

**S.B. 570**SENATE BILL NO. 570—COMMITTEE ON LEGISLATIVE  
AFFAIRS AND OPERATIONS

(ON BEHALF OF LEGISLATIVE COMMISSION)

MAY 4, 2001

## Referred to Committee on Legislative Affairs and Operations

SUMMARY—Makes various changes relating to legislature and legislative counsel bureau.  
(BDR 17-1073)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 the legislature; making various changes relating to the legislature and the  
legislative counsel bureau; 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 a  
2     new section to read as follows:  
3     *Except as otherwise provided in NRS 218.2423, if a request for*  
4     *drafting of a measure pursuant to NRS 218.240 to 218.255, inclusive,*  
5     *requires additional information before the measure can be completed,*  
6     *the legislative counsel shall request the information from the person who*  
7     *requested the drafting of the measure. If the information is not received*  
8     *within 15 days after the date of the request for the additional*  
9     *information, the request to draft the measure shall be deemed withdrawn*  
10    *and the legislative counsel shall notify the requester that the measure will*  
11    *not be drafted.*  
12    **Sec. 2.** NRS 218.240 is hereby amended to read as follows:  
13    218.240 1. The legislative counsel and the legal division of the  
14    legislative counsel bureau shall prepare and assist in the preparation and  
15    amendment of legislative measures when requested or upon suggestion as  
16    provided in NRS 218.240 to 218.255, inclusive ~~†~~, *and section 1 of this*  
17    *act.* Except as otherwise provided in those provisions, the legislative  
18    counsel and the legal division of the legislative counsel bureau shall not  
19    prepare or assist in the preparation and amendment of legislative measures  
20    directly submitted or requested by a natural person, corporation, firm,



1 association or other entity, including an organization that represents  
2 governmental agencies, unless the requester, or if the requester is a natural  
3 person the office or other position held by the person, is created by the  
4 constitution or laws of this state.

5 2. The legislative counsel shall give consideration to and service  
6 concerning any measure before the legislature which is requested by the  
7 governor, the senate or assembly, or any committee of the legislature  
8 having the measure before it for consideration.

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

15 **Sec. 3.** NRS 218.2423 is hereby amended to read as follows:

16 218.2423 1. Each:

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

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

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

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

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

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

47 (b) A person designated after a general election as a chairman of a  
48 standing committee for the next regular legislative session, or a person  
49 designated in the place of a chairman by the person designated as the



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1 speaker of the assembly or majority leader of the senate for the next regular  
2 legislative session, may request *on or before December 15 preceding* the  
3 commencement of the next regular legislative session the drafting of the  
4 remaining number of the legislative measures allowed for the respective  
5 standing committee that were not requested by the previous chairman or  
6 designee.

7 *3. If a legislator submits a request pursuant to subsection 1 that*  
8 *requires additional information before the measure can be completed,*  
9 *the legislative counsel shall request the information from the legislator*  
10 *who submitted the request for drafting of the measure. If the information*  
11 *is not received on or before:*

12 *(a) December 1, for measures submitted on or before September 1; or*  
13 *(b) January 15, for measures submitted after September 1 but on or*  
14 *before December 15,*

15 *the request shall be deemed withdrawn and the legislative counsel shall*  
16 *notify the legislator that the measure will not be drafted. The legislative*  
17 *counsel shall request the additional information not less than 15 days*  
18 *before the deadline established by this subsection for submitting the*  
19 *information.*

20 **Sec. 4.** NRS 218.2426 is hereby amended to read as follows:

21 218.2426 1. In addition to the number authorized pursuant to NRS  
22 218.2423:

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

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

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

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

41 **Sec. 5.** NRS 218.245 is hereby amended to read as follows:

42 218.245 1. Except as otherwise provided in subsections 2 and 5, the  
43 legislative counsel and the legal division of the legislative counsel bureau  
44 shall not prepare or assist in the preparation of proposed legislation for any  
45 agency or officer of the executive branch of the state government or for a  
46 county, school district or city before a regular session of the legislature  
47 unless the request is approved by the governor or a designated member of  
48 his staff, or the governing body of the county, school district or city, and



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1 transmitted to the legislative counsel *on or* before September 1 preceding  
2 the convening of the session.

3 2. A request for proposed legislation may be submitted to the  
4 legislative counsel *pursuant to subsection 3 or 4 of NRS 218.2455* by the  
5 board of regents of the University of Nevada, lieutenant governor,  
6 secretary of state, attorney general, state controller or state treasurer  
7 without the approval of the governor or a designated member of his staff.

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

12 4. The legislative counsel and the legal division of the legislative  
13 counsel bureau shall not prepare or assist in the preparation of any  
14 proposed legislation during any regular session of the legislature except as  
15 authorized by statute or joint rule of the legislature.

16 5. An agency or officer of the executive branch of the state  
17 government or a county, school district or city, shall not request a legislator  
18 to have legislation drafted on its behalf. The legislative commission, when  
19 the legislature is not in session, or a standing committee which has  
20 jurisdiction of the subject matter when the legislature is in session, may, if  
21 it finds that exceptional circumstances so warrant, authorize the drafting of  
22 legislation requested after the time limited by subsection 1 of this section  
23 and subsection 1, 3 or 4 of NRS 218.2455.

24 **Sec. 6.** NRS 218.2455 is hereby amended to read as follows:

25 218.2455 1. The governor or his designated representative may  
26 transmit to the legislative counsel *on or* before September 1 preceding a  
27 regular legislative session not more than 125 requests for the drafting of  
28 legislative measures approved on behalf of state agencies, boards and  
29 departments of the executive branch of state government pursuant to  
30 subsection 1 of NRS 218.245.

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

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

38

39	Lieutenant governor .....	2
40	Secretary of state .....	8
41	State treasurer .....	5
42	State controller .....	5
43	Attorney general .....	25

44

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



1     **Sec. 7.** NRS 218.247 is hereby amended to read as follows:

2     218.247 1. The legislative counsel and the legal division of the  
3 legislative counsel bureau shall prepare and assist in the preparation of  
4 legislative measures at the request of the supreme court if the legislative  
5 measures are transmitted to the legislative counsel *on or* before  
6 September 1 preceding the commencement of the next regular session of  
7 the legislature. The supreme court may transmit to the legislative counsel  
8 pursuant to this section not more than 16 legislative measures on behalf of  
9 the supreme court and district courts of this state and not more than 4  
10 legislative measures on behalf of the municipal courts and justices' courts  
11 of this state.

12     2. Every requested legislative measure must set forth the substance of  
13 the provisions desired or which may be needed with the reasons therefor.

14     ~~3. The legislative counsel shall transmit any legislative measure~~  
15 ~~prepared pursuant to this section to the chairman of the committee on~~  
16 ~~judiciary of each house at the next regular session of the legislature.~~

17     **Sec. 8.** NRS 218.272 is hereby amended to read as follows:

18     218.272 1. Except as otherwise provided in subsection 4, the fiscal  
19 analysis division shall obtain a fiscal note on:

20     (a) ~~[Any bill which makes an appropriation or increases any existing~~  
21 ~~appropriation;~~

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

25     ~~—(c)—~~ *\$10,000; and*

26     (b) Any bill or joint resolution which increases or newly provides for a  
27 term of imprisonment in the state prison or makes release on parole or  
28 probation from the state prison less likely,  
29 before a vote is taken on such a bill or joint resolution by a committee of  
30 the assembly or the senate.

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

35     3. Except as otherwise provided in NRS 218.272 to 218.2758,  
36 inclusive, or in the joint rules of the senate and assembly, the estimates  
37 must be made by the *affected* agency ~~receiving the appropriation or~~  
38 ~~collecting the revenue.~~ *or agencies.*

39     4. The fiscal note is not required on any bill or joint resolution relating  
40 exclusively to the proposed executive budget.

41     **Sec. 9.** NRS 218.275 is hereby amended to read as follows:

42     218.275 1. The name of the agency preparing the fiscal note must  
43 appear ~~at the end thereof~~ *on a fiscal note* with the signature of the official  
44 of the agency who is primarily responsible for preparing the note.

45     2. The department of administration shall review the fiscal notes  
46 prepared by the agencies before such notes are returned to the legislature.  
47 If the department of administration disagrees with a fiscal note prepared by  
48 the agency, it may submit a supplementary fiscal note for the bill or joint  
49 resolution.



1     **Sec. 10.** NRS 218.2752 is hereby amended to read as follows:  
2     218.2752 Whenever a bill or joint resolution is submitted to an agency  
3     for a fiscal note, the agency shall prepare the note and return it to the fiscal  
4     analysis division within 5 working days. The fiscal analysis division may  
5     extend the period for not more than 10 additional *working* days if the  
6     matter requires extended research.

7     **Sec. 11.** NRS 218.2755 is hereby amended to read as follows:  
8     218.2755 ~~11-~~ After a bill or joint resolution has been drafted, the  
9     fiscal analysis division shall inform the requester that a fiscal note is  
10    required when the draft is submitted to the requester for review. If the  
11    requester so directs, the fiscal analysis division shall promptly determine  
12    the agency to which the bill or joint resolution should be submitted and  
13    shall submit it for a fiscal note. If the requester is a legislator and desires to  
14    introduce the bill or joint resolution without a fiscal note, he may do so, but  
15    when the bill is introduced, the fiscal analysis division shall promptly  
16    determine the agency to which the bill or joint resolution is to be submitted  
17    and shall forward it to the agency to obtain the fiscal note.

18    ~~{2. The agency shall prepare the note in quadruplicate and return it~~  
19    ~~within the required time to the fiscal analysis division.}~~

20    **Sec. 12.** NRS 218.2756 is hereby amended to read as follows:  
21    218.2756 1. ~~{If the fiscal note is obtained before the bill or joint~~  
22    ~~resolution is introduced the fiscal analysis division shall submit a copy of~~  
23    ~~the note to the requester. If the requester desires to introduce the bill or~~  
24    ~~joint resolution the legislative counsel shall attach a duplicate copy of the~~  
25    ~~note to the bill or joint resolution and shall prepare the bill or joint~~  
26    ~~resolution for introduction.}~~ The original, signed copy of ~~{the}~~ *a fiscal* note  
27    *that is obtained before a bill or joint resolution is introduced* must be  
28    retained by the fiscal analysis division to be used as printer's copy after the  
29    bill or joint resolution is introduced.

30    2. If the fiscal note is obtained after the bill or joint resolution has been  
31    introduced, the fiscal analysis division shall forward a ~~{duplicate copy of~~  
32    ~~the note to the chief clerk of the assembly or the secretary of the senate and~~  
33    ~~shall forward the original.}~~ signed copy to the superintendent of the state  
34    printing division of the department of administration for the purposes of  
35    printing.

36    3. The ~~{triplicate copy of the}~~ *original* fiscal note must be retained by  
37    the fiscal analysis division.

38    4. The fiscal analysis division shall send a copy of the fiscal note to the  
39    chairman of the standing committee or committees to which the bill or joint  
40    resolution has been referred.

41    **Sec. 13.** NRS 218.5327 is hereby amended to read as follows:  
42    218.5327 If any witness neglects or refuses to obey a subpoena, or  
43    after appearing neglects or refuses to testify as to any relevant matter, or to  
44    produce upon reasonable notice any relevant evidence, if the evidence is in  
45    his possession or under his control, he has committed a contempt. *The*  
46    *district court of any county, or the judge thereof, shall, on application of*  
47    *the president of the senate, speaker of the assembly or chairman of the*  
48    *committee, as the case may be, compel obedience by proceedings for*



1 *contempt, as in the case of disobedience of the requirements of a*  
2 *subpoena issued from such court or a refusal to testify therein.*

3 **Sec. 14.** NRS 331.135 is hereby amended to read as follows:

4 331.135 1. The legislature reserves the supervision and control, both  
5 during and between legislative sessions, of:

6 (a) The entire legislative building, including its chambers, offices and  
7 other rooms, and its furnishings and equipment.

8 (b) A portion of the parcel of land bounded on the west by Carson  
9 Street, on the south by Fifth Street, on the east by Fall Street, and on the  
10 north by the sidewalk along the south fence of the capitol grounds, situated  
11 in a portion of the Capitol Complex, as shown on the Record of Survey  
12 Map No. 297, Official Records of Carson City, Nevada, File No. 3043,  
13 section 17, T. 15 N., R. 20 E., M.D.M., more particularly described as  
14 follows:

15 Beginning at the southwest corner of block 36, Sears Thompson Sears  
16 Division, as shown on that record of survey;

17 Beginning at the southwest corner of block 36, Sears Thompson  
18 Sears Division, as shown on that record of survey;

19 Thence N 89°52'32" E, a distance of 443.93 feet;

20 Thence N 00°12'15" E, a distance of 302.14 feet;

21 Thence N 44°47'45" W, a distance of 189.88 feet to the north side  
22 of an existing sidewalk;

23 Thence N 89°39'33" W, along that sidewalk, a distance of 97.13  
24 feet to the east side of an existing sidewalk;

25 Thence N 00°14'26" E, along that sidewalk, a distance of 270.00  
26 feet, more or less, to the north line of a sidewalk;

27 Thence N 89°47'45" W, along that sidewalk, a distance of 212.50  
28 feet, to the east right-of-way line of Carson Street;

29 Thence S 00°13'08" W, along that line, a distance of 709.40 feet,  
30 more or less, to the true point of beginning.

31 Containing 5.572 acres, more or less.

32 (c) The entire parcel of land bounded on the north by Fifth Street, on the  
33 south by Sixth Street, on the east by Stewart Street and on the west by  
34 Plaza Street, also described as blocks 2 and 3, Pierson and Goodridge  
35 Addition; and that portion of Fall Street between Fifth Street and Sixth  
36 Street abandoned by Carson City on April 26, 1990, Meeting Agenda Item  
37 9 M-89/90-10. Also the entire parcel of land bounded on the north by the  
38 south boundary line of block 2, Pierson and Goodridge Addition, on the  
39 south by Seventh Street, on the east by Stewart Street and on the west by  
40 Fall Street, and further described as block 7, Pierson and Goodridge  
41 Addition.

42 (d) *The entire parcel of land bounded on the north by Sixth Street, on*  
43 *the south by Seventh Street, on the east by Fall Street, and on the west by*  
44 *Plaza Street, also described as block 6, Pierson and Goodridge Addition.*

45 (e) The entire parcel of land bounded on the north by Fourth Street, on  
46 the west by Stewart Street, on the south by Fifth Street, and on the east by  
47 the abandoned right of way of Valley Street, also described as block 39 of  
48 Sears Thompson Sears Division of Carson City; and the west 30.00 feet of





3 Excepting therefrom that portion of Stewart and Fifth Streets deeded to  
4 the State of Nevada through its department of transportation as recorded in  
5 book 283, page 208, of Deeds, Carson City, Nevada.

6 ~~(e)~~ (f) Any other property acquired for the use of the legislature or its  
7 staff.

8      2. The director of the legislative counsel bureau:

9 (a) Shall provide an individual office for each legislator whose position  
10 as an officer or as a chairman of a committee does not otherwise entitle  
11 him to occupy an assigned office.

(b) May assign the use of space in the legislative building or other legislative facilities or on the legislative grounds in such a manner as the legislative commission prescribes.

3. The director of the legislative counsel bureau shall cause the legislative building, chambers and grounds and other legislative facilities to be kept in good repair, clean, orderly and presentable as befits public property and the dignity of the legislature. For this purpose he may, in addition to his general power to employ or contract for the services of personnel, contract with any private enterprise or governmental agency for the provision of appropriate services.

22     **Sec. 15.**    NRS 345.025 is hereby amended to read as follows:

345.025 Within the limits of legislative appropriations, specifically made for such purpose, the director of the legislative counsel bureau may contract with a private printing firm for the reproduction by printing or other reproductive process of volumes of Nevada Reports *or Statutes of Nevada* which are out of print or of limited supply in the office of the legislative counsel bureau if the price quoted by the firm for such services is lower than the price quoted by the superintendent of the state printing division of the department of administration. Such reproduced volumes may be bound so as to contain one or more volumes of the original Nevada Reports *or Statutes of Nevada* and must be sold to the public at the prices established pursuant to NRS 345.050. The proceeds of such sales must be deposited by the director of the legislative counsel bureau with the state treasurer for credit to the state general fund.

36       **Sec. 16.** NRS 218.248 is hereby repealed.

37      **Sec. 17.** This act becomes effective upon passage and approval.

**TEXT OF REPEALED SECTION**

**218.248 Payment for services of legal division in preparation of certain legislative measures.**

1. The legislative counsel shall keep a record of the hours expended by personnel of the legal division of the legislative counsel bureau to prepare legislative measures requested by any state agency, officer of the executive





branch of state government or any justice of the supreme court or judge of a district court.

2. The record of total hours must be furnished to the chief of the administrative division who shall send to each such requesting agency, officer, justice or judge a claim stating the amount of charges for such preparation. The claim must be paid to the legislative counsel bureau as other claims against the state are paid.

3. The rates to be charged for the services of the legal division of the legislative counsel bureau must be determined by the legislative commission.

4. All money received by the legislative counsel bureau pursuant to this section must be deposited in the legislative fund.

