

## Amendment No. 802

Senate Amendment to Assembly Bill No. 593 First Reprint (BDR 17-1081)

**Proposed by:** Senate Committee on Legislative Operations and Elections**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

LJM/BJE



Date: 5/20/2007

A.B. No. 593—Makes various changes relating to the Legislature and the  
Legislative Counsel Bureau. (BDR 17-1081)



ASSEMBLY BILL NO. 593—COMMITTEE ON ELECTIONS, PROCEDURES, ETHICS, AND  
CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MARCH 26, 2007

Referred to Committee on Elections, Procedures, Ethics,  
and Constitutional AmendmentsSUMMARY—Makes various changes relating to the Legislature and the  
Legislative Counsel Bureau. (BDR 17-1081)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 Legislative Branch of Government; making various  
changes relating to the Legislature and the Legislative Counsel Bureau;  
and providing other matters properly relating thereto.**Legislative Counsel's Digest:**

This bill makes various changes relating to the Legislature and the Legislative Counsel Bureau. **Section 1** of this bill provides that **salary paid for certain additional hours worked by executive, administrative, professional or supervisory employees of the Legislative Counsel Bureau constitutes compensation for the purposes of retirement. Section 2 of this bill provides that** the fee for a certain bill service during a legislative session will be set by the Director of the Legislative Counsel Bureau instead of being specified in the statute. (NRS 218.185) **Section ~~2~~ 3** of this bill eliminates the requirement that the Legislative Counsel represent any Legislator in any matter before the Commission on Ethics. (NRS 218.697) **Section ~~2~~ 4** of this bill transfers authority for the portrait of the Governor from the Legislative Commission to the Director of the Department of Cultural Affairs. (NRS 223.121) **Sections ~~4 and 7~~ 5 and 9** of this bill provide for title to all property reserved for the use of the Legislature to be held in the name of the Legislature. (NRS 331.135) **Section ~~4-5~~ 6** of this bill exempts the Legislative Branch of Government from certain provisions relating to the State Public Works Board. **Sections ~~5 and 9~~ 7 and 10** of this bill clarify provisions concerning the appointment of members to the Nevada Silver Haired Legislative Forum. (NRS 427A.330) **Section ~~6~~ 8** of this bill clarifies the prospective impact of the cost-of-living increases enacted for Legislators. (Chapter 329, Statutes of Nevada 2005, p. 1182) **Section 11 of this bill authorizes a person who received payment for hours worked before and during the 2007 regular session of the Legislature that would have been considered as compensation pursuant to section 1 of this act to make the necessary contributions to the Public Employees' Retirement System to have that payment considered as compensation.**

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the purposes of NRS 286.025, salary paid for all hours worked by an executive, administrative, professional or supervisory employee of the Legislative Counsel Bureau in addition to the employee's regularly scheduled workday or 40-hour workweek in the fiscal year that includes a regular session of the Legislature, up to a maximum number of hours designated as required for the classification by the Director of the Legislative Counsel Bureau and approved by the Legislative Commission, constitutes "compensation." The Legislative Counsel Bureau and such employees shall make the appropriate contributions to the Public Employees' Retirement System for such compensation.

2. The maximum number of additional hours that may be designated as required for a classification pursuant to subsection 1 is 750.

~~[Section 1.]~~ **Sec. 2.** NRS 218.185 is hereby amended to read as follows:

218.185 1. During each session of the Legislature, employees of the Senate and Assembly shall compile and prepare sets of books containing bills, resolutions, journals and histories for:

(a) The officers and members of the Senate and Assembly without cost to them.

(b) Selected staff members of the Legislative Counsel Bureau without cost to them.

(c) The press room for use of accredited press representatives, four such sets of books without cost to them.

(d) Persons other than those enumerated in paragraphs (a), (b) and (c) upon application to the Legislative Counsel Bureau and the payment of a fee ~~[of \$150.]~~ established by the Director of the Legislative Counsel Bureau.

2. All fees collected under the provisions of this section must be deposited with the State Treasurer for credit to the Legislative Fund in accordance with the provisions of NRS 353.250.

~~[Sec. 2.]~~ **Sec. 3.** NRS 218.697 is hereby amended to read as follows:

218.697 1. ~~[Upon request, the Legislative Counsel shall represent any Legislator in any matter before the Commission on Ethics.~~

~~—2.]~~ When deemed necessary or advisable to protect the official interests of the Legislature or one or more legislative committees, the Legislative Commission, or the Chairman of the Legislative Commission in cases where action is required before a meeting of the Legislative Commission is scheduled to be held, may direct the Legislative Counsel and his staff to appear in, commence, prosecute, defend or intervene in any action, suit, matter, cause or proceeding in any court or agency of this State or of the United States.

~~[3.]~~ 2. The Legislative Commission may authorize payment of the expenses and costs incurred pursuant to this section from the Legislative Fund.

~~[Sec. 3.]~~ **Sec. 4.** NRS 223.121 is hereby amended to read as follows:

223.121 1. The ~~[Legislative Commission]~~ **Director** may, upon the election of each new Governor, enter into a contract with an artist for the purpose of procuring a portrait of that Governor for display in the Capitol Building.

2. The portrait must be painted in oil colors and appropriately framed. The painting and framing must be done in the same manner, style and size as the portraits of former Governors of the State displayed in the Capitol Building.

3. The contract price must not exceed the appropriation made for this purpose to the Account for the Governor's Portrait in the State General Fund. The contract price must include the cost of the portrait and the frame.

4. The portrait and frame are subject to the approval of the Governor.

5. Upon delivery of the approved, framed portrait to the Secretary of State and its acceptance by the ~~[Legislative Commission.]~~ **Director**, the State Controller shall draw his warrant in an amount equal to the contract price and the State Treasurer shall pay the warrant from the Account for the Governor's Portrait. Any balance remaining in the Account immediately lapses to the State General Fund.

**6. As used in this section, "Director" means the Director of the Department of Cultural Affairs.**

~~[Sec. 4.]~~ **Sec. 5.** NRS 331.135 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

Containing 5.572 acres, more or less.

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

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

(e) The entire parcel of land bounded on the north by Fourth Street, on the west by Stewart Street, on the south by Fifth Street, and on the east by the abandoned

right-of-way of Valley Street, also described as block 39 of Sears , Thompson and Sears Division of Carson City; and the west 30.00 feet of the abandoned right-of-way of Valley Street abutting block 39 of Sears , Thompson and Sears Division. Excepting therefrom that portion of Stewart and Fifth Streets deeded to the State of Nevada through its Department of Transportation as recorded in book 283, page 208, of Deeds, Carson City, Nevada.

(f) *The entire parcel of land bounded on the north by Third Street, on the west by Stewart Street, on the south by Fourth Street, and on the east by Valley Street, also described as block 22 of Sears, Thompson and Sears Division of Carson City; and the land occupied by the state printing warehouse in block 21 of Sears, Thompson and Sears Division of Carson City; and the abandoned right-of-way of Fourth Street between block 22 of Sears, Thompson and Sears Division and block 39 of Sears, Thompson and Sears Division of Carson City. Excepting therefrom that portion of Stewart Street deeded to the State of Nevada through its Department of Transportation as recorded in book 283, page 208, of Deeds, Carson City, Nevada.*

(g) Any other property acquired for the use of the Legislature or its staff.

➤ *Title to the property described in this subsection must be held in the name of the Legislature of the State of Nevada.*

2. The Director of the Legislative Counsel Bureau:

(a) Shall provide an individual office for each Legislator whose position as an officer or as a chairman of a committee does not otherwise entitle 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.

~~[Sec. 4.5.]~~ *Sec. 6.* NRS 341.158 is hereby amended to read as follows:

341.158 The provisions of ~~[NRS 341.141 to 341.155, inclusive.]~~ *this chapter* do not ~~[require]~~ *apply to* the Legislative Branch of government. ~~[to use the services of the Board.]~~ The Legislature may require the Board to provide the services described in ~~[those sections]~~ *NRS 341.141 to 341.155, inclusive,* for particular projects for the Legislative Branch of government.

~~[Sec. 5.]~~ *Sec. 7.* NRS 427A.330 is hereby amended to read as follows:

427A.330 1. The Legislative Commission shall appoint to the Nevada Silver Haired Legislative Forum a number of members equal to the number of State Senators. 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 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 members of the Nevada Silver Haired Legislative Forum from the remaining senatorial districts serve an initial term of 2 years.] 31 of the second year of a member's term.~~ After the initial terms, each member *of the Forum* serves a term of 2 years. *Each member of the Forum continues to serve until his successor is appointed.*

~~[Sec. 6.]~~ **Sec. 8.** Chapter 329, Statutes of Nevada 2005, at page 1182, is hereby amended by adding thereto a new section to be designated as section 8, immediately following section 7, to read as follows:

*Sec. 8. The increases in the compensation for Senators and Assemblymen pursuant to the amendatory provisions of section 7 of this act must be calculated based only upon increases in the salaries of the classified employees of this State that take effect on or after November 2, 2004.*

~~[Sec. 7.]~~ **Sec. 9.** The State Land Registrar shall, as soon as practicable after the effective date of this act, execute and file all necessary and appropriate documents to provide that title to property described in subsection 1 of NRS 331.135 is held in the name of the Legislature of the State of Nevada.

~~[Sec. 8.]~~ **Sec. 10.** On or before December 31, 2007, or as soon thereafter as practicable, the Legislative Commission shall appoint new members of the Nevada Silver Haired Legislative Forum pursuant to NRS 427A.330, as amended by section ~~[S]~~ 7 of this act. The Legislative Commission shall appoint to terms ending on:

1. December 31, 2008, members nominated by Senators representing Clark County Senatorial Districts 1, 5, 9, 10 and 12, Washoe County Senatorial Districts 1 and 4, the Central Nevada Senatorial District and the Rural Nevada Senatorial District.

2. December 31, 2009, members nominated by Senators representing Clark County Senatorial Districts 2, 3, 4, 6, 7, 8 and 11, Washoe County Senatorial Districts 2 and 3, and the Capital Senatorial District.

➤ The terms of the members of the Nevada Silver Haired Legislative Forum as of the effective date of this act continue until their successors are appointed pursuant to this section. A member may be reappointed.

**Sec. 11.** *A person who worked hours before and during the 2007 regular session of the Legislature that would have been considered as compensation pursuant to the provisions of section 1 of this act, had that section been in effect, may elect to have his payment for those hours, up to the limit established for his classification, and in no case more than 750 hours, considered as compensation by:*

1. Notifying the Public Employees' Retirement System of his election; and

2. Paying the amount necessary to make both the employer and employee contributions to the System on the payment for the additional hours that the person desires to have considered as compensation. The Legislative Counsel Bureau shall not make any portion of the required contribution.

➤ The election and payment must be made on or before January 1, 2008.

~~[Sec. 9.]~~ **Sec. 12.** 1. This section and sections 2 to 11, inclusive, of this act ~~[becomes]~~ become effective upon passage and approval.

2. Section 1 of this act becomes effective on July 1, 2007.