

Assembly Bill No. 631–Committee on Elections,

Procedures, and Ethics

CHAPTER.....

AN ACT relating to the state legislature; establishing certain limitations on the drafting of requests for legislation; authorizing the appointment of committees to conduct certain activities before the commencement of a regular session; making various changes regarding expenditures from the legislative fund; repealing the provisions requiring the submission of joint resolutions to the governor for approval; clarifying references to certain standing committees; revising the duties of the legislative counsel regarding administrative regulations; revising certain provisions governing fiscal notes concerning legislative measures; making various changes regarding the dissemination of certain budgetary information; 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 the provisions set forth as sections 2 to 8, inclusive, of this act.

Sec. 2. 1. *Except as otherwise provided by specific statute or concurrent resolution of the legislature, the legislative counsel shall honor:*

(a) The number of requests for the drafting of a bill or resolution for a regular session of the legislature only as provided in NRS 218.240 to 218.255, inclusive, and sections 2 to 6, inclusive, of this act.

(b) A request for the drafting of a bill or resolution for a regular session of the legislature only if the request is received by the legislative counsel on or before December 15 preceding the commencement of that session.

(c) A request for the drafting of a bill or resolution for any session of the legislature which is submitted by a state agency, board or department, a local government, the judiciary or another authorized nonlegislative requester only if the request is in a subject related to the function of the requester.

2. *The legislative counsel shall not:*

(a) Assign a number to a request for the drafting of a bill or resolution for any session of the legislature to establish the priority of the request until sufficient detail has been received to allow complete drafting of the legislative measure.

(b) Honor a request to change the subject matter of a request for the drafting of a bill or resolution for any session of the legislature after it has been submitted for drafting.

(c) Honor a request for the drafting of a bill or resolution for any session of the legislature which has been combined in violation of section 17 of article 4 of the Nevada constitution.

Sec. 3. 1. Each:

(a) Incumbent assemblyman may request the drafting of not more than 5 legislative measures submitted to the legislative counsel before September 1 preceding the commencement of a regular session of the legislature and not more than 5 legislative measures submitted to the legislative counsel on or after September 1 but on or before December 15 preceding the commencement of a regular session of the legislature.

(b) Incumbent senator may request the drafting of not more than 10 legislative measures submitted to the legislative counsel before September 1 preceding the commencement of a regular session of the legislature and not more than 10 legislative measures submitted to the legislative counsel on or after September 1 but on or before December 15 preceding the commencement of a regular session of the legislature.

(c) Newly elected assemblyman may request the drafting of not more than 5 legislative measures submitted to the legislative counsel on or before December 15 preceding the commencement of a regular session of the legislature.

(d) Newly elected senator may request the drafting of not more than 10 legislative measures submitted to the legislative counsel on or before December 15 preceding the commencement of a regular session of the legislature.

2. In addition to the number authorized pursuant to subsection 1:

(a) The chairman of each standing committee of the immediately preceding regular legislative session, or a person designated in the place of the chairman by the speaker of the assembly or the majority leader of the senate, as the case may be, may request before the commencement of the next regular legislative session the drafting of not more than 1 legislative measure for introduction by the committee in a subject within the jurisdiction of the committee for every 15 legislative measures that were referred to the respective standing committee during the immediately preceding regular legislative session.

(b) A person designated after a general election as a chairman of a standing committee for the next regular legislative session, or a person designated in the place of a chairman by the person designated as the speaker of the assembly or majority leader of the senate for the next regular legislative session, may request before the commencement of the next regular legislative session the drafting of the remaining number of the legislative measures allowed for the respective standing committee that were not requested by the previous chairman or designee.

Sec. 4. 1. In addition to the number authorized pursuant to section 3 of this act:

(a) The speaker of the assembly and the majority leader of the senate may each request before or during a regular legislative session, without limitation, the drafting of not more than 15 legislative measures for that session.

(b) *The minority leader of the assembly and the minority leader of the senate may each request before or during a regular legislative session, without limitation, the drafting of not more than 10 legislative measures for that session.*

(c) *A person designated after a general election as the speaker of the assembly, the majority leader of the senate, the minority leader of the assembly or the minority leader of the senate for the next regular legislative session may request the drafting of the remaining number of the legislative measures allowed for the respective officer that were not requested by the previous officer.*

2. *The secretary of the senate and the chief clerk of the assembly may request before or during a regular legislative session, without limitation, the drafting of as many legislative measures as are necessary or convenient for the proper exercise of their duties.*

Sec. 5. 1. *The chairman of the legislative commission may request the drafting of not more than 15 legislative measures before the commencement of a regular legislative session, with the approval of the commission, which relate to the affairs of the legislature or its employees, including measures requested by the legislative staff.*

2. *The chairman of the interim finance committee may request the drafting of not more than 10 legislative measures before the commencement of a regular legislative session, with the approval of the committee, which relate to matters within the scope of the committee.*

3. *Except as otherwise provided by specific statute or concurrent resolution of the legislature:*

(a) *Any other legislative committee created by statute may request the drafting of not more than 10 legislative measures before the commencement of a regular legislative session, which relate to matters within the scope of the committee.*

(b) *An interim committee which conducts a study or investigation pursuant to subsection 5 of NRS 218.682 may request the drafting of not more than 10 legislative measures before the commencement of a regular legislative session, which relate to matters within the scope of the study or investigation, except that such a committee may request the drafting of additional legislative measures before the commencement of a regular legislative session if the legislative commission approves each additional request by a majority vote.*

(c) *Any other committee established by the legislature which conducts an interim legislative study may request the drafting of not more than 10 legislative measures before the commencement of a regular legislative session, which relate to matters within the scope of the study.*

Sec. 6. 1. *The governor or his designated representative may transmit to the legislative counsel before September 1 preceding a regular legislative session not more than 125 requests for the drafting of*

legislative measures approved on behalf of state agencies, boards and departments of the executive branch of state government pursuant to subsection 1 of NRS 218.245.

2. The department of administration may request on or before the 19th day of the legislative session, without limitation, the drafting of as many legislative measures as are necessary to implement the budget proposed by the governor and to provide for the fiscal management of the state.

3. The following constitutional officers may request the drafting of not more than the following numbers of legislative measures before September 1 preceding a regular legislative session:

<i>Lieutenant governor</i>	<i>2</i>
<i>Secretary of state.....</i>	<i>8</i>
<i>State treasurer.....</i>	<i>5</i>
<i>State controller.....</i>	<i>5</i>
<i>Attorney general</i>	<i>25</i>

4. The board of regents of the University of Nevada may request the drafting of not more than 5 legislative measures on behalf of the University and Community College System of Nevada before September 1 preceding a regular legislative session.

Sec. 7. If the governor elects to communicate the message required pursuant to section 10 of article 5 of the Nevada constitution before the commencement of a regular session of the legislature, the chairman of the legislative commission may, on behalf of the legislative commission pursuant to subsection 5 of NRS 218.682, appoint a special committee to receive that message. A special committee appointed pursuant to this section:

1. Must consist of all persons elected or appointed to serve as a senator or assemblyman during the next ensuing regular session of the legislature.

2. Must be chaired by the speaker designate of the assembly.

3. Shall receive the governor's message and conclude its activities upon the completion of that message.

Sec. 8. The legislative commission may, pursuant to subsection 5 of NRS 218.682, appoint one or more special committees before the commencement of a regular session of the legislature. Each special committee appointed pursuant to this section:

1. Must consist of all persons designated by the:

(a) Speaker designate of the assembly to serve as members of an assembly standing committee, other than the assembly standing committee on ways and means, for the next ensuing regular session of the legislature; or

(b) Majority leader designate of the senate to serve as members of a senate standing committee, other than the senate standing committee on finance, for the next ensuing regular session of the legislature.

2. May meet to consider issues that may require consideration during the next ensuing session by the standing committee upon which the members of the special committee have been designated to serve.

3. Shall conclude its activities before the commencement of the next ensuing session.

Sec. 9. NRS 218.085 is hereby amended to read as follows:

218.085 1. The legislative fund is hereby created as a special revenue fund for the use of the legislature, and where specifically authorized by law, for the use of the legislative counsel bureau.

2. Support for the legislative fund must be provided by legislative appropriation from the state general fund.

3. Expenditures from the legislative fund may be made for:

(a) The payment of necessary ~~{operating}~~ expenses of the senate;

(b) The payment of necessary ~~{operating}~~ expenses of the assembly;

(c) The payment of ~~{the}~~ necessary improvements to the legislative building and its grounds;

(d) The payment of expenses for the interim operation of the legislature; and

(e) The payment of necessary ~~{operating}~~ expenses of, but not limited to:

(1) The legislative commission;

(2) The legal division;

(3) The research division;

(4) The audit division;

(5) The fiscal analysis division; and

(6) The administrative division,

of the legislative counsel bureau.

4. Expenditures from the legislative fund for purposes other than those specified in subsection 3 or authorized specifically by another statute may be made only upon the authority of a concurrent resolution regularly adopted by the senate and assembly.

5. ~~{Except as otherwise provided in NRS 218.644, all}~~ **All** money in the legislative fund must be paid out on claims approved by the director of the legislative counsel bureau or his designee. ~~{as other claims against the state are paid.}~~

Sec. 10. NRS 218.130 is hereby amended to read as follows:

218.130 The number of officers and employees of the senate ~~{shall}~~ **must** be determined by each session of the senate as recommended by the senate committee ~~{on}~~ **which has jurisdiction of issues relating to** legislative functions.

Sec. 11. NRS 218.160 is hereby amended to read as follows:

218.160 The number of officers and employees of the assembly ~~[shall]~~ **must** be determined by each session of the assembly as recommended by the assembly committee ~~[on]~~ **which has jurisdiction of issues relating to** legislative functions.

Sec. 12. NRS 218.210 is hereby amended to read as follows:

218.210 ~~[1.— Each senator elected before November 4, 1986, or appointed to succeed a senator elected before November 4, 1986, is entitled to receive as compensation \$104 per day for each day of service:~~

~~—(a) During any regular session, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and~~

~~—(b) During any special session, for the number of days the legislature is in session or the maximum number of days for which compensation for a special session is permitted by the constitution, whichever is smaller.~~

~~—2.] Each senator and assemblyman [elected on or after November 4, 1986, or appointed to succeed a senator or assemblyman elected on or after November 4, 1986,] is entitled to receive as compensation \$130 per day for each day of service:~~

~~[(a)]~~ **1.** During any regular session, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and

~~[(b)]~~ **2.** During any special session, for the number of days the legislature is in session or the maximum number of days for which compensation for a special session is permitted by the constitution, whichever is smaller.

Sec. 13. NRS 218.220 is hereby amended to read as follows:

218.220 1. The per diem expense allowance and the travel and telephone expenses of senators and assemblymen elected or appointed and in attendance at any session or pre-session orientation conference of the legislature must be allowed in the manner set forth in this section.

2. For initial travel from his home to Carson City, Nevada, to attend a session or pre-session orientation conference of the legislature, and for return travel from Carson City, Nevada, to his home upon adjournment sine die of a session or termination of a pre-session orientation conference of the legislature, each senator and assemblyman is entitled to receive:

(a) A per diem expense allowance, not to exceed the ~~[greater of:~~
~~—(1) The rate of \$44; or~~

~~—(2) The]~~ maximum rate established by the Federal Government for the ~~[locality in which the travel is performed,]~~ **Carson City area**, for one day's travel to and one day's travel from the session or conference.

(b) Travel expenses

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3. In addition to the per diem and travel expenses authorized by subsection 2, each senator and assemblyman is entitled to receive a supplemental allowance which must not exceed:

(a) A total of \$6,800 during each regular session of the legislature for:

(1) His actual expenses in moving to and from Carson City for the session;

(2) Travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business; and

(3) If he rents furniture for his temporary residence rather than moving similar furniture from his home, the cost of renting that furniture not to exceed the amount that it would have cost to move the furniture to and from his home; and

(b) A total of \$1,000 during each special session of the legislature for travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business.

4. Each senator and assemblyman is entitled to receive a per diem expense allowance, not to exceed the ~~greater of:~~

~~(a) The rate of \$44; or~~

~~(b) The~~ maximum rate established by the Federal Government for the ~~locality in which the travel is performed,~~ **Carson City area**, for each day that the legislature is in session or in a pre-session orientation conference and for each day that he attends a meeting of a standing committee of which he is a member when the legislature has adjourned for more than 4 days.

5. Each senator and assemblyman who maintains temporary quarters in or near Carson City for which he has entered into a lease or other agreement for continuous occupancy for the duration of a legislative session is entitled to receive a lodging allowance equal to that portion of the expense allowance which the legislative commission designates by rule as being allocated to lodging, for not more than 14 days in each period in which:

(a) The legislature has adjourned until a time certain; and

(b) The senator or assemblyman is not entitled to a per diem expense allowance pursuant to subsection 4.

6. In addition to the per diem expense allowance authorized by subsection 4 and the lodging allowance authorized by subsection 5, each senator and assemblyman who maintains temporary quarters in or near Carson City for which he has entered into a lease or other agreement for continuous occupancy for the duration of a legislative session is entitled to receive a lodging allowance equal to that portion of the expense allowance which the legislative commission designates by rule as being allocated to lodging, for not more than 17 days in each period in which:

- (a) The legislature has adjourned for more than 4 days; and
- (b) The senator or assemblyman must obtain temporary lodging in a location that a standing committee of which he is a member is meeting.

7. Each senator and assemblyman is entitled to receive a lodging allowance equal to that portion of the expense allowance which the legislative commission designates by rule as being allocated to lodging, for not more than 6 days in each period in which:

- (a) The legislature has adjourned for more than 4 days; and
- (b) The senator or assemblyman must obtain temporary lodging in a location that a standing committee of which he is a member is meeting, if the senator or assemblyman is not entitled to the per diem expense allowance authorized by subsection 4 or the lodging allowances authorized by subsections 5 and 6.

8. Each senator and assemblyman is entitled to receive a telephone allowance of not more than \$2,800 for the payment of tolls and charges incurred by him in the performance of official business during each regular session of the legislature and not more than \$300 during each special session of the legislature.

9. An employee of the legislature assigned to serve a standing committee is entitled to receive the travel expenses and per diem expense allowance provided by law for state employees generally if he is required to attend a hearing of the committee outside Carson City.

10. ~~{Except as otherwise provided in NRS 218.644, claims}~~ **Claims** for expenses made under the provisions of this section must be ~~{made as other claims are made against the state, and must be}~~ paid from the legislative fund. Claims for per diem expense allowances authorized by subsection 4 and lodging allowances authorized by subsections 5, 6 and 7 must be paid once each week during a legislative session and upon completion of a pre-session orientation conference.

11. A claim for travel expenses authorized by subsection 2 or 3 must not be paid unless the senator or assemblyman submits a signed statement affirming:

- (a) The date of the travel; and
- (b) The places of departure and arrival and, if the travel is by private conveyance, the actual miles traveled. If the travel is not by private conveyance, the claim must include a receipt or other evidence of the expenditure.

12. Travel expenses authorized by subsections 2 and 3 are limited to:

- (a) If the travel is by private conveyance, a rate equal to the standard mileage reimbursement rate for which a deduction is allowed for the purposes of federal income tax. If two or more legislators travel in the same private conveyance, the legislator who provided or arranged for providing the transportation is presumed entitled to reimbursement.

(b) If the travel is not by private conveyance, the actual amount expended.

Transportation must be by the most economical means, considering total cost, time spent in transit and the availability of state-owned automobiles.

Sec. 14. NRS 218.225 is hereby amended to read as follows:

218.225 1. At each regular session of the legislature, each legislator is entitled to receive at the expense of the legislative fund from the state printing division of the department of administration the following:

(a) Not to exceed 2,000 letterheads, ~~8 1/2 inches x 11 inches~~, and 2,000 half size, or 4,000 of either variety;

(b) Not to exceed 2,000 No. 10 envelopes and 2,000 No. 6 3/4 envelopes, or 4,000 of either variety; and

(c) Not to exceed 2,000 business cards and 1,000 memorandum sheets, ~~500 each of the small and large type or 1,000 of either type~~.

Selections must be made from samples submitted by the superintendent of the state printing division of the department of administration, and all printing must be done in the state printing division of the department of administration.

2. Each female member of the assembly is entitled to have the word "Assemblywoman" precede the inscription of her name on her official stationery and business cards.

3. All orders for the printing specified in subsection 1 must be placed by legislators with the director of the legislative counsel bureau, who shall approve those claims which comply with the provisions of this section and shall pay the claims from the legislative fund. ~~in the same manner as other claims against the state are paid.~~

4. A legislator may purchase from the state printing division of the department of administration official stationery, cards and other material appropriate to his official duties in excess of that specified in subsection 1 at his own expense.

Sec. 15. NRS 218.230 is hereby amended to read as follows:

218.230 1. ~~There~~ *Except as otherwise provided in this section,* *there* must be paid to the ~~several~~ employees of the senate and assembly, for all services rendered by them under the provisions of this chapter, the following sums of money for each day's employment and no more:

Senate

Assistant director of bill services	\$74
Assistant secretary	109
Assistant sergeant at arms	82
Bill clerk	60
Committee manager.....	101
Committee secretary	88
Deputy sergeant at arms	88
Director of bill services	8

Director of clerical services.....	\$103
Executive assistant.....	101
Finance secretary	99
Front desk assistant.....	101
History clerk	101
Journal clerk	101
Media clerk.....	101
Recording clerk	101
Secretary	80
Senior committee secretary.....	96
Senior page	75
Sergeant at arms	103
Typist.....	68
Assembly	
Assistant chief clerk	\$109
Assistant sergeant at arms	82
Assistant supervisor of bill clerks.....	74
Bill clerk	60
Committee manager.....	101
Committee secretary	88
Deputy sergeant at arms	88
Document clerk	101
Executive assistant.....	101
History clerk	101
Journal clerk	101
Media clerk.....	101
Page	60
Recording clerk	101
Secretary	80
Senior committee secretary.....	96
Senior page	75
Sergeant at arms	103
Supervisor of bill clerks.....	80
Supervisor of secretarial staff.....	103
Typist.....	68
Ways and means secretary	99

2. During periods of adjournment to a day certain, employees of the legislature whose service is required shall perform duties as assigned and are entitled to be paid the amount specified in ~~this section~~ **subsection 1** for each day of service.

3. During periods before the commencement of a session and after the adjournment of a session sine die, employees of the legislature whose service is required shall perform duties as assigned and are entitled to be paid at an hourly rate commensurate with the daily rate specified in subsection 1.

Sec. 16. NRS 218.240 is hereby amended to read as follows:

218.240 1. The legislative counsel and the legal division of the legislative counsel bureau shall prepare and assist in the preparation and amendment of legislative measures when requested or upon suggestion as provided in NRS 218.240 to 218.255, inclusive ~~[1]~~, **and sections 2 to 6, inclusive, of this act.** Except as otherwise provided in those provisions, the legislative counsel and the legal division of the legislative counsel bureau shall not prepare or assist in the preparation and amendment of legislative measures directly submitted or requested by a natural person, corporation, firm, association or other entity, including an organization that represents governmental agencies, unless the requester, or if the requester is a natural person the office or other position held by the person, is created by the constitution or laws of this state.

2. ~~[An interim committee which conducts a study or investigation pursuant to subsection 5 of NRS 218.682 may request the preparation of no more than 10 legislative measures, except that such a committee may request the preparation of additional legislative measures if the legislative commission approves each additional request by a majority vote.~~

~~—3.]~~ The legislative counsel shall give consideration to and service concerning any measure before the legislature which is requested by the governor, the senate or assembly, or any committee of the legislature having the measure before it for consideration.

~~[4.]~~ 3. The legislative counsel may deliver to the superintendent of the state printing division of the department of administration and request that he print or preset the type for printing a legislative measure before its introduction upon the consent of the person or persons requesting the measure. If the measure has been requested by a legislator, the superintendent shall promptly comply with this request.

Sec. 17. NRS 218.241 is hereby amended to read as follows:

218.241 1. Upon request made within the time allowed and ~~[within]~~ limits established ~~[by the legislature by concurrent resolution,]~~ **pursuant to NRS 218.240 to 218.255, inclusive, and sections 2 to 6, inclusive, of this act,** the legislative counsel shall advise any agency or officer of the executive branch of the state government, and ~~[shall advise]~~ any county, school district or city, as to the preparation of measures to be submitted to the legislature.

2. To ensure the greatest possible equity in the handling of requests, drafting must proceed as follows:

(a) Requests for legislative measures from each agency or officer of the executive branch of the state government or from a county, school district or city must, insofar as is possible, be acted upon in the order in which they are received, unless a different priority is designated by the requester.

(b) As soon as an agency or officer of the executive branch of the state government has requested 10 legislative measures for any session, the legislative counsel may request the agency or officer to designate the priority for each succeeding request.

(c) ~~{Within}~~ **Not later than** 2 weeks ~~{after}~~ **before** the commencement of a regular session of the legislature, any county, school district or city which has requested the preparation of more than one legislative measure for that session shall submit to the legislative counsel a list which designates the order of priority for each request.

The priority designated pursuant to this subsection must guide the legislative counsel in acting upon the requests of the respective agencies and officers of the executive branch of the state government and the counties, school districts and cities to ensure each agency and officer, and each county, school district and city, as nearly as is possible, an equal rank.

Sec. 18. NRS 218.2413 is hereby amended to read as follows:

218.2413 1. Except as otherwise provided in subsections 3, 4 and 5, each board of county commissioners, board of trustees of a school district and city council may request the legislative counsel and the legal division of the legislative counsel bureau to prepare any legislative measure which has been approved by the governing body of the county, school district or city at a public hearing before its submission to the legislative counsel bureau.

2. The legislative counsel shall notify the requesting county, school district or city if its request substantially duplicates a request previously submitted by another county, school district or city.

3. The board of county commissioners of a county whose population:

(a) Is 400,000 or more shall not request the preparation of more than ~~{33}~~ **15** legislative measures pursuant to subsection 1 for a regular legislative session. At least ~~{three}~~ **one** of the measures must be recommended by a metropolitan police department that is located within the county.

(b) Is 100,000 or more but less than 400,000 shall not request the preparation of more than ~~{25}~~ **10** legislative measures pursuant to subsection 1 for a regular legislative session.

(c) Is less than 100,000 shall not request the preparation of more than ~~{5}~~ **2** legislative measures pursuant to subsection 1 for a regular legislative session.

4. The board of trustees of a school district in a county whose population:

(a) Is 400,000 or more shall not request the preparation of more than 5 legislative measures pursuant to subsection 1 for a regular legislative session.

(b) Is 100,000 or more but less than 400,000 shall not request the preparation of more than ~~13~~ 2 legislative measures pursuant to subsection 1 for a regular legislative session.

(c) Is less than 100,000 shall not request the preparation of more than 1 legislative measure pursuant to subsection 1 for a regular legislative session.

5. The city council of a city whose population:

(a) Is 100,000 or more shall not request the preparation of more than ~~10~~ 4 legislative measures pursuant to subsection 1 for a regular legislative session.

(b) Is less than 100,000 shall not request the preparation of more than ~~15 legislative measures~~ 1 legislative measure pursuant to subsection 1 for a regular legislative session.

6. *As used in this section, "population" means the current population estimate for that city or county as determined and published by the department of taxation and the demographer employed pursuant to NRS 360.283.*

Sec. 19. NRS 218.2415 is hereby amended to read as follows:

218.2415 1. An association of elected officials may directly request the legislative counsel and the legal division of the legislative counsel bureau to prepare no more than 5 legislative measures for a regular legislative session.

2. An association of counties or cities may directly request the legislative counsel and the legal division of the legislative counsel bureau to prepare no more than ~~10~~ 20 legislative measures for a regular legislative session.

Sec. 20. NRS 218.242 is hereby amended to read as follows:

218.242 Upon request, within ~~the~~ limits established *pursuant to NRS 218.240 to 218.255, inclusive, and sections 2 to 6, inclusive, of this act or* by the legislature by concurrent resolution, the legislative counsel shall assist any legislator in the preparation of bills and resolutions, drafting them in proper form, and furnishing the legislator the fullest information upon all matters within the scope of his duties. The legislative counsel shall, insofar as is possible, act upon all legislators' requests for legislative measures in the order in which they are received. To assure the greatest possible equity in the handling of requests, drafting must proceed as follows:

1. If he so desires, a legislator may designate a different priority for his bills and resolutions which the legislative counsel shall observe, insofar as is possible.

2. The drafting of requests for legislative measures from chairmen or members of standing committees or special committees, on behalf of those committees, must not, except where urgency is recognized, take precedence over the priority established or designated for individual legislators' bills and resolutions.

Sec. 21. NRS 218.245 is hereby amended to read as follows:

218.245 1. Except as otherwise provided in subsections 2 and 5, the legislative counsel and the legal division of the legislative counsel bureau shall not prepare or assist in the preparation of proposed legislation for any agency or officer of the executive branch of the state government or for a county, school district or city before a regular session of the legislature unless the request is approved by the governor or a designated member of his staff, or the governing body of the county, school district or city, and transmitted to the legislative counsel before September 1 preceding the convening of the session.

2. A request for proposed legislation may be submitted to the legislative counsel by the board of regents of the University of Nevada, lieutenant governor, secretary of state, attorney general, state controller or state treasurer without the approval of the governor or a designated member of his staff.

3. After November 1, preceding a legislative session, the legislative counsel and the legal division of the legislative counsel bureau shall give full priority to the preparation of proposed legislation requested by members of the legislature.

4. The legislative counsel and the legal division of the legislative counsel bureau shall not prepare or assist in the preparation of any proposed legislation during any regular session of the legislature except ~~upon the request of a member of the legislature or the personal written request of the governor.~~ *as authorized by statute or joint rule of the legislature.*

5. An agency or officer of the executive branch of the state government or a county, school district or city, shall not request a legislator to have legislation drafted on its behalf. The legislative commission, when the legislature is not in session, or a standing committee which has jurisdiction of the subject matter when the legislature is in session, may, if it finds that exceptional circumstances so warrant, authorize the drafting of legislation requested after the time limited by subsection 1 ~~of this section and subsection 1, 3 or 4 of section 6 of this act.~~

Sec. 22. NRS 218.247 is hereby amended to read as follows:

218.247 1. The legislative counsel and the legal division of the legislative counsel bureau shall prepare and assist in the preparation ~~and amendment~~ of legislative measures at the ~~written suggestion of any justice~~ request of the supreme court ~~or judge of a district court, within limits established by the legislature by concurrent resolution.~~ *if the legislative measures are transmitted to the legislative counsel before September 1 preceding the commencement of the next regular session of the legislature. The supreme court may transmit to the legislative counsel*

pursuant to this section not more than 16 legislative measures on behalf of the supreme court and district courts of this state and not more than 4 legislative measures on behalf of the municipal courts and justices' courts of this state.

2. Every ~~{suggestion of a judge}~~ *requested legislative measure* must set forth the substance of the provisions desired or which may be needed with the reasons therefor.

3. The legislative counsel ~~{and the legal division of the legislative counsel bureau shall prepare a measure in accordance with the suggestion of a judge, and}~~ shall transmit ~~{it}~~ *any legislative measure prepared pursuant to this section* to the chairman of the committee on judiciary of each house at the next regular session of the legislature.

Sec. 23. NRS 218.272 is hereby amended to read as follows:

218.272 1. ~~{The}~~ *Except as otherwise provided in subsection 4, the* fiscal analysis division shall obtain a fiscal note on:

(a) Any bill which makes an appropriation or increases any existing appropriation;

(b) Any bill or joint resolution which creates or increases any fiscal liability or decreases any revenue which appears to be in excess of \$2,000; and

(c) Any bill or joint resolution which increases or newly provides for a term of imprisonment in the state prison or makes release on parole or probation from the state prison less likely, before ~~{the}~~ *a vote is taken on such a* bill or joint resolution ~~{is considered at a public hearing of}~~ *by* a committee of the assembly or the senate. ~~{or before any vote is taken on it by the committee.}~~

2. The fiscal note must contain a reliable estimate of the anticipated change in appropriation authority, fiscal liability or state revenue under the bill or joint resolution, including, to the extent possible, a projection of such changes in future biennia.

~~{2.}~~ 3. Except as otherwise provided in NRS 218.272 to 218.2758, inclusive, or in the joint rules of the senate and assembly, the estimates must be made by the agency receiving the appropriation or collecting the revenue.

~~{3.}~~ 4. The fiscal note is not required on any bill or joint resolution relating exclusively to the proposed executive budget.

Sec. 24. NRS 218.2723 is hereby amended to read as follows:

218.2723 Before *a vote is taken by a committee of the assembly or the senate on* any bill or joint resolution which reduces the revenues or increases the expenditures of a local government or any bill which increases or newly provides for a term of imprisonment in a county or city jail or detention facility, or makes release on probation therefrom less likely, ~~{is considered at a public hearing of a committee of the assembly or the senate or before a vote is taken thereon by the committee,}~~ the fiscal analysis division shall prepare a fiscal note after consultation with the appropriate local governments or their representatives.

Sec. 25. NRS 218.2725 is hereby amended to read as follows:

218.2725 1. Before *a vote is taken by a committee of the assembly or the senate on* any bill or joint resolution which affects the premiums charged to employers as provided in chapters 616A, 616B, 616C, 616D or 617 of NRS or the state insurance fund established by chapters 616A to 616D, inclusive, of NRS , ~~is considered at a public hearing of a committee of the assembly or the senate or before a vote is taken thereon by the committee,~~ the fiscal analysis division shall obtain a fiscal note in the manner and form, to the extent applicable, provided for in NRS 218.272 to 218.2758, inclusive, showing the financial effect on the premiums charged employers by the state industrial insurance system or on the state insurance fund.

2. The state industrial insurance system shall provide such information upon request of the fiscal analysis division.

3. The department of administration is not required to review such a fiscal note, but upon request of any legislator, the fiscal analysis division shall review the note and submit its findings to the requester.

Sec. 26. NRS 218.380 is hereby amended to read as follows:

218.380 ~~[The]~~ *An* enrolled bill ~~[or resolution shall]~~ *must* be delivered by the legislative counsel, or such person as he ~~[shall]~~ *designates* in writing , ~~[designate,]~~ to the governor for his action, who may authorize a member of his staff to receive and receipt for the same in his name.

Sec. 27. NRS 218.390 is hereby amended to read as follows:

218.390 1. An enrolled joint resolution proposing an amendment to the constitution of the State of Nevada ~~[must not be presented to the governor for approval and signature, but]~~ must be delivered with the official engrossed copy thereof to the secretary of state or such deputy or clerk as he designates in writing.

2. The secretary of state shall cause the enrolled resolution and the engrossed copy thereof to be filed in his office, and shall deliver them to the presiding officer of the house in which the proposed amendment originated at the next ensuing session of the legislature. The enrolled resolution accompanied by the engrossed copy thereof must thereupon be laid before the house for action, and if approved by a majority of the members elected thereto, must again be deposited with and filed by the secretary of state so that it may be placed upon the ballot at the next ensuing general election.

3. The history of the joint resolution containing a notation that it has been returned to the house of its origin by the secretary of state must be noted on the engrossed copy of the resolution, and must likewise appear upon the enrolled copy thereof. The enrolled copy must bear the original signatures of the presiding officers and secretary and clerk of the respective houses for both sessions of the legislature at which the proposed amendment to the constitution was considered.

4. The secretary of state shall cause all proposed amendments to the constitution to be published in the printed volume of the statutes for each year when they have been considered by the legislature.

Sec. 28. NRS 218.400 is hereby amended to read as follows:

218.400 1. As soon as an enrolled bill ~~{or joint resolution}~~ is delivered to the governor, any person duly authorized shall endorse by stamp, on the back of the enrolled copy of such bill, ~~{or joint resolution,}~~ over his signature, from whom and which house *the bill was* received, the date and hour of receipt, *and* the number of pages comprising the ~~{same,}~~ *bill*, and shall compute and note thereon the time limit for action by the governor, excluding the day of receipt and Sundays, which ~~{shall}~~ *must* not exceed the constitutional limit for such action.

2. Within such time limit the bill ~~{or joint resolution shall,}~~ *must*, if approved, be signed by the governor immediately after the signatures of the officials of both houses as follows:

State of Nevada
Executive Department
Approved

.....a.m.....p.m.
.....(month).....(day).....(year)
.....(Governor)

3. Immediately following such approval, without alteration or correction, the bill ~~{or joint resolution shall}~~ *must* be deposited with the secretary of state, who shall endorse on the back thereof, following the endorsement of such duly authorized person:

Received and filed.
.....(hour)
.....(month).....(day).....(year)
.....(Secretary of State)

Sec. 29. NRS 218.410 is hereby amended to read as follows:

218.410 The secretary of state, or such deputy or clerk as he ~~{shall designate}~~ *designates* in writing, shall receipt to the governor for all bills ~~{and joint resolutions}~~ received, noting the number of such bill, ~~{or resolution,}~~ the house wherein the ~~{same}~~ *bill* originated, the number of pages contained therein, and the hour and date received. Such receipt ~~{shall}~~ *must* be retained in the governor's office for at least 6 years.

Sec. 30. NRS 218.420 is hereby amended to read as follows:

218.420 1. If the governor does not approve a bill ~~{or joint resolution}~~ within 5 days, Sundays excepted, after it ~~{shall have}~~ *has* been presented to him, the bill ~~{shall become a law or the joint resolution shall become effective}~~ *becomes a law* without his signature, unless he ~~{shall have}~~ *has* returned it to the house in which it originated, with his objections thereto, ~~{and which shall}~~ *which must* be entered in its journal.

2. Such house shall thereupon proceed to reconsider the vetoed bill ~~{or joint resolution,}~~ and if thereafter it ~~{shall again pass}~~ **again passes** both houses by a two-thirds vote of the members elected to each house, the bill ~~{shall become a law or the joint resolution shall become effective}~~ **becomes a law** notwithstanding the objections of the governor, and ~~{shall}~~ **must** be delivered by the legislative counsel directly to the secretary of state for filing, who shall receipt to the legislative counsel therefor.

Sec. 31. NRS 218.430 is hereby amended to read as follows:

218.430 1. If the legislature, ~~{shall,}~~ by its final adjournment, ~~{prevent}~~ **prevents** the return of a bill ~~{or joint resolution}~~ within 5 days after delivery to the governor, Sundays excepted, the bill ~~{shall become a law or the joint resolution shall become effective}~~ **becomes a law** without his signature, unless within 10 days next after the adjournment, Sundays excepted, he ~~{shall file the bill or joint resolution}~~ **files the bill** with his objections thereto with the secretary of state.

2. The secretary of state shall lay the bill ~~{or joint resolution}~~ before the legislature at its next regular session in like manner as if it had been returned by the governor directly to the house in which it originated. If the bill ~~{or joint resolution shall receive}~~ **receives** the vote of two-thirds of the members elected to each house of the legislature, upon a vote taken by yeas and nays, to be entered upon the journals of each house, the bill ~~{shall become a law or the joint resolution shall become effective, and shall}~~ **becomes a law and must** be delivered by the legislative counsel directly to the secretary of state for filing, who shall receipt to the legislative counsel therefor.

Sec. 32. NRS 218.440 is hereby amended to read as follows:

218.440 1. The secretary of state shall, after **the** final adjournment of each session of the legislature, cause all legislative bills ~~{and joint resolutions}~~ deposited with him after approval by the governor, and all **joint resolutions**, concurrent resolutions and memorials to be bound in a substantial and suitable book or books, together with an index thereof.

2. The expenses incurred in such work must be paid by the state in the manner directed by the state board of examiners.

Sec. 33. NRS 218.464 is hereby amended to read as follows:

218.464 1. The following persons are entitled to receive free of charge in any one calendar year any bill, resolution, daily history, daily journal or index, in the number of copies shown, upon verification of their wishes to receive the publication:

- (a) Justices and the clerk of the supreme court, one copy;
- (b) County clerks and district attorneys, one copy;
- (c) A judge and clerk of a district court in a judicial district having one judge, one copy; and
- (d) The judges and the administrator or clerk of a district court in a judicial district having more than one judge, two copies.

2. Upon approval of the committee ~~{on}~~ *of the senate or the assembly which has jurisdiction of issues relating to* legislative functions, ~~{of the senate or assembly,}~~ additional copies must be provided to these persons without charge, except for the cost of handling and postage as determined by the director of the legislative counsel bureau.

Sec. 34. NRS 218.466 is hereby amended to read as follows:

218.466 1. The following persons, offices or organizations, upon request, are entitled to receive free of charge in any one calendar year one copy of any bill, resolution, daily history, daily journal or index:

- (a) Elected state officers.
- (b) Offices of all state departments and agencies.
- (c) County clerks, sheriffs, treasurers, assessors, recorders and auditors.
- (d) Offices of other county officials.
- (e) Municipal officers.
- (f) Districts and other governmental agencies.
- (g) Justices of the peace.
- (h) The state library and archives.
- (i) County and city libraries and libraries of the University and Community College System of Nevada.
- (j) Accredited members of the press.

2. Upon approval of the committee ~~{on}~~ *of the senate or the assembly which has jurisdiction of issues relating to* legislative functions, ~~{of the senate or assembly,}~~ additional copies must be provided to these persons, offices or organizations without charge, except for the cost of any handling and postage as determined by the director of the legislative counsel bureau.

3. Township, school and municipal officials may have distributed, free of charge, the number of copies of any bill or other legislative publication that is approved by the committee on legislative functions of the senate or assembly.

Sec. 35. NRS 218.500 is hereby amended to read as follows:

218.500 1. The secretary of state shall furnish to the superintendent of the state printing division of the department of administration, within 3 days ~~{from the time}~~ *after* he receives ~~{each one from the governor, after approval,}~~ *them*, a copy of all acts, joint and concurrent resolutions, and memorials passed at each session.

2. The director of the legislative counsel bureau shall:

- (a) Distribute one copy of each act as printed to each county clerk, district judge, district attorney and justice of the peace in the state.
- (b) Immediately upon the adjournment of the session, collect and have printed and bound advance sheets of all acts, resolutions and memorials passed at the session.
- (c) Distribute one copy of the advance sheets, without charge, to each justice of the supreme court, the attorney general, the state public defender, and to each county clerk, district judge, district attorney, county public defender, justice of the peace, city attorney and municipal judge in the state, deliver to the supreme court law library a number of copies

appropriate to secure the exchange of similar publications from other states, and establish the price at which the advance sheets must be sold to other persons.

3. The legislative counsel shall, immediately upon the adjournment of the session, prepare statutory tables and an index of all acts, resolutions and memorials passed at the session.

4. The superintendent, upon receipt of the statutory tables and index, shall prepare bound volumes of the Statutes of Nevada as provided in NRS 218.510.

Sec. 36. NRS 218.5375 is hereby amended to read as follows:

218.5375 1. There is hereby created a legislative committee on workers' compensation. The committee consists of:

(a) Four members appointed by the majority leader of the senate, in consultation with the minority leader of the senate, from the membership of the senate standing committee ~~{on commerce and labor}~~ **which had jurisdiction of issues relating to workers' compensation** during the immediately preceding session of the legislature.

(b) Four members appointed by the speaker of the assembly from the membership of the assembly standing committee ~~{on labor and management}~~ **which had jurisdiction of issues relating to workers' compensation** during the immediately preceding session of the legislature. The members must represent each political party represented in the assembly in the approximate proportion that they are represented in that house, but at least one member must be chosen from each political party.

2. The members of the committee shall elect a chairman and vice chairman from among their members. The chairman must be elected from one house of the legislature and the vice chairman from the other house. After the initial election of a chairman and vice chairman, each of those officers holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the chairmanship or vice chairmanship, the members of the committee shall elect a replacement for the remainder of the unexpired term.

3. Any member of the committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next session of the legislature.

4. Vacancies on the committee must be filled in the same manner as original appointments.

Sec. 37. NRS 218.610 is hereby amended to read as follows:

218.610 As used in NRS 218.610 to 218.735, inclusive, **and sections 7 and 8 of this act**, "agency of the state" includes all offices, departments, boards, commissions or institutions of the state, and the state industrial insurance system.

Sec. 38. NRS 218.640 is hereby amended to read as follows:

218.640 ~~{Except as otherwise provided in NRS 218.644, money}~~ **Money** to carry out the functions of the legislative counsel bureau must be provided by legislative appropriation from the state general fund to the

legislative fund . ~~[- and must be paid out on claims as other claims against the state are paid.]~~ All claims must be approved by the director of the legislative counsel bureau or his designee before they are paid.

Sec. 39. NRS 218.644 is hereby amended to read as follows:

218.644 1. The legislative counsel bureau shall maintain a checking account in any qualified bank for the purposes of providing advance money and reimbursement to legislators and employees for travel expenses, paying the salaries of persons on the payroll of the legislative branch of government, related payroll costs , **other expenses which may or must be paid from the legislative fund** and any other expenses directed by the legislative commission. The account must be secured by a depository bond to the extent the account is not insured by the Federal Deposit Insurance Corporation. All checks written on this account must be signed by the chairman of the legislative commission and the director of the legislative counsel bureau or his designee, except that during a regular session of the legislature, the majority leader of the senate and the speaker of the assembly shall sign the checks.

2. A request for advance money for travel constitutes a lien in favor of the legislative fund upon the accrued salary, subsistence allowance and travel expenses of the legislator or employee in an amount equal to the sum advanced.

3. The legislator or employee is entitled to receive upon request any authorized travel expenses in excess of the amount advanced. The legislator or employee shall reimburse the legislative fund any amount advanced that is not used for reimbursable travel expenses.

Sec. 40. NRS 218.6824 is hereby amended to read as follows:

218.6824 1. There is hereby created a budget subcommittee of the legislative commission.

2. The chairman of the legislative commission shall appoint to the subcommittee the persons designated by the speaker designate of the assembly to be members of the assembly standing committee on ways and means and the persons designated by the majority leader designate of the senate to be members of the senate standing committee on finance for the next ensuing session of the legislature.

3. The budget subcommittee shall conclude its activities before the next regular legislative session is convened.

4. The budget subcommittee shall ~~[-~~:

~~—(a) Review the synopsis of the state budget prepared by the fiscal analysis division of the legislative counsel bureau pursuant to NRS 353.211; and~~

~~—(b) Consider other]~~ **consider** fiscal issues that may require consideration by the legislature at the next ensuing session.

Sec. 41. NRS 218.685 is hereby amended to read as follows:

218.685 Notwithstanding the provisions of NRS 218.150 and 218.180, between sessions of the legislature, the director of the legislative counsel bureau, with the approval of the legislative commission, may appoint such

technical, clerical and operational staff as the functions and operations of the legislature may require. Salaries and ~~the costs of any contract services shall~~ **related costs must** be paid from the legislative fund.

Sec. 42. NRS 218.697 is hereby amended to read as follows:

218.697 1. Upon request, the legislative counsel shall represent any legislator in any matter before the commission on ethics.

2. When deemed necessary or advisable to protect the official interests of the legislature or one or more legislative committees, the legislative commission, or the chairman of the legislative commission in cases where action is required before a meeting of the legislative commission is scheduled to be held, may direct the legislative counsel and his staff to appear in, commence, prosecute, defend or intervene in any action, suit, matter, cause or proceeding in any court or agency of this state or of the United States.

3. ~~Expenses~~ **The legislative commission may authorize payment of the expenses** and costs incurred pursuant to this section ~~may be paid by the legislative commission~~ from the legislative fund.

Sec. 43. NRS 233B.050 is hereby amended to read as follows:

233B.050 1. In addition to other regulation-making requirements imposed by law, each agency shall:

(a) Adopt rules of practice, setting forth the nature and requirements of all formal and informal procedures available, including a description of all forms and instructions used by the agency.

(b) Make available for public inspection all rules of practice and regulations adopted or used by the agency in the discharge of its functions and that part of the Nevada Administrative Code which contains its regulations.

(c) Make available for public inspection all final orders, decisions and opinions except those expressly made confidential or privileged by statute.

(d) Review its rules of practice at least once every 3 years and file with the secretary of state a statement setting forth the date on which the most recent review of those rules was completed and describing any revisions made as a result of the review.

(e) Review its regulations at least once every 10 years to determine whether it should amend or repeal any of the regulations. Within 30 days after completion of the review, the agency shall submit a report to the ~~director of the~~ legislative counsel ~~bureau~~ for distribution to the next regular session of the legislature. The report must include the date on which the agency completed its review of the regulations and describe any regulation that must be amended or repealed as a result of the review. ~~The director of the legislative counsel bureau shall provide a copy of the report to the legislative counsel for the purposes of subsection 2 of NRS 233B.065.~~

2. A regulation, rule, final order or decision of an agency is not valid or effective against any person or party, nor may it be invoked by the agency for any purpose, until it has been made available for public inspection as

required in this section, except that this provision does not apply in favor of any person or party who has actual knowledge thereof.

Sec. 44. NRS 233B.0665 is hereby amended to read as follows:

233B.0665 If a regulation submitted to the legislative counsel bureau pursuant to NRS 233B.067 is not accompanied by an informational statement which complies with the requirements of NRS 233B.066, the ~~{director of the}~~ legislative counsel ~~{bureau}~~ shall return the regulation to the agency with a note that the statement is missing. Unless the statement is supplied, the ~~{director}~~ *legislative counsel* shall not submit the regulation to the commission, and the regulation never becomes effective. If the statement is supplied, the time for action upon the regulation must be computed from the date of delivering the statement to the ~~{director.}~~ *legislative counsel*.

Sec. 45. NRS 233B.067 is hereby amended to read as follows:

233B.067 1. After adopting a permanent regulation, the agency shall submit the informational statement prepared pursuant to NRS 233B.066 and one copy of each regulation adopted 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 pursuant to which it was adopted and whether the regulation carries out the intent of the legislature in granting that authority. The ~~{director}~~ *legislative counsel* shall endorse on the original and the copy of each adopted regulation the date of their receipt. The ~~{director}~~ *legislative counsel* shall maintain the copy of the regulation in a file and make the copy available for public inspection for 2 years.

2. If an agency submits an adopted regulation to the ~~{director of the}~~ legislative counsel ~~{bureau}~~ pursuant to subsection 1 that:

(a) The agency is required to adopt pursuant to a federal statute or regulation; and

(b) Exceeds the specific statutory authority of the agency or sets forth requirements that are more stringent than a statute of this state, it shall include a statement that adoption of the regulation is required by a federal statute or regulation. The statement must include the specific citation of the federal statute or regulation requiring such adoption.

3. 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.

4. The legislative commission shall notify the ~~{director}~~ *legislative counsel* 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}~~ *legislative counsel* 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 objects to the regulation after determining that:

- (a) If subsection 2 is applicable, the regulation is not required pursuant to a federal statute or regulation;
 - (b) The regulation does not conform to statutory authority; or
 - (c) The regulation does not carry out legislative intent,
- the ~~{director}~~ **legislative counsel** shall attach to the regulation a written notice of the objection of the commission, including a statement of the reasons for its objection, and shall promptly return the regulation to the agency.

Sec. 46. NRS 233B.0675 is hereby amended to read as follows:

233B.0675 1. If the legislative commission has objected to a regulation, the agency may revise it and return it to the ~~{director of the}~~ legislative counsel . ~~{bureau.}~~ Upon receipt of the revised regulation, the ~~{director}~~ **legislative counsel** shall resubmit the regulation to the commission at its next regularly scheduled meeting. If the commission does not object to the revised regulation, the ~~{director}~~ **legislative counsel** shall promptly file the revised regulation with the secretary of state and notify the agency of the filing.

2. If the legislative commission objects 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 legislative commission has objected, the commission may suspend the filing of the regulation until the final day of the next regular session of the legislature. Before the final day of the next regular session the legislature may, by concurrent resolution or other appropriate legislative measure, declare that the regulation will not become effective. The ~~{director}~~ **legislative counsel** 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 final day of the session, the ~~{director}~~ **legislative counsel** shall promptly file the regulation and notify the agency of the filing.

Sec. 47. NRS 233B.0681 is hereby amended to read as follows:

233B.0681 The legislative commission may provide for:

1. Its early review of a regulation after the agency has given notice of a hearing on the regulation but before the hearing is held. If the regulation adopted after the hearing is identical to the regulation submitted for early review, the ~~{director}~~ **legislative counsel** shall promptly file the regulation with the secretary of state and notify the agency of the filing.

2. A waiver of its review of a regulation in a case of administrative convenience or necessity.

Sec. 48. NRS 233B.070 is hereby amended to read as follows:

233B.070 1. A permanent regulation becomes effective when the ~~{director of the}~~ legislative counsel ~~{bureau}~~ files with the secretary of state

the original of the final draft or revision of a regulation, except as otherwise provided in NRS 233B.0665 or where a later date is specified in the regulation.

2. A temporary or emergency regulation becomes effective when the agency files with the secretary of state the original of the final draft or revision of a regulation, together with the informational statement prepared pursuant to NRS 233B.066. The agency shall also file a copy of the temporary or emergency regulation with the legislative counsel, ~~bureau,~~ together with the informational statement prepared pursuant to NRS 233B.066.

3. The secretary of state shall maintain the original of the final draft or revision of each regulation in a permanent file to be used only for the preparation of official copies.

4. The secretary of state shall file, with the original of each agency's rules of practice, the current statement of the agency concerning the date and results of its most recent review of those rules.

5. Immediately after each permanent or temporary regulation is filed, the agency shall deliver one copy of the final draft or revision, bearing the stamp of the secretary of state indicating that it has been filed, including material adopted by reference which is not already filed with the state library and archives administrator, to the state library and archives administrator for use by the public. If the agency is a licensing board as defined in NRS 439B.225 and it has adopted a permanent regulation relating to standards for licensing or for the renewal of a license issued to a person or facility regulated by the agency, the agency shall also deliver one copy of the regulation, bearing the stamp of the secretary of state, to the legislative committee on health care within 10 days after the regulation is filed with the secretary of state.

6. Each agency shall furnish a copy of all or part of that part of the Nevada Administrative Code which contains its regulations, to any person who requests a copy, and may charge a reasonable fee for the copy based on the cost of reproduction if it does not have money appropriated or authorized for that purpose.

7. An agency which publishes any regulations included in the Nevada Administrative Code shall use the exact text of the regulation as it appears in the Nevada Administrative Code, including the leadlines and numbers of the sections. Any other material which an agency includes in a publication with its regulations must be presented in a form which clearly distinguishes that material from the regulations.

Sec. 49. 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 pursuant

to 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.

3. After notification by the ~~{director of the}~~ legislative counsel ~~{bureau}~~ of the legislative commission's objection to the form, the agency may revise the form to conform to statutory authority and resubmit it to the legislative commission. The agency shall not use the form until it has submitted a revised version to the legislative commission and the commission has approved the form.

4. If the agency refuses to revise the form, it shall not use the form until after the expiration of the first 30 days 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 form must not be used. The ~~{director}~~ legislative counsel shall thereupon notify the agency that it shall not use the form. If the legislature has not so declared by the 30th day of the session, the ~~{director}~~ legislative counsel shall promptly notify the agency that it may use the form.

Sec. 50. NRS 353.090 is hereby amended to read as follows:

353.090 1. Except for claims *against the legislative fund or* for the payment of the salaries of public officers, every claim for payment from the state treasury pursuant to an appropriation or authorization by the legislature must be presented to the state board of examiners for a determination of its correctness. The state board of examiners may adopt regulations providing for the use of sampling procedures and postaudit techniques for making such a determination.

2. Any money which:

- (a) Is allocated to this state pursuant to a federal program in the form of a letter of credit or its equivalent;
- (b) Is authorized for expenditure by the legislature;
- (c) Has not been deposited in the state treasury; and
- (d) Is immediately available to this state through an automated federal payment management system,

shall be deemed to be available for a claim for payment from the state treasury.

3. The state controller shall not allow or draw his warrant for:

- (a) Any claim of the class described in this section which has not been approved by the state board of examiners; or

- (b) A greater amount than allowed by the board,

except when the claim has not been acted upon by the board within 30 days after its presentation to the board.

Sec. 51. NRS 353.211 is hereby amended to read as follows:

353.211 1. On or before October 15 of each even-numbered year, the chief shall provide to the fiscal analysis division of the legislative counsel bureau:

- (a) Computerized budget files containing the actual data regarding revenues and expenditures for the previous year;
 - (b) The work programs for the current year; and
 - (c) Each agency's requested budget for the next 2 fiscal years.
2. On or before December 31 of each even-numbered year, the chief shall provide to the fiscal analysis division:

- (a) Each agency's adjusted base budget by budgetary account for the next 2 fiscal years; and
- (b) An estimated range of the costs for:
 - (1) Continuing the operation of state government; and
 - (2) Providing elementary, secondary and higher public education, at the current level of service.

3. The information provided to the fiscal analysis division pursuant to subsections 1 and 2 is open for public inspection.

~~[4.—As soon as practicable after receipt of the material provided pursuant to subsections 1 and 2, the fiscal analysis division shall provide a synopsis of the information to the members of the budget subcommittee of the legislative commission. The synopsis must include the levels of requested expenditures of all of the departments, institutions and agencies, major budgetary issues, approximate available revenues, historical data and any other information the fiscal analysts deem appropriate.]~~

Sec. 52. NRS 353.230 is hereby amended to read as follows:

353.230 1. The chief shall review the estimates, altering, revising, increasing or decreasing the items of the estimates as he may deem necessary in view of the needs of the various departments, institutions and agencies in the executive department of the state government and the total anticipated income of the state government and of the various departments, institutions and agencies of the executive department during the next fiscal year. In performing the duties required by this subsection, the chief shall use the projections and estimates prepared by the economic forum pursuant to NRS 353.228.

2. The chief shall meet with a fiscal analyst of the legislative counsel bureau or his designated representative and personnel of the various departments, institutions and agencies of the executive department to discuss:

- (a) The budgetary requests of each department, institution and agency; and
 - (b) The budgetary recommendations of the budget division for each department, institution and agency,
- for the next 2 fiscal years. The chief shall allow the fiscal analyst of the legislative counsel bureau or his designated representative full access to all materials connected with the review.

3. The chief shall then prepare a final version of the proposed budget, in accordance with NRS 353.150 to 353.246, inclusive, and shall deliver it to the governor. The final version of the proposed budget must include the adjusted base budget for each department, institution and agency of the

executive department, the costs for continuing each program at the current level of service and the costs, if any, for new programs, recommended enhancements of existing programs or reductions for the departments, institutions and agencies of the executive department for the next 2 fiscal years. All projections of revenue and any other information concerning future state revenue contained in the proposed budget must be based upon the projections and estimates prepared by the economic forum pursuant to NRS 353.228.

4. The governor shall , ~~transmit the proposed budget to the legislature~~ not later than ~~the 10th day~~ **14 calendar days before the commencement** of the regular legislative session ~~;~~ , **submit the proposed budget to the director of the legislative counsel bureau for transmittal to the legislature.** The governor shall simultaneously submit, as a separate document:

(a) An analysis of any new programs or enhancements of existing programs being recommended; and

(b) Any increase in or new revenues which are being recommended in the proposed budget.

The document must specify the total cost by department, institution or agency of new programs or enhancements, but need not itemize the specific costs. All projections of revenue and any other information concerning future state revenue contained in the document must be based upon the projections and estimates prepared by the economic forum pursuant to NRS 353.228.

5. On or before the 19th calendar day of the regular legislative session, the governor shall submit to the legislative counsel recommendations for each legislative measure which will be necessary to carry out the final version of the proposed budget ~~;~~ **or to carry out the governor's legislative agenda.** These recommendations must contain sufficient detailed information to enable the legislative counsel to prepare the necessary legislative measures.

6. During the consideration of the general appropriation bill and any special appropriation bills and bills authorizing budgeted expenditures by the departments, institutions and agencies operating on money designated for specific purposes by the constitution or otherwise, drafted at the request of the legislature upon the recommendations submitted by the governor with the proposed budget, the governor or his representative have the right to appear before and be heard by the appropriation committees of the legislature in connection with the appropriation bill or bills, and to render any testimony, explanation or assistance required of him.

Sec. 53. This act becomes effective on July 1, 1999.

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