, director of the Legislative Research and General Counsel office for the Utah Legislature who is in the process of putting together the legislative calendar for February 8. As of this writing, the legislative schedule is not yet firm but, Mr. Strong believes, that the appropriations committees would be meeting during the afternoon of our visit. So, we should be in luck for a good review of the entire legislative and appropriations process used by the Utah Legislature.



ATTACHMENT A

## REVISED ITINERARY FOR SUBCOMMITTEE'S VISIT

Because we are staying at different hotels, I would suggest that the subcommittee get together at 7 a.m. on Monday, the 8th, in the coffee shop of the Sheraton (255 S. West Temple Street, 801/328-2000) to have breakfast and go over our activities for the day. The actual day will go something like this:

| Time | Activity |
|---|---|
| 7:00 a.m.-8:00 a.m. | Breakfast at coffee shop at Sheraton |
| 8:00 a.m.-8:15 a.m. | Staff transport members of subcommittee to Capitol |
| 8:15 a.m.-8:45 a.m. | Short meeting in Richard Strong's office with Leo Memmott, legislative fiscal analyst, to finalize subcommittee's schedule for the day and to receive short overview of legislative appropriation's process |
| 8:45 a.m.-9:30 a.m. | Subcommittee to observe standing committees of interest to members of the subcommittee |
| 9:30 a.m.-9:50 a.m. | Brief meeting with leadership of Utah Legislature in Senate President's office |
| 10:00 a.m.-12 noon | Subcommittee to observe sessions of Senate or House of the Utah Legislature |
| 12 noon-2:00 p.m. | Informal luncheon and discussions with leadership and chairman of appropriations committees in conference room of fiscal analyst |
| 2:00 p.m.-5:00 p.m. | As time and schedules permit:<br>• Observe joint appropriations committees of interest<br>• Speak with chairman of appropriations committees<br>• Meet with chairman of executive appropriations committees<br>• Review budget review process of Utah Legislature |

## OVERVIEW OF THE LEGISLATIVE APPROPRIATIONS PROCESS IN UTAH

Most states have appropriations committees composed of comparatively few legislators. These committees compile the state's budgets or review the executive budgets. Participation by the rest of the legislature is usually limited to attending appropriations committee meetings on an informal or exofficio basis, occasionally testifying and in voting on the final appropriations bill or bills.

Utah established its format for the appropriations process in 1970 and, according to literature we have received, only Iowa has chosen to use approximately the same process.

All members of the Utah Legislature serve on one of nine appropriations subcommittees such as social services or public education. The appropriations subcommittee assignment is in addition to any standing committee assignments. I was told that most legislators serve on two standing committees, in addition to their assignment on the appropriations committee.

It is argued that participation in the subcommittee budget hearing process enables legislators to become thoroughly familiar with a functional area of state government. It also, some say, fosters trust in the total appropriations process because legislators know that other portions of the executive budgets are examined in the same manner to that done by their subcommittee. There is, however, disagreement on recommendations and funding levels. There also is the argument that "too many cooks spoil the broth" and that legislators who primarily serve on substantive committees may be vulnerable to lobbying pressure by representatives of state agencies.

The following is a description of the Utah budget cycle:

### Utah Budget Cycle

| Time | Activity |
|---|---|
| June | State budget office issues budget forms and instructions |
| July-September | State agencies prepare budget request in triplicate |
| September-October | State budget office reviews agencies' requests and prepares summary for Governor |

| Time | Activity |
| --- | --- |
| October-November | Governor and state budget office hold hearings on agencies' requests and prepares Governor's recommendations |
| December | State budget office issues Governor's budget recommendations<br><br>I have been told that the Governor is required to provide the fiscal analyst with a copy of the proposed budget 30 days prior to the session. He has done this in a rather circuitous way for the last 2 years by holding a meeting in early December with all of the joint interim committees. It is felt that this tends to diminish the ability of the analyst to provide meaningful analysis |
| January through last week of session | Joint appropriations committee divides into nine subcommittees, holds hearings with agenices, makes decisions on the line items and reports to the Executive Appropriations Committee<br><br>For the 1988 legislative session, which started on January 11, 1988, the appropriations subcommittees will conclude their hearings on February 9, 1988<br><br>Appropriations Subcommittees<br>1. Executive Offices, Courts and Corrections<br>2. Business, Labor and Agriculture<br>3. Community and Economic Development<br>4. General Government and Capital Facilities<br>5. Higher Education<br>6. Natural Resources and Energy<br>7. Public Education<br>8. Social Services and Health<br>9. Transportation and Public Safety |

| Time | Activity |
|---|---|
| Last Week of Session | Executive Appropriations Committee (the main appropriations committee) holds hearings with chairmen of subcommittees and concerned agencies--approves actions of subcommittees; recommends further action, or as last resort, makes alterations to balance budget; directs fiscal analyst to prepare appropriations act for action by entire legislature |
| End of Session | Legislature debates and passes appropriations bills, usually one omnibus bill; occasionally a second small bill will be passed for last minute items such as the effect of bills passed that impact the budget |
| After Session | Governor reviews appropriations bill(s) and signs, vetoes, item vetoes, or lets pass into law without signature |
| After Session through May | Agencies and state budget office prepare and review work program--budget execution documents |
| After Session | Legislative fiscal analyst prepares appropriations report, including detail and legislative intent |

Attached are pages 111 and 112 from The Council of State Governments, "State Legislative Leadership, Committees & Staff 1987-88," listing the leadership of the legislature and the standing and appropriations committees of the Utah Legislature.

## POINTS OF INTEREST OR QUESTIONS TO CONSIDER

In observing the Utah process, you may wish to consider several factors. They include:

1. What is the level of review of the budgets? Is it a very detailed line item review like Nevada's or is it more of a program review? How could a similar process be accomplished in Nevada in such a short period of time?

2. To what extent does the Utah Legislature rely on the budget figures and information of the executive budget office as opposed to putting together its own information and budget data?

3. What are the staffing levels for the appropriations committees of the Utah Legislature?

4. Are members of the appropriations committees more susceptible to lobbying and pressures by agency administrators than are members of traditional appropriations committees?

5. Is there the same level of budget review each session or is there a tendency to have a biennial budget review with "fine tuning every other year"?

6. What is the contents of the meeting schedule of the appropriations subcommittee?

7. To what extent are the recommendations of the subcommittees actually used? Are the executive appropriations committees the "true" reviewers or does the process actually work as it seems?

8. Will the politics of the Nevada legislature be amenable to the appropriation process used in Utah?

We look forward to seeing you in Salt Lake City. Have a safe trip there.

DAR/la
BRC2:M29-29.6
Enclosure

cc: Richard V. Strong

# UTAH

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Dir.: Richard V. Strong
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# THE BUDGETARY PROCESS

The budget of the state is a statement of policy expressed in monetary terms. If a budget is well planned, it is a valuable tool in measuring the effectiveness of government.

According to the Budgetary Procedure Act of 1969, the Utah budget must include a statement of the State's current assets, liabilities, and reserves; any surplus or deficit; itemized appropriations; debts and funds; an estimate of the State's financial condition at the beginning and the end of the budget period; and any recommendations for reducing expenditures or increasing revenues. Stated briefly, the budget is a projection or estimate of revenues and expenditures for the State during a specified period of time.

The Utah budgetary procedure follows three steps: preparation of the budget by the Governor and staff; review and adoption of the budget by the Legislature; and administration of the budget by the executive branch.

**Budget Preparation.** The Governor and the executive staff, primarily the Budget Director, have the responsibility to prepare the budget. The Governor requires all state administrative agencies and applicants for state funds to provide itemized estimates of revenue and expenditure. The Governor may revise estimates for all purposes except for the Legislature itself, salaries and expenditures set by the Constitution or state law, and payment of principal and interest on state debts. The budget's total appropriations must not exceed estimated revenue from all sources for the ensuing fiscal year. Thirty days prior to a session of the Legislature, the Governor must submit a confidential copy of the budget to the Legislative Fiscal Analyst for study.

The final step in budget preparation is the Governor's Budget Message to the Legislature, at which time the Governor has an opportunity to explain the document. The Governor must deliver a clearly itemized and classified budget to the presiding officers of both houses.

**Review and Adoption.** The Legislature has the responsibility to examine the budget, alter it when necessary, and pass a final appropriations bill. The Legislature is assisted in this task by the Office of the Legislative Fiscal Analyst.

The Joint Appropriations Committee is composed of all the members of the House and Senate. This committee is divided into nine subcommittees, each of which considers a specific portion of the budget. The subcommittees report to the Executive Committee of the Joint Appropriations Committee. The Executive Committee is composed of the Legislative leadership, the House and Senate Appropriations Committee Chairmen and others appointed to achieve political balance. The Appropriations Executive Committee makes final recommendations and prepares the appropriations bill for floor action.

The Office of the Legislative Fiscal Analyst prepares and presents reports to the several Appropriations Subcommittees. The analysts are required to review the budget before the Legislature convenes and make recommendations to the Legislature on each item or program. The Fiscal Analyst's responsibilities cover not only recommending specific funding levels, but also (1) noting instances in which the administration may be failing to carry out the expressed intent of the Legislature; (2) calling attention to proposed new services contained in the Governor's budget; and (3) pointing out items which have been previously denied by the Legislature.

**Budget Administration.** After the budget has been adopted, it becomes the responsibility of the Governor and the Executive Branch to administer its implementation. Allotments of state funds to the various agencies are made on a quarterly basis. Collections of revenue and credits are deposited to the State Treasury and are credited where appropriate. Excess collections may be used only for purposes which have been approved by the Legislature and the Governor.

The Governor may authorize functional transfers of funds within an appropriation authorized by the Legislature, but funds may not be transferred between appropriation items. The Governor also may require across-the-board decreases in expenditures if revenues fall short of the amounts projected in the budget. Excess funds in accounts at the end of the fiscal year are closed out (lapsed) except for certain funds which are noted in Utah statutes.

The budgetary process is summarized on the chart on the following page.

# APPENDIX J

## LIST OF COMMITTEES FROM THE 1987 SESSION OF THE NEVADA LEGISLATURE

APPENDIX J

# LIST OF COMMITTEES FROM THE 1987 SESSION OF THE NEVADA LEGISLATURE

## SENATE STANDING COMMITTEES

**Sixty-fourth Session, 1987**

(The Chairman is named first on each committee; the Vice Chairman is named second on each committee.)

COMMERCE AND LABOR—
Townsend, O'Connell, Redelsperger, O'Donnell, Vergiels, Shaffer, Coffin.

FINANCE—
Raggio, Jacobsen, Rhoads, Rawson, Gibson, Mello, Horn.

GOVERNMENT AFFAIRS—
O'Connell, Wagner, Raggio, Joerg, Gibson, Hickey, Horn.

HUMAN RESOURCES AND FACILITIES—
Rawson, O'Donnell, Townsend, Malone, Neal, Mello, Jones.

JUDICIARY—
Wagner, Beyer, Joerg, Malone, Neal, Hickey, Jones.

LEGISLATIVE AFFAIRS AND OPERATIONS—
Malone, Rawson, Raggio, Wagner, Gibson, Horn, Jones.

NATURAL RESOURCES—
Jacobsen, Redelsperger, Rhoads, Beyer, Vergiels, Shaffer, Coffin.

TAXATION—
Redelsperger, Joerg, O'Connell, Beyer, Neal, Shaffer, Coffin.

TRANSPORTATION—
Rhoads, Townsend, Jacobsen, O'Donnell, Mello, Hickey, Vergiels.

MAJORITY FLOOR LEADER—
William J. Raggio.

ASSISTANT MAJORITY FLOOR LEADER—
Raymond D. Rawson.

ASSISTANT MINORITY FLOOR LEADER—
Joe Neal.

PRESIDENT PRO TEMPORE—
Lawrence E. Jacobsen.

MINORITY FLOOR LEADER—
James I. Gibson.

# ASSEMBLY STANDING COMMITTEES

## Sixty-fourth Session, 1987

(The Chairman is named first on each committee; the Vice Chairman is named second on each committee.)

COMMERCE—
Jeffrey, Wisdom, Fay, Nevin, Porter, Schofield, Sedway, Thompson, Myrna Williams, DuBois, Kerns, McGaughey, Nicholas.

ECONOMIC DEVELOPMENT, SMALL BUSINESS AND TOURISM—
Price, Triggs, Garner, Gaston, Spinello, Swain, Wendell Williams, Humke, Lambert, Tebbs, Thomas.

EDUCATION—
Craddock, Gaston, Adler, Arberry, Callister, Freeman, Haller, Kissam, Triggs, Carpenter, Getto, Lambert, Tebbs.

ELECTIONS—
Swain, Wendell Williams, Evans, Fay, Porter, Wisdom, Bergevin, DuBois, Nicholas.

GOVERNMENT AFFAIRS—
Thompson, Craddock, Adler, Banner, Brookman, Freeman, Garner, May, Nevin, Bergevin, Kerns, Lambert, McGaughey.

HEALTH AND WELFARE—
Arberry, Porter, Brookman, Freeman, Garner, Haller, Kissam, Wendell Williams, Wisdom, Carpenter, Humke, Kerns, McGaughey.

JUDICIARY—
Sader, Myrna Williams, Callister, Gaston, Haller, Kissam, Porter, Triggs, Carpenter, DuBois, Nicholas, Spriggs, Thomas.

LABOR AND MANAGEMENT—
Banner, Fay, Jeffrey, Thompson, Wendell Williams, Wisdom, Bergevin, Carpenter, Tebbs.

LEGISLATIVE FUNCTIONS—
Myrna Williams, Jeffrey, Dini, Nevin, Schofield, Sedway, Getto, Humke, McGaughey.

NATURAL RESOURCES, AGRICULTURE AND MINING—
Schofield, Brookman, Adler, Callister, Sader, Spinello, Thompson, Getto, Marvel, Nicholas, Spriggs.

TAXATION—
May, Adler, Craddock, Gaston, Price, Triggs, Myrna Williams, Bergevin, Lambert, Marvel, Spriggs.

TRANSPORTATION—
Nevin, Banner, Evans, Fay, Garner, May, DuBois, Kerns, Thomas.

WAYS AND MEANS—

Sedway, Price, Arberry, Dini, Evans, Jeffrey, Schofield, Spinello, Swain, Getto, Humke, Marvel, Tebbs.

SPEAKER—

Joseph E. Dini, Jr.

SPEAKER PRO TEMPORE—

Jim Schofield.

MAJORITY FLOOR LEADER—

John E. (Jack) Jeffrey.

MINORITY FLOOR LEADER—

Louis W. Bergevin.

ASSISTANT MAJORITY FLOOR LEADER—

Leonard V. Nevin.

ASSISTANT MINORITY FLOOR LEADER—

John DuBois.

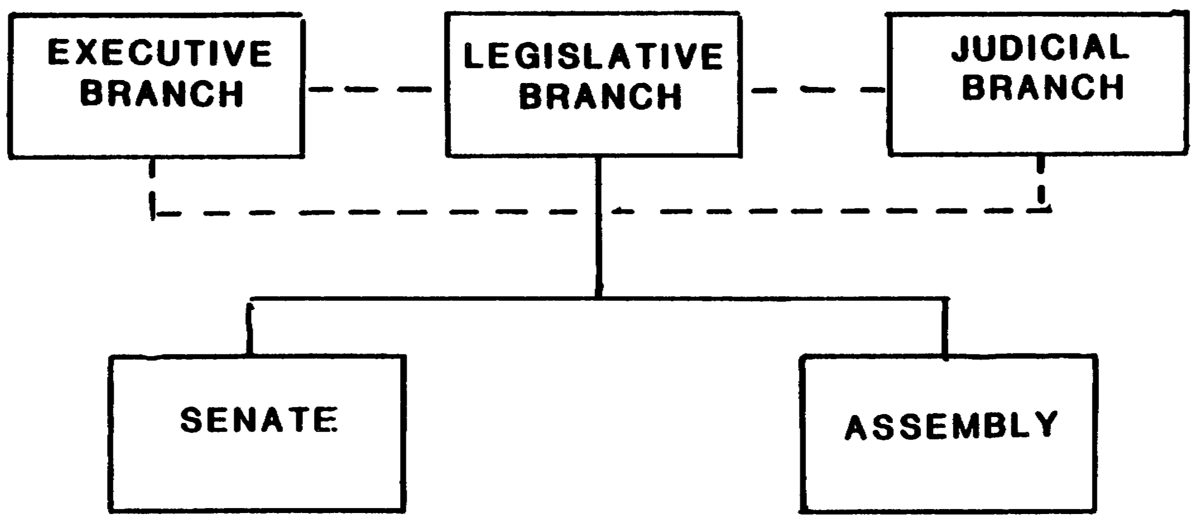
MAJORITY WHIP—

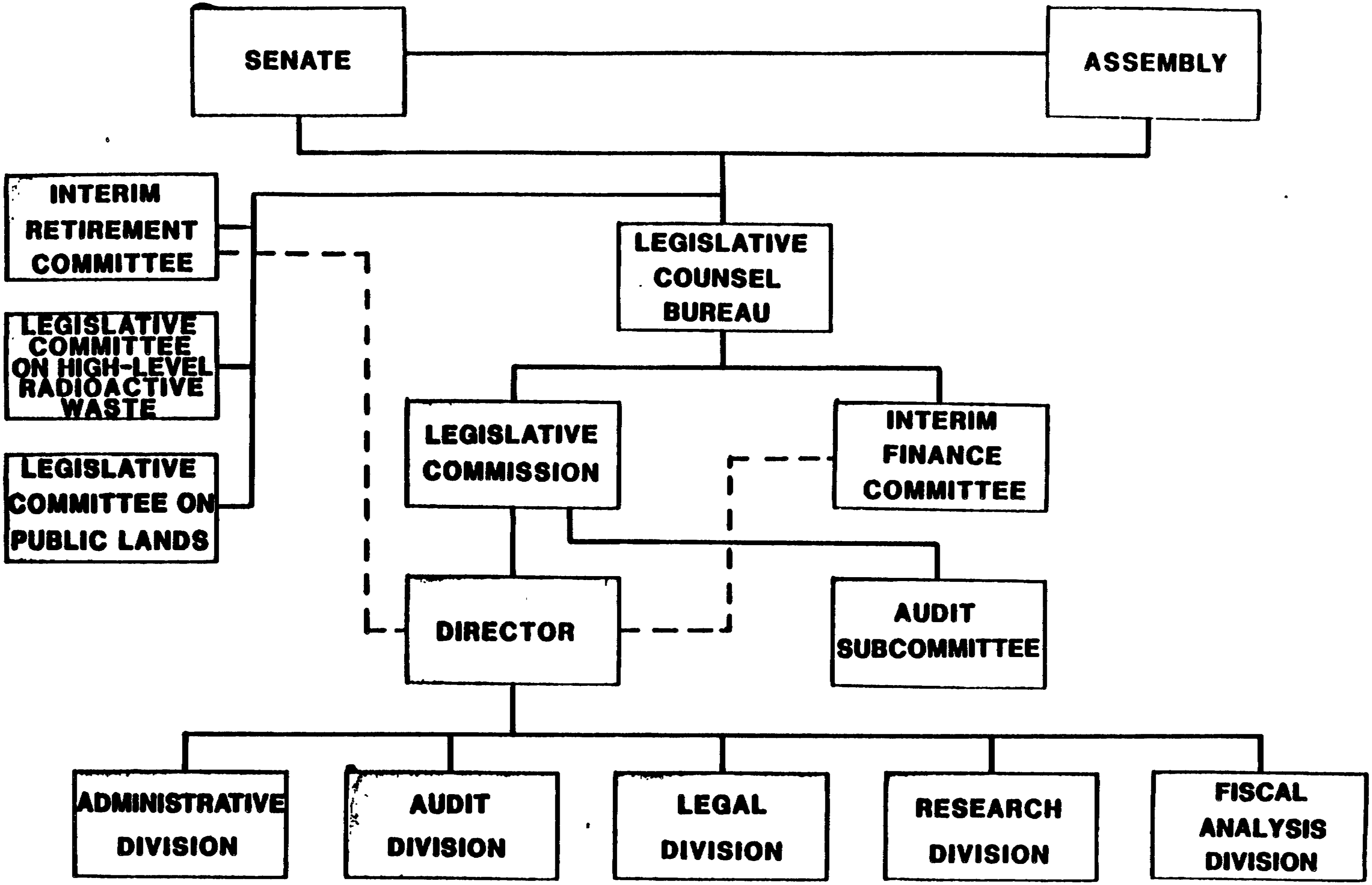
Robert M. Sader.

# APPENDIX K

## OVERVIEW OF NEVADA LEGISLATURE AND LEGISLATIVE COUNSEL BUREAU FUNCTIONS

# NEVADA STATE GOVERNMENT



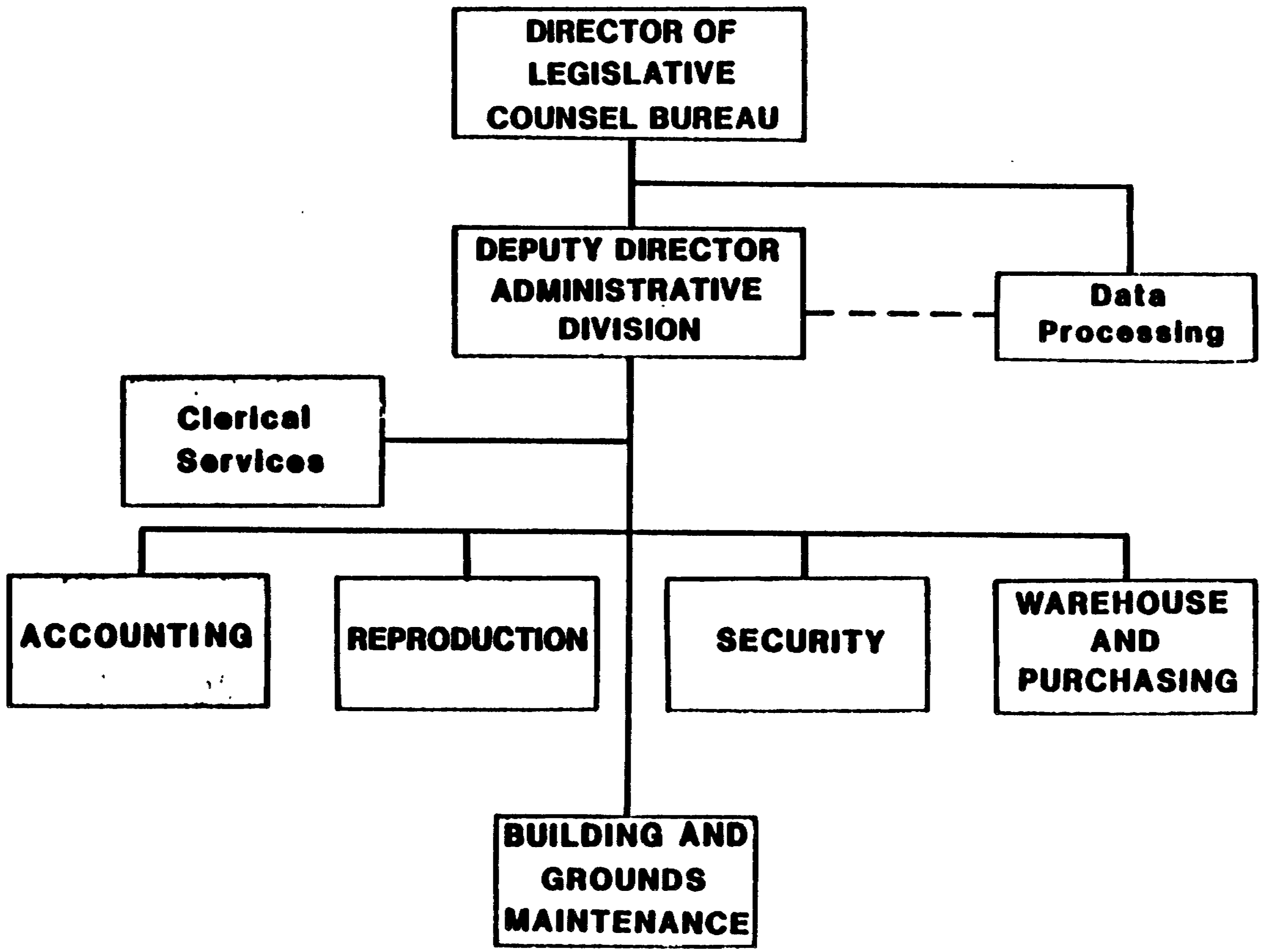



NOTE: Dotted line indicates secretariat responsibilites for Director of the Legislative Counsel Bureau.

## LEGISLATIVE SERVICES AGENCY

- IN GENERAL
  - DIVERSE STRUCTURE IN THE STATES
  - PROVIDES LEGISLATORS AN INDEPENDENT SOURCE OF INFORMATION
  - HELPS LEGISLATORS MAINTAIN INDEPENDENT STATUS
  - REDUCES LEGISLATORS' DEPENDENCE ON OUTSIDE SOURCES OF INFORMATION
- IN NEVADA
  - SERVICE AGENCY IS LEGISLATIVE COUNSEL BUREAU
  - HEADED BY LEGISLATIVE COMMISSION
  - FORMED 1945
  - RESTRUCTURED 1963

# ADMINISTRATIVE DIVISION




NOTE:

Direct Chain of Command

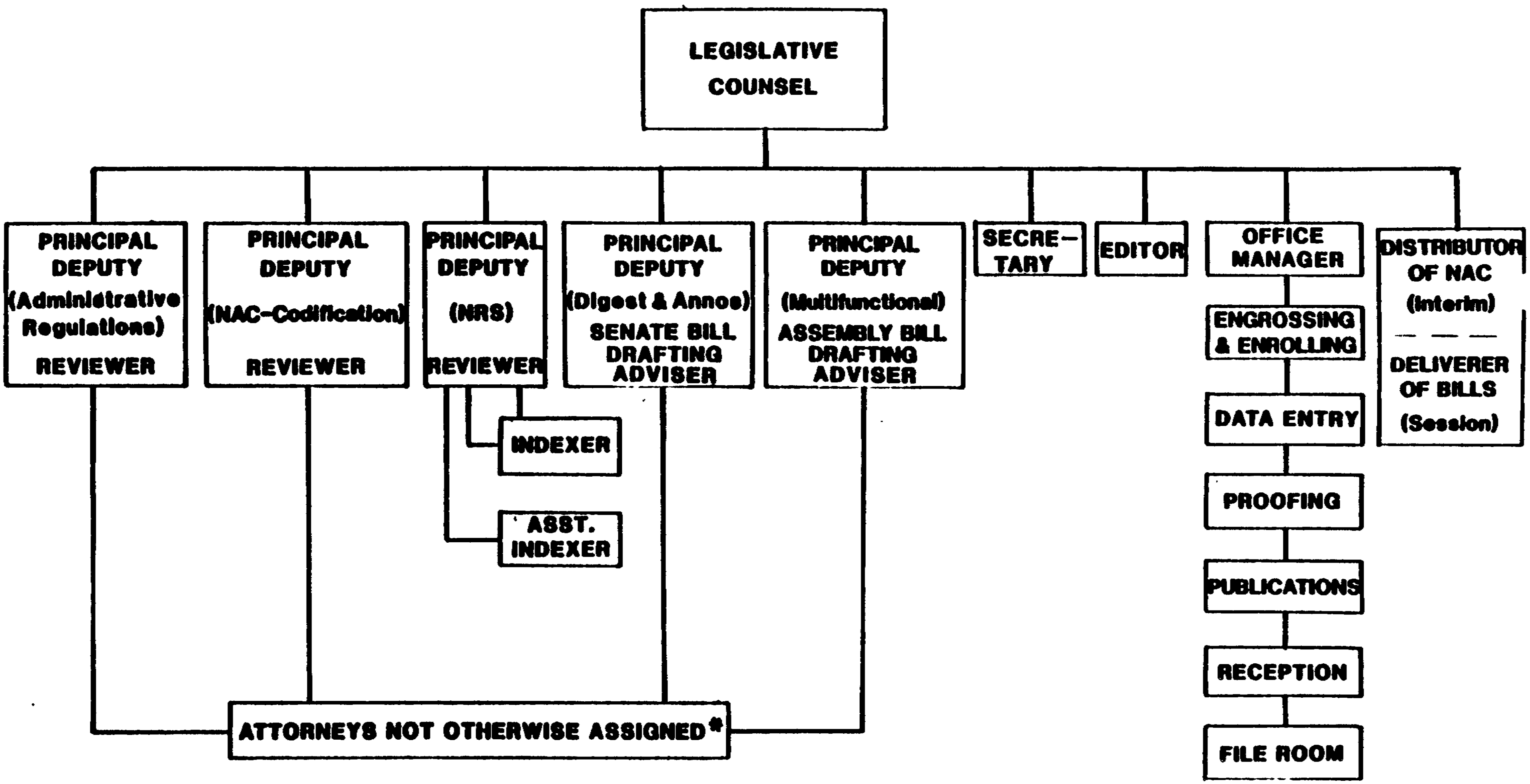
## RESPONSIBILITIES OF THE DIRECTOR OF LCB

- 48 REFERENCES IN THE NEVADA REVISED STATUTES TO SPECIFIC DUTIES.

- DIRECTOR SERVES AS:
  - EXECUTIVE HEAD OF LCB
  - CHIEF OF LCB'S ADMINISTRATIVE DIVISION
  - LEGISLATIVE FEDERAL-STATE COORDINATOR
  - EX OFFICIO LEGISLATIVE FISCAL OFFICER
  - PRIMARY STAFF FOR ACTIVITIES WITH VARIOUS NATIONAL ORGANIZATIONS
  - STAFF TO VARIOUS INTERIM AND STANDING LEGISLATIVE COMMITTEES
  - SECRETARY TO THE LEGISLATIVE COMMISSION, INTERIM FINANCE COMMITTEE AND INTERIM RETIREMENT COMMITTEE

- DIRECTOR OF LCB RESPONSIBLE FOR:
  - CLAIMS AGAINST THE LEGISLATIVE FUND
  - LEGISLATIVE BUILDING AND ITS GROUNDS
  - LEGISLATIVE SECURITY
  - BUDGETS OF THE LCB
  - PAYROLL
  - LEGISLATIVE RETIREMENT ADMINISTRATION
  - LEGISLATIVE SUPPLIES AND PURCHASING
  - LOBBYIST REGISTRATION
  - PRESESSION ORIENTATION PROGRAM
  - OTHER SPECIFIC DUTIES

# LEGAL DIVISION




* Individual attorneys are assigned as needed to assist Principal Deputies

## PUBLICATIONS COMPILED BY THE LEGAL DIVISIO[N]

- NEVADA REVISED STATUTES, WITH ANNOTATIONS
- NEVADA ADMINISTRATIVE CODE
- NEVADA DIGEST

## PREPARES BILL DRAFTS FOR:

- MEMBERS OF THE LEGISLATURE
- STATE AGENCIES
- THE GOVERNOR
- LOCAL GOVERNMENTS
- MEMBERS OF THE JUDICIARY

## AS LEGAL ADVISER TO THE LEGISLATURE

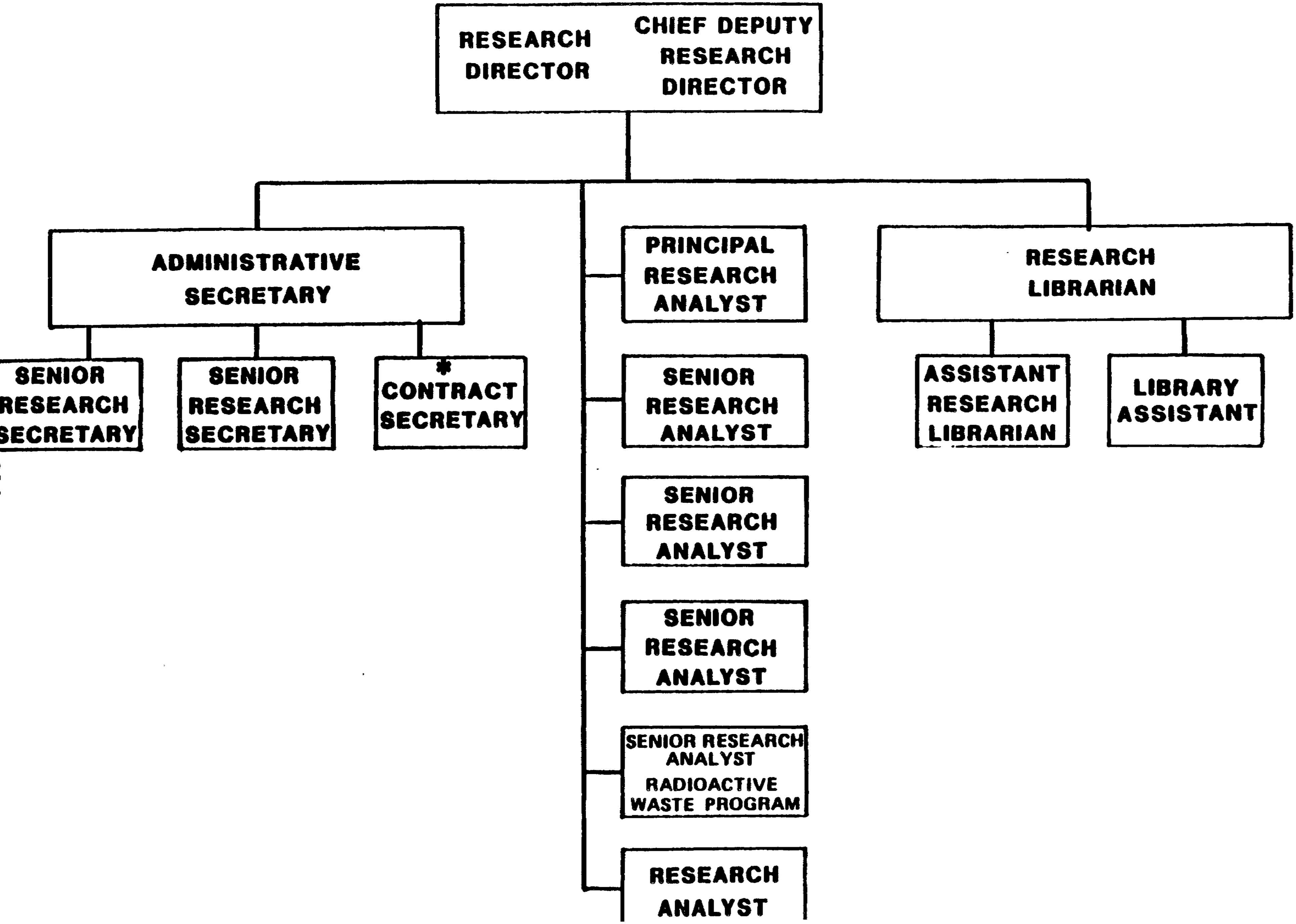
- COMMENCES, PROSECUTES, DEFENDS OR INTERVENES IN LEGAL ACTIONS

- PROTECTS THE INTERESTS OF THE LEGISLATURE OR ITS COMMITTEES

- ISSUES LEGAL OPINIONS REGARDING THE CONSTRUCTION AND APPLICATION OF STATUTES

- PERFORMS ENROLLING AND ENGROSSING OF BILLS

- RECOMMENDS CLARIFICATIONS OF SPECIFIC STATUTES AND ELIMINATION OF OBSOLETE PROVISIONS


RESEARCH DIRECTOR
CHIEF DEPUTY RESEARCH DIRECTOR
ADMINISTRATIVE SECRETARY
SENIOR RESEARCH SECRETARY
SENIOR RESEARCH SECRETARY
* CONTRACT SECRETARY
PRINCIPAL RESEARCH ANALYST
SENIOR RESEARCH ANALYST
SENIOR RESEARCH ANALYST
SENIOR RESEARCH ANALYST
SENIOR RESEARCH ANALYST RADIOACTIVE WASTE PROGRAM
RESEARCH ANALYST
RESEARCH LIBRARIAN
ASSISTANT RESEARCH LIBRARIAN
LIBRARY ASSISTANT

## RESEARCH AND PROVISION OF INFORMATION

- MEMBERS OF THE LEGISLATURE
- GOVERNMENT AGENCIES AND PRIVATE BUSINESS
- THE GENERAL PUBLIC

## STAFF SUPPORT FOR COMMITTEES

- MOST STANDING COMMITTEES
- INTERIM STUDY SUBCOMMITTEES
- PERMANENT LEGISLATIVE STUDY COMMITTEES
  - PUBLIC LANDS
  - HIGH-LEVEL RADIOACTIVE WASTE
  - CONSUMER'S ADVOCATE

## PUBLIC INFORMATION AND COMMUNITY SERVICI

- BOYS' STATE AND GIRLS' STATE
- SCHOOL AND CIVIC GROUPS
- GENERAL PROFESSIONAL AND PUBLIC ORGANIZATIONS

## LIAISON WITH OTHER STATES

- NATIONAL ORGANIZATIONS
- INFORMAL NETWORK
- INPUT TO NATIONAL PUBLICATIONS

## BILL SUMMARIES AND ANALYSES

- LEGISLATORS
- STANDING COMMITTEES
- SUMMARY OF LEGISLATION

## CONSTITUENT ASSISTANCE

- INFORMATION
- GRIEVANCES
- OTHER

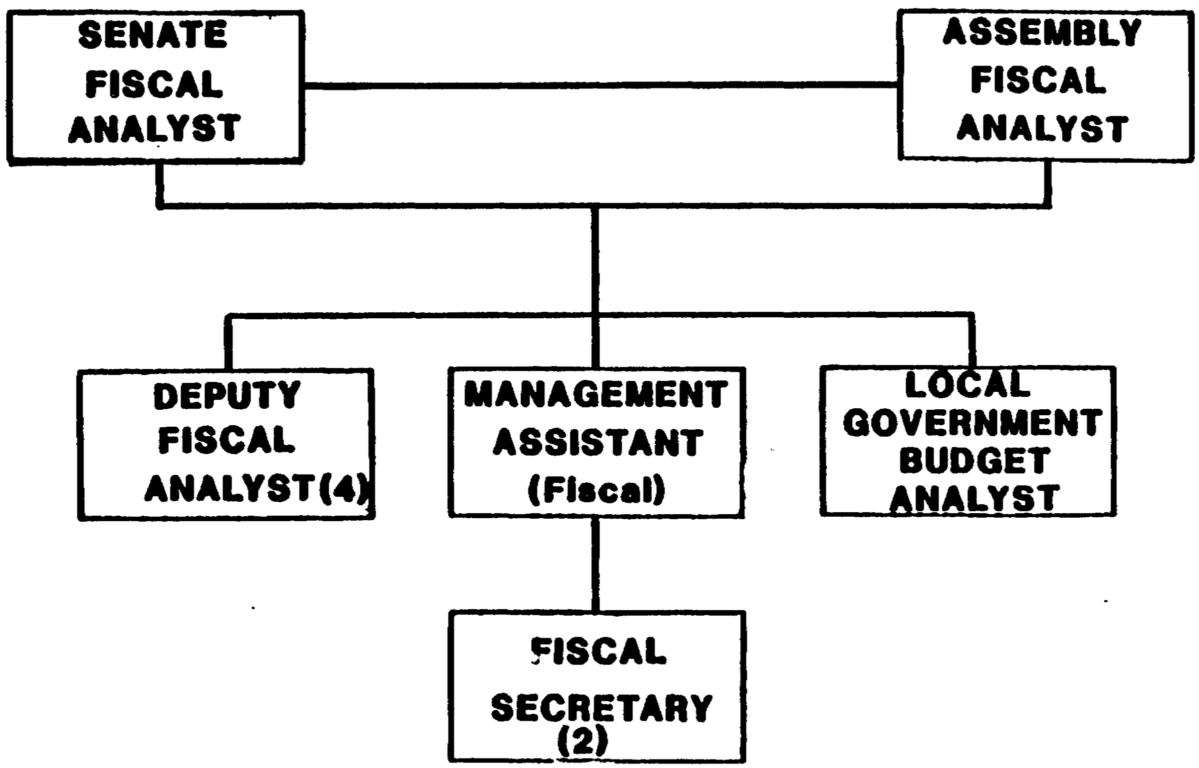
## CENTRAL LEGISLATIVE LIBRARY

- BILL HISTORIES
- COMMITTEE MINUTES
- GENERAL REFERENCE
- PROVISION OF SERVICES
    - TO RESEARCH STAFF
    - TO LEGISLATORS DIRECTLY
    - TO LEGAL COMMUNITY
    - TO GENERAL PUBLIC

## REGULAR PUBLICATIONS

- LEGISLATIVE MANUAL
- SUMMARY OF LEGISLATION
- SUMMARY BULLETIN
- LEGISLATIVE BROCHURE
- SPONSOR LISTS
- BACKGROUND PAPERS

# FISCAL ANALYSIS DIVISION



## ACTIVITIES DURING SESSION

- REVIEW OF BUDGET

- STATE GENERAL FUND REVENUE PROJECTIONS

- STAFF SUPPORT FOR STANDING COMMITTEES:
  - SENATE COMMITTEE ON FINANCE
  - ASSEMBLY COMMITTEE ON WAYS AND MEA
  - SENATE COMMITTEE ON TAXATION
  - ASSEMBLY COMMITTEE ON TAXATION

- PREPARATION OF FISCAL NOTES

- RESEARCH INTO FISCAL AND TAX MATTERS

- PUBLICATION OF THE LEGISLATIVE APPROPRIATIONS REPORT

BDR 40-949
A. B.
S. B. 207

# FISCAL NOTE

## • STATE AGENCY'S ESTIMATES

Date Prepared

Agency Submitting Manufactured Housing Division

| Items of Revenue or Expense or Both | Fiscal Year 1984-85 | Fiscal Year 1985-86 | Fiscal Year 1986-87 | Continuing |
|---|---|---|---|---|
| SALARY | -0- | $31,240 | $31,240 | $31,240 |
| TRAVEL | -0- | 2,500 | 2,500 | 2,500 |
| OPERATING | -0- | 6,200 | 6,200 | 6,200 |
| EQUIPMENT | -0- | 4,000 | -0- | -0- |
| TOTAL | -0- | $43,940 | $39,940 | $39,940 |

Explanation (Use Continuation Sheets, if Required)

Effect on Local Government YES ☐ NO ☒

Signature
Title ADMINISTRATOR

## • DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date March 18, 198

The agency's estimate appears reasonable.

Signature
Title DIRECTOR

## • FISCAL EFFECT ON LOCAL GOVERNMENT

(Legislative Counsel Bureau Use Only)

Date

## ACTIVITIES BETWEEN SESSIONS

- STAFF SUPPORT
  - INTERIM FINANCE COMMITTEE
  - INTERIM RETIREMENT COMMITTEE
  - INTERIM STUDY SUBCOMMITTEES

- COMPILATION OF LOCAL GOVERNMENT FINANCIAL REPORTING DATA BASE

- RESEARCH REQUESTS
  - LEGISLATORS
  - STATE AGENCIES
  - OTHER STATES
  - GENERAL PUBLIC

- MONITORING STATE REVENUES AND EXPENDITURES

## INTERIM FINANCE COMMITTEE

- COMPOSED OF SENATE COMMITTEE ON FINANCE AND ASSEMBLY COMMITTEE ON WAYS AND MEANS

- MAJOR RESPONSIBILITIES:

  CONTINGENCY FUND ALLOCATIONS

  ACCEPTANCE OF GIFTS AND GRANTS

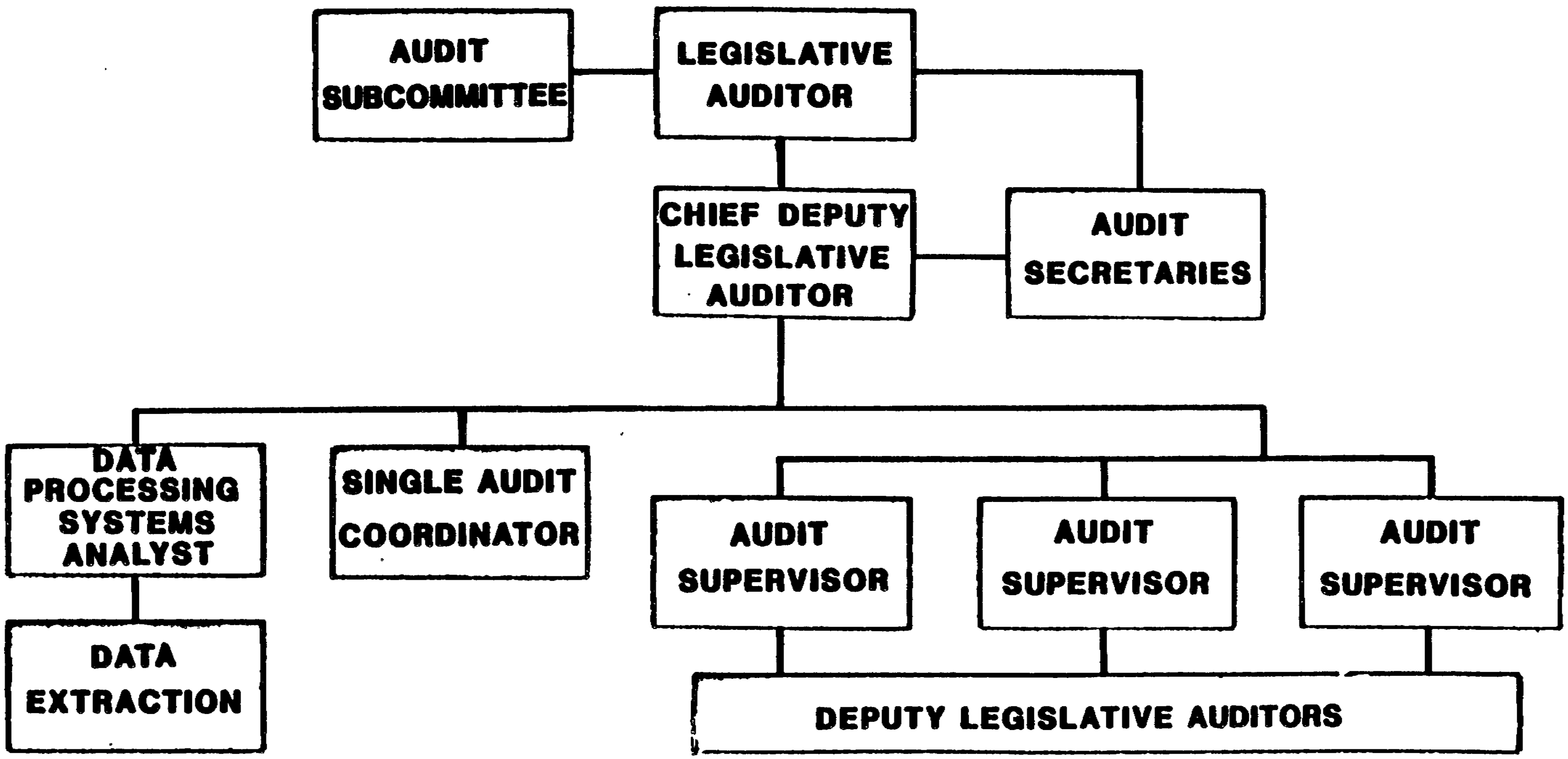
  WORK PROGRAM REVISIONS

  APPROVAL OF LEASE OF STATE LAND

  APPROVAL OF PLANS FOR CAPITAL IMPROVEMENTS

  APPROVAL OF ALLOCATIONS FROM THE SCCRT RESERVE FUND

# AUDIT DIVISION



# APPENDIX L

# OVERVIEW OF LEGISLATIVE SESSIONS IN NEVADA

APPENDIX L

# OVERVIEW OF LEGISLATIVE SESSIONS IN NEVADA

## 1. Provisions of the Nevada Constitution Related to Legislative Sessions

As provided in section 2 of article 4 of the Nevada constitution, the legislature meets biennially:

> **Biennial sessions of the legislature; commencement.** The sessions of the Legislature shall be biennial, and shall commence on the 3rd Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

The voters of Nevada have acted on three ballot questions since statehood to amend section 2 in order to establish or abolish annual legislative sessions. They are shown in Table I.

TABLE I

RESULTS OF BALLOT QUESTIONS IN NEVADA ON ANNUAL LEGISLATIVE SESSIONS

| Year | Measure | Vote For | Vote Against |
|---|---|---|---|
| 1958 | Assembly Joint Resolution No. 28 of 1955 to establish annual sessions | 54,959 | 16,554 |
| 1960 | Initiative to repeal annual sessions | 48,019 | 35,397 |
| 1970 | Senate Joint Resolution No. 9 of 1967 to establish annual sessions | 40,151 | 78,707 |

Nevada has adopted and held one annual session (1960) but the repeal of that provision occurred in the same year.

Since 1974, 10 joint resolutions have been proposed to amend the Nevada Constitution to modify the legislative process and to establish annual sessions. At least one proposal has been introduced in every biennial session of the Nevada legislature from 1975 through 1987, except for the 1981 session. None of these proposals have been adopted.

During the 1987 session of the Nevada legislature, two assembly joint resolutions to amend the state constitution--A.J.R. 13 (to provide for limited annual sessions) and A.J.R. 45 (to require annual sessions)--were considered. Both proposals passed the assembly but failed in the senate committee on legislative affairs and operations.

## 2. States With Biennial Legislative Sessions

According to The Council of State Governments' Book of the States (1986-87), today 13 states* have biennial legislative sessions. Of those states, five (Maine, Minnesota, North Carolina, Tennessee and Vermont) split their single sessions so that they, in fact, meet annually. The California Legislature continues in session until November 30 of the next even-numbered year. So, in effect, it meets annually.

According to the National Conference of State Legislatures, Texas routinely meets in even-numbered years in special session. This leaves six states (Arkansas, Kentucky, Montana, Nevada, North Dakota, and Oregon) as "true" biennial legislative session states.

## 3. Legislative Sessions In Nevada

The 1987 regular session lasted 151 days and was the longest in Nevada history. The 1971, 1973, 1975, 1977, 1979, 1981, 1983 and 1985 sessions ran 99, 102, 121, 113, 135, 137, 126 and 135 days, respectively. While the general trend is toward longer sessions, Nevada manages to legislate for a 2-year period in a shorter time than do most other sparsely populated states. The average session length for the 10 lowest population states as shown in the Book of the States (1986-87) during 1983 and 1984 was approximately 209 calendar days.

To bridge the gap between biennial and annual sessions, the Nevada legislature has relied heavily on interim study committees and statutory committees such as interim finance and the legislative commission. Each study committee generally meets four to six times during the interim. Most legislators serve on one or two interim committees. During the 1987-1989 interim, there are 13 interim studies in addition to at least nine other ongoing statutory study committees. The number has been higher in previous interims.

---

*Arkansas, California, Kentucky, Maine, Minnesota, Montana, Nevada, North Carolina, North Dakota, Oregon, Tennesee, Texas and Vermont.

The legislative commission consists of 12 legislators who exercise general policymaking and supervisory authority over the operations of the legislative counsel bureau. The commission, which is basically designed to assist the legislature in maintaining its independent and coordinate status with the executive and judicial branches of the state government, may investigate and inquire into any area within the competence of the legislature. Normally, the investigative responsibilities are delegated to subcommittees of the commission which are assisted by staff of the legislative counsel bureau.

The interim finance committee was created to administer a contingency fund between legislative sessions. The fund, which is approximately $6 million, was set up to provide provisional funds for state agencies when the legislature is not in session. The interim finance committee also reviews state agency requests to accept certain gifts and grants, to modify legislatively approved budgets, and to reclassify state merit system positions in certain circumstances.

In 1983, the legislature passed legislation which requires that the state public works board consult with the interim finance committee before approving final plans for capital improvement projects, including new construction, landscaping and major repairs.

Since 1985, the interim finance committee has administered the supplemental city-county relief tax (SCCRT) reserve fund. This fund, approximately $2.5 million per year, was created to assist local governments that have experienced unanticipated fiscal problems. The criteria for local governments to qualify for these funds are statutorily defined and include natural disasters, loss of population and a loss of revenue of more than 5 percent.

4. Limits On Legislative Sessions

It is interesting to note that section 29 of article 4 of the original Nevada constitution read:

> The first regular session of the legislature under this Constitution may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the Governor exceed twenty days.

This section was repealed in 1958, when annual sessions were established.

Nevada is considered to have an indirect limitation on legislative sessions since section 33 of article 4 of the

Nevada constitution limits the number of days a legislator may be paid (60 days during a regular session and 20 during a special session--see also section on financial remuneration of legislators). The aforementioned length of recent sessions, however, demonstrates that receiving no pay has not limited sessions.

Many states limit the number of days the legislature may meet or restrict certain sessions to certain subjects.

A distinction in the type of day (calendar or legislative) is also a consideration when limits are set on legislative sessions. In Nevada, legislators are paid on a calendar day basis and the length of sessions are normally figured on that basis. Thus, the 1987 session lasted 151 calendar days but only 109 legislative days. Legislative days are those days when the senate and assembly sat in session.

# APPENDIX M

## PROPOSED NEVADA BUDGET CYCLE

## APPENDIX M

### PROPOSED NEVADA BUDGET CYCLE

| Time | Activity |
| --- | --- |
| June | State budget office issues budget forms and instructions |
| July through September | State agencies prepare budget requests in triplicate |
| September through October | State budget office reviews agencies' requests and prepares summary for governor |
| October through December | Governor and Nevada's budget division in the department of administration hold hearings on agencies' requests and prepare governor's recommendations; LCB fiscal staff sit in as observers |
| February (30 days before start of session) | Budget division issues governor's budget recommendations to LCB. The fiscal analysis division prepares subbudgets for appropriations subcommittees with recommendations |
| March through April | The legislature divides into six joint appropriations subcommittees, holds hearings with agencies, makes decisions on the line items and reports to the executive appropriations committee |
| May | Executive appropriations committee holds hearings with chairmen of subcommittees and concerned agencies--approves actions of subcommittees; recommends further action; makes alterations to balance budget; directs fiscal analysis division to prepare appropriations act for action by entire legislature |
| End of Session | Legislature debates and passes general appropriations bill and authorization act. Another small bill would then be passed for last minute items such as the effect of bills passed that impact the budget |

| Time | Activity |
|---|---|
| After Session | Governor reviews appropriations bill(s) and signs, vetoes, or lets pass into law without signature |
| After Session through June | Agencies and budget division prepare and review work program--budget execution documents |
| After Session | Legislative fiscal analysis division prepares appropriations report, including detail and legislative intent |

# APPENDIX N

## SUMMARY OF LEGAL PROVISIONS FOR STATE COMPENSATION COMMISSIONS

APPENDIX N

# SUMMARY OF LEGAL PROVISIONS FOR STATE COMPENSATION COMMISSIONS

## ALASKA

| | |
|---|---|
| Citation: | Alaska Statutes 39.23.200, et seq. |
| Name: | State Officers Compensation Commission. |
| Composition: | Seven members--appointed by governor with legislative confirmation. To include one member with business experience, one representative of a nonpartisan voters' organization, one member with public administration experience and one representative of a labor organization. |
| Term: | Four years staggered; no more than two consecutive terms. |
| Responsibility: | Review compensation of governor, judges, legislators, lieutenant governor and heads of principal departments. Meet every other year. Conduct public hearings on findings and recommendations. Submit final report to legislature during first 10 days of session. |

## ARIZONA

| | |
|---|---|
| Citation: | Constitution of Arizona, Article 5, Section 13. |
| Name: | Commission on Salaries for Elective State Officers. |
| Composition: | Five members--two appointed by governor; one each appointed by president of the senate, speaker of the house and chief justice. |
| Term: | Appointed biennially. |
| Responsibility: | Provide recommendations concerning rates of pay of elected state officers. Recommendations on legislative salaries must be submitted to a vote of the people for approval. |

## COLORADO

| | |
|---|---|
| Citation: | _Colorado Revised Statutes_ 2-3-801, _et seq_. |
| Name: | Colorado State Officials' Compensation Commission. |
| Composition: | Nine members--three appointed by governor, two by chief justice, two by president of senate, two by speaker of the house. (Only one member each appointed by legislative leadership may be a member of the general assembly.) |
| Term: | Four years staggered. |
| Responsibility: | Conduct continuing study of compensation of district attorneys, judges, legislators, and elected and appointed officials of the executive branch not included in the state personnel system. Report to the legislature with recommendations in each session in an odd-numbered year. |

## CONNECTICUT

| | |
|---|---|
| Citation: | _General Statutes of Connecticut_ 2-9a. |
| Name: | Compensation Commission for Elected State Officers and Judges. |
| Composition: | Eleven members--three appointed by governor, two by senate president pro tempore, two by speaker of the house, two each by senate and house minority leaders. |
| Term: | Four years. |
| Responsibility: | Recommend biennially legislative proposals for compensation of the attorney general, comptroller, governor, judges, legislators, lieutenant governor, secretary of state and treasurer. General assembly is required to take action on the proposals. |

## FLORIDA

| | |
|---|---|
| Citation: | _Florida Statutes_ 112.192. |
| Name: | State Officers' Compensation Commission. |

| | |
|---|---|
| Composition: | Nine members--two appointed by governor, two by senate president, two by speaker of the house, two by chief justice, and one by other eight members. |
| Term: | One, 2, 3 or 4 years. |
| Responsibility: | Advisory body to study and evaluate trends in compensating public officers in state governments. Meet at least two times per year. Submit report of findings and recommendations to legislature by March 1 of every odd-numbered year. |

GEORGIA

| | |
|---|---|
| Citation: | Code of Georgia 89-716, et seq. |
| Name: | State Commission on Compensation. |
| Composition: | Twelve members--four appointed by governor (at least one engaged in field of business finance or business management), two by lieutenant governor (at least one experienced in labor-management relations), two by speaker of the house (at least one experienced in labor-management relations), four by supreme court justices (at least one authorized to practice law in the state). |
| Term: | Four years. |
| Responsibility: | Meet no more than 15 days in any year. Study compensation of constitutional state officers including legislators and full-time agency heads and compare with compensation for comparable positions in the Federal Government, local governments and private professions. File written report to legislature. A bill must be introduced containing the recommendations. No changes are allowed to be made in the bill by the legislature. |

HAWAII

| | |
|---|---|
| Citation: | Hawaii State Constitution, Article 3, Section 9. |
| Name: | Commission on Legislative Salary. |

| | |
|---|---|
| Composition: | No number of members specified. Appointed by governor. |
| Term: | Every 8 years. |
| Responsibility: | Submit recommendations for salary of legislators to the governor and legislature. Recommendations become effective unless disapproved by the governor or legislature. |

IDAHO

| | |
|---|---|
| Citation: | Idaho Code 67-406a, *et seq*. |
| Name: | Citizens' Committee on Legislative Compensation. |
| Composition: | Six members--three appointed by governor, three by supreme court. |
| Term: | Four years staggered. |
| Responsibility: | Set legislative rate of compensation and expenses for services for every 2-year period. Becomes effective unless rejected by legislature. |

ILLINOIS

| | |
|---|---|
| Citation: | Illinois Annotated Statutes 63.901, *et seq*. |
| Name: | Compensation Review Board. |
| Composition: | Twelve members--three each appointed by speaker and minority leader of the house and president and minority leader of the senate. |
| Term: | Three years staggered; no more than two consecutive terms. |
| Responsibility: | Determine compensation of legislators, judges, elected state constitutional officers, and certain appointed state officers. Consider a variety of factors. Report of the board may be disapproved in whole or in whole proportionately by legislature. |

## IOWA

Citation: *Iowa Code Annotated* 2A.1, *et seq.*

Name: Commission on Compensation, Expenses, and Salaries for Elected State Officials.

Composition: Fifteen members--five each appointed by governor, senate majority leader and speaker of the house.

Term: Five years staggered.

Responsibility: Review and make determination on compensation, expenses and salaries of legislators, other elective state officials and judiciary officers based on comparable positions in other states, the Federal Government and private enterprise. Report recommendations to the governor and legislature every 2 years. The legislature is required to consider the recommendations.

## MAINE

Citation: *Maine Revised Statutes* 3.2-A.

Name: State Compensation Commission.

Composition: Five members--two appointed by senate president, two by speaker of the house, one by a majority of the other four members.

Term: Two years.

Responsibility: Submit to the legislature a final report with recommendations for compensation of governor, judges, constitutional officers, legislators, and certain legislative staff.

## MARYLAND

Citation: *Maryland Constitution*, Article 3, Section 15.

Name: General Assembly Compensation Commission.

Composition: Nine members--five appointed by governor, two each by senate president and speaker of the house.

Term: Four years.

Responsibility: Make determinations by formal resolution of compensation and allowances of legislators to general assembly. Legislature may reduce or reject but not increase items in resolution.

MASSACHUSETTS

Citation: Annotated Laws of Massachusetts, Chapter 6, Section 162.

Name: Advisory Board on Legislative and Constitutional Officers' Compensation.

Composition: Five members--appointed by governor.

Term: Four years coterminous with governor.

Responsibility: Study adequacy of salaries and expenses of legislators, judiciary and constitutional officers. Report recommendations to legislature in each odd-numbered year.

MICHIGAN

Citation: Michigan Constitution, Article 4, Section 12

Name: State Officers Compensation Commission.

Composition: Seven members--appointed by governor.

Term: None specified.

Responsibility: Meet every 2 years for no more than 15 days. Determine salaries and expense allowances of governor, legislators, lieutenant governor and supreme court justices. Determinations effective unless rejected by two-thirds vote of each house of the legislature.

## MINNESOTA

Citation: *Minnesota Statutes Annotated* 15A.082.

Name: Compensation Council.

Composition: Sixteen members--two members of house appointed by speaker; two members of senate appointed by majority leader; one member of house appointed by minority leader; one member of senate appointed by minority leader; two nonjudges appointed by chief justice; one member from each congressional district appointed by governor.

Term: Two years.

Responsibility: Submit salary recommendations to legislature by January 1 of each odd-numbered year for constitutional officers, legislators and judges. Recommendations take effect if appropriation is enacted to pay recommended salaries. Legislature may modify or reject recommendations by a bill.

## NORTH DAKOTA

Citation: *North Dakota Century Code* 54-03-19.1.

Name: Legislative Compensation Commission.

Composition: Five members--appointed by governor.

Term: Four years.

Responsibility: Make recommendations and determine a proper level of legislative compensation, expense and per diem.

## OKLAHOMA

Citation: *Constitution of the State of Oklahoma*, Article 5, Section 21.

Name: Board on Legislative Compensation.

Composition: Nine members--five appointed by governor, two each by senate president pro tempore and speaker of the house. All appointments from specific types of organizations. Chairman of tax commission and director of state finance--ex officio, nonvoting, members.

Term: Concurrent with term of appointing authority.

Responsibility: Review legislative compensation each two years and empowered to change compensation.

SOUTH DAKOTA

Citation: South Dakota Codified Laws 3-8-1.1.

Name: Commission on Salaries for Elective State Officials.

Composition: Five members--two appointed by governor; one each by senate president pro tempore, speaker of the house, and chief justice.

Term: Two years.

Responsibility: Meet no more than 10 calendar days every odd-numbered year. Review rates of pay of all elected state officers, judges and legislators. Submit report and recommendations every 2 years and prepare legislation. Governor also may submit his own recommendations.

UTAH

Citation: Utah Code Annotated 67-8-4.

Name: State Executive and Judicial Compensation Commission.

Composition: Five members--one each appointed by governor, senate president and speaker of the house; two by other three members.

Term: Four years staggered.

Responsibility: Make studies and recommendations before each annual general session for adjustments to salaries of elected state officials and judges, and concerning the wage and salary classification plan for the office of personnel management.

## WASHINGTON

| | |
|---|---|
| Citation: | Revised Code of Washington Annotated 43.03.305. |
| Name: | Washington Citizens' Commission on Salaries for Elected Officials. |
| Composition: | Fifteen members--eight selected by lot by secretary of state from registered voters, one from each congressional district; seven selected jointly by senate president and speaker of the house from specific occupational sectors. |
| Term: | Four years; no more than two consecutive terms. |
| Responsibility: | Study and fix biennially the salaries of state elected officials, judges and legislators. |

## WEST VIRGINIA

| | |
|---|---|
| Citation: | Constitution of West Virginia, Article 6, Section 33. |
| Name: | Citizens Legislative Compensation Commission. |
| Composition: | Seven members--appointed by governor. |
| Term: | Seven years staggered. |
| Responsibility: | Submit by resolution every 4 years its determination of compensation and expense allowances for legislators. Legislature enacts legislation and can reduce but not increase items in the resolution. |

APPENDIX O

## SUGGESTED LEGISLATION

SUMMARY--Proposes to amend Nevada constitution to delay starting date and limit length of regular legislative session. (BDR C-356)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Proposing to amend the Nevada constitution to delay the starting date and limit the length of regular legislative sessions.

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That a new section be added to article 4, and section 2 of article 4 of the constitution of the State of Nevada be amended to read respectively as follows:

*Sec. 29A. The Legislature shall adjourn sine die each regular session not later than midnight in the pacific time zone 100 calendar days following its commencement. Any legislative action taken after midnight in the pacific time zone on the 100th calendar day is void, unless the legislative action is conducted during a special session convened by the Governor.*

Sec. 2. The sessions of the Legislature shall be biennial, and shall commence on the [3rd] *1st* Monday of [January] *March* next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

SUMMARY--Revises provisions governing submission of proposed executive budget to legislature. (BDR 17-451)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to state financial administration; requiring the governor to submit the proposed executive budget to the legislative counsel bureau before the legislative session; and providing other matters properly relating thereto.

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

**Section 1.** NRS 353.230 is hereby amended to read as follows:

353.230 1. The chief shall review the estimates, altering, revising, increasing or decreasing the items of the estimates as he may deem necessary in view of the needs of the various departments, institutions and agencies in the executive department of the state government and the total anticipated income of the state government and of the various departments, institutions and agencies thereof during the next fiscal year.

2. A fiscal analyst of the legislative counsel bureau or his designated representative shall meet with the chief and participate in the budget review and *the chief* shall [have] *give the analyst or representative* full access to all materials connected with the review.

3. The chief shall then prepare a budget, in accordance with NRS 353.150 to 353.246, inclusive, and shall deliver it to the governor. The governor shall transmit [such] *the* budget to the [legislature] *legislative counsel bureau* not later than [the 10th day of] *30 days before* the regular legislative session.

4. During the consideration of the general appropriation bill, the special appropriation bills and the bills authorizing budgeted expenditures by the departments, institutions and agencies operating on [funds] *money* designated for specific purposes by the constitution or otherwise, submitted by the governor with the budget, the governor or his representative [shall have the right] *is entitled* to appear before and be heard by the appropriation committees of the legislature in connection with the appropriation bill or bills, and to render any testimony, explanation or assistance required of him.

**Sec. 2.** NRS 353.235 is hereby amended to read as follows:

353.235 1. [Neither house may consider any appropriation, except an emergency appropriation for the immediate expense of the legislature, until after the delivery of the budget to the presiding officer of each house.

2.] Every appropriation in addition to that provided for in the budget [shall] *must* be embodied in a separate act and [shall] *must* be limited to some single work, object or purpose therein stated.

[3.] *2.* A supplementary appropriation is not valid if it exceeds the amount in the state treasury available for [such] *that* appropriation, unless the legislature making [such] *the* appropriation provides the necessary revenue to pay [such] *the* appropriation by a tax, direct or indirect, to be laid and collected as directed by the legislature; but [such tax shall] *the tax must* not exceed the rates permitted under the constitution of the State of Nevada. This provision does not apply to appropriations to suppress insurrections, defend the state, or assist in defending the United States in time of war.

[4.] *3.* The revenues and other resources of any fund are subject to legislative authorization or appropriation and legislative review for each fiscal period except where [such] *the* procedure conflicts with the constitution or an express provision of statute.

SUMMARY--Revises Joint Rules of Senate and Assembly to establish Joint Standing Committee on Executive Appropriations and subcommittees thereof. (BDR R-452)

CONCURRENT RESOLUTION--Amending the Joint Rules of the Senate and Assembly to establish a Joint Standing Committee on Executive Appropriations and subcommittees thereof.

RESOLVED BY THE OF THE STATE OF NEVADA, THE CONCURRING, That the Joint Rules of the Senate and Assembly as adopted by the 65th session are amended by the following additions:

1. Rule 16 is hereby added to read as follows:

16

**Joint Standing Committee on Executive Appropriations.**

*1. The Joint Standing Committee on Executive Appropriations is hereby created and is composed of the members of the Senate Standing Committee on Finance and the members of the Assembly Standing Committee on Ways and Means.*

*2. The chairman of the Senate Standing Committee on Finance and the chairman of the Assembly Standing Committee on Ways and Means shall serve* *as cochairmen of the Joint Standing Committee on Executive Appropriations. Presiding duties must alternate daily between the cochairmen.*

*3. The Joint Standing Committee on Executive Appropriations shall assign for review each portion of the executive budget to one of its subcommittees on the basis of subject. Upon receipt of the recommendations of its subcommittees, the committee shall review the proposed executive budget and report its findings to the legislature.*

*4. In all matters requiring action by the Joint Standing Committee on Executive Appropriations, the vote of the Assembly and Senate members must be taken separately. An action must not be taken unless it receives the affirmative vote of a majority of the Assembly members and a majority of the Senate members.*

*2. Rule 17 is hereby added to read as follows:*

*17*

**Subcommittees of the Joint Standing Committee on Executive Appropriations.**

*1. The following standing subcommittees of the Joint Standing Committee on Executive Appropriations, composed of three members of the Senate, appointed from the Senate as a whole by the majority leader of the Senate, and six members of the Assembly, appointed from the Assembly as a whole by the speaker of the Assembly, are hereby created:*

*(a) Commerce, Labor and Transportation.*

*(b) Government Affairs.*

*(c) Human Resources.*

*(d) Judiciary.*

*(e) Natural Resources.*

*(f) Public and Higher Education.*

*2. The majority leader of the Senate and the speaker of the Assembly shall each designate one cochairman for each subcommittee from the members that they appoint to the subcommittee. Presiding duties must alternate daily between the cochairmen. No person may be appointed as a cochairmen of a subcommittee for more than two consecutive terms.*

*3. Each subcommittee shall review the portion of the proposed executive budget assigned to it as quickly as practicable and report its recommendations to the Joint Standing Committee on Executive Appropriations.*

*4. In all matters requiring action by a subcommittee, the vote of the Assembly and Senate members must be taken separately. An action must not be taken unless it receives the affirmative vote of a majority of the Assembly members and a majority of the Senate members.*

SUMMARY--Amends Standing Rule of Assembly regarding standing committees. (BDR R-449)

ASSEMBLY RESOLUTION--Amending Assembly Standing Rule 40 to revise standing committees.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Rule 40 of the Standing Rules of the Assembly as adopted by the 65th session is hereby amended to read as follows:

40

**Standing Committees.**

The standing committees of the Assembly are as follows:

1. Ways and Means, thirteen members.

2. Judiciary, thirteen members.

3. Taxation, eleven members.

4. [Elections, nine members.

5. Education, thirteen members.

6. Legislative Functions, ten members.

7.] Natural Resources, Agriculture and Mining, eleven members.

[8. Labor and Management, nine members.

9.] *5.* Transportation, nine members.

[10. Commerce.]

6. *Commerce and Labor,* fourteen members.

[11. Economic Development, Small Business and Tourism, eleven members.

12. Health and Welfare,]

7. *Human Resources and Facilities,* thirteen members.

[13.] *8.* Government Affairs, thirteen members.

SUMMARY--Amends joint rules of senate and assembly for 65th session of legislature to require standing committees of senate and assembly to meet at parallel times. (BDR R-450)

CONCURRENT RESOLUTION--Amending the joint rules of the senate and assembly for the 65th legislative session to require the standing committees of the senate and assembly to meet at parallel times.

RESOLVED BY THE                OF THE STATE OF NEVADA, THE                CONCURRING, That the Joint Rules of the Senate and Assembly as adopted by the 65th session of the Legislature are amended by the following addition:

18

**Schedules for standing committees.**

*Before the end of the first legislative day of each regular session, the majority leader of the Senate and the speaker of the Assembly shall agree upon a schedule for the times of the respective meetings of the standing committees of the Senate and Assembly. The times scheduled for the meetings of the standing committees of the Assembly must correspond with the times scheduled for* *meetings of the standing committees of the Senate which have jurisdiction over the same subjects.*

SUMMARY--Amends Standing Rule of Senate to merge Standing Committee on Legislative Affairs and Operations into Standing Committee on Government Affairs. (BDR R-455)

SENATE RESOLUTION--Amending Senate Standing Rule 40 to merge the Standing Committee on Legislative Affairs and Operations into the Standing Committee on Government Affairs.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That Rule 40 of the Standing Rules of the Senate as adopted by the 65th session is hereby amended to read as follows:

40

**Standing Committees.**

The standing committees of the Senate and their respective jurisdiction for the reference of bills and resolutions are as follows:

1. Commerce and Labor, seven members, with jurisdiction over measures affecting primarily Titles 52-57, and chapters 461, 461A, 489, 703-704A and 707-712 of NRS, except measures affecting primarily state and local revenue.

2. Human Resources and Facilities, seven members, with jurisdiction over measures primarily affecting Titles 33, 37-39 and 42 and chapters 385,

386, 388-397, 439-444, 446-460 and 583-585 of NRS, except measures affecting primarily state and local revenue.

3. Natural Resources, seven members, with jurisdiction over measures primarily affecting Titles 26 and 45-50 and chapters 445, 488, 581, 582 and 586-590 of NRS, the Tahoe Regional Planning Compact and the Nevada Tahoe regional planning agency, except measures affecting primarily the Colorado River Commission and state and local revenue.

4. Finance, seven members, with jurisdiction over measures primarily affecting chapters 286 and 387 of NRS, appropriations, operating and capital budgets and bonding, except measures affecting primarily state and local revenue, and over any measures carrying or requiring appropriations and favorably reported by any other committee unless such reference is dispensed with by a two-thirds vote of the Senate.

5. Government Affairs, seven members, with jurisdiction over measures affecting [primarily the districts from which members of the legislature are elected,] the Colorado River Commission, [and Titles 18-22,] *the operation of the legislative session, Titles 17-22,* 24, 25, 27-31 and 36 and chapters 281-285, 287-289 and 407 of NRS, except measures affecting primarily state and local revenue and the Tahoe Regional Planning Compact and the Nevada Tahoe regional planning agency.

6. Judiciary, seven members, with jurisdiction over measures affecting primarily Titles 1-16 and 41 of NRS, except measures affecting primarily state and local revenue.

7. [Legislative Affairs and Operations, seven members, with jurisdiction over measures affecting primarily Title 17 of NRS, except the districts from which members of the legislature are elected, and the operation of the legislative session, except measures affecting primarily state and local revenue.

8.] Taxation, seven members, with jurisdiction over measures affecting primarily Title 32 of NRS and state and local revenue.

[9.] *8.* Transportation, seven members, with jurisdiction over measures affecting primarily Title 44 and chapters 403-406, 408-410, 481-487, 705 and 706 of NRS, except measures affecting primarily state and local revenue.

SUMMARY--Increases compensation and allowances for certain expenses of legislators. (BDR 17-357)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to the legislature; revising the provisions governing the compensation and allowances for certain expenses of legislators; and providing other matters properly relating thereto.

WHEREAS, The Blue Ribbon Commission on the Legislative Process determined that the citizens of Nevada are concerned that their legislators be compensated adequately to allow citizens from all walks of life to serve as legislators; and

WHEREAS, The Blue Ribbon Commission on the Legislative Process also expressed much concern about the growing length of legislative sessions; and

WHEREAS, The Blue Ribbon Commission on the Legislative Process recommended that any increases in the compensation of legislators be contingent upon the adoption of certain procedural changes which should make the legislative process more efficient and therefore reduce the length and cost of legislative sessions; now, therefore

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

**Section 1.** Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. As reimbursement for the miscellaneous costs arising from representational duties such as secretarial assistance, reproduction of documents, postage, office supplies, telephone charges and newspapers, each senator and assemblyman is entitled to receive during the period beginning the day after the adjournment sine die of a regular session of the legislature to the day before the next general election $350 each month and the pro rata share for each part of a month.*

*2. In addition to the reimbursement provided pursuant to subsection 1, a senator or assemblyman who represents a large district may submit a voucher to the director of the legislative counsel bureau for the travel expenses and per diem expense allowance provided by law for state employees generally, for reimbursement for travel within his district related to his representational duties. The director shall authorize payment of the claims pursuant to the rules of the legislative commission and within the limits of money appropriated for this purpose.*

*3. As used in subsection 2, the term "large district" means the:*

*(a) Northern Nevada senatorial district;*

*(b) Central Nevada senatorial district;*

*(c) Western Nevada senatorial district;*

*(d) Clark County senatorial districts 1 and 6;*

*(e) Washoe County senatorial district 3; and*

*(f) Assembly districts 1, 21, 22, 32, 33, 34, 35, 36 and 38.*

**Sec. 2.** NRS 218.210 is hereby amended to read as follows:

218.210 [1. Each senator elected before November 4, 1986, or appointed to succeed a senator elected before November 4, 1986, is entitled to receive as compensation $104 per day for each day of service:

(a) During any regular session, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and

(b) During any special session, for the number of days the legislature is in session or the maximum number of days for which compensation for a special session is permitted by the constitution, whichever is smaller.

2.] Each senator and assemblyman [elected on or after November 4, 1986, or appointed to succeed a senator or assemblyman elected on or after November 4, 1986,] is entitled to receive as compensation $130 per day for each day of service:

[(a)] *1.* During any regular session, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and

[(b)] *2.* During any special session, for the number of days the legislature is in session or the maximum number of days for which compensation for a special session is permitted by the constitution, whichever is smaller.

**Sec. 3.** NRS 218.210 is hereby amended to read as follows:

218.210 Each senator and assemblyman is entitled [to receive as compensation $130 per day for each day of service:

1. During] *:*

*1. To receive $12,000 as compensation for the first 60 days of* any regular session [, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and

2. During] *of the legislature; and*

*2. To receive as compensation $130 per day for each day of service during* any special session, for the number of days the legislature is in session or the maximum number of days for which compensation for a special session is permitted by the constitution, whichever is smaller.

**Sec. 4.** NRS 218.220 is hereby amended to read as follows:

218.220 1. The per diem expense allowance and the travel and telephone expenses of senators and assemblymen elected or appointed and in attendance at any session or presession orientation conference of the legislature must be allowed in the manner set forth in this section [.] *upon the presentation of a voucher to the director of the legislative counsel bureau. The legislative commission shall adopt rules concerning the required contents of the vouchers and any other matters necessary for the director to carry out the* *provisions of this section in accordance with generally accepted accounting principles.*

2. For initial travel from his home to Carson City, Nevada, to attend a session or presession orientation conference of the legislature, and for return travel from Carson City, Nevada, to his home upon adjournment sine die of a session or termination of a presession orientation conference of the legislature, each senator and assemblyman is entitled to receive:

(a) A per diem expense allowance not to exceed the greater of:

(1) The rate of $44; or

(2) The maximum rate established by the Federal Government for the locality in which the travel is performed,

for one day's travel to and one day's travel from the session or conference.

(b) Travel expenses computed at the rate [of 27 cents per mile traveled.] *provided by law for state employees generally.*

3. In addition to the per diem and travel expenses authorized by subsection 2, each senator and assemblyman is entitled to receive a supplemental allowance which must not exceed:

(a) A total of $6,800 during each regular session of the legislature for:

(1) His actual expenses in moving, to and from Carson City for the session; and

(2) Travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business,

computed at the rate [of 27 cents per mile;] *provided by law for state employees generally;* and

(b) A total of $1,000 during each special session of the legislature for travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business, computed at the rate [of 27 cents per mile.] *provided by law for state employees generally.*

4. Each senator and assemblyman is entitled to receive a per diem expense allowance not to exceed the greater of:

(a) The rate of $44; or

(b) The maximum rate established by the Federal Government for the locality in which the travel is performed,

for each day that the legislature is in session or in a presession orientation conference and for each day that he attends a meeting of a standing committee of which he is a member when the legislature has adjourned for more than 4 days.

5. Each senator and assemblyman who maintains temporary quarters in or near Carson City for which he has entered into a lease or other agreement for continuous occupancy for the duration of a legislative session is entitled to receive a lodging allowance equal to that portion of the expense allowance which the legislative commission designates by rule as being allocated to lodging, for not more than 14 days in each period in which:

(a) The legislature has adjourned until a time certain; and

(b) The senator or assemblyman is not entitled to a per diem expense allowance pursuant to subsection 4.

6. Each senator and assemblyman is entitled to receive a telephone allowance of not more than $2,800 for the payment of tolls and charges incurred by him in the performance of official business during each regular session of the legislature and not more than $300 *for the payment of tolls and charges incurred by him in the performance of official business* during each special session of the legislature.

7. An employee of the legislature assigned to serve a standing committee is entitled to receive the travel expenses and per diem expense allowance provided by law for state employees generally if he is required to attend a hearing of the committee outside Carson City.

8. Claims for expenses made under the provisions of this section must be [made as other claims are made against the state, and must be] paid from the legislative fund. Claims for per diem expense allowances authorized by subsection 4 and lodging allowances authorized by subsection 5 *for which vouchers have been received* must be paid once each week during a legislative session and upon completion of a presession orientation conference.

**Sec. 5.** NRS 218.223 is hereby amended to read as follows:

218.223 1. Except as *otherwise* provided in subsection 2, each senator and assemblyman is entitled to receive the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding] *a special* session, and the per diem allowance and travel expenses provided by law for *state employees generally for* each day of attendance at a presession orientation conference or at a conference, meeting, seminar or other gathering at which he officially represents the State of Nevada or its legislature.

2. This section does not apply:

(a) During a regular or special session of the legislature; or

(b) To any senator or assemblyman who is otherwise entitled to receive a salary and the per diem allowance and travel expenses.

**Sec. 6.** NRS 218.680 is hereby amended to read as follows:

218.680 1. Except during a regular or special session of the legislature, for each day's or portion of a day's attendance at each meeting of the commission or its audit subcommittee, if a member of the subcommittee, or if engaged in the official business of the legislative counsel bureau, the members of the legislative commission are entitled to receive the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding] *a special* session, and the per diem allowance and travel expenses provided *by law* for state [officers and] employees generally.

2. An alternate member of the legislative commission who replaces a regular member at a meeting of the commission or on official business of the legislative counsel bureau is entitled to receive the same salary and expenses as a regular member for the same service. An alternate member who attends a meeting of the commission but does not replace a regular member is entitled to the travel expenses provided *by law* for state [officers and] employees generally.

**Sec. 7.** NRS 218.682 is hereby amended to read as follows:

218.682 The legislative commission may:

1. Carry forward the participation of the State of Nevada as a member of the Council of State Governments and the National Conference of State Legislatures, and may pay annual dues to [such] *these* organizations out of the legislative fund. The legislative commission is designated as Nevada's commission on interstate cooperation.

2. Encourage and assist the government of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with the other states, with the Federal Government, and with local units of government.

3. Establish such delegations and committees as official agencies of the legislative counsel bureau as may be deemed advisable to confer with similar delegations and committees from other states concerning problems of mutual interest. The membership of such delegations and committees must be designated by the legislative commission and may consist of legislators and employees of the state other than members of the commission. Members of such delegations and committees shall serve without salary, but they are entitled to receive out of the legislative fund the per diem expense allowance and travel expenses provided *by law* for state [officers and] employees generally.

4. Endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for interstate compacts and reciprocal or uniform legislation, and by facilitating the adoption of uniform or reciprocal administrative rules and regulations, informal cooperation of governmental offices, personal cooperation among

governmental officials and employees, interchange and clearance of research and information, and any other suitable process.

5. Establish such subcommittees and interim or special committees as official agencies of the legislative counsel bureau as may be deemed advisable to deal with governmental problems, important issues of public policy and questions of statewide interest. The membership of such subcommittees and interim or special committees must be designated by the legislative commission and may consist of members of the legislative commission and legislators other than members of the commission, employees of the State of Nevada or citizens of the State of Nevada. Members of such subcommittees and interim or special committees who are not legislators shall serve without salary, but they are entitled to receive out of the legislative fund the per diem expense allowances and travel expenses provided *by law* for state [officers and] employees generally. Except during a regular or special session of the legislature, members of such subcommittees and interim or special committees who are legislators are entitled to receive out of the legislative fund the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding] *a special* session for each day or portion of a day of attendance, and the per diem expense allowances and travel expenses provided *by law* for state [officers and] employees generally.

6. Supervise the functions assigned to the divisions of the bureau in this chapter.

**Sec. 8.** NRS 218.6825 is hereby amended to read as follows:

218.6825 1. There is hereby created in the legislative counsel bureau an interim finance committee composed of the members of the assembly standing committee on ways and means and the senate standing committee on finance during the current or immediately preceding session of the legislature. The immediate past chairman of the senate standing committee on finance is the chairman of the interim finance committee for the period ending with the convening of each even-numbered regular session of the legislature. The immediate past chairman of the assembly standing committee on ways and means is the chairman of the interim finance committee during the next legislative interim, and the chairmanship alternates between the houses of the legislature according to this pattern.

2. If any regular member of the committee informs the secretary that he will be unable to attend a particular meeting, the secretary shall notify the speaker of the assembly or the majority leader of the senate, as the case may be, to appoint an alternate for that meeting from the same house and political party as the absent member.

3. The interim finance committee, except as *otherwise* provided in subsection 4, may exercise the powers conferred upon it by law only when the legislature is not in regular or special session. The membership of any member who does not become a candidate for reelection or who is defeated for reelection continues until the next session of the legislature is convened.

4. During a regular session the interim finance committee may also perform the duties imposed on it by subsections 4 and 6 of NRS 284.115, subsection 3 of NRS 328.480, subsection 1 of NRS 341.145, NRS 353.220,

353.224, 353.335 and 428.375 and chapter 621, Statutes of Nevada 1979. In performing those duties, the senate standing committee on finance and the assembly standing committee on ways and means may meet separately and transmit the results of their respective votes to the chairman of the interim finance committee to determine the action of the interim finance committee as a whole.

5. The director of the legislative counsel bureau shall act as the secretary of the interim finance committee.

6. A majority of the members of the assembly standing committee on ways and means and a majority of the members of the senate standing committee on finance, jointly, may call a meeting of the interim finance committee if the chairman does not do so.

7. In all matters requiring action by the interim finance committee, the vote of the assembly and senate members must be taken separately. An action must not be taken unless it receives the affirmative vote of a majority of the assembly members and a majority of the senate members.

8. Except during a regular or special session of the legislature, each member of the interim finance committee and appointed alternate is entitled to receive the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding regular] *a special* session for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in committee work plus the per diem allowance and travel expenses provided *by law* for state [officers and]

employees generally. All such compensation must be paid from the contingency fund in the state treasury.

**Sec. 9.** NRS 176.003 is hereby amended to read as follows:

176.003 1. The commission for establishing suggested sentences for felonies, consisting of 13 voting members, is hereby created.

2. The governor shall appoint:

(a) One member who is a justice of the supreme court;

(b) Two members who are district judges;

(c) One member who is a senator;

(d) One member who is an assemblyman;

(e) One member who is an attorney in private practice who specializes in defending criminal actions;

(f) One member who is a district attorney;

(g) One member who is a representative of the attorney general;

(h) One member who is a representative of a law enforcement agency; and

(i) Two members who are representatives of the general public.

The director of the department of prisons and the chief parole and probation officer are ex officio members of the commission.

3. The attorney in private practice and the representatives of the general public who are members of the commission are entitled to receive $60 for each day's attendance at a meeting of the commission. The legislators who are members of the commission are entitled to receive the [salary] *daily compensation* provided for [a majority of] the members of the legislature

during the first [60] *20* days of [the preceding] *a special* session for each day's attendance at a meeting of the commission.

**Sec. 10.** NRS 209.4813 is hereby amended to read as follows:

209.4813 1. The advisory board on industrial programs is hereby created.

2. The advisory board consists of the director of the department of prisons, the director of the department of general services and eight members appointed by the interim finance committee as follows:

(a) Two members of the senate.

(b) Two members of the assembly.

(c) Two persons who represent manufacturing in this state.

(d) One person who represents business in this state.

(e) One person who represents organized labor in this state.

3. The members of the advisory board shall select a chairman from among their membership.

4. Each member of the advisory board appointed by the interim finance committee must be appointed to a term of 2 years and may be reappointed.

5. Except during a regular or special session of the legislature, each legislator who is a member of the advisory board is entitled to receive the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding regular] *a special* session for each day or portion of a day during which he attends a meeting of the advisory board or is otherwise engaged in the work of the advisory board. Each nonlegislative member appointed by the interim finance committee is entitled

to receive compensation for his service on the advisory board in the same amount and manner as the legislative members whether or not the legislature is in session. Each member of the advisory board is entitled to the per diem allowance and travel expenses provided *by law* for state [officers and] employees generally. All compensation, allowances and travel expenses must be paid from the fund for prison industries.

**Sec. 11.** NRS 224.050 is hereby amended to read as follows:

224.050 1. [Until the 1st Monday in January 1987, the lieutenant governor is entitled to receive an annual salary of $10,500. From and after the 1st Monday in January 1987, the] *The* lieutenant governor is entitled to receive an annual salary of $12,500.

2. In addition to the annual salary provided for in subsection 1, the lieutenant governor is entitled to receive the compensation provided for [a majority of] the members of the legislature during the first 60 days of the session and the per diem allowance and travel expenses authorized for the members of the legislature.

3. In addition to the salary provided in subsections 1 and 2, the lieutenant governor is entitled to receive $130 for each day on which he is actually employed as governor and the per diem allowance and travel expenses as provided *by law* for state [officers and] employees generally when acting as governor, or when discharging other official duties as lieutenant governor, at times when the legislature is not in session.

**Sec. 12.** NRS 439B.210 is hereby amended to read as follows:

439B.210 1. The members of the committee shall meet throughout each year at the times and places specified by a call of the chairman or a majority of the committee. The director of the legislative counsel bureau or a person he has designated shall act as the nonvoting recording secretary. The committee shall prescribe regulations for its own management and government. Four members of the committee constitute a quorum, and a quorum may exercise all the powers conferred on the committee.

2. Except during a regular or special session of the legislature, members of the committee are entitled to receive the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding regular] *a special* session for each day or portion of a day during which he attends a meeting of the committee or is otherwise engaged in the business of the committee plus the per diem allowance and travel expenses provided *by law* for state [officers and] employees generally.

3. The salaries and expenses of the committee must be paid from the legislative fund.

**Sec. 13.** NRS 459.0085 is hereby amended to read as follows:

459.0085 1. There is hereby created a committee on high-level radioactive waste. It is a committee of the legislature composed of:

(a) Three members of the senate, appointed by the majority leader of the senate.

(b) Four members of the assembly, appointed by the speaker.

2. The legislative commission shall select a chairman and a vice chairman from the members of the committee.

3. The committee shall meet at the call of the chairman to study and evaluate:

(a) Information and policies regarding the location in this state of a facility for the disposal of high-level radioactive waste;

(b) Any potentially adverse effects from the construction and operation of a facility and the ways of mitigating those effects; and

(c) Any other policies relating to the disposal of high-level radioactive waste.

4. The committee shall report the results of its studies and evaluations to the legislative commission and the interim finance committee at such times as the legislative commission or the interim finance committee may require.

5. The committee may recommend any appropriate legislation to the legislature and the legislative commission.

6. The director of the legislative counsel bureau shall provide a secretary for the committee on high-level radioactive waste. Except during a regular or special session of the legislature, each member of the committee is entitled to receive the *daily* compensation provided for [a majority of] the members of the legislature during the first [60] *20* days of [the preceding regular] *a special* session for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in the work of the committee plus the per diem allowance and travel expenses provided *by law* for state [officers and] employees generally. Per diem allowances, salary and travel expenses of members of the committee must be paid from the legislative fund.

**Sec. 14.** In the preparation of the 1989 reprint of the Nevada Revised Statutes the legislative counsel shall appropriately correct any reference to the payment of a daily salary or other compensation based on the salary paid to the majority of legislators at a regular session of the legislature by reference to the daily salary paid to legislators during a special session of the legislature in any section which is not amended by this act or is further amended by another act.

**Sec. 15.** 1. This section and sections 2, 4, 11 and 14 of this act become effective upon passage and approval.

2. Section 1 of this act becomes effective upon passage and approval if and only if the Senate Standing Rules, Assembly Standing Rules and Joint Rules for the 65th session of the Nevada Legislature have been amended before that date to:

(a) Create parallel standing committees in the Senate and Assembly and provide for parallel meeting times;

(b) Create a joint appropriations committee; and

(c) Limit the time for passage of bills and joint resolutions from their respective houses of origin and require each bill and joint resolution passed from its house of origin to be heard and voted on by a standing committee of the other house.

3. Sections 3, 5 to 10, inclusive, 12 and 13 of this act become effective on January 1, 1993, if and only if the Nevada Constitution is amended before that date to:

(a) Change the first day of each regular session of the legislature to the first Monday in March of each odd-numbered year; and

(b) Limit the maximum length of regular sessions of the legislature to 100 days.

SUMMARY--Creates commission to review salaries of certain persons holding elective offices. (BDR 23-358)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to public officers; creating a commission to review the salaries of legislators and other elected state and local government officers whose salaries are set by the legislature; providing its duties; and providing other matters properly relating thereto.

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

**Section 1.** Title 23 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 6, inclusive, of this act.

**Sec. 2.** 1. There is hereby created a commission to review the salaries of legislators and all other elected state and local government officers whose salaries are set by the legislature, consisting of seven members.

2. The governor shall appoint as members of the commission persons who have diverse personal and professional interests and reside in various geographical areas of the state.

3. The governor shall designate one of the members of the commission to be the chairman. The commission may elect such other officers from its membership as it deems necessary.

4. The governor shall not appoint as a member:

(a) Any person currently holding the office of state legislator; or

(b) Any current officer or employee of a county, city or other political subdivision of this state.

5. Not more than four of the members of the commission may be members of the same political party.

**Sec. 3.** 1. The term of each member expires on June 30 of the fourth year following appointment. Members are eligible for reappointment.

2. Any member may be removed by the governor before the expiration of his term for misconduct in office, incompetence or neglect of duty.

3. If a vacancy occurs in the membership of the commission, the governor shall appoint a person to fill the vacancy for the remainder of the unexpired term.

**Sec. 4.** 1. Each member of the commission is entitled to receive $60 for each day during which he is in attendance at a regularly called meeting of the commission.

2. The chairman shall call meetings of the commission as often as he deems necessary.

3. The director of the legislative counsel bureau shall provide the commission with a person to act as its nonvoting recording secretary.

**Sec. 5.** A majority of the members of the commission constitutes a quorum to transact business. The affirmative vote of four members is required to approve the recommendations of the commission regarding salaries.

**Sec. 6.** The commission shall:

1. Review the amounts paid as salary to the members of the legislature during and between legislative sessions.

2. Review the amounts paid as salary to all other elected state and local government officers whose salaries are set by the legislature.

3. Hold public hearings to discuss the issues and receive public comment.

4. On or before February 1 of each odd-numbered year, present to the legislature its findings and any recommendations regarding the salaries.

SUMMARY--Proposes to amend Nevada constitution to remove limit on authorized reimbursement of legislators for postage, stationery and other expenses and to remove additional allowance for leaders of legislature. (BDR C-359)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Proposing to amend section 33 of article 4 of the constitution of the State of Nevada by removing the limit on authorized reimbursement of legislators for postage, stationery and other expenses and by removing the additional allowance provided for leaders of the legislature.

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That section 33 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 33. The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected [Provided,] *; provided,* that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery . [not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.]

SUMMARY--Proposes to amend Nevada constitution to remove Lieutenant Governor from position of President of Senate. (BDR C-360)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Proposing to amend the constitution of the State of Nevada to remove the Lieutenant Governor from the position of President of the Senate.

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That sections 6 and 33 of article 4 and section 17 of article 5 of the constitution of the State of Nevada be amended to read respectively as follows:

[Sec:] *Sec.* 6. Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers . [(except the President of the Senate),] determine the rules of its proceedings and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member.

[Sec:] *Sec.* 33. The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected [Provided,] ; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and [Furthermore Provided,] *provided further,* that the Speaker of the Assembly [, and Lieutenant Governor, as] *and the* President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.

[Sec:] *Sec.* 17. A Lieutenant Governor shall be elected at the same time and places and in the same manner as the Governor and his term of Office, and his eligibility, shall also be the same. [He shall be President of the Senate, but shall only have a casting vote therein.] If during a Vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the State, the President [*pro-tempore*] of the Senate shall act as Governor until the vacancy be filled or the disability cease.

SUMMARY--Amends Joint Rules of Senate and Assembly for 65th session of Legislature to require early introduction of bill drafts requested by state agencies and local governments. (BDR R-361)

CONCURRENT RESOLUTION--Amending the Joint Rules of the Senate and Assembly for the 65th legislative session to require early introduction of bill drafts requested by state agencies and local governments.

RESOLVED BY THE OF THE STATE OF NEVADA, THE CONCURRING, That the Joint Rules of the Senate and Assembly as adopted by the 65th session of the Legislature are amended by the following addition:

16

**Time Limitations on Introduction of Legislation Requested by State or Local Government.**

*1. Except as otherwise provided in subsections 3 and 5, on the first legislative day, the legislative counsel shall randomly deliver, in equal amounts, all legislative measures drafted at the request of any state agency or department* *or any local government, for which a legislative sponsor has not been declared, to the majority leader of the Senate and the speaker of the Assembly for consideration for introduction. Bill drafts delivered pursuant to this subsection may not be introduced after the fifth legislative day.*

*2. Except as otherwise provided in subsections 4 and 5, on the first legislative day, the legislative counsel shall deliver all legislative measures drafted at the request of any state agency or department or any local government, for which a legislative sponsor has been declared, to its legislative sponsor for consideration for introduction. Bill drafts delivered pursuant to this subsection may not be introduced after the fifth legislative day.*

*3. Any legislative measure properly requested in accordance with NRS 218.241 and 218.245 by any state agency or department or any local government which has not been drafted before the first legislative day and for which a legislative sponsor has not been declared, must, upon completion, be immediately and randomly delivered, in equal amounts, by the legislative counsel to the majority leader of the Senate and the speaker of the Assembly for consideration for introduction. Bill drafts delivered pursuant to this subsection may be introduced only during the 5 legislative days following delivery.*

*4. Any legislative measure properly requested in accordance with NRS 218.241 and 218.245 by any state agency or department or any local government which has not been drafted before the first legislative day, and for which a legislative sponsor has been declared, must, upon completion, be immediately delivered by the legislative counsel to the legislative sponsor for consideration* *for introduction. Bill drafts delivered pursuant to this subsection may be introduced only during the 5 legislative days following delivery.*

*5. If, before delivery of a prepared bill draft to the majority leader of the Senate or the speaker of the Assembly, or to the declared legislative sponsor, the requesting state agency or department or local government, directs the legislative counsel to withdraw the legislative measure from consideration for introduction, the legislative counsel shall do so. A legislative measure so withdrawn may not be introduced during the same legislative session.*

SUMMARY--Amends joint rules of senate and assembly adopted for 65th legislative session to limit number of bills and joint resolutions legislator may request after regular legislative session begins. (BDR R-362)

CONCURRENT RESOLUTION--Amending the joint rules of the senate and assembly adopted for the 65th legislative session to limit the number of bills and joint resolutions a legislator may request after a regular legislative session begins.

RESOLVED BY THE OF THE STATE OF NEVADA, THE CONCURRING, That Rule 14 of the Joint Rules of the Senate and Assembly adopted for the 65th legislative session is hereby amended to read as follows:

14

**Limitation on Introduction and Requests for Drafting of Legislative Measures**

1. [After the first 20 calender days of a regular legislative session, requests] *Except as otherwise provided in subsection 2, any request* submitted , *after a regular legislative session has convened,* to the legislative counsel for the

drafting of bills and joint resolutions will not be honored by the legislative counsel unless the request is approved by:

(a) A two-thirds vote of the members present in the house where it is to be introduced; or

(b) A standing committee of that house if the request was approved by two-thirds of all of the members of the committee.

2. *After a regular legislative session has convened, the legislative counsel shall honor five or fewer requests from each legislator respectively for the drafting of a bill or joint resolution which has not received the approval required by subsection 1.*

*3.* After the first 20 calendar days of a regular legislative session, bills and joint resolutions may be introduced by:

(a) Standing committees without consent.

(b) A member who had requested the drafting of the bill or joint resolution by the legislative counsel before the 21st calendar day of the legislative session.

[3.] *4.* Consent to suspend this rule may be given only by the affirmative vote of a majority of the members elected to the house where it is to be introduced, which must be entered in its journal for that day, and the consent may apply to no more than one bill or joint resolution or request for drafting.

SUMMARY--Establishes earlier deadline for submission of proposed regulations to legislative counsel before legislative session. (BDR 18-363)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to administrative regulations; establishing an earlier deadline for the submission of proposed regulations to the legislative counsel before a legislative session; and providing other matters properly relating thereto.

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

**Section 1.** NRS 233B.063 is hereby amended to read as follows:

233B.063 1. At or before the time of giving notice of its intention to adopt, amend or repeal a permanent regulation an agency shall deliver to the legislative counsel a copy of the proposed regulation or amendment or an identification of the regulation to be repealed. The legislative counsel shall examine and if appropriate revise the language submitted so that it is clear, concise and suitable for incorporation in the Nevada Administrative Code, but shall not alter the meaning or effect without the consent of the agency.

2. Unless the proposed regulation is submitted to him between [November] *August* 1 of an even-numbered year and June 1 of the succeeding odd-numbered year, the legislative counsel shall deliver the approved or revised text of the regulation within 30 days after it is submitted to him. If the proposed or revised text of a regulation is changed before adoption, the agency shall submit the changed text to the legislative counsel, who shall examine and revise it if appropriate pursuant to the standards of subsection 1. Unless it is submitted during the [November] *August* 1-June 1 period mentioned in subsection 2, the legislative counsel shall return it with any appropriate revisions within 30 days.

3. An agency may adopt a temporary regulation between [December] *September* 1 of an even-numbered year and June 1 of the succeeding odd-numbered year without following the procedure required by this section and NRS 233B.064, but any such regulation expires by limitation on August 1 of the odd-numbered year. A substantively identical permanent regulation may be subsequently adopted.

4. An agency may amend or suspend a permanent regulation between [December] *September* 1 of an even-numbered year and June 1 of the succeeding odd-numbered year by adopting a temporary regulation in the same manner and subject to the same provisions as prescribed in subsection 3.

SUMMARY--Amends Joint Rules of Senate and Assembly for 65th session of Legislature concerning passage of bills and joint resolutions. (BDR R-453)

CONCURRENT RESOLUTION--Amending the Joint Rules of the Senate and Assembly for the 65th legislative session to limit the time for the passage of bills and joint resolutions from their house of origin and to require action by the other house.

RESOLVED BY THE                    OF THE STATE OF NEVADA, THE CONCURRING, That the Joint Rules of the Senate and Assembly as adopted by the 65th session of the Legislature are amended by the following addition:

17

**Limitation on Time for Passage of Bills and Joint Resolutions.**

*1. Each bill and joint resolution must be passed, if at all, from its house of origin no later than 60 days after its introduction. Any bill or joint resolution not passed within the specified limit may no longer be acted on by the house.*

*2. Each bill and joint resolution passed from its house of origin must be heard and voted on by a standing committee of the other house.*

SUMMARY--Changes effective date of certain bills and joint resolutions. (BDR 17-364)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to legislative acts; changing the effective date of bills and joint resolutions from July 1 to October 1 following passage unless otherwise specified in the bill; and providing other matters properly relating thereto.

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

**Section 1.** NRS 218.530 is hereby amended to read as follows:

218.530 Every law and joint resolution passed by the legislature [shall take effect and be in force on July] *becomes effective on October* 1 following its passage, unless [such] *the* law or joint resolution [shall specifically prescribe] *specifically prescribes* a different effective date.

**Sec. 2.** Each law and joint resolution passed by the 65th session of the Legislature and approved before this act, unless otherwise provided in the law or joint resolution, becomes effective on October 1, 1989.

**Sec. 3.** This act becomes effective upon passage and approval.

SUMMARY--Amends joint rules of the senate and assembly for 65th session of legislature to require posted notice, recorded proceedings and preparation of written minutes of meetings of conference committees. (BDR R-454)

CONCURRENT RESOLUTION--Amending the joint rules of the senate and assembly for the 65th legislative session to require posted notice, recorded proceedings and the preparation of written minutes of meetings of conference committees.

RESOLVED BY THE OF THE STATE OF NEVADA, THE CONCURRING, That Rules 1 and 12 of the Joint Rules of the Senate and Assembly as adopted by the 65th session of the Legislature are hereby amended to read as follows:

1

COMMITTEES OF CONFERENCE

**To Be Appointed by One House at Request of the Other [.]** *; Minutes.*

*1.* In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one house, dissented from in the other, and not receded from by the one making the amendment, each house shall appoint a committee to confer with a like committee to be appointed by the other . [;

and the] *The* committee so appointed shall meet publicly at a convenient hour to be agreed upon by their respective chairmen and announced publicly [, and] *by the posting of notices in the legislative building of the time and place of the meeting. The committees* shall confer upon the differences between the two houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective houses. The report shall be made available to all members of both houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either house, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments, unless the bills or resolutions are composed entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills, or resolutions, as the case may be.

*2.* The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. The report is not subject to amendment. If either house refuses to adopt the report, or if the first conference committee has so recommended, a second conference committee may be appointed. No member who served on the first committee may be appointed to the second.

*3.* There shall be but two committees of conference on any bill or resolution. A majority of the members of a committee of conference from each house must be members who voted for the passage of the bill or resolution.

*4. The chairmen of each conference committee shall direct that written minutes of the conference committees' meeting be kept. The minutes must include:*

*(a) The date, time and place of the meeting;*

*(b) Those members of the committees who were present and those who were absent;*

*(c) The substance of all matters proposed, discussed or decided and a record of each member's vote on any matter decided by vote; and*

*(d) Any other information which any member of the committees requests to be included or reflected in the minutes.*

12

RECORDING COMMITTEE PROCEEDINGS ON AUDIO TAPE

1. Each standing committee *and conference committee* of the legislature shall record on audio tape the proceedings of its meetings.

2. The secretary of [a] *each* standing committee *and conference committee* shall:

(a) Label each tape with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the tape was recorded;

(b) Keep the tapes in chronological order; and

(c) Deposit the tapes immediately following the final adjournment of any regular or special session of the legislature with the director of the legislative counsel bureau.

3. The director of the legislative counsel bureau shall:

(a) Index the tapes;

(b) Make the tapes available for listening by any person during office hours under such reasonable conditions as he may deem necessary;

(c) Maintain a log as a public record containing the date, time, name and address of any person listening to any tapes and identifying the tapes listened to; and

(d) Retain the tapes for two bienniums and at the end of that period dispose of the tapes in any manner he deems reasonable.

SUMMARY--Revises standing committees of Assembly and sets forth their jurisdiction. (BDR R-448)

ASSEMBLY RESOLUTION--Amending Assembly Standing Rule 40 to revise the number and jurisdiction of standing committees of the Assembly.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Rule 40 of the Standing Rules of the Assembly as adopted by the 65th session is hereby amended to read as follows:

40

**Standing Committees.**

The standing committees of the Assembly *and their respective jurisdiction for the reference of bills and resolutions* are as follows:

1. [Ways and Means, thirteen members.
2. Judiciary, thirteen members.
3. Taxation, eleven members.
4. Elections, nine members.
5. Education, thirteen members.
6. Legislative Functions, ten members.
7. Natural Resources, Agriculture and Mining, eleven members.
8. Labor and Management, nine members.

9. Transportation, nine members.

10. Commerce, fourteen members.

11. Economic Development, Small Business and Tourism, eleven members.

12. Health and Welfare, thirteen members.

13. Government Affairs, thirteen members.] *Commerce and Labor, fourteen members, with jurisdiction over measures affecting primarily Titles 52-57, and chapters 461, 461A, 489, 703-704A and 707-712 of NRS, except measures affecting primarily state and local revenue.*

*2. Human Resources and Facilities, thirteen members, with jurisdiction over measures primarily affecting Titles 33, 37-39 and 42 and chapters 385, 386, 388-397, 439-444, 446-460 and 583-585 of NRS, except measures affecting primarily state and local revenue.*

*3. Natural Resources, Agriculture and Mining, eleven members, with jurisdiction over measures primarily affecting Titles 26 and 45-50 and chapters 445, 488, 581, 582 and 586-590 of NRS, the Tahoe Regional Planning Compact and the Nevada Tahoe regional planning agency, except measures affecting primarily the Colorado River Commission and state and local revenue.*

*4. Ways and Means, thirteen members, with jurisdiction over measures primarily affecting chapter 286 and 387 of NRS, appropriations, operating and capital budgets and bonding, except measures affecting primarily state and local revenue, and over any measures carrying or requiring appropriations and favorably reported by any other committee unless such reference is dispensed with by a two-thirds vote of the Senate.*

*5. Government Affairs, thirteen members, with jurisdiction over measures affecting the Colorado River Commission, the operation of the legislative session, Titles 17-22, 24, 25, 27-31 and 36 and chapters 281-285, 287-289 and 407 of NRS, except measures affecting primarily state and local revenue and the Tahoe Regional Planning Compact and the Nevada Tahoe regional planning agency.*

*6. Judiciary, thirteen members, with jurisdiction over measures affecting primarily Titles 1-16 and 41 of NRS, except measures affecting primarily state and local revenue.*

*7. Taxation, eleven members, with jurisdiction over measures affecting primarily Title 32 of NRS and state and local revenue.*

*8. Transportation, nine members, with jurisdiction over measures affecting primarily Title 44 and chapters 403-406, 408-410, 481-487, 705 and 706 of NRS.*