

*Structure and Functioning of the
Legislative Counsel Bureau (LCB)*



*Legislative Counsel
Bureau*

*Bulletin No.
95-15*

December 1994

**LEGISLATIVE COMMISSION'S
STUDY OF THE STRUCTURE AND FUNCTIONING OF
THE LEGISLATIVE COUNSEL BUREAU (LCB)**

(ASSEMBLY CONCURRENT RESOLUTION NO. 67)



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Assembly Concurrent Resolution No. 67
(File No. 176, *Statutes of Nevada 1993* at pages 3120-3121)

Assembly Concurrent Resolution No. 67—Assemblymen Evans, Chowning,
Neighbors, Augustine, Tiffany, Smith, Kenny, Petrak, Dini, Wendell
Williams, Garner, Arberry, Marvel, Price and Freeman

FILE NUMBER.....

ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to consider an interim study of the functioning of the Legislative Counsel Bureau.

WHEREAS, It has been 30 years since the Legislative Counsel Bureau was established in its current structure; and

WHEREAS, It has been 20 years since an organizational and operational review has been made of the Legislative Counsel Bureau; and

WHEREAS, The staff of the Legislative Counsel Bureau assists the Legislators in the performance of their official duties; and

WHEREAS, The staff provides an invaluable resource to the residents of this state by providing information regarding the activities of the Legislature; and

WHEREAS, The needs of the Legislators and the public have changed over the years and the structure and functioning of the Legislative Counsel Bureau should be reviewed to ensure its most efficient and effective operation; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislative Commission consider conducting an interim study of the structure and functioning of the Legislative Counsel Bureau and that the services of the National Conference of State Legislatures should be utilized in any such study; and be it further

RESOLVED, That the results of any such study and any recommended legislation be reported to the 68th session of the Nevada Legislature.

LETTER OF TRANSMITTAL

TO THE MEMBERS OF THE 68TH SESSION OF THE NEVADA LEGISLATURE

This report is submitted in compliance with Assembly Concurrent Resolution No. 67 of the 67th session of the Nevada Legislature, which directs the Legislative Commission to consider conducting a study of the structure and functioning of the Legislative Counsel Bureau.

This report is transmitted to the members of the 68th session of the Nevada Legislature for their consideration and appropriate action.

Respectfully submitted,

Legislative Commission
Legislative Counsel Bureau
State of Nevada

Carson City, Nevada
December 1994

LEGISLATIVE COMMISSION

Assemblyman Joseph E. Dini, Jr., Chairman
Assemblyman Bob Price, Vice Chairman

Senator Ernest E. Adler
Senator Mark A. James
Senator Dean A. Rhoads
Senator Raymond C. Shaffer
Senator Dina Titus
Senator Randolph J. Townsend

Assemblywoman Vivian L. Freeman
Assemblywoman Chris Giunchigliani
Assemblywoman Joan A. Lambert
Assemblyman Scott Scherer

SUMMARY OF RECOMMENDATIONS

The Legislative Commission's Study of the Structure and Functioning of the Legislative Counsel Bureau recommends the following:

1. Expand the staff of the Fiscal Analysis Division by adding two Program Analysts. This would reduce the number of budgets for which each professional employee of the division is responsible and relieve some of the stress caused by the workload of the division.
2. Notify all legislators of the procedure for requesting a fiscal note through the presiding officer of the House or Committee. Also notify state agency heads that fiscal notes must not be intentionally underestimated or inflated (to encourage or discourage passage). The staff of the Fiscal Analysis Division will be reviewing suspect fiscal notes more carefully.
3. Support the efforts of the interim legislative Subcommittee to Study the Method of Establishing a Legislative Budget Office (S.C.R. 46) to streamline the budget process by having the Legislature focus more on programs than on line items.
4. Urge the chairmen and members of the Senate Committee on Finance and the Assembly Committee on Ways and Means to assist in controlling the amount of fiscal research requested by members of the committee. The increase in the staff of the Fiscal Analysis Division is not intended to allow an increase in workload, rather to achieve a minimum staffing level necessary to complete the business of the division in a timely manner without excessive overtime.
5. Support the passage of Senate Joint Resolution No. 23 of the Sixty-seventh session, which proposes a constitutional amendment to allow specifically for the review and rejection of administrative regulations by the Legislative Commission. This measure was approved last session and will again be before the Legislature in 1995.
6. Propose a constitutional amendment to allow specifically for the review and rejection of administrative regulations by the Legislative Commission (this measure could be enacted in 1995 and 1997 and placed on the ballot in 1998 if S.J.R. 23 fails). (BDR C-436)
7. Propose a BDR which reenacts the legislative veto power for the Legislative Commission. The BDR should include statements of legislative intent which make the strongest case possible in the event of legal challenge. (BDR 18-437)

8. Direct the Legislative Counsel to place an annotation in the Nevada Administrative Code (NAC) following each section of any regulation to which the Legislative Commission has objected indicating that it was filed over the objection of the commission.
9. Add two attorneys at the bill drafter level (Deputy Legislative Counsel) to address the increased workload of the Legal Division both during the session and the interim.
10. Add three paralegals to the Legal Division to assist the bill drafters and reviewers and to perform other duties commensurate with their ability and experience.
11. Increase the entry-level grade for attorneys from 40 to 42.
12. Establish an Advisory Committee on Public Access and Communications. This committee could serve several purposes: a liaison with the news media, a sounding board for the director, as well as a policy committee on such issues as media relations and coverage, the Legislative Film, cable coverage of the Legislature, teleconferencing and pre-session orientation for the members of the news media. (BDR 17-438)
13. Amend Rule 14 of the Rules and Policies of the Legislative Counsel Bureau to allow the Director to make "public addresses or appearances relating to the business of the legislative counsel bureau or the legislative commission" or to issue press releases without the approval of the Legislative Commission.
14. Establish a pre-session orientation program for members of the media.
15. Encourage the coverage of the Nevada Legislature and its committees on public television. Do not produce a legislative broadcast: a production of the Legislature is propaganda, not news. Do not finance the coverage: this would raise questions as to the independence of the coverage. "Encourage" should include both urging coverage and accommodating coverage through enhanced technical support for the news media.
16. Establish a Las Vegas office of three persons, housed administratively within the Director's office. One person would be a professional level employee, with an administrative assistant and a secretary as clerical support.

17. Heavily advertise the opening of the Las Vegas office of the LCB in connection with 2-week adjournment held during 1995 session. This will help to ensure that the public continues to use the services provided by the office even after the adjournment.
18. Draft a proposed constitutional amendment to delay the start of each regular session of the Nevada Legislature until the first Monday in March.
(BDR C-439)
19. Direct the Legislative Commission to appoint to the subcommittees formed to conduct interim studies members of the standing committees which have jurisdiction over the subject of the study, if possible. (BDR 17-440)
20. Require that a legislator (including the chairman of a committee that requests a bill draft) introduce a bill or joint resolution within 10 legislative days after delivery of the final version of the BDR to the legislator. If a measure is not introduced within this period, it cannot be introduced without the approval of the standing committee which has jurisdiction over the subject of the measure.
(BDR R-441)
21. Establish a basic procedure for making and hearing complaints concerning the constitutional requirement (assuming passage by the voters in November) that legislative hearings be open and public. The recommended procedure is as follows: a complaint must be made within 3 days and must be heard within another 3 days; the complainant and the affected legislator would be allowed to present testimony and other evidence; complaints will be made to and heard by the Committee on Legislative Affairs and Operations in the Senate and the Committee on Elections and Procedures in the Assembly; if the complaint involves one of those committees, it will be heard by a committee representing the leadership of the respective House (the Majority Leader, Minority Leader and President Pro Tempore in the Senate and the Speaker, Majority Leader and Minority Leader in the Assembly); and if a violation is found, the action taken in violation of the constitution must be rescinded.
(BDR R-442)
22. Recommend that leadership for the next session consider limiting floor sessions early in session to an extent that would not interfere with the conduct of legislative business. This will allow more time for committees to meet to review the budget and proposed legislation.

23. Require that resolutions which constitute memorials or commendations be considered as the last item of business on Friday of each week.
(BDRs R-443 and R-444)

REPORT TO THE 68TH SESSION OF THE NEVADA LEGISLATURE BY THE
LEGISLATIVE COMMISSION ON THE STRUCTURE AND FUNCTIONING
OF THE LEGISLATIVE COUNSEL BUREAU

I. INTRODUCTION

The 67th Session of the Nevada Legislature adopted Assembly Concurrent Resolution No. 67 (File No. 176, *Statutes of Nevada 1993*, at pages 3120-3121), which directed the Legislative Commission to consider conducting an interim study of the structure and functioning of the Legislative Counsel Bureau (LCB). The Legislative Commission voted to conduct the study, with a particular emphasis on the Fiscal Analysis Division and the Legal Division of the LCB, and appointed a subcommittee of five legislators to do so.

The subcommittee was chaired by Assemblyman Bob Price, and also included Senator Randolph J. Townsend, Senator Leonard V. Nevin, Assemblywoman Vivian L. Freeman and Assemblyman John Carpenter. A total of four meetings were held by the subcommittee. All of the meetings were held in Carson City.

The subcommittee, as recommended by the Legislative Commission, focused upon the Fiscal Analysis Division and the Legal Division. The subcommittee also decided to examine three other issues: the establishment of a Las Vegas office of the LCB, relations with the media, and legislative rules and procedures.

II. FINDINGS AND RECOMMENDATIONS

A. Fiscal Analysis Division

The workload of the Fiscal Analysis Division has grown tremendously. The reason that the Legislative Commission wanted to focus upon this division is because it is one of two divisions in which overwork is becoming a critical problem. The budget grows in length and complexity each session. The Legislature now adjourns for the 4th and 5th weeks of the session to allow day-long joint hearings of the Senate Committee on Finance and the Assembly Committee on Ways and Means. The 2-week adjournment, though allowing for expedited review of the budget process, requires additional preparation both before and during the adjournment. Chronic overwork can only have the eventual effect of driving away qualified staff.

The responsibility for the various budgets is divided among 11 professional employees: two Fiscal Analysts and two Chief Deputy Fiscal Analysts, one of each for each house, respectively; two Deputy Fiscal Analysts, who are assigned

to the Taxation committees; a Local Government Budget Analyst; and four Program Analysts, who specialize in certain areas of the budget and provide information for both Houses. The addition of Program Analysts would reduce the number of budgets for which each professional employee would be responsible. This would help to relieve some of the stress caused by the workload of the division.

The Legislative Commission recommends:

Expand the staff of the Fiscal Analysis Division by adding two Program Analysts. This would reduce the number of budgets for which each professional employee of the division is responsible and relieve some of the stress caused by the workload of the division.

Fiscal notes concerning measures proposed by Executive Branch agencies are usually written by the agency that requested the bill. The review of the fiscal note by both the Budget Division of the Department of Administration and the Fiscal Analysis Division is cursory, allowing an agency to promote a bill by underestimating the fiscal impact or to discourage passage of the measure by overestimating the fiscal impact. The statutes also provide for requesting a fiscal note through the presiding officer of the House or Committee in which the bill is being heard, but this process is utilized infrequently.

There are several possible ways to address this problem. The first is to require an independent review of every fiscal note. However, this would require the addition of six full-time analysts during the session at an estimated cost of \$500,000 (see the memoranda attached as "Appendix A"). The second is to notify all legislators of the procedure for requesting a fiscal note through the presiding officer of the House or Committee. The theory is that the practice would be more widely utilized and accepted if it were better known. Finally, the recommended expansion of the staff of the Fiscal Analysis Division would allow the division more time to review fiscal notes if requested by the presiding officer of a House or Committee. Agency heads could be notified that fiscal notes may be more carefully reviewed, and cautioned not to overestimate or underestimate the fiscal impact of legislation.

The Legislative Commission recommends:

Notify all legislators of the procedure for requesting a fiscal note through the presiding officer of the House or Committee. Also notify state agency heads that fiscal notes must not be intentionally underestimated or inflated

(to encourage or discourage passage). The staff of the Fiscal Analysis Division will be reviewing suspect fiscal notes more carefully.

(The memoranda sent to all legislators and state agencies are attached as "Appendix B").

The expansion of the staff of the Fiscal Analysis Division will allow the division to do more work, but expanding work on fiscal notes will partially offset the benefit derived from the expansion. For the addition to have an impact upon the problems facing the division, the budget review process will need to be simplified. For the past three interims, the Legislative Commission has conducted continuing studies of the budget process, with a general aim of simplifying the process. This interim, the Legislative Commission's Subcommittee to Study the Method of Establishing a Legislative Budget Office (Senate Concurrent Resolution No. 46) made additional recommendations concerning the process. To the extent that the budget process can be streamlined, the workload of the Fiscal Analysis Division can be kept at a manageable level.

The Legislative Commission recommends:

Support the efforts of the interim legislative Subcommittee to Study the Method of Establishing a Legislative Budget Office (S.C.R. 46) to streamline the budget process by having the Legislature focus more on programs than on line items.

The staff of the Fiscal Analysis Division has been increased in the past. The Program Analysts were added to the staff to reduce the strain upon the Fiscal Analysts. Though the addition of the Program Analysts has allowed the division to increase the amount of work it does, the workload demands of the Senate Committee on Finance and the Assembly Committee on Ways and Means also expanded, resulting in a situation that was only a slight improvement. The increased review of fiscal notes will limit the benefit of the addition of the two Program Analysts. For the addition of two Program Analysts to have the intended effect, the demands upon the staff must not otherwise increase.

The Legislative Commission recommends:

Urge the chairmen and members of the Senate Committee on Finance and the Assembly Committee on Ways and Means to assist in controlling the amount of fiscal research requested by members of the committee. The increase in the staff of the Fiscal Analysis Division is not intended to allow an increase in workload, rather to achieve a minimum staffing level

necessary to complete the business of the division in a timely manner without excessive overtime.

B. Legal Division

The Legal Division of the LCB is the other division upon which the Legislative Commission focused, and for the same reason that it focused upon the Fiscal Analysis Division: overwork is reaching a critical level. One area addressed by the Legislative Commission is the review and codification of regulations of executive branch agencies. This area is one in which the workload has expanded greatly. Though this is a task that primarily occurs during the interim between sessions, it has grown to an extent that it prohibits the Legal Division from getting an early start in drafting bill draft requests for the upcoming session.

With a biennial Legislature, state agencies have little legislative oversight for 18 months out of every 2 years. This allows an agency to adopt regulations that are not only contrary to the intent of the Legislature in granting authority to adopt regulations, but contrary to the statutes themselves. After a District Court ruling that the review of administrative regulations by the Legislative Commission was unconstitutional (a ruling that was neither approved nor rejected by the Nevada Supreme Court), the statutes were amended to make the commission's review advisory. The 67th Session of the Nevada Legislature passed Senate Joint Resolution No. 23, which proposes a constitutional amendment to allow specifically for the review and rejection of administrative regulations by the Legislative Commission. This measure will again be before the Legislature in 1995 (S.J.R. 23 is attached as "Appendix C"). Passage of such a constitutional amendment would deter state agencies from adopting regulations in excess of their authority, and would give the Legislative Commission the authority to ensure that such regulations do not take effect.

The Legislative Commission recommends:

Support the passage of Senate Joint Resolution No. 23 of the Sixty-seventh Session, which proposes a constitutional amendment to allow specifically for the review and rejection of administrative regulations by the Legislative Commission. This measure was approved last session and will again be before the Legislature in 1995.

The passage of S.J.R. 23 would send the issue to the voters at the general election in 1996. If it is not approved, the Legislature could not submit the issue to the voters again until the year 2000, unless the Legislature starts the process over with a new resolution in the 1995 session. Such a resolution could be

adopted at the 1995 and 1997 sessions, and submitted to the voters at the general election in 1998. If S.J.R. 23 is approved by the voters at the 1996 general election, the Legislature could simply not pass the follow-up resolution during the 1997 session.

The Legislative Commission recommends:

Propose a constitutional amendment to allow specifically for the review and rejection of administrative regulations by the Legislative Commission (this measure could be enacted in 1995 and 1997 and placed on the ballot in 1998 if S.J.R. 23 fails).

The issue of whether a "legislative veto" of administrative regulations is constitutional has not been decided by the Nevada Supreme Court. Various legislative vetoes have been found unconstitutional by the United States Supreme Court and several state supreme courts. See Immigration & Naturalization Service v. Chadha, 462 U.S. 919 (1983); State v. A.L.I.V.E., 606 P.2d 769, 775 (Alaska 1980); State ex. rel. Stephan v. Kansas House of Representatives, 687 P.2d 622, 635 (Kan. 1984); Legislative Research Comm'n v. Brown, 664 S.W.2d 907, 915 (Ky. 1984); General Assembly v. Byrne, 448 A.2d 438, 447 (N.J. 1982); Commonwealth v. Sessoms, 532 A.2d 775, 780 (Pa. 1987). However, although striking down the specific legislative vetoes before them, the supreme courts of the states of Idaho and New Hampshire have held that a legislative veto is not per se unconstitutional. See Mead v. Arnell, 791 P.2d 410, 415 (Idaho 1990); Opinion of the Justices, 431 A.2d 783, 787 (N.H. 1981). Therefore, even if the constitutional amendment proposed by S.J.R. 23 is not approved, it is possible that a bill draft which is carefully crafted in line with the decisions in Idaho and New Hampshire could survive constitutional challenge.

Such a bill would be based on the reasoning of the Idaho Supreme Court in Mead. This reasoning would be contained in legislative findings at the beginning of the bill. If the Nevada Supreme Court does not embrace the reasoning expressed in these findings, it may conclude that the provisions of the bill violate the "separation of powers" clause. In an attempt to make the bill as constitutional as possible, it should contain the following provisions:

1. Language which states that the provisions permitting the Legislature to reject an administrative regulation by concurrent resolution do not apply to an agency created by and deriving its powers directly from the Nevada constitution. The insertion of this language addresses concerns about the

Legislature encroaching on powers assigned by the Nevada constitution to other entities.

2. The concurrent resolution by which the Legislature declares that a regulation will not become effective must state that the regulation violates legislative intent because this is the only grounds on which the Legislature may reject an administrative regulation.
3. Unlike Chadha, which involved a one-house veto, the bill should require concurrence of both houses to reject an administrative regulation.
4. Only permit the Legislature to reject an administrative regulation; do not permit the Legislature to revise or amend an administrative regulation.

The Legislative Commission recommends:

Propose a BDR which reenacts the legislative veto power for the Legislative Commission. The BDR should include statements of legislative intent which make the strongest case possible in the event of legal challenge. (BDR 18-437)

The current procedure for the review of regulations allows the Legislative Commission to object to the filing of a regulation, but does not prevent an executive branch agency from filing the regulation with the Secretary of State over the objection of the commission. If the agency chooses to ignore the commission's objection, that fact is reported to the next session of the Legislature, but there is no other sanction or remedy. The adopted regulation is made a part of the Nevada Administrative Code (NAC) without any indication that the commission objected to its filing. The Legal Division publishes the Nevada Administrative Code, and could indicate the fact of the objection as an annotation to any section or provision in NAC that was adopted over the commission's objection.

The Legislative Commission recommends:

Direct the Legislative Counsel to place an annotation in the Nevada Administrative Code (NAC) following each section of any regulation to which the Legislative Commission has objected indicating that it was filed over the objection of the commission.

The workload of the Legal Division has exploded over the last several years, primarily caused by exponential growth in the amount of time required to review

and codify administrative regulations. Though this is primarily an interim task, it prevents the Legal Division from turning to bill drafting before September preceding session. During session, the workload is always greater than can be addressed. The overtime required during session has driven away countless bill drafters: none of the nine Deputies Legislative Counsel employed by the Legal Division in November 1994 worked for the LCB during the 1991 session. The turnover of attorneys in the Legal Division requires that a great deal of time be spent on training. Attorneys who are here for longer periods not only require less training and supervision, they are more proficient than newer attorneys. Another area in which the duties of the Legal Division are increasing is so-called "omnibus" bills, which are becoming more and more common in the Legislature. It is difficult for a committee to review and analyze the subject matter of these large bills without the assistance of one or more members of the Legal Division who are familiar with the issue.

There are several possible ways to deal with the problems of turnover and workload within the Legal Division. The growth of the review of administrative regulations can be viewed as an opportunity, in that an expansion of the professional staff could help with the review of administrative regulations during the interim and with the monumental workload during the session. If qualified paralegals can be used to help with tasks that do not need to be done by an attorney, both problems can be addressed. First, the paralegals themselves may be more likely to remain for longer periods than the attorneys. They do not have the same "upward mobility" that entry-level attorneys have in the private sector. Second, the attorneys will see their workload diminished, which may make continued employment more attractive. The addition of attorneys and paralegals to the staff of the Legal Division will also allow the division more flexibility to devote an attorney to assist on omnibus legislation. Finally, the salary paid to entry-level attorneys is no longer competitive. For those choosing between a career in the Legal Division and private practice, a higher salary may be the determining factor.

The Legislative Commission recommends:

Add two attorneys at the bill drafter level (Deputy Legislative Counsel) to address the increased workload of the Legal Division both during the session and the interim.

Add three paralegals to the Legal Division to assist the bill drafters and reviewers and to perform other duties commensurate with their ability and experience.

Increase the entry-level grade for attorneys from 40 to 42.

C. Media Relations

The Legislature is often portrayed in the print and broadcast media (hereinafter "news media") in a negative manner, and stories concerning the positive accomplishments of the Legislature are often deemed not to be newsworthy. While the Legislature cannot ensure "good press," increased cooperation and communication with the news media can only help to improve relationships and understanding from both sides.

The establishment of an Advisory Committee on Public Access and Communications could be an important first step, benefitting both the general public (by facilitating greater access to the process) and by increasing cooperation and communication between the Legislature and the news media. This committee could serve several purposes: a liaison with the news media, a sounding board for the director, as well as a policy committee on such issues as media relations and coverage, the Legislative Film, cable coverage of the Legislature, teleconferencing and presession orientation for the members of the news media.

The committee should be advisory in nature, so that it is not viewed as a bureaucratic hindrance of public access. The intent is not to require the approval of this committee for access to the Legislature. The Legislature is public body, and access is the public's right. The purpose of the committee is to find ways to make access easier, both for the news media and the general public.

The Legislative Commission recommends:

Establish an Advisory Committee on Public Access and Communications. This committee could serve several purposes: a liaison with the news media, a sounding board for the director, as well as a policy committee on such issues as media relations and coverage, the Legislative Film, cable coverage of the Legislature, teleconferencing and presession orientation for the members of the news media. (BDR 17-438)

The subcommittee considered and rejected the concept of establishing a Public Information Officer within the Legislative Counsel Bureau. The problem with establishing such a position is that the person would be viewed by the news media as an advocate rather than a source of information, which would call into question the information provided. Because of the sensitive nature of the

position, the Director of the LCB would need to provide close supervision. This would also limit the benefit provided.

The need for a Public Information Officer is further limited by the fact that the Director can perform many of the functions of such a position through the Director's office. The primary hindrance to the Director in this regard is Rule No. 14 of the Rules and Policies of the Legislative Counsel Bureau, which prohibits the Director from making "public addresses or appearances relating to the business of the legislative counsel bureau or the legislative commission" or issuing press releases without the approval of the Legislative Commission (Rule No. 14 is attached as "Appendix D"). The Director is constantly speaking and acting on behalf of the Legislature, yet this rule prohibits him or her from taking an active role in promoting the Legislature and its many functions. The rules prohibit the Director from making partisan statements or otherwise engaging in partisan politics. This safeguard should be sufficient to allay fears that making public addresses or appearances would involve the Director in the political process: the Director would be able to speak publicly or issue press releases concerning the workings of the Legislature and the LCB, not partisan political issues that are appropriately left to the people's elected representatives in the Legislature.

The Legislative Commission recommends:

Amend Rule 14 of the Rules and Policies of the Legislative Counsel Bureau to allow the Director to make "public addresses or appearances relating to the business of the legislative counsel bureau or the legislative commission" or to issue press releases without the approval of the Legislative Commission.

To facilitate coverage of the Legislature by the news media (and, indirectly through the news media, to provide greater access to the Legislature by the general public), the Legislature needs to do two things. First, the Legislature needs to educate the news media with respect to the legislative process and covering the Legislature. Second, the Legislature needs to provide technical assistance to make coverage easier. One way to educate the news media is to conduct a presession orientation program for the members of the news media. Such a program could inform the news media as to services that are available that could assist the news media in covering the Legislature. It could also familiarize the members of the news media with the functioning of the Legislature and the LCB, and with changes in the building or in the location of services since the last session.

The Legislative Commission recommends:

Establish a pre-session orientation program for members of the media.

One area in which the Legislature can provide technical assistance to the news media is in the coverage of the Legislature on television. This does not mean that the Legislature should produce a legislative broadcast. Such a broadcast could be criticized as propaganda rather than news, having the effect of fostering distrust instead of trust in the Legislature. There are also concerns about financing the broadcast directly. A broadcast made possible by the financial support of the Legislature would be viewed with the same suspicion as a broadcast produced by the Legislature. Even if the coverage were not affected, the public perception would again be negative instead of positive. An independent effort to increase television coverage of the Legislature would both increase public understanding of the process and public access to the process. These benefits should not be put at risk by overambitious if well-meaning legislative support for the coverage. Passive support, such as providing space, technical assistance and cooperation, can facilitate television coverage of the Legislature without risking the negative consequences of a legislative broadcast or a legislatively funded broadcast.

The Legislative Commission recommends:

Encourage the coverage of the Nevada Legislature and its committees on public television. Do not produce a legislative broadcast: a production of the Legislature is propaganda, not news. Do not finance the coverage: this would raise questions as to the independence of the coverage. "Encourage" should include both urging coverage and accommodating coverage through enhanced technical support for the news media.

D. Las Vegas Office

The Las Vegas office opened in December of 1994. In January of 1995, it relocated to the new State Office Building, where the LCB has 10,000 square feet on the fourth floor of the building. Staffing of the office is a difficult issue. The biennium can be divided into three periods, with each having different requirements for the staff of this office. During the interim between sessions, the primary function of the staff will be coordinating interim study meetings and other hearings held in the office (the video-conferencing unit will be in the office). During most of the legislative session, the office will be responding to requests from citizens in southern Nevada concerning the activities in Carson City and coordinating video-conferenced meetings. During the 2-week adjournment, the

staff will be coordinating the use of the building for the adjournment. This period should be substantially busier than the remaining 102 weeks of the biennium.

The Legislative Commission approved temporarily establishing an office of three persons, housed administratively within the Director's office. One person would be a professional level employee, with an administrative assistant and a secretary as clerical support. This would remain in effect through the 1995 session, pending approval of the budget for the 1995-1997 biennium. A copy of the proposal approved by the Legislative Commission is attached as "Appendix E."

The Legislative Commission recommends:

Establish a Las Vegas office of three persons, housed administratively within the Director's office. One person would be a professional level employee, with an administrative assistant and a secretary as clerical support.

The opening of the Las Vegas office coincides with the completion of the new State Office Building in Las Vegas. For the first time, the LCB will have staff permanently assigned to Las Vegas. Also for the first time, most state agencies with offices in Las Vegas will be under one roof. Shortly after the opening of the Las Vegas office, the Legislature will be conducting its 2-week adjournment, with the committee meetings in Las Vegas to be held in the new State Office Building. During this period, both the legislative presence in Las Vegas and the new State Office Building can be showcased. This opportunity to inform the public and increase access to the process cannot be wasted. Heavy advertising of the opening of the office during this period will help to ensure that the people of Las Vegas continue to use the services of the office throughout the biennium: simply put, the people of southern Nevada need to know that we are there.

The Legislative Commission recommends:

Heavily advertise the opening of the Las Vegas office of the LCB in connection with 2-week adjournment held during 1995 session. This will help to ensure that the public continues to use the services provided by the office even after the adjournment.

E. Legislative Rules and Procedures

Legislative procedures, and the rules that set forth components of those procedures, can have a direct bearing upon the structure and functioning of the

LCB. For example, the start of session a mere 2 months after the election limits the amount of time available to prepare the budget and for the staff of the Legislative Counsel Bureau to review the budget. This results in substantial overtime in both the Legal and Fiscal Analysis divisions before the session begins, and limits the number of bills ready for the Legislature to consider when the Legislature convenes. The first day of session is prescribed in the Nevada constitution as the 3rd Monday in January of each odd-numbered year. If this date were moved back, there would be more time available after the general election and before the start of the session for the Legislature and the staff of the LCB to prepare for session.

The Legislative Commission recommends:

Draft a proposed constitutional amendment to delay the start of each regular session of the Nevada Legislature until the first Monday in March. (BDR C-439)

Interim studies are conducted by committees that do not necessarily include members of the standing committees that will hear the bills recommended by the study committees. This causes a problem for the interim study committee (which may lack the expertise in the area studied) and the subsequently formed standing committee (which may not be familiar with the study or the reasons for the recommendations). During the interim between the 1985 and 1987 sessions, the Legislature experimented with having interim studies conducted by the standing committees from the two houses which have jurisdiction over the subject of the study, meeting jointly (see S.C.R. 40 from the 1985 session, which is attached as "Appendix F"). However, the Legislative Commission recommended against continuing the experiment, citing the unwieldy size of the joint committees as a major problem.

The benefits of appointing members of the appropriate standing committees to subcommittees appointed to conduct interim studies can be realized without creating joint standing committees. The Legislative Commission could simply limit the appointments to these subcommittees to members of standing committees which have jurisdiction over the subject matter of the study. It may not always be possible to fill each subcommittee with members of the appropriate standing committees. The Legislative Commission, therefore, should not be bound to make appointments from the appropriate standing committees if it is not possible.

The Legislative Commission recommends:

Direct the Legislative Commission to appoint to the subcommittees formed to conduct interim studies members of the standing committees which have jurisdiction over the subject of the study, if possible. (BDR R-440)

A practice that can delay the work of the Legislature occurs when bills are held after delivery to a legislator. If a bill has been drafted and delivered to a legislator, it should be introduced so that it can be acted upon as soon as possible. One of the reasons for the glut of bills at the end of session is the number of bills that are withheld from introduction until late in the session. If a legislator holds a bill for a longer period than necessary, approval of the standing committee which will consider the measure should be obtained before the measure can be introduced.

The Legislative Commission recommends:

Require that a legislator (including the chairman of a committee that requests a bill draft) introduce a bill or joint resolution within 10 legislative days after delivery of the final version of the BDR to the legislator. If a measure is not introduced within this period, it cannot be introduced without the approval of the standing committee which has jurisdiction over the subject of the measure. (BDR R-441)

A measure approved by the voters in November 1994 amended the constitution to require that all meetings of the Legislature, except personnel sessions, be open and public. The Houses are the judges of the rules of their proceedings, which will make the constitutional guarantee unenforceable unless the Houses adopt procedures for raising the issue of a violation of the constitution and a penalty for such a violation.

The Legislature should designate standing committees to hear the complaints, with specified procedures for making and hearing the complaints. If the complaint is against the designated standing committee, a committee composed of the leadership of the Senate or Assembly should hear the complaint. If a violation is found to have occurred, the action taken in violation of the constitution should be rescinded.

The Legislative Commission recommends:

Establish a basic procedure for making and hearing complaints concerning the constitutional requirement (assuming passage by the voters in

November) that legislative hearings be open and public. The recommended procedure is as follows: a complaint must be made within 3 days and must be heard within another 3 days; the complainant and the affected legislator would be allowed to present testimony and other evidence; complaints will be made to and heard by the Committee on Legislative Affairs and Operations in the Senate and the Committee on Elections and Procedures in the Assembly; if the complaint involves one of those committees, it will be heard by a committee representing the leadership of the respective House (the Majority Leader, Minority Leader and President Pro Tempore in the Senate and the Speaker, Majority Leader and Minority Leader in the Assembly); and if a violation is found, the action taken in violation of the constitution must be rescinded. (BDR R-442)

Floor sessions are necessary to allow bills to be introduced and passed between Houses and Committees. However, early in session it may not be necessary to meet every day of the week. A reduction in the number of floor sessions early in session (for example, limiting floor sessions to 3 per week) would allow committees more time to conduct their business. However, limiting the sessions too severely would cripple the Legislature: some introduction of bills, reference of bills to committee, reporting of bills from committee and voting on final passage is necessary to keep the Legislature moving.

The Legislative Commission recommends as follows:

Recommend that leadership for the next session consider limiting floor sessions early in session to an extent that would not interfere with the conduct of legislative business. This will allow more time for committees to meet to review the budget and proposed legislation.

Resolutions that are in the nature of memorials or commendations can occupy a substantial amount of time on the floor of each house. Though these measures are important, they should not hinder the work of the Legislature. One way to allow these measures to be heard without disrupting the business of the Legislature would be to require that they be heard at the end of the week, after the Legislature had conducted its business for the week.

The Legislative Commission recommends as follows:

Require that resolutions which constitute memorials or commendations be considered as the last item of business on Friday of each week. (BDRs R-443 and R-444)

APPENDIX A

Memoranda from Fiscal Analysis Division on
In-House Fiscal Note Preparation and Independent
Review/Preparation of State Agency Fiscal Notes, dated June 8, 1994,
and June 3, 1994, respectively

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

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June 8, 1994

MEMORANDUM

TO: Lorne Malkiewich, Director
Legislative Counsel Bureau

FROM: Dan Miles, Senate Fiscal Analyst
Fiscal Analysis Division

SUBJECT: In-House Fiscal Note Preparation

A handwritten signature in dark ink, appearing to be "D.M.", written over the "FROM" line of the memorandum.

Lorne, the Subcommittee to Study Structure and Funding of the LCB (ACR 67) had, at its last meeting, requested information on staffing requirements should they recommend all state fiscal notes be prepared in-house. I asked Kevin Welsh, Deputy Fiscal Analyst to analyze the proposal and attached is his report.

Kevin's analysis concludes it would take 9 additional FTE to independently prepare state fiscal notes based on a 20-week Legislative session with no overtime. Using Kevin's analysis, I've assumed a 60-hour work week (as opposed to 40 hours) and interpolated a staff need of at least six additional analysts. Additionally, with a staff complement of six at least one additional secretary would be needed to process paper, handle phone calls, filing, etc. Attached is a cost worksheet based on the foregoing which estimates the first year costs at \$500,643 and ongoing annual costs of \$459,843 if the positions were hired on a permanent basis. The alternative - temporary positions at less cost - would be a risky solution since the main premise of the analysis assumes that the new staff would have the same system knowledge and access to data as agency personnel currently preparing fiscal notes. I'm afraid the quality and accuracy of the product would suffer if we hired only temporary staff.

I need also to point out that this analysis only includes state fiscal notes and assumes that local government fiscal notes would be prepared in the same fashion as today.

Let me know if you think additional information is required.

Attachment

IHFNP:DGM/tc
FISCAL

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June 3, 1994

MEMORANDUM

TO: Dan Miles, Fiscal Analyst
Fiscal Analysis Division

FROM: Kevin D. Welsh, Deputy Fiscal Analyst
Fiscal Analysis Division

SUBJECT: Independent Review/Preparation of State Agency Fiscal Notes

Per your request I have attempted to estimate the staffing requirements for an independent review/preparation of state agency fiscal notes by the Fiscal Analysis Division. As you are aware, currently almost all of the responsibility for the preparation of a state agency fiscal note lies both statutorily and functionally with the agency. The Department of Administration does review state agency fiscal notes and when there are serious questions regarding the fiscal note, the Department of Administration will return the fiscal note to the agency with specific questions/directions for a re-do. The Department of Administration does not attempt an independent preparation of the fiscal note. The fiscal note is then reviewed by the Fiscal Analysis Division but only for apparent errors in interpretation of the bill, the methodology used and mathematical/typographical errors.

Mr. Don Hataway, of the Department of Administration, reports that he spent approximately 15 hours per week in the review of state agency fiscal notes which is consistent with the time spent on review of state agency fiscal notes by the Fiscal Analysis Division. As I mentioned earlier, almost all of the time spent in the preparation of each state agency fiscal note is spent at the agency level. I contacted several state agencies who reported they spent an average of 21 hours per fiscal note. During the last two sessions of the Legislature we averaged 348 state agency fiscal notes. At that rate it would take approximately 7,308 person hours or 9 full-time equivalent staff to independently review/prepare state agency fiscal notes assuming that staff had the same system knowledge and access to the same data as the agency.

If you have any further questions, please contact me.

DMIRFN/cd
FISCAL

IN HOUSE FISCAL NOTE PROCESS

COST OF ADDITIONAL STAFF

	<u>Each</u>	<u>Qty.</u>	<u>1st Year Cost</u>	<u>Ongoing Cost</u>
Program Analyst(Grade 41-15)	\$51,195			
Fringe Benefits(26.47% + \$2,718)	\$16,269			
Travel/Training	\$1,000			
Operating	\$800			
	\$69,264	6	\$415,586	\$415,586
Equipment:				
Office Equipment	\$2,500			
Personal Computer/Printer	\$3,500			
Software	\$800			
	\$6,800	6	\$40,800	\$0
Secretary(Grade 27-15)	\$27,547			
Fringe Benefits(26.47% + \$2,718)	\$10,010			
Travel/Training	\$300			
Operating	\$600			
	\$38,457	1	\$38,457	\$38,457
Equipment:				
Office Equipment	\$1,500			
Personal Computer/Printer	\$3,500			
Software	\$800			
	\$5,800	1	\$5,800	\$5,800
TOTAL COSTS:			<u>\$500,643</u>	<u>\$459,843</u>

APPENDIX B

Memoranda from Kevin D. Welsh to All Legislators and
All State Agency Heads, dated December 6, 1994,
and December 12, 1994, respectively

STATE OF NEVADA
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BRENDA J. ERDOES, *Legislative Counsel* (702) 687-6830

MEMORANDUM

DATE: December 6, 1994
TO: All Legislators
FROM: Kevin D. Welsh, *Deputy Fiscal Analyst*
Fiscal Analysis Division
SUBJECT: Fiscal Notes

The Legislative Commission, pursuant to Assembly Concurrent Resolution No. 67, conducted an interim study of the structure and function of the Legislative Counsel Bureau (LCB). The fiscal note process and their contents were among the several subjects discussed.

It was noted that the fiscal note process is, out of necessity, very structured and frequently misunderstood, particularly the process by which a legislator can request a fiscal note. Changes in the fiscal effect of a bill or joint resolution caused by modifications to that bill or joint resolution are routinely addressed during testimony on the bill and, therefore, a new or amended fiscal note is not required. However, NRS 218.273 provides that any legislator may request a new or amended fiscal note from the presiding officer of the house or committee hearing the bill and "the presiding officer may direct the Fiscal Analysis Division to obtain a new fiscal note showing the effect of the bill or joint resolution as amended."

The above information is being brought to the attention of all legislators in response to a recommendation from the interim study. If you have any further questions regarding this matter, please contact me at 687-6821.

KDW:ca

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MEMORANDUM

DATE: December 12, 1994
TO: All State Agency Heads
FROM: Kevin D. Welsh, *Deputy Fiscal Analyst*
Fiscal Analysis Division
SUBJECT: **Fiscal Notes**

The Legislative Commission, pursuant to Assembly Concurrent Resolution No. 67, conducted an interim study on the structure and functioning of the Legislative Counsel Bureau (LCB). One of the several subjects discussed was the preparation and contents of fiscal notes.

The Commission noted that because of the volume of fiscal notes during the legislative session, a detailed review of each fiscal note was impossible. Therefore, it was further noted that agencies could influence the outcome of matters before the Legislature through the manipulation of the data contained in the fiscal note.

To minimize the possibility or even the perception of that occurring, the Commission recommended that the Fiscal Analysis Division notify state agency heads that fiscal notes must not be intentionally under-estimated or inflated (to encourage or discourage passage). The Commission also approved additional staff for this session to allow for, in addition to other duties, an increased ability to review fiscal notes. If you have any further questions regarding this matter, please contact me at 687-6821.

KDW:ca

APPENDIX C

Senate Joint Resolution No. 23 of the Sixty-seventh Session

Senate Joint Resolution No. 23—Senator O'Connell

FILE NUMBER.....

SENATE JOINT RESOLUTION—Proposing to amend the Nevada constitution to authorize specifically the legislative review of administrative regulations.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That section 1 of article 3 of the constitution of the State of Nevada be amended to read as follows:

Section [.] 1. 1. The powers of the Government of the State of Nevada shall be divided into three separate departments,—the Legislative,—the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases [herein] expressly directed or permitted [.] in this constitution.

2. *If the legislature authorizes the adoption of regulations by an executive agency which bind persons outside the agency, the legislature may provide by law for:*

(a) *The review of these regulations by a legislative agency before their effective date to determine initially whether each is within the statutory authority for its adoption;*

(b) *The suspension by a legislative agency of any such regulation which appears to exceed that authority, until it is reviewed by a legislative body composed of members of the Senate and Assembly which is authorized to act on behalf of both houses of the legislature; and*

(c) *The nullification of any such regulation by a majority vote of that legislative body, whether or not the regulation was suspended.*

APPENDIX D

Rule No. 14 of the Rules and Policies of the Legislative Counsel Bureau

Rule No. 14. Bureau staff prohibited from making certain public appearances, issuing press releases without prior approval; bureau staff restricted in commenting upon certain matters. The staff of the legislative counsel bureau shall not, without prior approval of the director, nor shall the director without prior approval of the commission, make public addresses or appearances relating to the business of the legislative counsel bureau or the legislative commission, or issue press releases. At his discretion, the director may refer any staff requests for such authorization to the legislative commission for approval. When the legislative commission is not in session, the chairman, at his discretion, may grant necessary authorizations.

The director, officers and other staff of the legislative counsel bureau may explain, but shall not comment upon the merits of, legislation or litigation except:

1. To a house, a committee or a member of the legislature acting as such;
2. To the legislative commission or a subcommittee; or
3. Among themselves, but may upon the direction of a house, the commission, a committee or a subcommittee, or a member release factual information.

APPENDIX E

Proposal on Las Vegas Office approved by the Legislative Commission

LAS VEGAS OFFICE

The office would consist of three employees in the Administrative Division, answering to the Director of the Legislative Counsel Bureau: an administrative services officer, an administrative assistant and a receptionist. These employees would coordinate use of the office, including the use of conference rooms, hearing rooms, and the videoconferencing unit. They would also respond to requests for information from Legislators, state and local governmental agencies and the general public. The office would do a limited amount of research, referring most substantive research to the Carson City office. The Las Vegas office would also be a resource for the Carson City office, allowing greater access to information concerning southern Nevada.

During events such as the two-week adjournment or meetings of the National Conference of State Legislatures or the Council of State Governments in Las Vegas, the office can coordinate staff functions and serve as a base for staff from Carson City.

The employees would need to have a working knowledge of the functioning of the Legislative Counsel Bureau, be able to schedule and assist in conducting meetings, including the operation of the videoconferencing unit, and have the ability to deal with a large variety of people and situations.

ADMINISTRATIVE SERVICES OFFICER

GRADE 43

DEFINITION OF CLASS:

Under minimum supervision of Director, supervises employees of Las Vegas office and responds to requests for substantive research from Legislators, the Carson City office and the general public. Serves as liaison with Carson City office and coordinates assignment of projects received by Las Vegas office.

MINIMUM QUALIFICATIONS:

Education and Experience:

Graduation from an accredited college or university, preferably with a postgraduate degree or substantial experience working for a public agency or the Legislature. Five years of experience in public service (preferably legislative) or a related area, with 2 years of experience in a supervisory position.

Knowledge, Skills and Abilities:

Thorough knowledge of the structure and functioning of state government, particularly of the legislative branch. Must possess exceptional communication skills, and demonstrated ability to work effectively and objectively with a broad range of people. Should have a working knowledge of modern technology, including personal computers, videoconferencing, and printing and copying machines.

EXAMPLES OF DUTIES:

Assign and coordinate the work of the Administrative Assistant and the Receptionist. Refer requests for substantive research to the appropriate division of the Legislative Counsel Bureau. Conduct substantive research at the request of the Carson City office or a legislator. Respond to requests for basic information concerning state government or the Nevada Legislature from the general public. Coordinate and assist with hearings and meetings conducted within the building. Supervise the use of the Las Vegas office during major legislative hearings, such as during the 2-week recess of the Legislature. Serve as liaison with Buildings and Grounds Division of Department of Administration for maintenance and security, and with Governor and Lieutenant Governor regarding foreign or out-of-state visitors. Provide coordination with local media in understanding legislative process and issues. Make information concerning legislative process available to local school districts. Serve as back-up for operation of videoconferencing unit.

ADMINISTRATIVE ASSISTANT

GRADE 32

DEFINITION OF CLASS:

Under minimum supervision of administrative services officer, runs day-to-day operations of Las Vegas office and responds to requests for information from Legislators, the Carson City office and the general public.

MINIMUM QUALIFICATIONS:

Education and Experience:

Graduation from high school or equivalent education and clerical experience requiring skilled use of a typewriter or computer. Two years of experience in a responsible clerical capacity. Education above the high school level may be substituted for the required experience.

Knowledge, Skills and Abilities:

Thorough knowledge of modern office machines, practices and procedures; thorough knowledge of grammar, spelling and business correspondence; experience with WordPerfect 5.1 or 6.0; basic knowledge of structure and functioning of state government, particularly of the legislative branch; ability to supervise as well as perform clerical functions; considerable ability to deal tactfully, effectively and courteously with members of the legislature, other state personnel and the public on matters within the delegated area of responsibility; sound judgement; patience and understanding; and ability to work effectively under pressure.

EXAMPLES OF DUTIES:

Schedule and coordinate committee hearings and other meetings in the Las Vegas office. Provide or supervise the provision of clerical services as necessary for such meetings. Supervise and serve as backup for receptionist. Perform typing and data entry and general office work. Type correspondence and reports from plain copy or rough copy. Perform special projects as assigned by administrative services officer. Maintain NRS and other publications in office library. Provide public with timely information concerning legislative activities and calendar. Serve as back-up for operation of videoconferencing unit.

RECEPTIONIST

GRADE 26

DEFINITION OF CLASS:

Under supervision of administrative services officer and administrative assistant, serves as receptionist for Las Vegas office, answers basic questions asked by incoming callers and performs other duties as assigned.

MINIMUM QUALIFICATIONS:

Education and Experience:

Graduation from high school or equivalent education and clerical experience requiring skilled use of a typewriter or computer. Education above the high school level may be substituted for the required experience.

Knowledge, Skills and Abilities:

Basic knowledge of modern office machines, practices and procedures; above average knowledge of grammar, spelling and business correspondence; the ability to type from plain copy at the rate of 50 words per minute and above average proof-reading skills; experience with WordPerfect 5.1 or 6.0; considerable ability to deal tactfully, effectively and courteously with members of the legislature, other state personnel and the public on matters within the delegated area of responsibility; sound judgement; patience and understanding; and ability to work effectively under pressure.

EXAMPLES OF DUTIES

Receive, screen and route visitors, officers and other state personnel; announces arrival of persons scheduled for appointments. Answer telephone, and screen and direct calls. Assist in scheduling committee hearings and other meetings. Perform typing and data entry, and general office work. Type correspondence and reports from plain copy or rough copy. Perform special projects at direction of administrative assistant or administrative services officer. Serve as back-up for operation of videoconferencing unit.

APPENDIX F

Senate Concurrent Resolution No. 40 from the 1985 Legislative Session

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

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

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

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

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

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

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

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

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

and be it further

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

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

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

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

RESOLVED, That the legislative commission is hereby directed to:

1. Approve budgets for the joint interim committees;

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

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

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

APPENDIX G

Bill Draft Requests

SUMMARY--Proposes to amend Nevada constitution to authorize legislative review of administrative regulations. (BDR C-436)

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 authorize specifically the legislative review of administrative regulations.

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That section 1 of article 3 of the constitution of the State of Nevada be amended to read as follows:

Section [.] 1. 1. The powers of the Government of the State of Nevada shall be divided into three separate departments,--the Legislative,--the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases [herein] expressly directed or permitted [.] *in this constitution.*

2. *If the legislature authorizes the adoption of regulations by an executive agency which bind persons outside the agency, the legislature may provide by law for:*

(a) The review of these regulations by a legislative agency before their effective date to determine initially whether each is within the statutory authority for its adoption;

(b) The suspension by a legislative agency of any such regulation which appears to exceed that authority, until it is reviewed by a legislative body composed of members of the Senate and Assembly which is authorized to act on behalf of both houses of the legislature; and

(c) The nullification of any such regulation by a majority vote of that legislative body, whether or not the regulation was suspended.

SUMMARY--Authorizes legislature to reject certain proposed administrative regulations. (BDR 18-437)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to administrative regulations; authorizing the legislature to reject proposed administrative regulations under certain circumstances; 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 finds and declares that:

1. The formulation of public policy is primarily the duty of the legislature. The legislature fulfills this constitutional duty through the adoption of statutes. The legislature may not delegate its duty to adopt statutes to any other body or authority.

2. The primary role of the executive branch of state government is to enforce the statutes adopted by the legislature. Although agencies of the executive branch may not adopt statutes, they, nevertheless, play an important role in carrying out the public policy set by the legislature.

3. Because there are limitations on the level of detail that a statute realistically can contain, the legislature frequently enacts enabling statutes,

which give agencies of the executive branch specific authority to adopt administrative regulations that administer, enforce and interpret a particular statute enacted by the legislature. This authorization by the legislature is not a delegation of its duty to enact statutes and set public policy, but, instead, it is a limited delegation of the authority to make administrative regulations.

4. The authority of administrative agencies in the executive branch, except agencies created by and deriving their powers directly from the constitution of the State of Nevada, to adopt regulations derives solely from the power that the legislature delegates to them and is not a power that the constitution of the State of Nevada grants to the executive branch. The legislature is free to repeal the statute which authorized the adoption of any such regulations. The legislative power to reject an administrative regulation at its inception does not impinge on any duties assigned by the constitution of the State of Nevada to the executive branch to "execute the law." Because the legislature may delegate some of its authority to administrative agencies, it may properly condition the exercise of that delegated authority upon performance which meets its approval.

5. Section 23 of article 4 of the constitution of the State of Nevada states that "no law shall be enacted except by bill." The power to pass bills is vested in the legislature. Section 16 of article 4 of the constitution of the State of Nevada states that "[a]ny bill may originate in either House of the Legislature." Although the legislature may choose to give administrative regulations the "force and effect of law," they do not rise to the level of statutory law because only the legislature can make law.

6. The presentment clause, section 35 of article 4 of the constitution of the State of Nevada, provides that bills which have been passed by the legislature must be presented to the Governor for his signature. Legislative rejection of an administrative regulation at its inception does not violate the presentment clause because administrative regulations do not rise to the level of statutory law. Legislative rejection of an administrative regulation is not the equivalent of repealing a law, and therefore, it need not be presented to the governor.

7. In light of the fact that administrative agencies, pursuant to enabling statutes, may adopt administrative regulations without the approval of both houses of the legislature and without the governor's signature, the legislature should not be subject to the more exacting task of complying with the presentment clause and obtaining the approval of both houses with respect to its rejection of an administrative regulation.

8. The members of the legislature are subject to the direct control of the people through the electoral process. There is no comparable direct control of the employees of administrative agencies by the people. Therefore, the legislative representatives elected directly by the people are those who should ultimately determine whether the regulations adopted by an administrative agency reflect the will of the legislature. To do so, the legislature may, within constitutional parameters, reserve the power to reject at its inception an administrative regulation which does not conform to statutory authority or carry out legislative intent.

9. By limiting its reserved power of review to the point before a proposed administrative regulation is considered to be permanently effective, the

legislature does not impinge on the constitutional duty of the judicial branch to interpret statutes or regulations which have actually become effective.

Sec. 2. NRS 233B.067 is hereby amended to read as follows:

233B.067 1. After adopting a regulation, the agency shall submit an original and four copies of each regulation adopted, except an emergency regulation or a temporary regulation, to the director of the legislative counsel bureau for review by the legislative commission, which may refer it to a joint interim committee, to determine whether the regulation conforms to the statutory authority under which it was adopted and whether the regulation carries out the intent of the legislature in granting that authority. The director shall have endorsed on the original and duplicate copies of each adopted regulation the date of their receipt and shall maintain one copy of the regulation in a file and available for public inspection for 2 years.

2. The legislative commission , or the joint interim committee if the commission has referred it to such a committee, shall review the regulation at its next regularly scheduled meeting if the regulation is received more than 10 working days before the meeting and a regular meeting is held within 35 days after receipt of the regulation. The commission may appoint a committee composed of three or more members of the commission or any joint interim committee to examine proposed regulations received more than 35 days before a regular meeting is scheduled to be held.

3. The legislative commission shall notify the director of the results of its review within 30 days after receipt of the regulation from the agency. If the commission does not object to the regulation, the director shall file it with the

secretary of state within 35 days after receipt from the agency and notify the agency of the filing. If the commission determines that the regulation does not conform to statutory authority or carry out legislative intent, the director shall attach to the regulation a written notice of the commission's objection, including a statement of the reasons for its objection, and shall promptly return the regulation to the agency. [The director shall file the regulation with the secretary of state within 35 days after receipt from the agency if the agency does not notify the director in writing before that date of its intent to revise the regulation. If the agency notifies the director that it intends to revise the regulation as recommended, the director shall file the regulation with the secretary of state within 10 days after receipt of the revised regulation.]

Sec. 3. NRS 233B.0675 is hereby amended to read as follows:

233B.0675 1. If the legislative commission has objected to a regulation , [and] the agency [did not] *may* revise it [before it was filed with the secretary of state, the commission shall report the matter to the next session of the legislature for its consideration.] *and return it to the director of the legislative counsel bureau. Upon receipt of the revised regulation, the director shall resubmit the regulation to the commission at its next regularly scheduled meeting. If there is no objection to the revised regulation, he shall promptly file it with the secretary of state and notify the agency of the filing.*

2. *If a majority of the members of the commission object to the revised regulation, the agency may continue to revise it and resubmit it to the commission.*

3. If the agency refuses to revise a regulation to which the commission has objected, the commission may postpone the filing of the regulation until the 30th day of the next regular session of the legislature. Before the 30th day of the next regular session the legislature may, by concurrent resolution, declare that the regulation will not become effective. The concurrent resolution must state that the regulation violates legislative intent. The director shall thereupon notify the agency that the regulation will not be filed and must not be enforced. If the legislature has not so declared by the 30th day of the session, the director shall promptly file the regulation and notify the agency of the filing.

4. Subsection 3 does not apply to an agency created by and deriving its powers directly from the constitution of the State of Nevada.

Sec. 4. NRS 233B.115 is hereby amended to read as follows:

233B.115 1. Any person who objects to the content of a form required by an agency to be used in submitting an application, making a declaration or providing other information may request the legislative commission to determine whether the information required and the instructions for its preparation conform to the statutory authority under which the agency requires it. The legislative commission may also make such a determination on its own motion.

2. If the legislative commission finds that any part of the information or instructions does not conform to statutory authority, the director of the legislative counsel bureau shall so notify the agency. [The agency may revise the form and submit it to the legislative commission for its review.]

3. *After notification by the director of the legislative counsel bureau, unless an agency can and does so modify the form as to remove entirely the part which was found not to conform, the agency shall not use the form until it has submitted a revised version to the legislative commission and received the commission's approval.*

4. *If the agency chooses instead not to revise the form, [the commission shall report the matter to the next session of the legislature for its consideration.] it shall not use the form until after the expiration of the first 30 days of the next regular session of the legislature. Unless within that time the legislature by concurrent resolution declares that the form must not be used, the agency thereafter may use it.*

5. *The provisions of subsections 3 and 4 do not apply to an agency created by and deriving its powers directly from the constitution of the State of Nevada.*

Sec. 5. This act becomes effective on July 1, 1995.

SUMMARY--Creates advisory committee on public access to legislative process and related communications. (BDR 17-438)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to the legislature; creating an advisory committee on public access and communications; 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. Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

- 1. There is hereby created an advisory committee on public access and communications, consisting of members of the legislature.*
- 2. The legislative commission shall determine the number of members and appoint the members of the advisory committee.*
- 3. The members of the advisory committee shall select a chairman and vice chairman from among their membership. The committee may adopt rules for its own management.*

4. *A majority of the members of the advisory committee constitutes a quorum.*

5. *The advisory committee shall meet at the times and places specified by a call of the chairman.*

6. *The director of the legislative counsel bureau or a person he has designated shall act as the nonvoting recording secretary.*

7. *Except during a regular or special session of the legislature, the members of the advisory committee are entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session, the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207 for each day of attendance at a meeting of the advisory committee and while engaged in the business of the advisory committee. Per diem allowances, compensation and travel expenses of the members of the advisory committee must be paid from the legislative fund.*

8. *The advisory committee shall advise and make recommendations to the director of the legislative counsel bureau and the legislature concerning:*

- (a) Improving public access to the legislative process;*
- (b) Telecommunication of legislative proceedings;*
- (c) Relations of the legislature and legislative counsel bureau with the news media;*
- (d) Coverage of the legislature by the news media; and*
- (e) Any other related issues.*

9. *The advisory committee may recommend to the legislature any appropriate legislation.*

SUMMARY--Proposes to amend Nevada constitution to provide for commencement of regular legislative sessions in March.
(BDR C-439)

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 provide for commencement of regular sessions of the legislature in March.

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That section 2 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 2. The sessions of the Legislature shall be biennial, and shall commence on the [3rd] *first* Monday of [January] *March* next ensuing the election of members of the Assembly, unless the Governor of the State , [shall,] in the interim, [convene] *convenes* the Legislature by proclamation.

And be it further

RESOLVED, That section 12 of article 17 of the constitution of the State of Nevada be repealed.

TEXT OF REPEALED SECTION

Sec: 12. **First biennial legislative session to commence in 1867.** The first regular session of the Legislature shall commence on the second Monday of December A.D. Eighteen hundred and Sixty Four, and the second regular session of the same shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Six; and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Seven; and the regular sessions of the Legislature shall be held thereafter biennially, commencing on the first Monday of January.

SUMMARY--Requires legislative commission to appoint legislators with certain qualifications as majority of members of each interim or special committee. (BDR 17-440)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to the legislature; requiring the legislative commission to appoint legislators with certain qualifications as a majority of the members of each interim or special committee; 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 hereby finds and declares:

1. In light of the increasingly complex issues that face the State of Nevada, it is necessary for the legislature to conduct interim studies and investigations to address these issues more extensively.

2. The experience and knowledge gained by the members of the standing committees of the senate and assembly during each legislative session are valuable resources which should be used during the interim periods.

3. If an interim or special committee does not include members of the standing committees that have jurisdiction over measures which relate to the

subject matter of the study or investigation conducted by the interim or special committee, the recommendations resulting from the study or investigation may not receive efficient and effective consideration by the standing committees because the members may be unfamiliar with the specific issues involved.

4. A continuation of work on the same subject by members of the standing committees of the senate and assembly between regular sessions of the legislature would promote the uninterrupted progression of effort, permit legislators to develop the expertise necessary to oversee programs and provide a more efficient use of time and money by the legislature and its staff.

Sec. 2. Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

The legislative commission shall appoint as a majority of the members of an interim or special committee established pursuant to subsection 5 of NRS 218.682 persons who:

- 1. Are currently serving; or*
- 2. When the legislature is not in regular or special session, served, during the immediately preceding session of the legislature,*
as members of the standing committees of the senate and assembly respectively which have jurisdiction over measures that relate to the subject matter of the study or investigation to be conducted by the interim or special committee.

Sec. 3. This act becomes effective on July 1, 1995.

SUMMARY--Amends Joint Rules of Senate and Assembly to require introduction of certain legislative measures within specified time.

(BDR R-441)

CONCURRENT RESOLUTION--Amending the Joint Rules of the Senate and Assembly for the 68th legislative session to require the introduction of legislative measures within a specified time.

RESOLVED BY THE OF THE STATE OF NEVADA, THE
CONCURRING, That Rule 14 of the Joint Rules of the Senate and Assembly as adopted for the 68th session of the Legislature is hereby amended to read as follows:

14

LIMITATION ON *REQUESTS FOR AND*
INTRODUCTION [AND REQUESTS FOR
DRAFTING] OF LEGISLATIVE MEASURES

1. 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 a bill or resolution 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 before the request was submitted to the Legislative Counsel. A standing committee may only request the drafting of a bill or resolution or introduce a bill or resolution that is within the jurisdiction of the standing committee.

2. After a regular legislative session has convened, the Legislative Counsel shall honor not more than 5 requests from each Assemblyman and not more than 10 requests from each Senator for the drafting of a bill or resolution which has not received the approval required by subsection 1.

3. *A legislator may not change the subject matter of a request for a legislative measure after it has been submitted for drafting.*

4. *Except as otherwise provided in this subsection, a bill or joint resolution must be introduced within 10 legislative days after delivery by the Legislative Counsel. If the bill or joint resolution is not introduced within that period, approval of two-thirds of all of the members of the appropriate standing committee of the Senate or Assembly is required for its introduction.*

5. After the first 10 calendar days of a regular legislative session, bills and joint resolutions may be introduced [by:] *in the name of:*

(a) Standing committees without consent. A measure introduced by a standing committee must indicate the person or organization at whose request the measure was drafted.

(b) Except as otherwise provided in subsection [4.] 6, a member who had requested the drafting of the bill or resolution by the Legislative Counsel before the 11th calendar day of the legislative session.

[4.] 6. The following measures must be introduced by a standing committee:

(a) Measures drafted at the request of agencies and officers of the executive branch of state government, local governments, the courts and other authorized nonlegislative requesters.

(b) Measures requested by interim legislative studies.

(c) Bills and joint resolutions requested by a standing committee, or by persons designated to request measures on behalf of a standing committee during the interim. Bills and joint resolutions requested by or on behalf of a standing committee must be introduced by that committee.

[5.] 7. Simple and concurrent resolutions requested by or on behalf of a standing committee may be introduced by an individual member.

[6.] 8. If two or more measures are being considered in the same house which are [substantively] *substantively* duplicative, only the measure which has been assigned the lowest number for the purpose of establishing its priority in drafting may be considered, unless the measure with the lowest number is not introduced within 5 days after introduction of a measure with a higher number.

[7. A legislator may not change the subject matter of a request for a legislative measure after it has been submitted for drafting.

8.] 9. 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 resolution or request for drafting.

SUMMARY--Amends Joint Rules of the Senate and Assembly to provide for enforcement of constitutional requirement that all meetings of legislative committees be open to public. (BDR R-442)

CONCURRENT RESOLUTION--Amending the Joint Rules of the Senate and Assembly for the 68th legislative session to provide for the enforcement of the constitutional requirement that all meetings of legislative committees be open to the public.

RESOLVED BY THE OF THE STATE OF NEVADA, THE
CONCURRING, That the Joint Rules of the Senate and Assembly as adopted by the 68th session of the Legislature are amended by the following addition:

20

Violations of Requirement of Open Committee Meetings.

1. A complaint which alleges a violation of the requirement in section 15 of article 4 of the constitution of the State of Nevada that all meetings of legislative committees be open to the public must be in writing and signed by the person making the allegation.

2. Except as otherwise provided in this subsection, the Committee on Elections and Procedures shall hear a complaint which alleges a violation by an

Assemblyman. If the complaint alleges a violation by an Assemblyman who is a member of the Committee on Elections and Procedures, the Speaker, Majority Leader and Minority Leader of the Assembly or their designees shall hear the complaint.

3. Except as otherwise provided in this subsection, the Committee on Legislative Affairs and Operations shall hear a complaint which alleges a violation by a Senator. If the complaint alleges a violation by a Senator who is a member of the Committee on Legislative Affairs and Operations, the President pro Tem, Majority Leader and Minority Leader of the Senate or their designees shall hear the complaint.

4. The complaint must be filed with the Director of the Legislative Counsel Bureau not later than 3 legislative days after the violation. The Director shall transmit the complaint, within 24 hours after receiving it, to:

(a) The Committee on Elections and Procedures, the Committee on Legislative Affairs and Operations, the Speaker of the Assembly or the Majority Leader of the Senate, as appropriate; and

(b) The legislator against whom the complaint is filed.

5. A hearing must be held within 3 legislative days after the filing of the complaint. The complainant and the legislator against whom the complaint is brought may present the testimony of witnesses and other evidence at the hearing. If oral statements are made at the hearing, they must be made under oath. Strict rules of evidence do not apply at the hearing.

6. If a meeting has been held in violation of the requirement that all meetings of legislative committees be open to the public, any action taken at the

meeting is void and each House may impose such other punishment as it deems proper. An action that is deemed void pursuant to this rule may be reheard and reconsidered at a committee meeting which complies with section 15 of article 4 of the constitution of the State of Nevada.

SUMMARY--Amends Standing Rules of Senate to require consideration of resolutions to memorialize, congratulate or commend only at certain time. (BDR R-443)

SENATE RESOLUTION--Amending the Standing Rules of the Senate to require the consideration of resolutions to memorialize, congratulate or commend only at certain time.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That Rules 118, 119 and 120 of the Standing Rules of the Senate as adopted for the 68th session of the Legislature are hereby amended to read as follows:

118

[Treated as Bills.

Resolutions addressed to Congress, or to either House thereof, or to the President of the United States, or the heads of any of the national departments, or proposing amendments to the State Constitution are subject, in all respects, to the foregoing rules governing the course of bills. A]

Treatment of Resolutions.

1. *The procedure of enacting joint resolutions must be identical to that of enacting bills. However, a joint resolution proposing an amendment to the state constitution [shall] must be entered in the journal in its entirety.*

2. Resolutions other than joint resolutions must be treated as motions in all proceedings of the Senate.

119

[Treated as Motions.

Resolutions, other than those referred to in Senate Standing Rule No. 118, shall be treated as motions in all proceedings of the Senate.]

Consideration of Resolutions.

1. Except as otherwise provided in subsection 2, resolutions may be considered at any time.

2. Resolutions to memorialize, congratulate or commend a person or organization may only be considered as the final item of business before a motion to adjourn on Friday of any week during a regular legislative session.

120

Order of Business.

1. Roll Call.
2. Prayer by the Chaplain.
3. Pledge of Allegiance to the Flag.
4. Reading and Approval of the Journal.
5. Reports of Standing Committees.
6. Messages from the Governor.

7. Messages from the Assembly.
8. Communications from State Officers.
9. Motions, [Resolutions and Notices.] *Notices and Certain Resolutions.*
10. Introduction, First Reading and Reference.
11. Consent Calendar.
12. Second Reading and Amendment.
13. Business on General File and Third Reading.
14. Unfinished Business.
15. Special Orders of the Day.
16. Remarks from the Floor; Introduction of Guests.
17. *Resolutions to Memorialize, Congratulate or Commend.*

SUMMARY--Amends Standing Rules of Assembly to allow consideration of resolutions to memorialize, congratulate or commend only at certain time. (BDR R-444)

ASSEMBLY RESOLUTION--Amending the Standing Rules of the Assembly to allow the consideration of resolutions to memorialize, congratulate or commend only at certain time.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Rules 118, 119 and 120 of the Standing Rules of the Assembly as adopted for the 68th session of the Legislature are hereby amended to read as follows:

118

[Treated as Bills--Joint Resolutions.] *Treatment of Resolutions.*

1. The procedure of enacting joint resolutions [shall] *must* be identical to that of enacting bills. However, joint resolutions proposing amendments to the [Constitution shall] *state constitution must* be entered in the Journal in their entirety.

2. *Resolutions other than joint resolutions must be treated as motions in all proceedings of the Assembly.*

119

[Reserved.]

Consideration of Resolutions.

1. Except as otherwise provided in subsection 2, resolutions may be considered at any time.

2. Resolutions to memorialize, congratulate or commend a person or organization may only be considered as the final item of business before a motion to adjourn on Friday of any week during a regular legislative session.

D. Miscellaneous Rules

120

Order of Business.

The Order of Business must be as follows:

1. Roll Call.
2. Reading and Approval of Journal.
3. Presentation of Petitions.
4. Reports of Standing Committees.
5. Reports of Select Committees.
6. Communications.
7. Messages from the Senate.
8. Motions, [Resolutions and Notices.] *Notices and Certain Resolutions.*
9. Introduction, First Reading and Reference.
10. Consent Calendar.

11. Second Reading and Amendment.
12. General File and Third Reading.
13. Unfinished Business of Preceding Day.
14. Special Orders of the Day.
15. Remarks from the Floor, limited to 10 minutes.
16. *Resolutions to Memorialize, Congratulate or Commend.*