

Committee to Study the Structure and Operations of the Nevada Legislature

(Assembly Concurrent Resolution No. 12, File No. 45, *Statutes of Nevada 2011*)

WORK SESSION DOCUMENT



August 20, 2012

Prepared by the Research Division
Legislative Counsel Bureau



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LEGISLATIVE COMMISSION'S COMMITTEE TO STUDY THE STRUCTURE AND OPERATIONS OF THE NEVADA LEGISLATURE

(Assembly Concurrent Resolution No. 12, File No. 45, *Statutes of Nevada 2011*)

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The following Work Session Document has been prepared by the Chair and staff of the Legislative Commission's Committee to Study the Structure and Operations of the Nevada Legislature (Assembly Concurrent Resolution No. 12, File No. 45, *Statutes of Nevada 2011*). It is designed to assist the Committee members in developing statements and determining recommendations to be forwarded to the 2013 Session of the Nevada Legislature. Each item in this document may be the subject of further discussion, refinement, or action.

The recommendations contained herein do not necessarily have the support or opposition of the Committee. Rather, these possible actions are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. The members of the Committee may vote to send as many statements or letters as they choose; however, pursuant to *Nevada Revised Statutes* (NRS) 218D.160, the Committee is permitted five bill draft requests (BDRs), including requests for the drafting of legislative resolutions. For purposes of this Work Session Document, the recommendations have been grouped by topic. They are not preferentially ordered. Additionally, although possible actions may be identified within each recommendation, the Committee may choose to recommend any of the following actions: (1) draft legislation; (2) draft a legislative resolution; (3) draft a Committee letter; or (4) include a statement in the final report of the Committee.

The source of each recommendation is provided. Please note that specific sponsors of the recommendations might not be provided if the proposals were raised and discussed by numerous individuals and entities during the course of the Committee's meetings. It should also be noted that some of the recommendations may contain an unknown fiscal impact. Committee members should be advised that Legislative Counsel Bureau (LCB) staff will coordinate with the interested parties to obtain detailed fiscal estimates, where appropriate, for inclusion in the final report.

RECOMMENDATIONS RELATING TO A PUBLIC COMMISSION TO STUDY THE NEVADA LEGISLATURE

- 1. Request the drafting of a concurrent resolution** to provide for the establishment of a public commission to study the Nevada Legislature. The Committee might consider the following provisions:
 - a) Membership of the public commission:
 - i) the number of members, including current and former legislators and representatives of the public;
 - ii) the qualifications or other selection criteria, including a knowledge of the legislative branch;
 - iii) the appointing authorities, including a process for selection of commission members; and
 - iv) the chair or co-chairs, including a process for appointment.
 - b) Charge to the commission:
 - i) Issues for review; and
 - ii) Report of findings and recommendations, including whether the commission would be allowed its own bill draft requests.
 - c) Organization of the commission:
 - i) Formation of subcommittees;
 - ii) Approval of acts and recommendations;
 - iii) Time and location of meetings;
 - iv) Staffing and budget;
 - v) Adoption of rules; and
 - vi) Filling of vacancies.

*Source: Discussed at the March 21, 2012 and
the July 26, 2012 meetings of the Committee*

RECOMMENDATIONS RELATING TO LEGISLATOR COMPENSATION

2. Level of Compensation

- A. **Request a bill draft** to amend the NRS (primarily at NRS 281.157 et seq.) to provide for a commission to review compensation of legislators, determine the level of compensation for legislators, and submit that determination to the Legislature for approval.

OR

- B. **Refer the review of legislator compensation** to the public commission to study the Nevada Legislature, if the Committee adopts the recommendation under Item 1.

Source: Discussed at the March 21, 2012 and the July 26, 2012 meetings of the Committee.

3. **Request the drafting of a joint resolution** to amend the *Nevada Constitution* to provide for the payment of compensation to the members of the Legislature

- A. To provide for the payment of compensation to the members of the Legislature for each day of service during the regular and special sessions

OR

- B. To provide for the payment of compensation to the members of the Legislature on a monthly basis.

AND/OR

- C. To provide for the payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationary.

Source: Discussed at the March 21, 2012 and the July 26, 2012 meetings of the Committee

4. **Request a bill draft** to amend the NRS (primarily at NRS 218A.630) to provide for a level of compensation calculated on the basis of the average private sector wage in Nevada, as determined by Nevada's Department of Employment, Training, and Rehabilitation.

Source: Proposed by Knight Allen in public testimony on March 21, 2012, and in a letter to the Committee on April 25, 2012.

5. Allowance for Personal Staff

- A. **Request a bill draft** to amend the NRS to provide an allowance for each legislator to employ personal staff for the session.

AND/OR

- B. **Request a bill draft** to amend the NRS to provide an allowance for each legislator to employ personal staff for the interim.

Source: Discussed at the March 21, 2012 meeting of the Committee.

RECOMMENDATIONS RELATING TO INTERIM COMMITTEES

Structure of Interim Committees

NOTE: Recommendations 6 and 7 are to be considered together. They provide alternatives both to the structure of the interim committees and to the means to establish a different structure.

6. **Request a bill draft** to provide for the establishment of a new interim committee structure for the Legislature.

Option 1

The enrolled version of Assembly Bill 578 of the 2011 Legislature could serve as a model for this recommendation. The following provisions are set forth in A.B. 578:

- a) Creates nine joint standing policy committees;
- b) Establishes membership on each committee at eight (five Assembly members and three Senate members) appointed by the Majority Leader of the Senate and the Speaker of the Assembly;
- c) Provides the Legislative Commission shall designate the chair and vice chair which shall alternate each biennium between the two houses;
- d) Sets the meeting schedules and requires a majority of members of each house to approve recommended legislation;
- e) Provides that the Legislative Commission may assign study issues;
- f) Determines the number of BDRs available to each committee by type of committee; and
- g) Transfers responsibilities of existing statutory interim committees to the standing policy committees created by the bill.

Option 2

The interim committee structure used by the Oregon Legislature could serve as a model to provide that the full session committees of each house form the interim committees. The Oregon State Legislature adopted quarterly committee days following the 2009 Session. The meeting days are not provided by statute or rule. Instead, the presiding officers of the Senate and the House of Representatives agree upon the dates and coordinate the calendars so that all standing session committees in each house meet at the Oregon State Capitol in Salem during a three-day block each calendar quarter. At times, committees with parallel jurisdictions will meet jointly, but they are not established as joint interim committees.

NOTE for both Option 1 and Option 2: If the Committee chooses to request a bill draft, the legislation might take the form of either:

- A bill to amend the NRS, which could include a new structure and provisions to repeal existing statutes establishing certain interim committees

OR

- A concurrent resolution, which would provide that the Legislative Commission establish the new interim committee structure

Source: Discussed at the April 25, 2012 meeting of the Committee.

OR

7. **Recommend to the Legislative Commission** that it establish a new interim committee structure. Draft a letter to the Legislative Commission to recommend one of the following options:

Option 1

- Joint interim committees, based upon the model provided in A.B. 578 (8-member committees composed of members of the corresponding session policy committees).

Option 2

- House interim committees, based upon the Oregon model (full session policy committees).

Source: Discussed at the April 25, 2012 meeting of the Committee.

Meeting Days and Locations

8. **Recommend to the Legislative Commission** that it establish quarterly interim committee meeting days. Draft a letter to the Legislative Commission to recommend all interim policy committees would meet on the same days in each calendar quarter.

NOTES:

- The number of days necessary to enable all interim policy committees to meet would depend upon the interim committee structure.
- This proposal would not include meetings of the Legislative Commission or of the Interim Finance Committee.
- Estimated costs will vary depending upon the interim committee structure adopted and the number of days necessary in each quarter for meetings as well as the number of calendar quarters in which interim committee meetings are held.
- Videoconferencing of meetings will reduce the costs associated with travel and lodging.

Source: Discussed at the April 25, 2012 meeting of the Committee.

NOTE:

The Legislative Commission's Committee to Study the Structure and Operations of the Nevada Legislature may make additional recommendations based on discussions held and presentations made at its meeting in Las Vegas on August 20, 2012. Please see the meeting agenda for discussion topics.

The Chair of the Committee may choose to raise other relevant issues for discussion of Committee action during the work session.

Committee staff may need to seek additional details or clarification on approved recommendations from Committee members and others prior to drafting BDRs, Committee letters, or statements.