

Assembly Bill No. 195—Committee on Health and Human Services

CHAPTER.....

AN ACT relating to aging persons; authorizing the Nevada silver haired legislative forum to operate independently of the aging services division of the department of human resources; requiring the legislative commission to appoint the members of the Nevada silver haired legislative forum; revising the membership of the forum; authorizing a legislator to donate a certain amount of unspent campaign contributions to the forum; 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 427A of NRS is hereby amended by adding thereto a new section to read as follows:

1. All money received by the Nevada silver haired legislative forum must be deposited in a bank, credit union or other financial institution in this state and paid out on its order for its expenses.

2. All expenses incurred by the Nevada silver haired legislative forum in carrying out the provisions of NRS 427A.320 to 427A.400, inclusive, must be paid from an account established pursuant to subsection 1.

Sec. 2. NRS 427A.320 is hereby amended to read as follows:

427A.320 The ~~{division shall establish the}~~ Nevada silver haired legislative forum *is hereby created* to identify and act upon issues of importance to aging persons.

Sec. 3. NRS 427A.330 is hereby amended to read as follows:

427A.330 1. The ~~{governor}~~ *legislative commission* shall appoint ~~{21 persons}~~ to the Nevada silver haired legislative forum ~~{, of whom not more than 11 may be members of the same political party. The governor shall appoint from each senatorial district}~~ a number of members equal to the number of state senators . ~~{that represent the senatorial district.}~~ *The persons appointed to the forum must be the persons nominated pursuant to this section. Each member of the senate shall, after consulting with the members of the assembly who reside within his senatorial district, nominate a person who meets the requirements for appointment to the forum set forth in NRS 427A.340.*

2. Appointments to the Nevada silver haired legislative forum must be made by the ~~{governor}~~ *legislative commission* before December 1 of an odd-numbered year. The term of a member begins on December 1 of the odd-numbered year of appointment.

3. The members of the Nevada silver haired legislative forum from Clark County senatorial districts 2, 3, 4, 7 and 8, Washoe County senatorial districts 1 and 3, the Capital senatorial district and the Western Nevada senatorial district serve an initial term of 1 year. The ~~{eight}~~ members of the Nevada silver haired legislative forum from the remaining senatorial districts serve an initial term of 2 years. After the initial terms, each member serves a term of 2 years.

Sec. 4. NRS 427A.340 is hereby amended to read as follows:

427A.340 A member of the Nevada silver haired legislative forum must:

1. Have been a resident of this state for 5 years immediately preceding his appointment;

2. Have been a registered voter in the senatorial district ~~that he is to represent~~ *of the senator who nominated him* for 3 years immediately preceding his appointment; and

3. Be at least 60 years of age on the day that he is appointed.

Sec. 5. NRS 427A.360 is hereby amended to read as follows:

427A.360 1. A position in the Nevada silver haired legislative forum becomes vacant upon:

(a) The death or resignation of a member.

(b) The illness of a member that prevents him from attending three consecutive meetings of the Nevada silver haired legislative forum.

(c) The absence of a member for any reason from three consecutive meetings of the Nevada silver haired legislative forum.

2. If a vacancy occurs, the ~~governor~~ *legislative commission* shall appoint a person to serve the remainder of the unexpired term. The ~~governor~~ *legislative commission* may appoint a person whose membership in the national silver haired congress has ended to fill a vacancy in the Nevada silver haired legislative forum.

Sec. 6. NRS 427A.370 is hereby amended to read as follows:

427A.370 1. The Nevada silver haired legislative forum shall elect from among its members, to serve a term of 1 year:

~~1-1~~ *(a)* A president, who shall conduct meetings and oversee the formation of committees as necessary to accomplish the purposes of the Nevada silver haired legislative forum.

~~1-2~~ *(b)* A vice president, who shall assist the president and conduct meetings of the Nevada silver haired legislative forum if the president is absent or otherwise unable to perform his duties.

~~1-3~~ *(c)* A secretary, who shall:

~~1-a~~ *(1)* Prepare and keep a record of meetings, including, without limitation, the date, time, place and purpose of every meeting; and

~~1-b~~ *(2)* At the first meeting every year of the Nevada silver haired legislative forum, prepare a list of the dates of the meetings that are scheduled for the year.

~~1-4~~ *(d)* A treasurer, who shall ~~prepare and keep a list of the expenses of the Nevada silver haired legislative forum to be sent to the division for payment.~~ *, with the assistance of the director of the legislative counsel bureau, administer any account established pursuant to section 1 of this act.*

2. *The director of the legislative counsel bureau shall provide such persons as are necessary to assist the Nevada silver haired legislative forum in carrying out its duties.*

Sec. 7. NRS 427A.380 is hereby amended to read as follows:

427A.380 The Nevada silver haired legislative forum may ~~1-~~

~~1. Meet 1 day each month during the regular session of the legislature in the legislative building in Carson City.~~

~~2. Meet and hold public hearings at least 1 day during each of the months of June, July and August during each even numbered year.~~

~~3. , within the limits of legislative appropriations and any gifts, grants or donations received by the forum:~~

1. During the period in which the legislature is not in a regular session, hold three public hearings in three different areas of this state and may hold an additional public hearing in any area of this state to prepare the report authorized by NRS 427A.390.

2. Comply with chapter 241 of NRS.

Sec. 8. NRS 427A.390 is hereby amended to read as follows:

427A.390 The Nevada silver haired legislative forum may:

1. Submit a report containing ~~{topics for possible}~~ *recommendations* for legislative action to the *legislative commission and the* governor before ~~{September}~~ *July* 1 of each even-numbered year.

2. Accept gifts, grants and donations that must be deposited in ~~{the state treasury for credit to the aging services division's gift account in the department of human resources' gift fund. A gift, grant or donation to the Nevada silver haired legislative forum may be expended only in carrying out the duties of the Nevada silver haired legislative forum.}~~ *an account established pursuant to section 1 of this act.*

3. Adopt procedures to conduct meetings of the Nevada silver haired legislative forum and committees thereof. ~~{These}~~ *Those* procedures may be changed upon approval of a majority vote of all members of the Nevada silver haired legislative forum who are present and voting.

Sec. 9. NRS 427A.400 is hereby amended to read as follows:

427A.400 Within the limits of legislative appropriations, and any gifts, grants and donations ~~+~~

~~1. The division shall pay the expenses of the Nevada silver haired legislative forum.~~

~~2. Each~~ *, each* member of the Nevada silver haired legislative forum is entitled to receive for attendance at a meeting of the Nevada silver haired legislative forum or a committee thereof the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 10. NRS 294A.160 is hereby amended to read as follows:

294A.160 1. It is unlawful for a candidate to spend money received as a campaign contribution for his personal use.

2. Every candidate for a state, district, county, city or township office at a primary, general, primary city, general city or special election who is elected to that office and received contributions that were not spent or committed for expenditure before the primary, general, primary city, general city or special election shall:

(a) Return the unspent money to contributors;

(b) Use the money in his next election or for the payment of other expenses related to public office or his campaign;

(c) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) A political party;

(3) A person or group of persons advocating the passage or defeat of a question or group of questions on the ballot; or

(4) Any combination of persons or groups set forth in subparagraphs (1), (2) and (3);

(d) Donate the money to any tax-exempt nonprofit entity; or

(e) Dispose of the money in any combination of the methods provided in paragraphs (a) to (d), inclusive.

3. Every candidate for a state, district, county, city or township office at a primary, general, primary city, general city or special election who is not elected to that office and received contributions that were not spent or committed for expenditure before the primary, general, primary city, general city or special election shall, not later than the 15th day of the second month after his defeat:

(a) Return the unspent money to contributors;

(b) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) A political party;

(3) A person or group of persons advocating the passage or defeat of a question or group of questions on the ballot; or

(4) Any combination of persons or groups set forth in subparagraphs (1), (2) and (3);

(c) Donate the money to any tax-exempt nonprofit entity; or

(d) Dispose of the money in any combination of the methods provided in paragraphs (a), (b) and (c).

4. Every candidate for a state, district, county, city or township office who is defeated at a primary or primary city election and received a contribution from a person in excess of \$5,000 shall, not later than the 15th day of the second month after his defeat, return any money in excess of \$5,000 to the contributor.

5. Every public officer who:

(a) Holds a state, district, county, city or township office;

(b) Does not run for reelection and is not a candidate for any other office; and

(c) Has contributions that are not spent or committed for expenditure remaining from a previous election, shall, not later than the 15th day of the second month after the expiration of his term of office, dispose of those contributions in the manner provided in subsection 3.

6. *In addition to the methods for disposing the unspent money set forth in subsections 2, 3 and 4, a legislator may donate not more than \$500 of that money to the Nevada silver haired legislative forum created pursuant to NRS 427A.320.*

7. The court shall, in addition to any penalty which may be imposed pursuant to NRS 294A.420, order the candidate or public officer to dispose of any remaining contributions in the manner provided in this section.

~~7-1~~ 8. As used in this section, “contributions” include any interest and other income earned thereon.

Sec. 11. NRS 294A.180 is hereby amended to read as follows:

294A.180 1. Each candidate for a state, district, county, city or township office who is not elected to that office shall, not later than the 15th day of the second month after his defeat, file a report with the secretary of state stating the amount of contributions which he received for that campaign but did not spend and the disposition of those unspent contributions.

2. Each public officer who is elected to a state, district, county, city or township office shall file a report:

(a) Not later than the 15th day of the second month after his election, stating the amount of campaign contributions which he received but did not spend and the amount, if any, of those unspent contributions disposed of pursuant to ~~subsection~~ **subsections 2 and 6** of NRS 294A.160 as of the last day of the first month after his election;

(b) Not later than January 15th of each year of his term beginning the year after he filed the report required by paragraph (a), stating the amount, if any, of those unspent contributions disposed of pursuant to NRS 294A.160 during the period from the last date covered by his last report through December 31 of the immediately preceding year and the manner in which they were disposed of; and

(c) Not later than the 15th day of the second month after he no longer holds that office, stating the amount and disposition of any remaining unspent contributions.

3. The reports required by subsections 1 and 2 must be submitted on a form designed and provided by the secretary of state and signed by the candidate or public officer under penalty of perjury.

4. A public officer filing a report pursuant to subsection 2:

(a) Shall file the report with the officer with whom he filed his declaration of candidacy or acceptance of candidacy.

(b) May file the report by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

5. A county clerk who receives from a legislative or judicial officer, other than a justice of the peace or municipal judge, a report pursuant to subsection 4 shall file a copy of the report with the secretary of state within 10 working days after he receives the report.

Sec. 12. NRS 427A.410 is hereby repealed.

Sec. 13. On July 1, 2001, or as soon thereafter as practicable, the state controller shall draw his warrant, payable to the Nevada silver haired legislative forum, for the amount of money in the aging services division's gift account in the department of human resources' gift fund that was credited to that account pursuant to NRS 427A.390.

Sec. 14. The term of each member of the Nevada silver haired legislative forum who is incumbent on the effective date of this act, expires on November 30, 2001.

Sec. 15. This act becomes effective upon passage and approval.