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PROPOSED AMENDMENT TO AB 542

Amend the bill as a whole by deleting sec. 17 and adding new section designated sections 17 and 17.5, following sec. 16, to read as follows;

"Sec. 17. NRS 218.934 is hereby amended to read as follows:

218.934 The Director may:

1. Prepare and publish such reports concerning lobbying activities as he deems appropriate.
2. Release to the public the name of any lobbyist who fails to file any activity report within 14 days after the date it is required to be filed.

3. Revoke the registration of any lobbyist who fails to file any activity report within 30 days after the date it is required to be filed ~~[-]~~ *or fails to file two or more activity reports within the time required.*

Sec. 17.5. NRS 218.940 is hereby amended to read as follows:

218.940 1. ~~[Any]~~ *Except as otherwise provided in this subsection, a* registrant who files an activity report after the time provided in NRS 218.926 shall pay to the Director a fee for late filing of \$10 for each day that it was late, but the Director may reduce or waive this fee upon a finding of just cause. *The Legislative Commission may by regulation exempt a classification of lobbyist from the fee for late filing.*

2. An activity report with respect to which a late filing fee has been paid by the registrant or waived by the Director shall be deemed timely filed, and the late filing is not a public offense."

EXPLANATION: The existing section of the bill allows the Legislative Commission to exempt a classification of lobbyist (nonpaid lobbyists) from the requirement of filing a monthly report if no expenditures were made. The reason that we require reports is that it is impossible to determine whether the failure to file a report was because no expenditures were made or because the lobbyist simply neglected to file a report. The proposal to exempt nonpaid lobbyists from filing would leave us with the same problem. The reason I want to make a change is that a nonpaid lobbyist who is 2 days late in submitting a report -- a report indicating that no expenditures were made -- incurs a fine that is larger than the entire registration cost. A person who is a week and a half late incurs a \$100 penalty, though lobbying may be done at a cost to the lobbyist. To address the problem while ensuring that we get reports from all lobbyists, I propose allowing the Legislative Commission to exempt nonpaid lobbyists from the fee for late filing. They could still lose their registration if they fail to file, and the amendment to allow revocation for repeated late filings would provide incentive to file in a timely manner, but we would no longer be assessing \$200 fines against volunteer lobbyists.