

ASSEMBLY BILL NO. 326—ASSEMBLYMEN GOLDWATER, BEERS, PARKS,
CEGAVSKE, CHOWNING, DE BRAGA, DINI, GIUNCHIGLIANI,
HETTRICK, LESLIE, MARVEL, TIFFANY AND WILLIAMS

MARCH 13, 2001

JOINT SPONSORS: SENATORS O'CONNELL AND TITUS

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning disclosures relating to lobbying.
(BDR 31-496)

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

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

AN ACT relating to lobbying; modifying the list of separate items that a local government is required to include in a supplemental budgetary report of expenses relating to activities designed to influence the passage or defeat of legislation; providing that the budget of a local government must include a separate statement detailing such anticipated expenses; requiring the board of regents of the University and Community College System of Nevada to include a list of expenses relating to activities designed to influence the passage of defeat or legislation in its annual report to the governor; requiring the board of regents to include a separate statement detailing such anticipated expense in its annual report to the governor; specifying that employees of the University and Community College System of Nevada are not excluded from the definition of "lobbyist" for purposes of the Nevada Lobbying Disclosure Act; 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.** NRS 354.59803 is hereby amended to read as follows:
2 354.59803 1. In each year in which the legislature convenes, a local
3 government which expends more than \$6,000 on activities designed to
4 influence the passage or defeat of any legislation shall file with the
5 department of taxation within 30 days after the close of the legislative
6 session a report supplemental to its final budget which includes separate
7 items for expenses relating to that activity, including ~~†~~ , *without*
8 *limitation*:



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- 1 (a) Transportation.
2 (b) The *amount of money spent on:*
3 (1) *The lodging and meals of its officers, lobbyists ~~for employees,~~*
4 *and employees;*
5 (2) *The salary paid to its officers and employees who attend more*
6 *than 40 days of a legislative session; and*
7 (3) *Compensation paid to any lobbyists, to the extent that such*
8 *information does not duplicate the information required pursuant to*
9 *subparagraphs (1) and (2).*
10 (c) The amount of money spent on entertainment, gifts or other
11 expenses which are required to be reported pursuant to NRS 218.900 to
12 218.944, inclusive.
13 (d) The amount of money spent in Carson City on supplies, equipment
14 ~~[, facilities,]~~ *and facilities and other* personnel and services needed to
15 support the activity.
16 (e) An identification of the fund, account or other source against which
17 the expenses were charged.
18 2. The local government shall make a copy of the supplemental report
19 available for inspection within 30 days after the close of the legislative
20 session.
21 **Sec. 2.** NRS 354.600 is hereby amended to read as follows:
22 354.600 Each budget must include:
23 1. Detailed estimates of budget resources for the budget year classified
24 by funds and sources in a manner and on forms prescribed by the
25 department of taxation.
26 2. Detailed estimates of expenditures for the budget year classified in a
27 manner and on forms prescribed by the department of taxation.
28 3. A separate statement of the anticipated expense, including
29 personnel, for the operation and maintenance of each capital improvement
30 to be constructed during the budget year and of each capital improvement
31 constructed on or after July 1, 1998, which is to be used during that or a
32 future budget year.
33 4. A separate statement of the proposed source of funding for the
34 operation and maintenance of each capital improvement, including
35 personnel, to be constructed during that budget year.
36 5. *A separate statement of the anticipated expenses relating to*
37 *activities designed to influence the passage or defeat of any legislation,*
38 *setting forth each separate category of expenditure that is required to be*
39 *included in a supplemental report pursuant to subsection 1 of NRS*
40 *354.59803.*
41 **Sec. 3.** NRS 218.912 is hereby amended to read as follows:
42 218.912 1. "Lobbyist" means, except as limited by subsection 2, a
43 person who:
44 (a) Appears in person in the legislative building or any other building in
45 which the legislature or any of its standing committees hold meetings; and
46 (b) Communicates directly with a member of the legislative branch on
47 behalf of someone other than himself to influence legislative action
48 whether or not any compensation is received for the communication.
49 2. "Lobbyist" does not include:



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1 (a) Persons who confine their activities to formal appearances before
2 legislative committees and who clearly identify themselves and the interest
3 or interests for whom they are testifying.

4 (b) Employees of a bona fide news medium who meet the definition of
5 "lobbyist" only in the course of their professional duties and who contact
6 members of the legislature for the sole purpose of carrying out their news
7 gathering function.

8 (c) Employees of departments, divisions or agencies of the state
9 government who appear before legislative committees only to explain the
10 effect of legislation related to their departments, divisions or agencies ~~H~~,
11 *except employees of the University and Community College System of*
12 *Nevada.*

13 (d) Employees of the legislature, legislators, legislative agencies or
14 legislative commissions.

15 (e) Elected officers of this state and its political subdivisions who
16 confine their lobbying activities to issues directly related to the scope of the
17 office to which they were elected.

18 (f) Persons who contact the members of the legislature who are elected
19 from the district in which they reside.

20 **Sec. 4.** NRS 396.340 is hereby amended to read as follows:

21 396.340 1. The University and Community College System of
22 Nevada was, and now is, established in accordance with the provisions of
23 the constitution of the State of Nevada, and also in accordance with the
24 provisions of an Act of Congress entitled "An Act donating Public Lands
25 to the several States and Territories which may provide Colleges for the
26 Benefit of Agriculture and the Mechanic Arts," approved July 2, 1862 (c.
27 130, 12 Stat. 503), and acts amendatory thereof or supplementary thereto.

28 2. The board of regents are the proper trustees of the system to receive
29 and disburse all appropriations made to this state under the provisions of an
30 Act of Congress entitled "An act to apply a portion of the proceeds of the
31 public lands to the more complete endowment and support of the colleges
32 for the benefit of agriculture and mechanic arts, established under the
33 provisions of an act of Congress approved July second, eighteen hundred
34 and sixty-two," approved August 30, 1890 (c. 841, 26 Stat. 419), and all
35 appropriations hereafter to be made under the act.

36 3. The board of regents shall make a report at the end of each fiscal
37 year, in connection with its annual report to the governor, of other matters
38 concerning the system, including the amounts received and disbursed under
39 the provisions of this section. The governor shall transmit all annual reports
40 to the legislature.

41 4. *In each year in which the legislature convenes, if the board of*
42 *regents expends more than \$6,000 on activities designed to influence the*
43 *passage or defeat of any legislation, the board shall file with the governor*
44 *within 30 days after the close of the legislative session a report*
45 *supplemental to its annual report made pursuant to subsection 3 which*
46 *includes separate items for expenses relating to that activity, including,*
47 *without limitation:*

48 (a) *Transportation.*

49 (b) *The amount of money spent on:*



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- 1 (1) *The lodging and meals of its officers, lobbyists and employees;*
2 (2) *The salary paid to its officers and employees who attend more*
3 *than 40 days of a legislative session; and*
4 (3) *Compensation paid to any lobbyists, to the extent that such*
5 *information does not duplicate the information required pursuant to*
6 *subparagraphs (1) and (2).*
7 (c) *The amount of money spent on entertainment, gifts or other*
8 *expenses which are required to be reported pursuant to NRS 218.900 to*
9 *218.944, inclusive.*
10 (d) *The amount of money spent in Carson City on supplies, equipment*
11 *and facilities and other personnel and services needed to support the*
12 *activity.*
13 (e) *An identification of the fund, account or other source against*
14 *which the expenses were charged.*
15 5. *The board of regents shall make a copy of the supplemental report*
16 *available for inspection within 30 days after the close of the legislative*
17 *session.*
18 6. *The board of regents shall include in its annual report to the*
19 *governor made pursuant to subsection 3 a separate statement of the*
20 *anticipated expenses relating to activities designed to influence the*
21 *passage or defeat of any legislation, setting forth each separate category*
22 *of expenditure that is required to be included in a supplemental report*
23 *pursuant to subsection 4.*
24 7. The legislature of Nevada hereby gratefully assents to the purposes
25 of all grants of money made heretofore and all which may hereafter be
26 made to the State of Nevada by Congress, under the Act of Congress, the
27 title of which is recited in subsection 2, and agrees that the grants must be
28 used only for the purposes named in the Act of Congress, or acts
29 amendatory thereof or supplemental thereto.

