

ASSEMBLY BILL NO. 631—COMMITTEE ON ELECTIONS,
PROCEDURES, AND ETHICS

(ON BEHALF OF LEGISLATIVE COMMISSION)

MARCH 19, 1999

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes regarding administration of state legislature and legislative counsel bureau. (BDR 17-820)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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:

- 1 **Section 1.** Chapter 218 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 8, inclusive, of this act.
3 **Sec. 2. 1. *Except as otherwise provided by specific statute or***
4 *concurrent resolution of the legislature, the legislative counsel shall*
- 5 *honor:*
- 6 (a) *The number of requests for the drafting of a bill or resolution for a*
7 *regular session of the legislature only as provided in NRS 218.240 to*
8 *218.255, inclusive, and sections 2 to 6, inclusive, of this act.*
- 9 (b) *A request for the drafting of a bill or resolution for a regular*
10 *session of the legislature only if the request is received by the legislative*

1 *counsel on or before December 15 preceding the commencement of that*
2 *session.*

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

8 *2. The legislative counsel shall not:*

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

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

16 *(c) Honor a request for the drafting of a bill or resolution for any*
17 *session of the legislature which has been combined in violation of section*
18 *17 of article 4 of the Nevada constitution.*

19 **Sec. 3. 1. Each incumbent or newly elected:**

20 *(a) Assemblyman may request the drafting of not more than 10*
21 *legislative measures before the commencement of a regular legislative*
22 *session.*

23 *(b) Senator may request the drafting of not more than 20 legislative*
24 *measures before the commencement of a regular legislative session.*

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

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

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

1 **Sec. 4. 1. In addition to the number authorized pursuant to section**
2 **3 of this act:**

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

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

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

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

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

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

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

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

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

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

5 **Sec. 6. 1.** The governor or his designated representative may
6 transmit to the legislative counsel before the commencement of a regular
7 legislative session not more than 250 requests for the drafting of
8 legislative measures approved on behalf of state agencies, boards and
9 departments of the executive branch of state government pursuant to
10 subsection 1 of NRS 218.245, except that the department of
11 administration may request on or before the first day of the legislative
12 session, without limitation, the drafting of as many legislative measures
13 as are necessary to implement the budget proposed by the governor and
14 to provide for the fiscal management of the state.

15 2. The following constitutional officers may request the drafting of
16 not more than the following numbers of legislative measures before the
17 commencement of a regular legislative session:

18	
19	Lieutenant governor2
20	Secretary of state..... 15
21	State treasurer..... 5
22	State controller..... 5
23	Attorney general 35
24	

25 3. The board of regents of the University of Nevada may request the
26 drafting of not more than 5 legislative measures on behalf of the
27 University and Community College System of Nevada before the
28 commencement of a regular legislative session.

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

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

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

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

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

5 1. *Must consist of all persons designated by the:*

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

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

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

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

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

19 218.085 1. The legislative fund is hereby created as a special revenue
20 fund for the use of the legislature, and where specifically authorized by law,
21 for the use of the legislative counsel bureau.

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

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

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

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

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

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

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

33 (1) The legislative commission;

34 (2) The legal division;

35 (3) The research division;

36 (4) The audit division;

37 (5) The fiscal analysis division; and

38 (6) The administrative division,
39 of the legislative counsel bureau.

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

43 adopted by the senate and assembly.

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

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

6 218.130 The number of officers and employees of the senate ~~{shall}~~
7 **must** be determined by each session of the senate as recommended by the
8 senate committee ~~{on}~~ **which has jurisdiction of issues relating to**
9 legislative functions.

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

11 218.160 The number of officers and employees of the assembly ~~{shall}~~
12 **must** be determined by each session of the assembly as recommended by
13 the assembly committee ~~{on}~~ **which has jurisdiction of issues relating to**
14 legislative functions.

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

16 218.210 ~~{1.—Each senator elected before November 4, 1986, or~~
17 ~~appointed to succeed a senator elected before November 4, 1986, is entitled~~
18 ~~to receive as compensation \$104 per day for each day of service:~~

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

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

26 ~~—2.}~~ Each senator and assemblyman ~~{elected on or after November 4,~~
27 ~~1986, or appointed to succeed a senator or assemblyman elected on or after~~
28 ~~November 4, 1986,}~~ is entitled to receive as compensation \$130 per day for
29 each day of service:

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

34 ~~{(b)}~~ **2.** During any special session, for the number of days the
35 legislature is in session or the maximum number of days for which
36 compensation for a special session is permitted by the constitution,
37 whichever is smaller.

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

39 218.220 1. The per diem expense allowance and the travel and
40 telephone expenses of senators and assemblymen elected or appointed and
41 in attendance at any session or presession orientation conference of the
42 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.

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

1 as being allocated to lodging, for not more than 14 days in each period in
2 which:

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

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

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

14 (a) The legislature has adjourned for more than 4 days; and

15 (b) The senator or assemblyman must obtain temporary lodging in a
16 location that a standing committee of which he is a member is meeting.

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

21 (a) The legislature has adjourned for more than 4 days; and

22 (b) The senator or assemblyman must obtain temporary lodging in a
23 location that a standing committee of which he is a member is meeting,
24 if the senator or assemblyman is not entitled to the per diem expense
25 allowance authorized by subsection 4 or the lodging allowances authorized
26 by subsections 5 and 6.

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

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

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

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

4 (a) The date of the travel; and

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

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

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

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

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

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

20 218.225 1. At each regular session of the legislature, each legislator
21 is entitled to receive at the expense of the legislative fund from the state
22 printing division of the department of administration the following:

23 (a) Not to exceed 2,000 letterheads, ~~14~~ 8 1/2 inches x 11 inches, ~~14~~
24 and 2,000 half size, or 4,000 of either variety;

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

27 (c) Not to exceed 2,000 business cards and 1,000 memorandum sheets ,
28 ~~14~~ 500 each of the small and large type or 1,000 of either type . ~~14~~
29 Selections must be made from samples submitted by the superintendent of
30 the state printing division of the department of administration, and all
31 printing must be done in the state printing division of the department of
32 administration.

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

36 3. All orders for the printing specified in subsection 1 must be placed
37 by legislators with the director of the legislative counsel bureau, who shall
38 approve those claims which comply with the provisions of this section and
39 shall pay the claims from the legislative fund . ~~in the same manner as other~~
40 ~~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	80
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

1	Document clerk	\$101
2	Executive assistant.....	101
3	History clerk	101
4	Journal clerk	101
5	Media clerk.....	101
6	Page	60
7	Recording clerk	101
8	Secretary	80
9	Senior committee secretary.....	96
10	Senior page	75
11	Sergeant at arms	103
12	Supervisor of bill clerks.....	80
13	Supervisor of secretarial staff.....	103
14	Typist	68
15	Ways and means secretary.....	99

16
17 2. During periods of adjournment to a day certain, employees of the
18 legislature whose service is required shall perform duties as assigned and
19 are entitled to be paid the amount specified in ~~{this section}~~ **subsection 1**
20 for each day of service.

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

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

27 218.240 1. The legislative counsel and the legal division of the
28 legislative counsel bureau shall prepare and assist in the preparation and
29 amendment of legislative measures when requested or upon suggestion as
30 provided in NRS 218.240 to 218.255, inclusive ~~{1}~~, **and sections 2 to 6,**
31 **inclusive, of this act.** Except as otherwise provided in those provisions, the
32 legislative counsel and the legal division of the legislative counsel bureau
33 shall not prepare or assist in the preparation and amendment of legislative
34 measures directly submitted or requested by a natural person, corporation,
35 firm, association or other entity, including an organization that represents
36 governmental agencies, unless the requester, or if the requester is a natural
37 person the office or other position held by the person, is created by the
38 constitution or laws of this state.

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

1 ~~—3.1~~ The legislative counsel shall give consideration to and service
2 concerning any measure before the legislature which is requested by the
3 governor, the senate or assembly, or any committee of the legislature
4 having the measure before it for consideration.

5 ~~[4.]~~ 3. The legislative counsel may deliver to the superintendent of the
6 state printing division of the department of administration and request that
7 he print or preset the type for printing a legislative measure before its
8 introduction upon the consent of the person or persons requesting the
9 measure. If the measure has been requested by a legislator, the
10 superintendent shall promptly comply with this request.

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

12 218.241 1. Upon request made within the time allowed and ~~[within]~~
13 limits established ~~[by the legislature by concurrent resolution,]~~ **pursuant to**
14 **NRS 218.240 to 218.255, inclusive, and sections 2 to 6, inclusive, of this**
15 **act**, the legislative counsel shall advise any agency or officer of the
16 executive branch of the state government, and ~~[shall advise]~~ any county,
17 school district or city, as to the preparation of measures to be submitted to
18 the legislature.

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

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

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

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

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

39 **Sec. 18.** NRS 218.242 is hereby amended to read as follows:

40 218.242 Upon request, within **the** limits established **pursuant to NRS**
41 **218.240 to 218.255, inclusive, and sections 2 to 6, inclusive, of this act or**
42 **by the legislature by concurrent resolution,** the legislative counsel shall

43 assist any legislator in the preparation of bills and resolutions, drafting

1 them in proper form, and furnishing the legislator the fullest information
2 upon all matters within the scope of his duties. The legislative counsel
3 shall, insofar as is possible, act upon all legislators' requests for legislative
4 measures in the order in which they are received. To assure the greatest
5 possible equity in the handling of requests, drafting must proceed as
6 follows:

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

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

15 **Sec. 19.** NRS 218.245 is hereby amended to read as follows:

16 218.245 1. Except as otherwise provided in subsections 2 and 5, the
17 legislative counsel and the legal division of the legislative counsel bureau
18 shall not prepare or assist in the preparation of proposed legislation for any
19 agency or officer of the executive branch of the state government or for a
20 county, school district or city before a regular session of the legislature
21 unless the request is approved by the governor or a designated member of
22 his staff, or the governing body of the county, school district or city, and
23 transmitted to the legislative counsel before September 1 preceding the
24 convening of the session.

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

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

34 4. The legislative counsel and the legal division of the legislative
35 counsel bureau shall not prepare or assist in the preparation of any
36 proposed legislation during any regular session of the legislature except
37 upon the request of a member of the legislature or the personal written
38 request of the governor ~~H~~, *within any limitations established by the*
39 *legislature by joint rule.*

40 5. An agency or officer of the executive branch of the state government
41 or a county, school district or city, shall not request a legislator to have
42 legislation drafted on its behalf. The legislative commission, when the
43 legislature is not in session, or a standing committee which has jurisdiction

1 of the subject matter when the legislature is in session, may, if it finds that
2 exceptional circumstances so warrant, authorize the drafting of legislation
3 requested after the time limited by subsection 1.

4 **Sec. 20.** NRS 218.247 is hereby amended to read as follows:

5 218.247 1. The legislative counsel and the legal division of the
6 legislative counsel bureau shall prepare and assist in the preparation ~~{and~~
7 ~~amendment}~~ of legislative measures at the ~~{written suggestion of any~~
8 ~~justice}~~ *request* of the supreme court ~~{or judge of a district court, within~~
9 ~~limits established by the legislature by concurrent resolution.}~~ *if the*
10 *legislative measures are transmitted to the legislative counsel before*
11 *September 1 preceding the commencement of the next regular session of*
12 *the legislature. The supreme court may transmit to the legislative counsel*
13 *pursuant to this section not more than 20 legislative measures on behalf*
14 *of the supreme court and district courts of this state and not more than 5*
15 *legislative measures on behalf of the municipal courts and justices'*
16 *courts of this state.*

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

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

25 **Sec. 21.** NRS 218.272 is hereby amended to read as follows:

26 218.272 1. ~~{The}~~ *Except as otherwise provided in subsection 4, the*
27 fiscal analysis division shall obtain a fiscal note on:

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

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

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

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

1 ~~[2-]~~ 3. Except as otherwise provided in NRS 218.272 to 218.2758,
2 inclusive, or in the joint rules of the senate and assembly, the estimates
3 must be made by the agency receiving the appropriation or collecting the
4 revenue.

5 ~~[3-]~~ 4. The fiscal note is not required on any bill or joint resolution
6 relating exclusively to the proposed executive budget.

7 **Sec. 22.** NRS 218.2723 is hereby amended to read as follows:

8 218.2723 Before *a vote is taken by a committee of the assembly or*
9 *the senate on* any bill or joint resolution which reduces the revenues or
10 increases the expenditures of a local government or any bill which
11 increases or newly provides for a term of imprisonment in a county or city
12 jail or detention facility, or makes release on probation therefrom less
13 likely, ~~is considered at a public hearing of a committee of the assembly or~~
14 ~~the senate or before a vote is taken thereon by the committee,~~ the fiscal
15 analysis division shall prepare a fiscal note after consultation with the
16 appropriate local governments or their representatives.

17 **Sec. 23.** NRS 218.2725 is hereby amended to read as follows:

18 218.2725 1. Before *a vote is taken by a committee of the assembly*
19 *or the senate on* any bill or joint resolution which affects the premiums
20 charged to employers as provided in chapters 616A, 616B, 616C, 616D or
21 617 of NRS or the state insurance fund established by chapters 616A to
22 616D, inclusive, of NRS , ~~is considered at a public hearing of a committee~~
23 ~~of the assembly or the senate or before a vote is taken thereon by the~~
24 ~~committee,~~ the fiscal analysis division shall obtain a fiscal note in the
25 manner and form, to the extent applicable, provided for in NRS 218.272 to
26 218.2758, inclusive, showing the financial effect on the premiums charged
27 employers by the state industrial insurance system or on the state insurance
28 fund.

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

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

34 **Sec. 24.** NRS 218.380 is hereby amended to read as follows:

35 218.380 ~~[The]~~ *An* enrolled bill ~~for resolution shall~~ *must* be delivered
36 by the legislative counsel, or such person as he ~~shall~~ *designates* in writing
37 , ~~designate,~~ to the governor for his action, who may authorize a member
38 of his staff to receive and receipt for the same in his name.

39 **Sec. 25.** NRS 218.390 is hereby amended to read as follows:

40 218.390 1. An enrolled joint resolution proposing an amendment to
41 the constitution of the State of Nevada ~~must not be presented to the~~
42 ~~governor for approval and signature, but~~ must be delivered with the

1 official engrossed copy thereof to the secretary of state or such deputy or
2 clerk as he designates in writing.

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

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

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

22 **Sec. 26.** NRS 218.400 is hereby amended to read as follows:

23 218.400 1. As soon as an enrolled bill ~~for joint resolution~~ is
24 delivered to the governor, any person duly authorized shall endorse by
25 stamp, on the back of the enrolled copy of such bill, ~~for joint resolution,~~
26 over his signature, from whom and which house *the bill was* received, the
27 date and hour of receipt, *and* the number of pages comprising the ~~{same,}~~
28 *bill*, and shall compute and note thereon the time limit for action by the
29 governor, excluding the day of receipt and Sundays, which ~~{shall}~~ *must* not
30 exceed the constitutional limit for such action.

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

34
35 State of Nevada
36 Executive Department
37 Approved

38
39a.m.....p.m.
40(month).....(day).....(year)
41(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. 27. 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. 28. 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. 29. 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

1 and nays, to be entered upon the journals of each house, the bill ~~{shall~~
2 ~~become a law or the joint resolution shall become effective, and shall}~~
3 *becomes a law and must* be delivered by the legislative counsel directly to
4 the secretary of state for filing, who shall receipt to the legislative counsel
5 therefor.

6 **Sec. 30.** NRS 218.440 is hereby amended to read as follows:

7 218.440 1. The secretary of state shall, after *the* final adjournment of
8 each session of the legislature, cause all legislative bills ~~{and joint~~
9 ~~resolutions}~~ deposited with him after approval by the governor, and all *joint*
10 *resolutions*, concurrent resolutions and memorials to be bound in a
11 substantial and suitable book or books, together with an index thereof.

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

14 **Sec. 31.** NRS 218.464 is hereby amended to read as follows:

15 218.464 1. The following persons are entitled to receive free of
16 charge in any one calendar year any bill, resolution, daily history, daily
17 journal or index, in the number of copies shown, upon verification of their
18 wishes to receive the publication:

19 (a) Justices and the clerk of the supreme court, one copy;

20 (b) County clerks and district attorneys, one copy;

21 (c) A judge and clerk of a district court in a judicial district having one
22 judge, one copy; and

23 (d) The judges and the administrator or clerk of a district court in a
24 judicial district having more than one judge, two copies.

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

30 **Sec. 32.** NRS 218.466 is hereby amended to read as follows:

31 218.466 1. The following persons, offices or organizations, upon
32 request, are entitled to receive free of charge in any one calendar year one
33 copy of any bill, resolution, daily history, daily journal or index:

34 (a) Elected state officers.

35 (b) Offices of all state departments and agencies.

36 (c) County clerks, sheriffs, treasurers, assessors, recorders and auditors.

37 (d) Offices of other county officials.

38 (e) Municipal officers.

39 (f) Districts and other governmental agencies.

40 (g) Justices of the peace.

41 (h) The state library and archives.

42 (i) County and city libraries and libraries of the University and
43 Community College System of Nevada.

1 (j) Accredited members of the press.

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

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

11 **Sec. 33.** NRS 218.500 is hereby amended to read as follows:

12 218.500 1. The secretary of state shall furnish to the superintendent
13 of the state printing division of the department of administration, within 3
14 days ~~{from the time}~~ *after* he receives ~~{each one from the governor, after~~
15 ~~approval,}~~ *them*, a copy of all acts, joint and concurrent resolutions, and
16 memorials passed at each session.

17 2. The director of the legislative counsel bureau shall:

18 (a) Distribute one copy of each act as printed to each county clerk,
19 district judge, district attorney and justice of the peace in the state.

20 (b) Immediately upon the adjournment of the session, collect and have
21 printed and bound advance sheets of all acts, resolutions and memorials
22 passed at the session.

23 (c) Distribute one copy of the advance sheets, without charge, to each
24 justice of the supreme court, the attorney general, the state public defender,
25 and to each county clerk, district judge, district attorney, county public
26 defender, justice of the peace, city attorney and municipal judge in the
27 state, deliver to the supreme court law library a number of copies
28 appropriate to secure the exchange of similar publications from other states,
29 and establish the price at which the advance sheets must be sold to other
30 persons.

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

34 4. The superintendent, upon receipt of the statutory tables and index,
35 shall prepare bound volumes of the Statutes of Nevada as provided in NRS
36 218.510.

37 **Sec. 34.** NRS 218.5375 is hereby amended to read as follows:

38 218.5375 1. There is hereby created a legislative committee on
39 workers' compensation. The committee consists of:

40 (a) Four members appointed by the majority leader of the senate, in
41 consultation with the minority leader of the senate, from the membership of
42 the senate standing committee ~~{on commerce and labor}~~ *which had*

1 *jurisdiction of issues relating to workers' compensation* during the
2 immediately preceding session of the legislature.

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

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

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

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

23 **Sec. 35.** NRS 218.610 is hereby amended to read as follows:

24 218.610 As used in NRS 218.610 to 218.735, inclusive, *and sections 7*
25 *and 8 of this act*, "agency of the state" includes all offices, departments,
26 boards, commissions or institutions of the state, and the state industrial
27 insurance system.

28 **Sec. 36.** NRS 218.640 is hereby amended to read as follows:

29 218.640 ~~{Except as otherwise provided in NRS 218.644, money}~~
30 *Money* to carry out the functions of the legislative counsel bureau must be
31 provided by legislative appropriation from the state general fund to the
32 legislative fund . ~~{, and must be paid out on claims as other claims against~~
33 ~~the state are paid.}~~ All claims must be approved by the director of the
34 legislative counsel bureau or his designee before they are paid.

35 **Sec. 37.** NRS 218.644 is hereby amended to read as follows:

36 218.644 1. The legislative counsel bureau shall maintain a checking
37 account in any qualified bank for the purposes of providing advance money
38 and reimbursement to legislators and employees for travel expenses, paying
39 the salaries of persons on the payroll of the legislative branch of
40 government, related payroll costs , *other expenses which may or must be*
41 *paid from the legislative fund* and any other expenses directed by the
42 legislative commission. The account must be secured by a depository bond
43 to the extent the account is not insured by the Federal Deposit Insurance

1 Corporation. All checks written on this account must be signed by the
2 chairman of the legislative commission and the director of the legislative
3 counsel bureau or his designee, except that during a regular session of the
4 legislature, the majority leader of the senate and the speaker of the
5 assembly shall sign the checks.

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

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

14 **Sec. 38.** NRS 218.6824 is hereby amended to read as follows:

15 218.6824 1. There is hereby created a budget subcommittee of the
16 legislative commission.

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

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

25 4. The budget subcommittee shall ~~be~~:

26 ~~—(a) Review the synopsis of the state budget prepared by the fiscal~~
27 ~~analysis division of the legislative counsel bureau pursuant to NRS~~
28 ~~353.211; and~~

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

31 **Sec. 39.** NRS 218.685 is hereby amended to read as follows:

32 218.685 Notwithstanding the provisions of NRS 218.150 and 218.180,
33 between sessions of the legislature, the director of the legislative counsel
34 bureau, with the approval of the legislative commission, may appoint such
35 technical, clerical and operational staff as the functions and operations of
36 the legislature may require. Salaries and ~~the costs of any contract services~~
37 ~~shall~~ **related costs must** be paid from the legislative fund.

38 **Sec. 40.** NRS 218.697 is hereby amended to read as follows:

39 218.697 1. Upon request, the legislative counsel shall represent any
40 legislator in any matter before the commission on ethics.

41 2. When deemed necessary or advisable to protect the official interests
42 of the legislature or one or more legislative committees, the legislative
43 commission, or the chairman of the legislative commission in cases where

1 action is required before a meeting of the legislative commission is
2 scheduled to be held, may direct the legislative counsel and his staff to
3 appear in, commence, prosecute, defend or intervene in any action, suit,
4 matter, cause or proceeding in any court or agency of this state or of the
5 United States.

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

9 **Sec. 41.** NRS 233B.050 is hereby amended to read as follows:

10 233B.050 1. In addition to other regulation-making requirements
11 imposed by law, each agency shall:

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

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

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

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

25 (e) Review its regulations at least once every 10 years to determine
26 whether it should amend or repeal any of the regulations. Within 30 days
27 after completion of the review, the agency shall submit a report to the
28 ~~{director of the}~~ legislative counsel ~~{bureau}~~ for distribution to the next
29 regular session of the legislature. The report must include the date on which
30 the agency completed its review of the regulations and describe any
31 regulation that must be amended or repealed as a result of the review. ~~{The~~
32 ~~director of the legislative counsel bureau shall provide a copy of the report~~
33 ~~to the legislative counsel for the purposes of subsection 2 of NRS~~
34 ~~233B.065.}~~

35 2. A regulation, rule, final order or decision of an agency is not valid or
36 effective against any person or party, nor may it be invoked by the agency
37 for any purpose, until it has been made available for public inspection as
38 required in this section, except that this provision does not apply in favor of
39 any person or party who has actual knowledge thereof.

40 **Sec. 42.** NRS 233B.0665 is hereby amended to read as follows:

41 233B.0665 If a regulation submitted to the legislative counsel bureau
42 pursuant to NRS 233B.067 is not accompanied by an informational
43 statement which complies with the requirements of NRS 233B.066, the

1 ~~{director of the}~~ legislative counsel ~~{bureau}~~ shall return the regulation to
2 the agency with a note that the statement is missing. Unless the statement is
3 supplied, the ~~{director}~~ *legislative counsel* shall not submit the regulation to
4 the commission, and the regulation never becomes effective. If the
5 statement is supplied, the time for action upon the regulation must be
6 computed from the date of delivering the statement to the ~~{director.}~~
7 *legislative counsel*.

8 **Sec. 43.** NRS 233B.067 is hereby amended to read as follows:

9 233B.067 1. After adopting a permanent regulation, the agency shall
10 submit the informational statement prepared pursuant to NRS 233B.066
11 and one copy of each regulation adopted to the ~~{director of the}~~ legislative
12 counsel ~~{bureau}~~ for review by the legislative commission, which may refer
13 it to a joint interim committee, to determine whether the regulation
14 conforms to the statutory authority pursuant to which it was adopted and
15 whether the regulation carries out the intent of the legislature in granting
16 that authority. The ~~{director}~~ *legislative counsel* shall endorse on the
17 original and the copy of each adopted regulation the date of their receipt.
18 The ~~{director}~~ *legislative counsel* shall maintain the copy of the regulation
19 in a file and make the copy available for public inspection for 2 years.

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

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

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

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

37 4. The legislative commission shall notify the ~~{director}~~ *legislative*
38 *counsel* of the results of its review within 30 days after receipt of the
39 regulation from the agency. If the commission does not object to the
40 regulation, the ~~{director}~~ *legislative counsel* shall file it with the secretary
41 of state within 35 days after receipt from the agency and notify the agency
42 of the filing. If the commission objects to the regulation after determining
43 that:

1 (a) If subsection 2 is applicable, the regulation is not required pursuant
2 to a federal statute or regulation;

3 (b) The regulation does not conform to statutory authority; or

4 (c) The regulation does not carry out legislative intent,
5 the ~~{director}~~ *legislative counsel* shall attach to the regulation a written
6 notice of the objection of the commission, including a statement of the
7 reasons for its objection, and shall promptly return the regulation to the
8 agency.

9 **Sec. 44.** NRS 233B.0675 is hereby amended to read as follows:

10 233B.0675 1. If the legislative commission has objected to a
11 regulation, the agency may revise it and return it to the ~~{director of the}~~
12 legislative counsel . ~~{bureau.}~~ Upon receipt of the revised regulation, the
13 ~~{director}~~ *legislative counsel* shall resubmit the regulation to the
14 commission at its next regularly scheduled meeting. If the commission does
15 not object to the revised regulation, the ~~{director}~~ *legislative counsel* shall
16 promptly file the revised regulation with the secretary of state and notify
17 the agency of the filing.

18 2. If the legislative commission objects to the revised regulation, the
19 agency may continue to revise it and resubmit it to the commission.

20 3. If the agency refuses to revise a regulation to which the legislative
21 commission has objected, the commission may suspend the filing of the
22 regulation until the 30th day of the next regular session of the legislature.
23 Before the 30th day of the next regular session the legislature may, by
24 concurrent resolution, declare that the regulation will not become effective.
25 The ~~{director}~~ *legislative counsel* shall thereupon notify the agency that the
26 regulation will not be filed and must not be enforced. If the legislature has
27 not so declared by the 30th day of the session, the ~~{director}~~ *legislative*
28 *counsel* shall promptly file the regulation and notify the agency of the
29 filing.

30 **Sec. 45.** NRS 233B.0681 is hereby amended to read as follows:

31 233B.0681 The legislative commission may provide for:

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

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

39 **Sec. 46.** NRS 233B.070 is hereby amended to read as follows:

40 233B.070 1. A permanent regulation becomes effective when the
41 ~~{director of the}~~ legislative counsel ~~{bureau}~~ files with the secretary of state
42 the original of the final draft or revision of a regulation, except as otherwise

1 provided in NRS 233B.0665 or where a later date is specified in the
2 regulation.

3 2. A temporary or emergency regulation becomes effective when the
4 agency files with the secretary of state the original of the final draft or
5 revision of a regulation, together with the informational statement prepared
6 pursuant to NRS 233B.066. The agency shall also file a copy of the
7 temporary or emergency regulation with the legislative counsel , ~~bureau,~~
8 together with the informational statement prepared pursuant to NRS
9 233B.066.

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

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

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

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

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

39 **Sec. 47.** NRS 233B.115 is hereby amended to read as follows:

40 233B.115 1. Any person who objects to the content of a form
41 required by an agency to be used in submitting an application, making a
42 declaration or providing other information may request the legislative
43 commission to determine whether the information required and the

1 instructions for its preparation conform to the statutory authority pursuant
2 to which the agency requires it. The legislative commission may also make
3 such a determination on its own motion.

4 2. If the legislative commission finds that any part of the information or
5 instructions does not conform to statutory authority, the ~~{director of the}~~
6 legislative counsel ~~{bureau}~~ shall so notify the agency.

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

13 4. If the agency refuses to revise the form, it shall not use the form until
14 after the expiration of the first 30 days of the next regular session of the
15 legislature. Before the 30th day of the next regular session the legislature
16 may, by concurrent resolution, declare that the form must not be used. The
17 ~~{director}~~ legislative counsel shall thereupon notify the agency that it shall
18 not use the form. If the legislature has not so declared by the 30th day of
19 the session, the ~~{director}~~ legislative counsel shall promptly notify the
20 agency that it may use the form.

21 **Sec. 48.** NRS 353.090 is hereby amended to read as follows:

22 353.090 1. Except for claims *against the legislative fund or* for the
23 payment of the salaries of public officers, every claim for payment from the
24 state treasury pursuant to an appropriation or authorization by the
25 legislature must be presented to the state board of examiners for a
26 determination of its correctness. The state board of examiners may adopt
27 regulations providing for the use of sampling procedures and postaudit
28 techniques for making such a determination.

29 2. Any money which:

30 (a) Is allocated to this state pursuant to a federal program in the form of
31 a letter of credit or its equivalent;

32 (b) Is authorized for expenditure by the legislature;

33 (c) Has not been deposited in the state treasury; and

34 (d) Is immediately available to this state through an automated federal
35 payment management system,
36 shall be deemed to be available for a claim for payment from the state
37 treasury.

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

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

41 (b) A greater amount than allowed by the board,
42 except when the claim has not been acted upon by the board within 30 days
43 after its presentation to the board.

1 **Sec. 49.** NRS 353.211 is hereby amended to read as follows:

2 353.211 1. On or before October 15 of each even-numbered year, the
3 chief shall provide to the fiscal analysis division of the legislative counsel
4 bureau:

5 (a) Computerized budget files containing the actual data regarding
6 revenues and expenditures for the previous year;

7 (b) The work programs for the current year; and

8 (c) Each agency's requested budget for the next 2 fiscal years.

9 2. On or before December 31 of each even-numbered year, the chief
10 shall provide to the fiscal analysis division:

11 (a) Each agency's adjusted base budget by budgetary account for the
12 next 2 fiscal years; and

13 (b) An estimated range of the costs for:

14 (1) Continuing the operation of state government; and

15 (2) Providing elementary, secondary and higher public education,
16 at the current level of service.

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

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

26 **Sec. 50.** NRS 353.230 is hereby amended to read as follows:

27 353.230 1. The chief shall review the estimates, altering, revising,
28 increasing or decreasing the items of the estimates as he may deem
29 necessary in view of the needs of the various departments, institutions and
30 agencies in the executive department of the state government and the total
31 anticipated income of the state government and of the various departments,
32 institutions and agencies of the executive department during the next fiscal
33 year. In performing the duties required by this subsection, the chief shall
34 use the projections and estimates prepared by the economic forum pursuant
35 to NRS 353.228.

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

40 (a) The budgetary requests of each department, institution and agency;
41 and

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

6 3. The chief shall then prepare a final version of the proposed budget,
7 in accordance with NRS 353.150 to 353.246, inclusive, and shall deliver it
8 to the governor. The final version of the proposed budget must include the
9 adjusted base budget for each department, institution and agency of the
10 executive department, the costs for continuing each program at the current
11 level of service and the costs, if any, for new programs, recommended
12 enhancements of existing programs or reductions for the departments,
13 institutions and agencies of the executive department for the next 2 fiscal
14 years. All projections of revenue and any other information concerning
15 future state revenue contained in the proposed budget must be based upon
16 the projections and estimates prepared by the economic forum pursuant to
17 NRS 353.228.

18 4. The governor shall , ~~transmit the proposed budget to the legislature~~
19 not later than ~~the 10th day~~ *14 calendar days before the commencement*
20 of the regular legislative session ~~the 1st day~~ *submit the proposed budget to the*
21 *director of the legislative counsel bureau for transmittal to the*
22 *legislature*. The governor shall simultaneously submit, as a separate
23 document:

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

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

28 The document must specify the total cost by department, institution or
29 agency of new programs or enhancements, but need not itemize the specific
30 costs. All projections of revenue and any other information concerning
31 future state revenue contained in the document must be based upon the
32 projections and estimates prepared by the economic forum pursuant to NRS
33 353.228.

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

40 6. During the consideration of the general appropriation bill and any
41 special appropriation bills and bills authorizing budgeted expenditures by
42 the departments, institutions and agencies operating on money designated
43 for specific purposes by the constitution or otherwise, drafted at the request

1 of the legislature upon the recommendations submitted by the governor
2 with the proposed budget, the governor or his representative have the right
3 to appear before and be heard by the appropriation committees of the
4 legislature in connection with the appropriation bill or bills, and to render
5 any testimony, explanation or assistance required of him.

6 **Sec. 51.** This act becomes effective on July 1, 1999.

~