

(REPRINTED WITH ADOPTED AMENDMENTS)
THIRD REPRINT A.B. 195

ASSEMBLY BILL NO. 195—COMMITTEE ON HEALTH AND HUMAN SERVICES

(ON BEHALF OF DEPARTMENT OF HUMAN
RESOURCES—DIRECTOR'S OFFICE)

FEBRUARY 20, 2001

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to Nevada silver haired legislative forum.
(BDR 38-534)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

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:

- 1 **Section 1.** Chapter 427A of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 1. *All money received by the Nevada silver haired legislative forum*
4 *must be deposited in a bank, credit union or other financial institution in*
5 *this state and paid out on its order for its expenses.*
6 2. *All expenses incurred by the Nevada silver haired legislative*
7 *forum in carrying out the provisions of NRS 427A.320 to 427A.400,*
8 *inclusive, must be paid from an account established pursuant to*
9 *subsection 1.*
10 **Sec. 2.** NRS 427A.320 is hereby amended to read as follows:
11 427A.320 The ~~division shall establish the~~ Nevada silver haired
12 legislative forum *is hereby created* to identify and act upon issues of
13 importance to aging persons.
14 **Sec. 3.** NRS 427A.330 is hereby amended to read as follows:
15 427A.330 1. The ~~governor~~ *legislative commission* shall appoint
16 ~~21 persons~~ to the Nevada silver haired legislative forum ~~1, of whom not~~
17 ~~more than 11 may be members of the same political party. The governor~~



1 ~~shall appoint from each senatorial district~~ a number of members equal to
2 the number of state senators . ~~{that represent the senatorial district.}~~ *The*
3 *persons appointed to the forum must be the persons nominated pursuant*
4 *to this section. Each member of the senate shall, after consulting with the*
5 *members of the assembly who reside within his senatorial district,*
6 *nominate a person who meets the requirements for appointment to the*
7 *forum set forth in NRS 427A.340.*

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

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

19 **Sec. 4.** NRS 427A.340 is hereby amended to read as follows:
20 427A.340 A member of the Nevada silver haired legislative forum
21 must:

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

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

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

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

29 427A.360 1. A position in the Nevada silver haired legislative forum
30 becomes vacant upon:

31 (a) The death or resignation of a member.

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

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

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

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

42 427A.370 **1.** The Nevada silver haired legislative forum shall elect
43 from among its members, to serve a term of 1 year:

44 ~~{1-}~~ **(a)** A president, who shall conduct meetings and oversee the
45 formation of committees as necessary to accomplish the purposes of the
46 Nevada silver haired legislative forum.

47 ~~{2-}~~ **(b)** A vice president, who shall assist the president and conduct
48 meetings of the Nevada silver haired legislative forum if the president is
49 absent or otherwise unable to perform his duties.



* A B 1 9 5 R 3 *

1 ~~13.1~~ (c) A secretary, who shall:
2 ~~(a)~~ (1) Prepare and keep a record of meetings, including, without
3 limitation, the date, time, place and purpose of every meeting; and
4 ~~(b)~~ (2) At the first meeting every year of the Nevada silver haired
5 legislative forum, prepare a list of the dates of the meetings that are
6 scheduled for the year.

7 ~~14.1~~ (d) A treasurer, who shall ~~prepare and keep a list of the expenses~~
8 ~~of the Nevada silver haired legislative forum to be sent to the division for~~
9 ~~payment.~~, *with the assistance of the director of the legislative counsel*
10 *bureau, administer any account established pursuant to section 1 of this*
11 *act.*

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

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

16 427A.380 The Nevada silver haired legislative forum may ~~+~~
17 ~~1. Meet 1 day each month during the regular session of the legislature~~
18 ~~in the legislative building in Carson City.~~
19 ~~2. Meet and hold public hearings at least 1 day during each of the~~
20 ~~months of June, July and August during each even numbered year.~~
21 ~~3.1~~, *within the limits of legislative appropriations and any gifts, grants*
22 *or donations received by the forum:*

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

27 *2. Comply with chapter 241 of NRS.*

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

29 427A.390 The Nevada silver haired legislative forum may:

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

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

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

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

44 427A.400 Within the limits of legislative appropriations, and any gifts,
45 grants and donations ~~+~~

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

48 ~~2. Each~~, *each* member of the Nevada silver haired legislative forum
49 is entitled to receive for attendance at a meeting of the Nevada silver haired



- 1 legislative forum or a committee thereof the per diem allowance and travel
2 expenses provided for state officers and employees generally.
- 3 **Sec. 10.** NRS 294A.160 is hereby amended to read as follows:
- 4 294A.160 1. It is unlawful for a candidate to spend money received
5 as a campaign contribution for his personal use.
- 6 2. Every candidate for a state, district, county, city or township office
7 at a primary, general, primary city, general city or special election who is
8 elected to that office and received contributions that were not spent or
9 committed for expenditure before the primary, general, primary city,
10 general city or special election shall:
- 11 (a) Return the unspent money to contributors;
- 12 (b) Use the money in his next election or for the payment of other
13 expenses related to public office or his campaign;
- 14 (c) Contribute the money to:
- 15 (1) The campaigns of other candidates for public office or for the
16 payment of debts related to their campaigns;
- 17 (2) A political party;
- 18 (3) A person or group of persons advocating the passage or defeat of
19 a question or group of questions on the ballot; or
- 20 (4) Any combination of persons or groups set forth in subparagraphs
21 (1), (2) and (3);
- 22 (d) Donate the money to any tax-exempt nonprofit entity; or
- 23 (e) Dispose of the money in any combination of the methods provided
24 in paragraphs (a) to (d), inclusive.
- 25 3. Every candidate for a state, district, county, city or township office
26 at a primary, general, primary city, general city or special election who is
27 not elected to that office and received contributions that were not spent or
28 committed for expenditure before the primary, general, primary city,
29 general city or special election shall, not later than the 15th day of the
30 second month after his defeat:
- 31 (a) Return the unspent money to contributors;
- 32 (b) Contribute the money to:
- 33 (1) The campaigns of other candidates for public office or for the
34 payment of debts related to their campaigns;
- 35 (2) A political party;
- 36 (3) A person or group of persons advocating the passage or defeat of
37 a question or group of questions on the ballot; or
- 38 (4) Any combination of persons or groups set forth in subparagraphs
39 (1), (2) and (3);
- 40 (c) Donate the money to any tax-exempt nonprofit entity; or
- 41 (d) Dispose of the money in any combination of the methods provided
42 in paragraphs (a) , (b) and (c).
- 43 4. Every candidate for a state, district, county, city or township office
44 who is defeated at a primary or primary city election and received a
45 contribution from a person in excess of \$5,000 shall, not later than the
46 15th day of the second month after his defeat, return any money in excess
47 of \$5,000 to the contributor.
- 48 5. Every public officer who:
- 49 (a) Holds a state, district, county, city or township office;



* A B 1 9 5 R 3 *

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

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

8 6. *In addition to the methods for disposing the unspent money set*
9 *forth in subsections 2, 3 and 4, a legislator may donate not more than*
10 *\$500 of that money to the Nevada silver haired legislative forum created*
11 *pursuant to NRS 427A.320.*

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

15 ~~7-1~~ 8. As used in this section, "contributions" include any interest and
16 other income earned thereon.

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

18 294A.180 1. Each candidate for a state, district, county, city or
19 township office who is not elected to that office shall, not later than the
20 15th day of the second month after his defeat, file a report with the
21 secretary of state stating the amount of contributions which he received for
22 that campaign but did not spend and the disposition of those unspent
23 contributions.

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

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

31 (b) Not later than January 15th of each year of his term beginning the
32 year after he filed the report required by paragraph (a), stating the amount,
33 if any, of those unspent contributions disposed of pursuant to NRS
34 294A.160 during the period from the last date covered by his last report
35 through December 31 of the immediately preceding year and the manner in
36 which they were disposed of; and

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

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

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

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

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

48 5. A county clerk who receives from a legislative or judicial officer,
49 other than a justice of the peace or municipal judge, a report pursuant to



1 subsection 4 shall file a copy of the report with the secretary of state within
2 10 working days after he receives the report.

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

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

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

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

TEXT OF REPEALED SECTION

427A.410 Regulations. The division may adopt such regulations as
are necessary to carry out the provisions of NRS 427A.320 to 427A.410,
inclusive.

