

ASSEMBLY BILL NO. 232—ASSEMBLYMEN SMITH, PIERCE, HORNE, ARBERRY, MCARTHUR; AIZLEY, ANDERSON, BUCKLEY, CLABORN, DENIS, GANSERT, GOICOECHEA, HOGAN, KIHUEN, KOIVISTO, LESLIE, MANENDO, MASTROLUCA, MCCLAIN, MUNFORD, OCEGUERA, OHRENSCHALL, PARNELL, SEGERBLOM AND SPIEGEL

MARCH 4, 2009

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional Amendments

SUMMARY—Revises provisions governing the Legislative Commission and the Interim Finance Committee. (BDR 17-810)

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 the State Legislature; revising provisions governing the Legislative Commission and the Interim Finance Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Legislative Commission, consisting of 12 members, and requires the Legislature to determine by joint rule at each regular session the following for the Legislative Commission: (1) the method of determining the regular and alternate members; (2) the method for filling vacancies; (3) the terms of office of the members; and (4) the method of selecting and the term of office for the Chairman. (NRS 218.660) Subsection 5 of Joint Standing Rule No. 11 adopted by the 2009 Legislative Session provides that the membership of a member of the Legislative Commission who does not become a candidate for reelection or who is defeated for reelection terminates on the day next after the election and requires the vacancy to be filled as provided in the Rule. **Section 1** of this bill codifies in statute the provisions of the Joint Standing Rule concerning the termination of the membership of a member of the Legislative Commission who does not become a candidate for reelection or who is defeated.

Under existing law, the Interim Finance Committee is created in the Legislative Counsel Bureau to perform certain fiscal functions primarily during the legislative interims. The Interim Finance Committee is composed of the members of the Assembly Standing Committee on Ways and Means and the Senate Standing



* A B 2 3 2 R 1 *

Committee on Finance, known as the money committees, during the current or immediately preceding legislative session. (NRS 218.6825)

Under existing law, the chairmanship of the Interim Finance Committee alternates each legislative interim between the immediate past Chairman of the money committee of each House of the Legislature. The term of the Chairman of the Interim Finance Committee extends from the convening of one legislative session until the convening of the next legislative session. (NRS 218.6825) **Section 2** of this bill provides that the term of the Chairman of the Interim Finance Committee terminates before the convening of the next regular session of the Legislature if a new Chairman of the applicable money committee has been designated, after the intervening general election, for the next regular session of the Legislature.

Existing law provides that the membership on the Interim Finance Committee of any member who does not become a candidate for reelection or who is defeated for reelection continues until the convening of the next legislative session. (NRS 218.6825) **Section 2** of this bill terminates the membership of such a member on the day next after the general election, which is the same day on which his term of office as a Legislator ends. (Nev. Const. Art. 4, §§ 3, 4) **Section 2** provides for the appointment of an alternate to fill the vacancy until the members of the applicable money committee have been designated for the ensuing regular session of the Legislature or until another alternate has been appointed. **Section 2** also provides that the persons designated to serve on the money committees for the ensuing regular session become members of the Interim Finance Committee at the time those persons are so designated.

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

Section 1. NRS 218.660 is hereby amended to read as follows:
218.660 1. There is hereby created in the Legislative Counsel Bureau a Legislative Commission consisting of 12 members.

2. At each regular session of the Legislature held in odd-numbered years, the Senate shall, by resolution, designate six Senators as regular members of the Legislative Commission and six Senators as alternates, and the Assembly shall, by resolution, designate six Assemblymen as regular members of the Legislative Commission and six Assemblymen as alternates.

3. The Legislature shall determine by joint rule at each regular session of the Legislature in odd-numbered years:

(a) The method of determining the majority party and the minority party regular and alternate membership on the Legislative Commission.

(b) The method of filling vacancies on the Legislative Commission.

(c) ~~The terms of office of members.~~

~~(d)~~ The method of selecting the Chairman.

~~(e)~~ (d) The term of office of the Chairman.

4. The members of the Legislative Commission serve until their successors are appointed by resolution as provided in this



section, except that the membership of any member who does not become a candidate for reelection or who is defeated for reelection terminates on the day next after the election and the vacancy must be filled as provided by the joint rule adopted pursuant to subsection 3.

Sec. 2. NRS 218.6825 is hereby amended to read as follows:

218.6825 1. There is hereby created in the Legislative Counsel Bureau an Interim Finance Committee . *Except as otherwise provided in this section, the Interim Finance Committee is* composed of the members of the Assembly Standing Committee on Ways and Means and the Senate Standing Committee on Finance during the current or immediately preceding session of the Legislature. ~~The~~

2. Except as otherwise provided in this subsection, the immediate past Chairman of the Senate Standing Committee on Finance is the Chairman of the Interim Finance Committee for the period ending with the convening of each even-numbered regular session of the Legislature. The immediate past Chairman of the Assembly Standing Committee on Ways and Means is the Chairman of the Interim Finance Committee during the next legislative interim, and the chairmanship alternates between the houses of the Legislature according to this pattern.

~~2.~~ *The term of the Chairman of the Interim Finance Committee terminates if a new Chairman of the Assembly Standing Committee on Ways and Means or the Senate Standing Committee on Finance, as the case may be, is designated for the next regular session of the Legislature, in which case that person so designated serves as the Chairman of the Committee until the convening of that regular session.*

3. If any regular member of the *Interim Finance* Committee informs the Secretary that he will be unable to attend a particular meeting, the Secretary shall notify the Speaker of the Assembly or the Majority Leader of the Senate, as the case may be, to appoint an alternate for that meeting from the same house and political party as the absent member.

~~3.~~ *4. Except as otherwise provided in subsection 5, the term of a member of the Interim Finance Committee expires upon the convening of the next regular session of the Legislature unless the member is replaced by the appointing authority. If the Speaker designate of the Assembly or the Majority Leader designate of the Senate designates members of the Assembly Standing Committee on Ways and Means or the Senate Standing Committee on Finance, as applicable, for the next ensuing regular session of the Legislature, the designated members become members of the Interim Finance Committee. A member may be reappointed.*



1 5. The membership of any member who does not become a
2 candidate for reelection or who is defeated for reelection ~~continues~~
3 ~~until the next session of the Legislature is convened.~~

4 —4.1 terminates on the day next after the general election. The
5 Speaker designate of the Assembly or the Majority Leader
6 designate of the Senate, as the case may be, shall appoint an
7 alternate to fill the vacancy on the Interim Finance Committee.
8 Except as otherwise provided in this subsection, each alternate
9 serves on the Committee:

10 (a) If he is a member of the Assembly, until the Speaker
11 designate of the Assembly designates the members of the Assembly
12 Standing Committee on Ways and Means for the next ensuing
13 regular session of the Legislature or appoints a different alternate.

14 (b) If he is a member of the Senate, until the Majority Leader
15 designate of the Senate designates the members of the Senate
16 Standing Committee on Finance for the next ensuing regular
17 session of the Legislature or appoints a different alternate.

18 6. The Director of the Legislative Counsel Bureau shall act as
19 the Secretary of the Interim Finance Committee.

20 ~~5.1~~ 7. A majority of the members of the Assembly Standing
21 Committee on Ways and Means and a majority of the members of
22 the Senate Standing Committee on Finance, jointly, may call a
23 meeting of the Interim Finance Committee if the Chairman does not
24 do so.

25 ~~6.1~~ 8. In all matters requiring action by the Interim Finance
26 Committee, the vote of the Assembly and Senate members must be
27 taken separately. No action may be taken unless it receives the
28 affirmative vote of a majority of the Assembly members and a
29 majority of the Senate members.

30 ~~7.1~~ 9. Except during a regular or special session of the
31 Legislature, each member of the Interim Finance Committee and
32 appointed alternate is entitled to receive the compensation provided
33 for a majority of the members of the Legislature during the first 60
34 days of the preceding regular session for each day or portion of a
35 day during which he attends a Committee meeting or is otherwise
36 engaged in Committee work plus the per diem allowance provided
37 for state officers and employees generally and the travel expenses
38 provided pursuant to NRS 218.2207. All such compensation must
39 be paid from the Contingency Fund in the State Treasury.

